SENATE—*Friday, September 10, 1993*

(Legislative day of Tuesday, September 7, 1993)

The Senate met at 9 a.m., on the expiration of the recess, and was called to order by the Acting President pro tempore [Mr. FEINGOLD].

PRAYER

The guest Chaplain, the Reverend Richard C. Halverson, Jr., Falls Church, VA, offered the following prayer:

Let us pray:

Father in heaven, it is written that, *Two are better than one; because they have a good reward for their labour. For if they fall, the one will lift up his fellow: but woe to him that is alone when he falleth; for he hath not another to help him up.*—Ecclesiastes 4:9, 10.

Lord, we see the wisdom of these words embodied in the association of two parties within the Senate, rather than one. Inasmuch as You have sovereignly determined that legislation among men, for this time in our land, emerge from the synthesis of these two parties—laboring together even from opposite poles—we pray for the quiet, invisible, reconciling presence of the Lord on the floor of this Chamber.

Lord, in this dispensation of Your coming into the world, we are humbled. Yet we boldly ask that Your divine influence make the aisle down the center of this room a common meeting ground rather than a dividing wall for separation.

Lord, as an instrument is finely tuned in the proper tension of its strings, we pray that the two extremes on each side of the issue can be not so slack that the sound of the outcome be dull, nor so taut that it be strident. May Your divine hand so guide our imperfect deliberations here, that, in this time, the performance of this instrument of government ring true to the ears of its people.

We ask now for this measure of good will among us, in the name of the Messiah, Jeshua. Amen.

And then, Lord, I pray for the pages here who have been here only a few days now. We remember them and thank You for their presence and help in this Senate. We pray for their families and their relatives and friends and ask that this be a wonderful experience for them. May they learn much and be strengthened and encouraged in their service here.

We ask all of these things. Amen.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 1994

The ACTING PRESIDENT pro tempore. The Senate will now resume consideration of S. 1298, which the clerk will report.

The assistant legislative clerk read as follows:

A bill (S. 1298) to authorize appropriations for fiscal year 1994 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes.

The Senate resumed consideration of the bill.

CBO COST ESTIMATE FOR S. 1298, THE NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 1994

Mr. NUNN. Mr. President, when the Armed Services Committee reported S. 1298, the National Defense Authorization Act for fiscal year 1994, to the Senate on July 27, the Congressional Budget Office [CBO] cost estimate on this bill was not available. The committee indicated in our report accompanying the bill that this cost estimate would be included in the material presented during the Senate floor debate.

Mr. President, the committee has received the CBO cost estimate on the bill, and I ask unanimous consent that it be included in the RECORD at this point.

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

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, July 30, 1993.

Hon. SAM NUNN,
Chairman, Committee on Armed Services, U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the attached cost estimate for S. 1298, the National Defense Authorization Act for Fiscal Year 1994, as ordered reported by the Senate Committee on Armed Services on July 23, 1993.

The bill would affect direct spending and thus would be subject to pay-as-you-go procedures under section 13101 of the Budget Enforcement Act.

Should the Committee so desire, we would be pleased to provide further details on the attached cost estimate.

Sincerely,

ROBERT D. REISCHAUER,
Director.

CONGRESSIONAL BUDGET OFFICE COST ESTIMATE—JULY 30, 1993

1. Bill number: S. 1298.

2. Bill title: National Defense Authorization Act for Fiscal Year 1994.

3. Bill status: As ordered by the Senate Committee on Armed Services on July 23, 1993.

4. Bill purpose: This bill would authorize appropriations for 1994 for the military functions of the Department of Defense (DoD), the Department of Energy, and the Federal Emergency Management Agency. This bill also would prescribe authorized personnel strengths for each active duty and selected reserve component.

5. Estimated cost to the Federal Government: The costs of this bill are shown in Table 1. All estimates assume that funds will be appropriated for the full amount of the authorization and will be available for obligation by October 1, 1993. Outlays are estimated based on historical outlay rates. Costs of the bill would fall under function 050, National Defense, except for certain items noted below.

Direct Spending and Asset Sales—The direct spending and asset sales in this bill stem primarily from provisions that would survey or lease government property, sell assets of the strategic stockpile, use the proceeds of sales, and expand pay and benefits.

Property conveyances.—The bill would convey land and other property in barter arrangements and in cash transactions. In one case the Department of Defense (DoD) would be allowed to use the cash proceeds.

The bill would remove a provision from current law requiring appropriations action before DoD could use the proceeds of a lease at the Naval Reserve Center in Atlanta, Georgia for constructing a Marine Corps Reserve Center at Dobbins Air Force Base. CBO estimates direct spending of $3 million from this provision.

TABLE 1.—ESTIMATED COSTS OF THE NATIONAL DEFENSE AUTHORIZATION ACT, 1994, AS ORDERED REPORTED BY THE SENATE ARMED SERVICES COMMITTEE

[By fiscal year, in millions of dollars]

Category	1994	1995	1996	1997	1998
Direct spending:					
Estimated budget authority	34	59	62	65	73
Estimated outlays	31	61	63	65	73
Asset sales:					
Estimated budget authority	−39	−33	−33	−8	−8
Estimated outlays	−39	−33	−33	−8	−8
Authorizations of appropriations:					
Stated authorizations	190,610	0	0	0	0
Estimated outlays	105,970	48,981	21,260	8,481	4,343
Estimated authorizations	49,784	1,691	2,987	2,983	3,017
Estimated outlays	46,257	5,119	2,932	2,985	3,016

A land conveyance of 18.45 acres in Broward County, Florida could result in a cash payment of $3 million to the federal government. In this case, DoD would not be able to use the proceeds.

In another provision, the bill would waive Section 514 of the Foreign Assistance Act of 1961 to permit the Secretary of Defense to augment defense appropriations through barter or sale of items to the Government of Korea. This amendment would authorize the Secretary to negotiate concessions including cash, services, waiver of charges, and other items of value. CBO cannot estimate the magnitude of the direct spending—either forgone receipts or use of the proceeds—because of insufficient data.

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

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

Section 3133 would allow the Secretary of Energy to transfer certain government property to any person if the transfer will mitigate adverse economic consequences of closing a facility. Consideration for the transfer may be less than fair market value and any monetary proceeds would constitute an asset sale under the Budget Enforcement Act of 1990. The Department of Energy does not appear to have a plan to use this authority, but the reconfiguration of the nuclear weapons complex may offer many opportunities to use it. Nevertheless, CBO cannot estimate the budgetary impact of this provision without a departmental plan.

Stockpile sales.—The bill calls for the sale of selected materials contained in the Strategic Stockpile. These asset sales would raise receipts by about $36 million in 1994 and about $118 million for the five-year period 1994–1998. This provision would also cause direct spending by requiring payment of $20 million to the American Metalcasting Consortium from stockpile receipts.

Disability benefits.—Effective October 1, 1994, section 602 would permit a veteran with a service-connected disability rating of 100 percent who is also a retired member of the Armed Forces to receive compensation from the Department of Veterans Affairs (VA) concurrently with retired pay, without deduction from either.

Under current law, military retirees who have some service-related disability are not permitted to receive a full annuity from DoD in addition to disability compensation from VA. Such retirees must waive either their entire VA disability compensation benefit or a portion of their DoD military retirement equal to the amount of their disability compensation. Because VA disability compensation is not taxable, most retirees forgo all or part of their DoD retired pay in order to collect compensation from the VA.

The cost of this provision is shown in the following table. The estimate assumes that the benefits of this bill would not be retroactive; that is, it assumes that beneficiaries will not be reimbursed for payments they waived in previous years. The estimate is also based on CBO projections of cost-of-living adjustments, military pay raises, military personnel levels, and the military retiree population.

According to the Defense Manpower Data Center, as of September 30, 1992, there were approximately 15,000 former servicemembers who were rated 100 percent disabled and who retired with at least 20 years of service. These people received disability compensation from the VA. The total value in 1992 of retirement benefits being waived by this group was close to $43 million. To project the costs in future years, this total was increased for actual and anticipated cost-of-living adjustments.

Section 602 would cost about $50 million a year over 1995–1998 with costs divided between direct spending and authorization of appropriations. First, higher payments to military retirees through outlays from the military retirement trust fund in the income security function (function 600) would constitute direct spending. They would increase outlays by approximately $189 million over the next five years.

Second, the budget's accounting for the military retirement system reflects an estimate of the system's accruing liabilities. Therefore, the yearly contributions to the trust fund (paid by DoD in budget function 050) also would increase. These contributions are subject to appropriations action and thus are not direct spending. CBO estimates that accrual payments would increase by approximately $73 million over the five-year period ending in 1998. The change in this payment would be offset in the undistributed offsetting receipts function (budget function 950).

[By fiscal year, in millions of dollars]

	1994	1995	1996	1997	1998
Direct spending					
Estimated budget authority	0	44	46	48	50
Estimated outlays	0	44	46	48	50
Authorization of appropriations:					
Function 050:					
Estimated authorizations	0	18	18	18	19
Estimated outlays	0	18	18	18	19
Function 950:					
Estimated authorizations	0	−18	−18	−18	−19
Estimated outlays	0	−18	−18	−18	−19

Other pay and benefits for personnel.—Section 337 amends the pilot program that uses National Guard personnel to provide medical services in certain communities. The provision would provide retirement credit for any service performed in fiscal year 1993. Because most of the Guardsmen involved with this program would not receive retirement benefits during the five-year period covered by this estimate, costs would be less than $500,000 each year.

Section 654 would provide retirement pay to spouses or former spouses of military members if the members abused their dependents, were subsequently court-martialed, and as a result lost their right to retired pay. Currently, a dependent can receive the retired pay of the military member, but only after completion of the entire appeals process. This provision would provide immediate payments. If the initial conviction were overturned, however, payments would be terminated. Costs for 1994 would be about $300,000, including retroactive payments. Out-year costs would average about $160,000 a year.

Section 603 would allow the Secretary of the Air Force to waive repayment of basic pay advances made in connection with the evacuation of Homestead Air Force Base in 1992, at a cost of approximately $1 million. Because this provision would reduce a receipt to the government, it constitutes direct spending.

Section 641 provides permanent authority for payments to former prisoners of war whose captors violated provisions of the Geneva Convention. Currently, if Congress does not grant this authority for a specific armed conflict, DoD can still make payments under existing authority to compensate victims of terrorism. Section 642 would allow former prisoners of war to be compensated only under the prisoner of war provisions and not under the terrorism provisions. These changes would affect only participants in future armed conflicts, and would not increase costs relative to the provisions of current law.

Section 532 extends the authority of DoD to carry out certain force management initiatives related to the personnel drawdown. These authorities were originally granted until 1995, but this bill would extend them until 1998 in anticipation of continued reductions in personnel. A number of these provisions affect direct spending.

One such provision continues the waiver on the minimum service requirement for certain reservists under the Montgomery GI Bill. This provision would cost approximately $1 million annually because participants would receive their benefit sooner than would otherwise have been the case.

Another of these provisions would require certain limited duty officers who would otherwise serve in the Navy between October 1, 1995, and October 1, 1998, to retire early. According to the Navy, this provision would apply to 45 officers, all of whom would retire with more than 30 years of active duty service. Annual retired pay for this group would be about $2 million after 1996.

Section 532 would also allow certain categories of officers to retire at their current rank with fewer years of service in that grade than current law requires. The provision would affect officers voluntarily leaving the service at any grade above major or lieutenant commander and below lieutenant general of vice admiral. The additional retirement costs would not exceed $500,000 annually.

Another provision of this section affects the length of service an individual must serve as an officer in order to retire with officer status. Under current law, the minimum time required is ten years 1995; but this bill would extend a reduction to eight years through 1998. DoD is unable at this time to determine the number of officers affected by this provision; consequently, its cost impact is uncertain.

Section 512 of the bill affects the calculation of years of service for mandatory transfer to the retired reserve. In the absence of this provision, some members would need to reenlist in order to acquire sufficient years of service for retirement. DoD estimates that the number of personnel affected by this provision is small, and that added retirement costs would amount to less than $500,000 per year.

Section 545 would award the Purple Heart to servicemembers killed or wounded in action by friendly fire. This provision is retroactive, so its costs would constitute direct spending. CBO estimates the spending to be less than $500,000 per year.

Changes in Medicare Fee Schedule.—Under current law, physicians in the first year of practice receive a maximum of 80 percent of the Medicare Fee Schedule. In the subsequent three years, the maximum rises annually to 85 percent, 90 percent, and 95 percent. The reductions from the full fee do not apply for primary care services or services performed in rural Health Manpower Shortage Areas. This bill would eliminate the fee schedule reduction for physicians who have practiced in the military but are new to Medicare.

The cost of this provision is $10 million in 1994 and $75 million for 1994–1998. This estimate was based on the average reimbursement for a physician's initial year of practice and the number of military physicians leaving the service, as provided to CBO by DoD and the American Medical Association.

The House- and Senate-passed reconciliation bills include provisions that would repeal the reduction in payments to new physicians and practitioners, which would include physicians with prior military experience. If the reconciliation bill is enacted before this bill, this provision would have no budgetary effect.

Other direct spending.—Section 336 would allow the National Board for the Promotion of Rifle Practice to use monies generated from the sale of ammunition beyond the fiscal year in which they were received. This reappropriation of proceeds would be less than $500,000 in 1994.

Finally, the bill would allow the Secretary of Defense to accept and spend cash contributions from Japan, Kuwait, and the Republic of Korea. Any contributions would be available to pay local national employees, to construct facilities, and to purchase supplies and services. This provision constitutes direct spending because no appropriations action would be required. The new budgetary

impact would probably be close to zero in any one year primarily because receipts and expenditures would offset each other. The gross amounts of burdensharing for these 3 countries could total over $7 billion a year, but this burdensharing will probably take a form other than the cash contributions affected by this bill. Other nations also help finance U.S. deployments overseas by providing aid in-kind or by directly paying the bills of U.S. forces. For example, the Japanese government has committed itself to paying 75 percent of the yen-denominated costs of stationing U.S. troops in Japan; these costs total about $3 billion annually. The Korean government has similarly committed itself to paying three-fourths of the approximately $3 billion in won-denominated costs of stationing U.S. troops there.

Stated Authorizations of Appropriations: The bill states the amount of authorizations for appropriations for several accounts totaling about $191 billion for 1994. It authorizes a subset of the supplemental appropriations for 1993 enacted as Public Law 103-50; the authorizations equal the actual appropriations.

Estimated Authorizations of Appropriations: The bill contains implicit authorization of appropriations extending beyond 1994 affecting primarily military personnel costs; Table 2 contains CBO estimates for the amounts authorized and the related outlays. The following sections describe the items shown in Table 2 and provide information about CBO's cost estimates.

Endstrength.—The bill would authorize 1994 end strengths for active and reserve components of DoD. Endstrengths authorized for active-duty personnel would total 1,622,200—1,600 more than the Administration's request and 144,300 below authorized 1993 levels. Current trends indicate that reductions in personnel are outpacing the budget's estimates, so that the endstrength authorized by this bill will cost $359 million less than the Administration requested.

Reserve endstrengths levels for 1994 would be authorized at 1,040,000—about 21,000 more than requested, but 39,500 less than the 1993 level. Compared to the budget request, the reserve authorization would cost $86 million in pay and allowances.

Also, the bill would authorize an endstrength of 10,500 people for the Coast Guard Reserve in 1994, which is 2,500 above the level of the budget request. This authorization would cost $60 million and falls under budget function 400.

Budget function 950—undistributed offsetting receipts—records the receipt of payments from function 050 for military retirement, retirement for DoD's civilian employees, Social Security and Medicare. The total of over $21 billion shown in Table 2 for function 950 relates to the costs of both civilian and military personnel.

Military Pay Raise.—The bill authorize a 2.2 percent pay raise in 1994 for military personnel. The Administration's budget request assumed that military pay was frozen in 1994; this change costs $1,033 million relative to the request.

Force management authorities.—Section 532 contains provisions that increase authorizations by extending force management initiatives related to the personnel drawdown. (Other provisions of this section would increase direct spending, as described above.) One provision extends DOD's authority, granted in 1992, to offer early retirement to certain military personnel with less than 20 years of service. Current law allows this practice until 1995, and this bill would extend it through 1998. DOD's current plan is to grant a total of about 13,000 early retirements during 1993 and 1994, at a cost of $370 million over the two-year period. If use of the program continued at this rate after 1995, costs would amount to about $200 million per year. Because DOD's ability to offer such retirements is subject to the availability of appropriations, and payments are made from discretionary accounts rather than from the military retirement trust fund, these payments do not constitute direct spending. These gross costs would be offset by salary savings resulting from replacing the senior personnel who retire with new recruits, whose pay is significantly lower. The net cost of extending this program is $88 million in 1996 and $119 million for 1996–1998.

This section also extends through 1998 authority for the Voluntary Separation Incentive (VSI) program. This program gives selected servicemembers the opportunity to leave service voluntarily and receive a recurring annual payment over a fixed period of time. When servicemembers opt for VSI, DOD must provide sufficient funding up from to meet all future payments, which can extend for up to 38 years. These amounts are deposited in the VSI trust fund. Based on current participation rates, CBO estimates that approximately 5,000 individuals would choose VSI each year during the period of the extension. This would require up-front funding totalling more than $500 million annually from military personnel accounts. However, these amounts are offset elsewhere in the defense budget. For the three years of the extension, 1996–1998, outlays would rise by $289 million.

This section also extends through 1998 authority for the Special Separation Benefit (SSB) program created in 1991. This program, currently set to expire after 1995, gives selected servicemembers the opportunity to leave service voluntarily in return for a lump sum cash payment. CBO estimates that if use of the SSB program remains at the levels planned for 1992 through 1994, approximately 30,000 individuals will participate each year at an annual cost of more than $1.2 billion.

Section 532(c) would extend the Guard and Reserve Transition Initiatives, authorized by the National Defense Authorization Act for 1993 from September 30, 1995, until October 1, 1998. The extension would add $580 million to costs for 1996 through 1998.

Section 532 would also extend the authority to pay certain travel and transportation allowances to certain members leaving service. Current law allows such payments through 1995, but this change would extend them through 1998 at a cost of about $1 million annually.

Other compensation and benefits.—Sections 611 and 612 would extend for two years certain authorities for bonus programs that would otherwise expire at the end of 1993. Authority to pay bonuses to certain health professionals including nurse officer candidates, registered nurses, and nurse anesthetists would increase authorization by $9 million in 1994. Payment authorities for enlistment and reenlistment bonuses for active duty personnel would cost $210 million in 1994. Finally, extension of certain bonus programs for Selected Reserve personnel would increase costs by $49 million in 1994.

Section 621 that would raise the number of days for which military personnel can be reimbursed for certain travel expenses. This change would increase costs by about $30 million annually.

Section 652 of the bill allows the secretaries of the military services to reimburse servicemembers for losses on deposits for rental housing in foreign countries due to foreign currency fluctuation. The secretaries would advance funds to the members for deposit payments, and collect repayment at the end of the rental period based on the same exchange rate that was in effect at the beginning of the rental period. Thus over time the secretaries would realize some losses and some gains depending on the direction of the fluctuation. Because this is a new program, costs would amount to about $1 million in the first year due to the initial advance payments.

Section 431 would cap the authorization of appropriations for military personnel at $70,711 million in 1994. Because other sections of the bill increase costs above this level, this section has the affect of reducing the authorization by about $188 million.

Other provisions.—The bill would authorize the President to issue up to $1 billion in guarantees for the sale of defense articles and services to certain countries and would authorize the appropriation of $25 million for the subsidy cost of such guarantees. The guarantees authorized by this amendment are similar to, but somewhat more restrictive, than the foreign military financing authorized by the Arms Export Control Act; the terms of the guarantees must be similar to medium- and long-term guarantees extended by the Export-Import Bank and the countries eligible for financing are listed. Assuming the subsidy cost of the loans authorized by this section is similar to the subsidy provided by Eximbank guarantees, the authorized amount may not support $1 billion in long-term guarantees. Outlays of $2 million in 1994 are estimated using the historical spendout rate for foreign military financing for countries other than Israel and Egypt. The cost of this provision would fall in budget function 150, International Affairs.

The bill would also authorize the Panama Canal Commission to spend any sums available from operating revenues or Treasury borrowing for operation, maintenance, and improvement of the canal in fiscal year 1994. This spending and the canal's operating revenues are considered discretionary, because the appropriation bill customarily establishes an obligation ceiling for this account. CBO estimates that 1994 collections will be about $558 million and that collections will exceed spending by about $3 million, resulting in net outlays of −$3 million in budget function 400, Transportation.

Section 625 would allow members of the Coast Guard Reserve who are involuntarily dismissed from service to receive transitional benefits as authorized under the National Defense Authorization Act for 1993. Based on the budget request, costs could be about $4 million in 1994 and roughly $20 million for the five-year period. However, with the endstrength authorized in this bill, this provision would have no cost.

TABLE 2.—ESTIMATED AUTHORIZATIONS IN THE NATIONAL DEFENSE AUTHORIZATION ACT, 1994, AS REPORTED BY THE SENATE ARMED SERVICES COMMITTEE

[By fiscal year, in millions of dollars]

Category	1994	1995	1996	1997	1998
End strengths:					
Function 050:					
Estimated authorization level	69,567	0	0	0	0
Estimated outlays	66,123	3,444	0	0	0
Function 400:					
Estimated authorization level	60	0	0	0	0
Estimated outlays	58	0	0	0	0

TABLE 2.—ESTIMATED AUTHORIZATIONS IN THE NATIONAL DEFENSE AUTHORIZATION ACT, 1994, AS REPORTED BY THE SENATE ARMED SERVICES COMMITTEE—Continued

[By fiscal year, in millions of dollars]

Category	1994	1995	1996	1997	1998
Function 950:					
Estimated authorization level	−21,012	−18	−18	−18	−19
Estimated outlays	−21,012	−18	−18	−18	−19
Compensation and benefits:					
Military pay raise:					
Estimated authorization level	1,033	1,335	1,318	1,307	1,308
Estimated outlays	982	1,320	1,319	1,308	1,308
Expiring force management authorities:					
Estimated authorization level	0	0	1,532	1,555	1,617
Estimated outlays	0	0	1,456	1,554	1,614
Expiring bonus authorities:					
Estimated authorization level	268	325	106	91	63
Estimated outlays	255	322	117	92	64
Travel reimbursement:					
Estimated authorization level	30	30	30	30	30
Estimated outlays	30	30	30	30	30
Disability benefits:					
Estimated authorization level	0	18	18	18	18
Estimated outlays	0	17	18	18	18
Rental deposit reimbursement:					
Estimated authorization level	1	1	1	.....	.....
Estimated outlays	1	1	1	.....	.....
Cap on military personnel appropriations:					
Estimated authorization level	−188	0	0	0	0
Estimated outlays	−179	−9	0	0	0
Loan guarantees for defense purchases:					
Estimated authorization level	25	0	0	0	0
Estimated outlays	2	10	9	2	1
Panama Canal:					
Estimated authorization level	0	0	0	0	0
Estimated outlays	−3	0	0	0	0
Total estimated authorizations:					
Estimated authorization level	49,784	1,691	2,987	2,983	3,017
Estimated outlays	46,257	5,119	2,932	2,985	3,016

6. Pay-as-you-go considerations: Section 13101 of the Budget Enforcement Act of 1990 sets up pay-as-you-go procedures for legislation affecting direct spending or receipts through 1995. The direct spending costs of this bill that are subject to the pay-as-you-go procedures are shown in the following table:

[By fiscal year, in millions of dollars]

	1994	1995
Change in outlays	31	61
Change in receipts	[1]	[1]

[1] Not applicable.

7. Estimated cost to State and local government: None.

8. Estimate comparison: None.

9. Previous CBO cost estimate: None.

10. Estimate prepared by: Eugene Bryton, Elizabeth Chambers, Victoria Fraider, Lori Housman, Amy Plapp, Deborah Reis, K.W. Shephard, Lisa Siegel, Kevin Weiss, and Joseph C. Whitehill.

11. Estimate approved by: Paul Vande Water (for C.G. Nuckols), Assistant Director for Budget Analysis.

The ACTING PRESIDENT pro tempore. Under the previous order, the Senator from Nevada is recognized.

Mr. REID. Thank you, Mr. President.

AMENDMENT NO. 815

(Purpose: To terminate the Ground Wave Emergency Network (GWEN) Program of the Air Force)

Mr. REID. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The ACTING PRESIDENT pro tempore. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Nevada [Mr. REID], for himself, Mr. WOFFORD, Mr. WELLSTONE, and Mr. FEINGOLD, proposes an amendment numbered 815.

Mr. REID. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The amendment is as follows:

On page 51, after line 24, insert the following:

SEC. 218. TERMINATION OF GROUND-WAVE EMERGENCY NETWORK PROGRAM.

(a) TERMINATION OF PROGRAM.—The Secretary of the Air Force shall terminate the Ground Wave Emergency Network (GWEN) program of the Air Force.

(b) FUNDING LIMITATION.—Funds available to the Department of Defense for obligation for the Ground Wave Emergency Network (GWEN) program may be obligated for that program only for payment of the costs associated with the termination of such program.

PEACE ACCORDS BETWEEN ISRAEL AND THE PLO

Mr. REID. Mr. President, before getting into my remarks on this amendment, I think it is appropriate to mention how elated I am—and I hope the rest of the country is and the rest of the world is—over the signing of the peace accords, at least the initial aspects of them, between the State of Israel and the Palestinian Liberation Organization. If in fact in that part of the world there were a war today and it had been declared, as has happened numerous times in the past 50-odd years, we would certainly be focusing on that issue. I think perhaps we are not focusing on it enough. What took place there yesterday and will take place in the next few weeks is momentous, and I certainly commend and applaud leaders who were able to negotiate that most delicate beginning aspect of the peace in that part of the world.

AMENDMENT NO. 815

Mr. REID. Mr. President, what we are going to talk about here this morning in relation to this amendment, as far as I am concerned, is almost unbelievable. To think that we would have to come to the Senate floor and offer an amendment to cut a project that goes back to an era of time that we all dreaded; namely, the cold war, and to think that the military is going forward with this is, I think, incomprehensible.

What are we talking about here today? We are talking about the ground wave emergency network. We will refer to that here today in this debate as the GWEN, the ground wave emergency network.

What is the ground wave emergency network? Mr. President, it is a system which started out with about 250 towers, 300 feet high, all over this country. The first one, I believe, was built in Massachusetts. They were designed to provide a redundant military communication system after a nuclear attack on the United States by the former Soviet Union. There are people who even at the time questioned whether or not GWEN would work. Now people are still questioning it, and rightfully so.

Retired Adm. Eugene Carroll, of the Center for Defense Information, states: "GWEN is a satire on military spending. There was not anything to justify it in the early eighties"—still quoting Admiral Carroll—"when it was originated and there is nothing to justify it now. The fact this program is still surviving is absolute proof that once a program gets funded it is impossible to stop." That is what Admiral Carroll stated.

When I first came to Washington—that was not many years ago—I was told, do not waste your time on trying to eliminate a defense program no matter the size of the program especially if it has been funded on one previous occasion. It will never stop. And those people that said that are basically right. Programs never stop. They just continue to go on and on.

There might be some who say why worry about GWEN? Why worry about the ground wave emergency network? It is not much money. A lot of people think it is a lot of money. A statement was given recently by Congressman OBERSTAR, a veteran Congressman from Minnesota, who talked about stopping the doomsday tower. He began his article by saying: "A body at rest remains at rest. A body in motion continues to move in the same direction with the same speed unless a force is impressed upon it."

This is Newton's first law of motion, of course. But what Congressman OBERSTAR went on to say is that had Sir Isaac Newton lived today, he might have called his laws of dynamics the laws of military bureaucracies since the first law closely describes the U.S. Air Force and its actions with regard to the ground wave emergency network. Fifty-four of these towers, Mr. President, have already been built at a cost of $235 million.

The Congressional Budget Office says canceling the project now will save $41.2 million during the next 4 years.

It will also save the yearly operating cost of about $6.5 million annually after the system is built. There will be those that never saw a military program they did not like—especially

after it is already started—who will stand and say that it will cost money to terminate the program. And that is absolutely true. It will cost money to terminate the program. But I think if you look at what CBO told us, even considering what it costs to terminate the program, we will still save $41.2 million.

Robert Reischauer, Director of the CBO, in July of this year, in a letter to Congressman BARNEY FRANK, indicated just that. I will quote in part from this letter:

> Gross savings from ending GWEN would total $47.9 million. Of appropriations provided prior to 1994, $13.7 million has been obligated but not yet spent pending a report from a scientific advisory board. About $1.7 million would be saved from the administration's budget submission for research, development, test, and evaluation and procurement funding for 1994, about $0.5 million and $1.2 million, respectfully. Additional savings would result from eliminating future operations and support costs. According to the Air Force, maintenance costs for the entire network total $6.5 million annually.

Let us talk about termination costs, Mr. President. As Mr. Reischauer mentions:

> Termination are costs of canceling existing contracts. The costs include penalties and payment for work performed to date. CBO cannot estimate total termination costs with certainty, but it appears that these costs could total about $6.7 million dollars. About $5.7 million would be required to end the contract for installing 29 relay nodes. Terminating 44 property leases would probably cost no more than $1 million. Other costs may be associated with terminating a contract to maintain the network, but the Air Force could not supply sufficient data for an estimate.

I think what Congressman OBERSTAR stated in his article is an apt description of what is happening in the Air Force with regard to the ground wave emergency network. It is a throwback to the cold war. It is a throw back to the cold war, and even at the time there was not agreement that it would work as a redundant system.

We are talking about trying to save money. We have debated this defense bill and all of the appropriations bills to this point. Monday, we are going to start Interior appropriations. Senator BYRD, chairman of the subcommittee, and Senator NICKLES, the ranking member, have struggled so that we can have maintenance for our park systems, so that the Forest Service can have enough money to replace workers that are being laid off. And all through the interior budget process, we are fighting to save $1,000 here and $10,000 there. We are talking about being able to save over $40 million here today, which can be used in many different ways.

As I indicated, Mr. President, GWEN started out as a system of about 250 towers. Because of the criticism, it was cutback to 121 towers. These towers are 300 feet tall. They were designed, as I have indicated, to provide a redundant military communications system.

These transmitters are designed to be resistant to the electromagnetic pulse, EMP, and other effects of a nuclear attack. So in the event of nuclear annihilation of this country, the few surviving military leaders will be able to give orders to fire more nuclear weapons at our enemy. That is the purpose of it.

The question of "what enemy?" has been asked on this floor during the debate on the defense bill. I think it is an important one. It came up during the Somalia question yesterday. What objectives do we have as a military? What objectives do we have as a country? That is the question that is here today regarding GWEN. What are we talking about? Where do we need to spend our money? What are our military options? Who is our enemy? President Bush announced that the cold war was over, and I do not think anybody would dispute that. We still have to worry about careless attacks with nuclear weapons, of course, but that is not the purpose of GWEN. The threat of nuclear conflict is not entirely gone, but it is certainly different than the mutual annihilation in effect several years ago between the Soviet Union and the United States.

As I mentioned, Mr. President, 54 of these towers have already been built. We can save $41.2 million. We can save the operating costs of $6.5 million each year. This amendment terminates the program and allows for termination costs, which CBO estimates will be, as I have indicated, $6.7 million.

Every day, we write letters to our constituents, because they ask us questions and send mail to us asking: What are you going to do to save money? We just finished a budget battle where we passed the largest deficit reduction bill in the history of this country, and most of us said afterward that there were more cuts to come. Mr. President, here are some real, honest-to-goodness dollars that can be saved, over $40 million. So these are real cuts. These are not just pie-in-the-sky cuts. Here is a chance to make a cut in a program that is completely unnecessary.

Other controversies exist in relation to this program. One controversy that exists regarding this program is because of a concern over the possible effects of health on the electromagnetic emissions from these towers. There are some who say that the health concern is significant. In fact, it was so significant, the construction was halted in 1990 because of possible concerns over health. For six seconds every hour, the towers emit 150 to 175 kilohertz test signals.

Scientists say that is dangerous. The National Academy of Sciences took, not 3 days, 3 weeks, or 3 months, but 3 years to test what this would mean. It was determined that there was "no evidence of adverse effects of GWEN fields on public health." This conclusion has been significantly criticized, and many feel that the issue is still unsettled. This, though, Mr. President, is only one reason I came to the floor today. The main reason I am here is to save over $40 million on a program that is totally wasteful. We do not need it.

GWEN is the relatively new nuclear war fighting mentality of prior administrations. The United States has maintained a highly credible nuclear deterrent without GWEN. This amendment would save $41.2 million. The Pentagon should not continue to waste scarce resources on projects left over from the superpower confrontations of the cold war.

Each relay tower—I exaggerate by 1 foot—is 299 feet. Each 300-foot tower is topped by a flashing strobe light that is signaled by a buried copper cone some 600 feet in diameter. People, including scientists, questioned the environmental and esthetic impacts of such installations and have objected to their intrusion into peaceful and often rural landscapes. It is doubtful, as has been clearly established, that the work done to determine whether or not it is safe to be around these towers certainly has been shown not to be conclusive by many. The GWEN project is a project that is a dinosaur and should go the way that the dinosaurs have gone.

Mr. GRASSLEY addressed the Chair.

The ACTING PRESIDENT pro tempore. The Chair recognizes the Senator from Iowa.

DEFENSE BUSINESS OPERATIONS FUND

Mr. GRASSLEY. Mr. President, I want to take a few minutes to bring to the attention of my colleagues an amendment that I am going to be offering on the legislation later on when I can get the floor. I think it is very important that I do not try to catch anybody off guard.

I also want to take advantage of the opportunity because it gives a few hours for people who have worked with me on defense reform in the last decade to realize what I am doing and for them to consider what I am doing, because, hopefully, I would get some help from them in the same way that I have worked with them in the past when we have had Republican Presidents, particularly people from the other side of the aisle who have worked with me on defense procurement reform before. I want to make sure that we continue our efforts and they are not changed because we have a Democratic President.

So at some point during consideration of the fiscal year 1994 defense authorization bill, I will offer an amendment on the Defense Business Operation Fund. We call that DBOF, for short. I have spoken probably four or five times since March on the floor of the Senate on this subject, about how the books are in such terrible condition that they cannot even be audited, and urging the Defense Department to take

some action and do some things, and also urging our colleagues to show an interest in this. Because, obviously, if books cannot be audited, it is very difficult to know about the waste of taxpayers money. And we all know there is considerable waste of taxpayers' money.

So, for my colleagues on both sides of the aisle who are interested in defense reform and who have helped me in the past, I want them to be aware of my attentions and to better understand what I am trying to accomplish.

The reason for my amendment is very simple and clear. The Department of Defense inspector general has just completed an audit of the defense business operation fund, or DBOF. He has completed an audit of its financial statements for fiscal year 1992.

Now that audit was required by law, and it was required by an act that we just passed not very many years ago, the Chief Financial Officers Act of 1990.

The inspector general audit is really quite devastating about this fund. It is really another fiscal horror show that is going on at the Pentagon.

DBOF's books are, quite frankly and simply, a mess. DBOF's books are in such bad shape, the inspector general had to issue a disclaimer of opinion—and that is all in capital letters. And, in the language of accountants, that disclaimer of opinion means that the IG could not audit the books.

We know from other sources that over $2 million was stolen from DBOF. The thief, a Mr. James Lugas, was caught—not because of any internal controls, but because he just simply had outrageous behavior connected with the $2 million he was stealing and he was caught as a result of that outrageous behavior. He is now serving jail time for this crime.

But if you are a taxpayer and you have a fund here in the Defense Department that somebody can steal $2 million from, and the inspector general, on the other hand, puts a disclaimer of opinion on it because the books are in such a bad mess that he cannot audit them, you can easily come to the conclusion why it is easy to take $2 million.

We cannot be very satisfied that this thief is in jail. And this $2 million is not the purpose of my amendment. Even if there were never a Mr. James Lugas, if there were never a thief, if there were never a person who went to jail for this, it would not be any less important for my offering the amendment. That is just a very small example of the problems we have in bookkeeping with this fund and the accounting of the expenditure of money from this fund in the Pentagon.

In fiscal year 1992, about—and we have to say "about," because how are you going to know exactly, with the way the books are kept—about $120 billion was pumped through the DBOF money pipe.

The bureaucrats at the Pentagon have a responsibility to arrive at a full and accurate accounting of how all the money was used. If we cannot get an accurate accounting of how the money is being used, then, in my opinion, DBOF should be shut down.

This legislation before us extends it to December 31, 1994. It was supposed to go out of business in April 1993. Then it was extended into this year. Now this legislation extends it again.

We are not arguing with that extension. We are not going to put an end to that extension, as far as my amendment is concerned. But as this legislation does not authorize it beyond December 31, 1994, my amendment would not go beyond that either, but it would force upon the Department of Defense and the DBOF fund certain conditions that would have to be met.

First, the Department of Defense IG's audit of DBOF's fiscal year 1993 financial statement would have to be completed by June 30, 1994. That is almost a year from now that we are saying that last year's expenditures ought to be accounted for. And it must indicate then, in the process, that DBOF is in compliance with all the applicable statutes, including the Chief Financial Officers Act.

I can give, during the debate, a long list that I am not going to go into now, a long list of the statutes that DBOF is in violation of. And that is from statements based upon the General Accounting Office and statements based upon the inspector general, and it is not my determination that they are in violation.

So, in the first step that would have to be done according to my amendment, this audit must be completed by June 30, 1994, and it has to indicate that DBOF is in compliance with the laws.

Second, the inspector general's fiscal year 1993 audit must not contain a disclaimer of opinion.

Why the disclaimer of opinion? Because the books are a mess. He cannot audit them, so he puts that disclaimer on them. The books should be in shape so that they can be audited. I mean, that is simple business. When you are talking about reinventing Government, basic accounting is a part of the infrastructure to make sure that you get good delivery of goods and services for the people of this country.

And then, third, the IG's audit must certify that all DBOF assets are protected against loss from unauthorized use.

Who knows beyond that $2 million—the guy has been caught and he is in jail—how much additional money has been illegally spent?

We are saying that DBOF's expenditure of money must be done in a legal fashion. The basic premise of power of the purse is that you do not spend money if there is not a legal basis for its expenditure. Now, that is just common sense.

And then my amendment would give DBOF 1 more year to shape up and get its books in order.

My amendment then would give the Armed Services Committee ample time, next year, to examine all the new evidence that may surface, to weigh alternatives, and to decide how to proceed with DBOF in the fiscal year 1995 bill.

Let me say, for some history here, what is DBOF all about? Before DBOF, for 40 years we had M accounts, slush accounts, money that was not expended in a particular year put over into the M accounts.

The M accounts built up to $50 or $60 billion. Then, when we had some legislation in 1990, we legislated those M accounts out of business by a certain deadline—September 1993. I think that deadline will soon be gone.

In the transition from $50 or $60 billion slush fund accounts, there was a feeling you needed a mechanism to give the Department of Defense some flexibility so DBOF was set up.

But DBOF, if we are not careful, is going to become just another M account. M accounts are probably a constitutional, legal way for the Department of Defense to spend money without congressional control over the expenditure of that money.

So I hope my colleagues will study this amendment and realize what we are trying to do here is simple basic common sense. First, the Department of Defense IG's audit of DBOF's fiscal year 1993 must be completed by June 30, 1994, and it must be in compliance with the laws; the books must be in order, so the IG does not have to use that disclaimer and then the IG can certify that all DBOF assets are protected against loss from unauthorized use.

I took the point position and leadership on many defense reform issues in the 1980's when we had a Republican President and when it was not particularly popular for a Republican. It was not particularly easy for a Republican to take on a Republican President, but I was not afraid to do it because I had staunch allies on the other side of the aisle.

Mr. REID addressed the Chair.

Mr. GRASSLEY. Do not get nervous, I am only going to take another 30 seconds. It will take you that long to ask me a question.

So I hope, now, that those Members in the majority party who always fought so hard with me for more responsible defense in the 1980's will still be dependable allies now that we have a Democratic President in the White House. It is just as simple, that no one Senator can watchdog the Pentagon by himself. It was not done during the eighties, and it is not going to be done during the nineties.

The reformers of the eighties ought to be reformers in the nineties as well. Reformers when we had a Republican President ought to be reformers when we have a Democratic President.

I think the Reagan-Bush watchdogs need to draw new uniforms and join up as Clinton watchdogs. There is much work to be done.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Nebraska.

AMENDMENT NO. 815

Mr. EXON. Mr. President, I would like to serve notice on the Senate if we are going to complete action on the Defense Department authorization bill, as has been planned after some debate last night about why can we not put this over until Monday, we are going to have to exercise some discipline among ourselves. It is pretty clear that we are going to finish this bill today. There has been a lot of talk about that inconveniencing a lot of Senators. Talk about inconveniencing Senators when they are supposed to be here on the matters of the Senate does not set very well with this particular Senator.

I am only saying this because it indicates to me we are going to have to exercise some discipline among ourselves today on the amount of time we take on debating very legitimate issues that every Senator has a right to bring up under the rules. Over and over again, time and time again, this body demonstrates devastatingly that we are the greatest and the most long-winded debating society in the whole world. I hope we could express some discipline today and get on with the matters at hand, giving every Senator the rights that he has under the rules, but entering into some time agreements so we can get moving on the amendments.

The Senator from Nevada has offered an amendment. It is before the body. I hope we can dispose of this, have a vote in rapid fashion. I have consulted with the Senator from Nevada. We are prepared to enter into a time agreement along the following lines. Since the Senator has made his opening remarks he would have an additional 20 minutes of time under his control for proponents of the amendment. I would have half an hour in opposition to the amendment that has been offered. Therefore we would schedule a vote on this measure somewhere in the neighborhood of 10:35.

So I propose that as a unanimous-consent agreement specifically with regard to the time agreements on the amendment offered by the Senator from Nevada.

Mr. REID. I only suggest, Mr. President, my friends from Nebraska will set a good example, I am sure, and will not use the full half-hour under the time limit. So we are ready to move even more quickly than that.

Mr. EXON. I am only reserving the right for those who may want to speak against it. I have already studied the amendment and have my opinion on it. I will try to be brief in my remarks. I have proposed a unanimous-consent agreement.

Mr. REID. Mr. President, I ask there would be no second-degree amendments.

Mr. EXON. I certainly agree to incorporate in with my unanimous-consent agreement that there would be no second-degree amendments, reserving a right to offer a tabling motion if that is our wish.

Mr. REID. I certainly understand.

I have no objection to the unanimous-consent request. I would ask permission from the floor manager, Senator EXON, if Senator WELLSTONE could use 10 minutes of my 20 minutes now. He was not expecting the Senator from Iowa to be speaking.

Mr. EXON. I have no objection to that.

The ACTING PRESIDENT pro tempore. Will the Senator please state his request?

Mr. EXON. I ask unanimous consent that time agreements be entered into at this point allowing 20 minutes additional debate on the amendment offered by the Senator from Nevada, 20 minutes on their side, a half an hour on this side—those in opposition—and that upon the expiration of that time we would vote, approximately between the hour of 10:20 and 10:25; and that no second-degree amendments would be in order to the amendment offered by the Senator from Nevada.

The ACTING PRESIDENT pro tempore. Is there objection?

Mr. THURMOND. Reserving the right to object.

The ACTING PRESIDENT pro tempore. The Senator from South Carolina.

Mr. THURMOND. We would like to check with the Republican leader before we could agree with that.

Mr. EXON. We have fallen down already on the attempt to move things along. Let the RECORD so show. We will go on with unlimited debate.

Mr. THURMOND. Mr. President, I have just gotten word the Republican leader does not object.

Mr. EXON. Does not object.

The ACTING PRESIDENT pro tempore. Is there objection to the unanimous-consent agreement? Hearing none, the unanimous-consent agreement is agreed to. The Senator from Nevada has 20 minutes.

Mr. REID. I yield 10 minutes to the Senator from Minnesota.

The ACTING PRESIDENT pro tempore. The Senator from Minnesota is recognized.

Mr. WELLSTONE. Thank you, Mr. President. I will not need the full 10 minutes.

This amendment that Senator REID has proposed on the floor of the Senate is timely. Reportedly, in closed session the defense appropriations subcommittee—I do not know whether the Senator from Nevada is aware of this—has voted to delete funding for the GWEN system.

I rise to support this important amendment to terminate funding for the GWEN system. This military program is a wasteful and unnecessary anachronism of the cold war, and it ought to be stopped dead in its tracks before we waste additional taxpayer dollars on it.

I know a good many of my colleagues have GWEN tower sites in their States and they have probably heard from constituents about this program. I urge them to look at both the budgetary and public health effects of this program and to cast their vote on this amendment in favor of the Reid amendment.

The Congressional Budget Office estimates that we could save over $41 million in the next 5 years by terminating this program. That is a substantial amount of money, even when compared to a still almost $300 billion military spending schedule for the next year.

I have heard from rural Minnesota constituents who are very worried about the health effects of these radio towers erected near their farms and near their homes. I share many of their concerns, and I believe that the funding for this program ought to be terminated immediately.

Mr. President, the GWEN system is a network of radio towers designed to be a backup communication system in case we have massive nuclear war. I would argue on the floor of the Senate today that in the face of the post-cold war transformation of the former Soviet Union, it is hard to believe that people at the Pentagon are still planning and spending all this money—this is really a small part—on our response to a massive nuclear exchange from an enemy superpower. For most people, it is very hard to square the end of the cold war with this continuing feverish preparations to preserve our capacity to launch a retaliatory nuclear strike.

I think, Mr. President—and I believe the Senator from Nevada has offered a very, very important amendment which speaks to this question—that this is an example of one of those big technology projects which at one point in time we thought we could afford when the sky seemed to be the limit on what we could spend money on.

One of these projects has a kind of bureaucracy, vested power behind it based upon, again, the assumption that we need to think about a backup communication system in the case of massive retaliatory nuclear strike against the Soviet Union that does not even really exist any longer.

Several sites under consideration for this program are in central Minnesota, including one near Kapsner, which has been chosen by the Air Force for deployment of an additional tower.

I wrote to Secretary Aspin several months ago urging him to halt construction of additional towers in Minnesota and urging him to reconsider deployment of this system nationwide. In that letter, I raised a number of questions about a National Academy of Sciences study conducted to assess the health effects of this program.

I ask unanimous consent to print a copy of my letter to Secretary Aspin in the CONGRESSIONAL RECORD.

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

U.S. SENATE,
Washington, DC, June 24, 1993.

Hon. LES ASPIN,
Secretary of Defense, The Pentagon, Washington, DC.

DEAR SECRETARY ASPIN: I am writing to urge you to discontinue construction and deployment of additional Ground Wave Emergency Network (GWEN) facilities now under consideration by the Air Force Materiel Command. I am particularly concerned because several of the GWEN sites being considered for installation are in Minnesota, and the Pentagon's preferred "Kapsner" site in Morrison County has met with widespread opposition by local residents.

The Air Force recently completed an environmental assessment of the remaining 30 sites nationwide under the National Environmental Policy Act, as required by Congress. Congress has also required that you certify that the Air Force has demonstrated a continuing need for the GWEN system. I urge you not to make such a certification. GWEN was designed to provide emergency communications in the event of a massive nuclear exchange, a contingency that has become very remote with the collapse of communism in the former Soviet Union. In addition, a decision to terminate deployment of GWEN will save an estimated $39 million in unnecessary defense spending, especially important in these times of tight budgets.

The GWEN system was planned during the 1980s, when defense programs were expanding exponentially and the budget deficit had not yet reached its current very high levels. In view of the continuing defense drawdown and the difficult task of curbing the budget deficit we now face, we cannot afford to continue to fund programs that have outlived their usefulness. Instead, these funds should be transferred to support programs designed to address pressing domestic needs.

I have heard from a large number of my constituents who are concerned about the possible health effects of the GWEN sites on area residents. I share many of these concerns. In response to congressional guidance, the Air Force requested that the National Academy of Sciences (NAS) review the potential impact on health of electromagnetic fields (EMFs) emitted by GWEN.

While the recently-issued NAS study concluded that GWEN emissions would likely have only a minimal impact on public health, even a cursory review of the study makes it clear that this assessment is based on a number of uncertainties. For example, there are very few biological studies that have been conducted at frequencies comparable to those of GWEN transmissions. Consequently, the NAS study's conclusions were inferred from investigations using both lower and higher frequencies than those used by GWEN. It is unclear how such inferences could be drawn when the study itself noted that there were many examples from the scientific literature suggesting that exposure effects "appear only within particular windows of frequency or field intensity."

While the NAS' review and analysis of the scientific literature is impressive, the substantial gaps in our knowledge of possible health effects of EMFs makes any risk analysis tenuous at best. The study itself observes that there is little scientific data on the possible carcinogenic effect of EMFs. The thesis that EMFs may be promoters or copromoters of tumor growth is currently under study; I understand that no firm conclusions can be drawn yet from the available data. On this question the study observes that there is no data on harmful cellular or subcellular changes after exposure to EMFs comparable to those of GWEN and, therefore, "firm conclusions cannot be drawn."

Finally, the study's executive summary cites a recent epidemiological study of cancer risk in a population exposed to AM-broadcast fields (such studies were used by NAS to help determine risk from GWEN emissions) which found "no excess cancer risk." However, NAS added that the statistical power of this study to detect cancers other than short-latency ones, such as leukemia, was low. This means that the study had little ability to determine risk of long-latency cancers, such as breast, uterine, and lung cancers.

I understand that many independent researchers are currently assessing the epidemiological effects of EMF exposure, and that many are concerned about a growing body of research which suggests that EMF currents can interact with human cell membranes and trigger abnormal reactions. The Department of Energy was designated by Congress last year as the lead federal agency for EMF research, with total federal research funding on EMF effects to exceed $12 million in FY 1993. According to the Congressional Research Service, a similar amount is to be spent this year by the private sector, for a total of $25 million. Thus, it appears to me that there is still much that is unknown about any potential carcinogenic and other damaging health effects of EMFs generally and of GWEN transmissions specifically. Most experts agree that these questions warrant considerable further investigation and study.

In addition to these concerns about the necessity for the GWEN program and its budgetary and public health implications, other concerns have generated broad local opposition. For example, the Air Force's environmental assessment of the area neglected to consider that the Morrison County site is an area of lakes, wetlands, and dairy farms. At the Kapsner site, there have been a number of reports concerning problems with stray voltage. The region's geology appears to be highly conductive of EMFs and this has reportedly resulted in problems for some local dairy operations.

In addition, there was a major controversy in Central Minnesota over the siting of high voltage power lines in the 1980s, which was the subject of a book I authored entitled "Powerline: The First Battle of America's Energy War." In that book, I observed that important public health and other similar concerns about these issues must be taken seriously by policymakers. Many area residents do not believe their serious health concerns have been addressed by the Air Force—and likely could not be, given the state of current research on EMFs.

I am hopeful that the strong local and Congressional opposition to this GWEN site, grounded in legitimate budgetary, public health, and other concerns will prompt you to discontinue GWEN deployment in Minnesota. Further, I hope that these concerns will prompt you to reconsider deployment of the system nationwide. I intend to endorse and strongly support efforts to oppose deployment of additional GWEN sites.

Thank you for your consideration. I look forward to your response.

Sincerely,

PAUL WELLSTONE,
U.S. Senator.

Mr. WELLSTONE. Mr. President, this letter outlines some of my concerns about the study, the methodology of the study, and about the current state of research on the health effects of these radio towers. I have not yet received a response from Secretary Aspin, though I press for a response. I do understand, however, that the Air Force intends to move forward on deployment unless prohibited by the Congress.

Let me just simply say that additional research is certainly required before we can draw any firm conclusions about the health risks. For those people who live near these towers, their point of view is as follows, and though the Senator from Nebraska and I may disagree on some of the substance on this, on this point I think I can enlist his sympathy.

Their viewpoint is: When the scientific evidence is ambiguous and we do not really know, we would rather err on the side of caution. The problem is this research is not going to be completed in time, and I think for sure we ought to have this research before we go forward with this program.

So when I consider the budgetary implications of this, when I consider some of the health effects and when I consider the timing of this and, again, I want to report to my colleagues on the floor of the Senate, lest they think the Reid amendment does not have considerable backing on the House side, reportedly the Defense Appropriations Subcommittee voted to delete this. I think that vote makes sense because I think each and every time that we have an opportunity to cut a wasteful program, to cut a program which is really anachronistic, to cut a program that is no longer needed—that is the definition of waste to me—we ought to do so.

We have an opportunity to do that by supporting the Reid amendment and, therefore, I urge my colleagues to vote for this amendment. Again, I hope my colleagues will listen closely. I know many of them have these towers in their States. I know many of them have heard from their constituents, and we have both budgetary issues and public health issues and this is clearly a vote that makes a great deal of sense to delete the funding for these towers which is just simply not needed.

I yield back the remainder of my time.

The ACTING PRESIDENT pro tempore. The Senator from Nebraska controls 30 minutes.

Mr. EXON. I yield myself 10 minutes.

Mr. President, I oppose this amendment. The GWEN system is safe, inexpensive, and useful despite the collapse of the former Soviet Union. The National Academy of Sciences has found no evidence—and if I can have the attention of the Senator from Minnesota, I may be able to dispel some of his concerns. So I address this to the Senator from Minnesota, and I address this to his constituents and let us put to bed once and for all this matter about adverse health effects.

The National Academy of Sciences has found no evidence of any adverse health effects from the GWEN system, which is not surprising, I would say, given the fact that it operates only 6 seconds every hour at a very low power level in frequencies adjacent to television and AM radio stations. If there is any concern whatsoever about the safety or ill-health effects of the GWEN system, then the first thing we ought to do is close down AM radio stations and television stations in Minnesota, in Nebraska, in Nevada, and elsewhere because they are operating at much higher power than the GWEN system, in many instances, 24 hours a day.

To back this up, I would like to enter into the RECORD a letter from Dr. William Perry, Deputy Secretary of Defense, of May 25, 1993, addressed to Senator NUNN, the chairman of the Armed Services Committee, with a copy to Senator STROM THURMOND, the ranking member thereof. I quote from that letter:

> The fiscal year 1991 Defense Authorization Act directed the Department of Defense to sponsor an independent study as to the health effects of the Ground Wave Emergency Network (GWEN) system. The National Research Council Board on Radiation Effects Research was tasked to conduct this assessment.
>
> I am pleased to forward the executive summary of the National Research Council's recently completed report. I have reviewed its contents and agree with its findings. The report says that ". . . no evidence of adverse health effects of GWEN fields on public health was found."

I do not know what more we need.

Mr. WELLSTONE. Will the Senator yield?

Mr. EXON. I will address the concerns raised by the Senator from Nevada on this, but unless we are advocating the closing down of all our AM radio stations and all our television stations for health safety reasons, I think we can put that one to bed and forget about it.

Mr. WELLSTONE. Will the Senator yield?

Mr. EXON. I will yield on your time.

Mr. WELLSTONE. I will just take 30 seconds. I appreciate the Senator's statement. I would like to quote from a letter that I sent to the Secretary, so you can see the full depth of my concern. The issue is not power, the issue is one of intensity:

> The recent NAS study concluded that GWEN emissions would likely have only a minimal impact on public health.

Which is the study you refer to.

> Even a cursory review of the study makes it clear that this assessment is based on a number of uncertainties. For example, there are very few biological studies that have been conducted at frequencies comparable to those of GWEN transmissions. Consequently, the NAS study conclusions were inferred from investigations using both lower and higher frequencies than those used by GWEN.

I could go on. I simply want to say there are a number of questions about this study. There are a number of these health and safety issues that are left unresolved. This is not silly on the part of people to be concerned about it. I will leave it at that because I know the Senator from Nevada wants to focus on other issues, such as whether or not this is needed period, in terms of eliminating some wasteful expenditures. I want the Senator to know these concerns are not frivolous, and I think they are important.

Mr. EXON. I thank my friend from Minnesota for that explanation. I suggest, I reiterate—I will go even further—I think the concerns are frivolous. I think they are without foundation. And I say, again, maybe we should also do a thorough investigation and close down the television stations and AM radio stations in Minnesota. We do not want to do that in Nebraska.

The GWEN system, I submit to the Senate, has already been bought and paid for. I would be the first to say, Mr. President, that if we were proposing to build the GWEN system at this time, then I think it would not be an investment that we should make.

We have the system. It is in place. The annual cost to operate the network is about $8 million a year. There are not many programs in the Department of Defense costing less than this one.

The GWEN communications system is impervious to the electromagnetic effects of a nuclear burst in the atmosphere. That means, Mr. President, that we will not be blinded by one or two weapons going off should that happen in the future. On a day-to-day basis, we have no other such protected communications system connecting the President of the United States, our Commander in Chief, to our early warning command system posts, bombers, and ICBM's.

Yes, I agree and I am delighted that, because of the GWEN system, because of our nuclear deterrent, because there were those of us in the Senate as a whole and the House and the executive branch of Government who saw fit to be prepared, we have won the first part of the cold war. But let us not forget that there has not been any, certainly not any significant, destruction of nuclear weapons around the world. We still have a great proliferation of highly accurate, deadly nuclear weapons that, given a dramatic change in the picture, would be an immediate threat to the United States of America.

Therefore, it is the opinion of this Senator, and I hope the majority of the Senate, that since this system is bought and paid for, the Pentagon and the President are absolutely correct in saying we need this standby protection.

When compared with the overall budget of the Defense Department, this is minuscule. We have grounded all and retired many of our airborne command posts which used to be in the air in conjunction with a redundant system that we had for the President to communicate to our commanders around the world with regard to nuclear alerts. That alert was a 24-hour-a-day, every day system. That alert remains there as long as we have GWEN. We have done this because the threat has subsided and because communications systems like GWEN give us the confidence that we can get those planes airborne again if we have to.

Who knows what we are going to be facing next week or next month or next year. We have grounded the air warning command post that used to fly out of Omaha, NE, the *Looking Glass*. That was a redundant system with GWEN. That has been grounded. GWEN is bought. GWEN is paid for. GWEN is there. We hope we never have to use it. But I suggest to the Senate it would be foolhardy, indeed, to now discontinue a system that is bought and paid for since I think and the military leadership of the United States and the Commander in Chief feel it is necessary.

Yes, we have made substantial reductions in the size and readiness of our deterrent forces due to the reduction of the threat. One of the things that makes this possible is assured and reliable communication that we have partially shut down with the elimination of the *Looking Glass* flown out of Omaha, NE. I think it would be unwise for us to take the step that this amendment would have us do, and that is to destroy the GWEN system as well after it is there, operative, bought and paid for.

The PRESIDING OFFICER. The Senator has spoken for 10 minutes.

Mr. EXON. I yield myself an additional 5 minutes.

The new administration reviewed this program as recently as May of this year. We have received a letter of certification from the Deputy Secretary of Defense announcing the DOD's intention to proceed with the installation of the last 29 sites that are bought and paid for. We will retain a significant strategic deterrence force for the foreseeable future. As long as we do it, it is imperative that we also maintain a

healthy system for controlling that force. GWEN is one very affordable way, since it is bought and paid for, of achieving that control. The alternative to GWEN is to deploy very expensive special satellite communications terminals at all of our airborne command posts, ICBM sites, bomber bases, and early warning censors. We could not achieve that for a decade or more and the cost would be in the hundreds of millions of dollars. Even with GWEN fully deployed, the Department of Defense will be in violation in many areas of U.S. policy that requires, under the present law, two assured means of communications to our strategic forces. I suggest that is not necessary, but I think it is very necessary that we keep the GWEN program in place.

I reserve the remainder of my time, and I yield 10 minutes to my colleague from South Carolina.

Mr. THURMOND. Mr. President, it will not be a surprise to you that I strongly oppose this amendment. It would have us throw away a brandnew communications system that is a key link in our deterrent posture. GWEN is a simple network of radio relays, really just low-power AM radio stations. It is survivable in a nuclear exchange because it does not rely on the ionosphere which is disturbed when nuclear weapons go off. It is part of the minimum essential emergency communications network which gives assured communications so that the President can order nuclear retaliation if it is ever needed.

Mr. President, the purpose of this amendment is not to save money. There is only one-half million dollars in the request for GWEN. No, the obvious purpose is to begin to dismantle the Nation's strategic deterrent. Bit by bit, I expect to see amendments that nibble away at the ability of this Nation to maintain a secure and survivable nuclear deterrent that is a threat to no nation save those that threaten us.

If we have learned anything since World War II, it is that nuclear deterrence works. And since nuclear weapons have proliferated in the world, it is now necessary. It is the height of folly to cancel a brandnew communications system after it is bought and paid for merely as some sort of symbol that the cold war is over. The cold war is over, but the nuclear threat has not gone away. It is pointless to terminate GWEN, and I oppose the amendment.

Mr. REID. I yield 3 minutes to the junior Senator from the State of Wisconsin.

Mr. FEINGOLD addressed the Chair.

The PRESIDING OFFICER (Mrs. FEINSTEIN). The Senator from Wisconsin is recognized.

Mr. FEINGOLD. Madam President, I rise in support of the amendment of the Senator from Nevada. I was delighted to hear, as I was presiding, that he was bringing this up and added my name as a cosponsor, because this is so amazingly similar to another item that we have been working on in Wisconsin.

I am struck by the way in which the Defense Department defends these programs.

This program, I agree, is a cold war relic. We have a similar program in Wisconsin and Michigan called Project ELF. I am always amazed by some of the names that are used for these programs such as "Brilliant Pebbles" and "GWEN," when taking time to explain to constituents what this is all about. But in the case of ELF, and in the case of GWEN, when constituents come to me in my home State when I hold town meetings, they come to say, "Why do we not get rid of these programs, now that they are not needed anymore?" The ELF Program, the extremely low frequency program, is a communications system. The idea is to somehow transmit, through extremely low frequency, messages to submarines telling them that they have messages so they do not have to come up to the surface and thereby be detected by the Soviets.

That, of course, is a consideration largely of the past. Listening to the Senator from Nevada and the Senator from Minnesota I see a great deal of similarity to GWEN. There are two major similarities in the arguments that make me think that the points of the Senator from Nevada are very credible.

First of all, the discounting of the health concern: In the case of Project ELF there are also concerns in Wisconsin and Minnesota about the health issue. In fact, several years ago a district court ruled that there may be negative health effects from the extremely low frequency program. The court, in that case, at the appellate level the ruled that they could not take that into account because of national security considerations. That just squashed the health concern even though no one had effectively denied it.

That is one pattern; the denial for security reasons of any sort of health concerns. I am not sure that it is a fair approach at this point given the end of the cold war.

The other item that really bothers me more, the main reason I support this amendment and the main reason I support the elimination of Project ELF is the willingness of those who support the current appropriations to say that it is really not that much money. It is only $8 million a year to run this program. It is only going to cost $40 million over the next few years to run it. That is almost identical to what they say about Project ELF. Project ELF costs $8.9 million a year. Over the next 4 years it will be about the same amount of money as GWEN.

The point is, back home, people consider that to be real money. It appears to me on any argument that this is, at best, a frill for the Defense Department. There is no evidence that GWEN is critical to any real threat to this country. It is based on some vague notion of a nuclear threat without any clear demonstration that this would actually be critical to the continuation of our national security.

The PRESIDING OFFICER. The Senator's 3 minutes has expired.

Mr. FEINGOLD. I thank the Chair.

Mr. EXON. Madam President, how much time remains on each side?

The PRESIDING OFFICER. Fourteen minutes and fifty one seconds, and the Senator from Nevada has 9 minutes and 31 seconds.

Mr. EXON. How much time does the Senator from Mississippi desire?

Mr. LOTT. Just 5.

Mr. EXON. I yield 4 minutes to the Senator from Mississippi.

The PRESIDING OFFICER. The Senator from Mississippi is recognized for 4 minutes.

Mr. LOTT. Thank you, Madam President. I thank the Senator from Nebraska for yielding me that time.

I rise in opposition to this amendment. I have a great respect for the Senator from Nevada. He does a great job, a very effective job in representing his constituency. But this amendment sums up some feelings that have been developing with me over this week.

Every Senator seems to be coming in and saying let us cut defense some more; let us cut this program; let us take from the defense cookie jar; and let us move it over into some other program—many good programs.

Everybody says "The cold war is over, let us relax. We just don't need defense anymore." It may sound insignificant that we be able to communicate at a low frequency to submarines. But it could get to be a serious matter depending on what happens in the future. We cannot just drop our guard. We cannot continue to cut, dramatically, personnel, eliminate bases that we may have to buy back at a premium in 4, 5, or 10 years, or eliminate programs that we bought with millions of dollars.

Now it is not costing a great deal of money, but we have already spent $235 million. The money has been spent. The work has been done. The job has been done. There is something that we may need and we should keep. We have already bought it.

So I really do not understand where my colleagues are headed in this area. We cannot just drop our guard completely.

In this case, the claim of health risk, I do not understand that. The ground wave emergency network, known as GWEN, is an AM radio station. They are not a health risk. Compare GWEN to WMAL in the Washington, DC, metropolitan area. The frequency of GWEN is 150 to 175 kilohertz versus 630 for WMAL. The power is 2,000 to 3,200

watts versus 50,000 watts for WMAL. Time on the air is 2.4 minutes per day versus 24 hours for WMAL.

If there is some evidence that there is any kind of health risk, I would be interested in seeing it. We should check it out. Is WMAL a danger? Do I have to stop listening to WMAL, or is it a potential threat to me?

I take it very seriously when a Senator, any Senator, raises that concern it might affect his constituency. But I just do not feel that it applies here.

I urge my colleagues to oppose this amendment and think very seriously about other amendments. We just can't say everything is nice and peaceful, it is all over, relax, so we can spend this money on anything we want.

We have made this same mistake already twice this century. Why must we be doomed to repeat history again? Yes we can make reductions. The distinguished Senator from Nebraska has led the way in cutting spending under the jurisdiction of his subcommittee. There have been reductions. There have been lots of reductions over the past 5 years, billions of dollars. We have a projection of $120 billion more in reductions.

How much can we afford, and how fast? The next amendment that will be offered will be offered by the Senator from California, which will raise some questions about what we have already done in terms of damage to the defense of our country and the economy of our country in the form of base closures.

So I just urge my colleagues, let us not take advantage of this moment and jump on every little concern, every opportunity to close or eliminate something. It may be a mistake. Thank you Madam President.

The PRESIDING OFFICER. The Senator from Georgia.

Mr. NUNN. Madam President, I would like the Senator from Nebraska to yield me 2 minutes.

Mr. EXON. I am happy to yield 2 minutes.

Mr. NUNN. Madam President, later today the Senator from Nevada and I will undoubtedly be on the same side of an amendment proposed by the Senator from Iowa, Senator HARKIN, to basically eliminate the money that is there for standby purposes in terms of nuclear testing.

Madam President, the reason I will be in favor of retaining the money for testing is because we have an uncertain world out there. All of us hope we do not really have to test again, although I think certain safety and reliability tests will be necessary. But we are going to be debating in a little while an effort to knock out some several hundred million dollars that are standby for testing. That is a contingency. That is a remote contingency that we may need if things develop adversely down the road in terms of the revival of nuclear threats against the United States.

I think we all have to understand though that we have had a dramatic change in the world, but we still have the same number of nuclear weapons we had 2 or 3 years ago. These nuclear weapons are still under the command of the Russian military. Hopefully, they are controlling them. The worst-case is that they are not controlling them.

If they are controlling them, we had better still have some kind of communication with our strategic forces. If we cannot communicate with our strategic nuclear forces, then we should not be spending hundreds of billions of dollars maintaining bombers and maintaining Trident submarines and maintaining the missiles that we have.

And we certainly should not be spending $200 million or $300 million for nuclear testing. It is very hard for me to see how the Senator from Nevada, on the one hand, wants to spend money—and I agree with him—on a remote possibility of nuclear testing. On the other hand, he wants to knock out money for existing capability to communicate day to day with our nuclear forces, which are protecting this country.

If the cold war is truly over and we abolish all nuclear weapons and there is no more danger, somebody let us know. The cold war is over, but we do not have the danger abolished. There is still danger. Certainly, it is less danger. Certainly, the world is safer than it was. But if we are going to do away with our ability to communicate with our strategic forces, which costs about $8 million a year, we ought to go a lot further and eliminate hundreds of billions of dollars in costs in the forces themselves.

If you cannot communicate with the strategic nuclear forces they are basically out there on their own. Do we want to unplug the *Trident* submarine commanders, the people who are in the bombers, and the people manning the missiles, unplug them from civilian authority, where we cannot communicate with them, or where they are threatened in terms of communication, if there is some kind of explosion? I do not think so. We have already taken down the Tacamo aircraft, the communication aircraft, the Looking Glass aircraft. They can be put back up. We took them down. That was part of the communications system. We eliminated some redundancy because the danger has gone down.

If we eliminate the GWEN system, we are going to have to put back up far more expensive equipment. This amendment will cost us money, because we will have to replace the system with something far more expensive. This system is virtually bought and paid for—almost paid for. It costs $8 million a year to run. If we have to do away with this, if this passes, we are going to be spending a lot more money than that almost immediately in trying to replace this capability.

As long as we have strategic nuclear forces—unless we want to turn them purely to the military and change our constitutional system, and that it is not important for the civilian authorities to make decisions on war and peace, unless we want to do that, we are going to have to communicate with them. The world has not changed that much.

Madam President, I urge defeat of the amendment.

Mr. REID. Madam President, the chairman of the committee, the manager of this bill, recognizes, I am sure, that the GWEN has no communications ability with submarines. In fact, if there were a need for any type of nuclear retaliation, a submarine could fire 34,000 bombs in 30 minutes. GWEN has no ability to communicate with submarines.

The ranking member of the committee, the senior Senator from South Carolina, said that someone that—I am paraphrasing, of course—supports this amendment is for tearing down our military.

Mr. NUNN. Will the Senator yield on another point? I need to propound a unanimous-consent request?

Mr. REID. Yes, I yield for that purpose.

UNANIMOUS-CONSENT AGREEMENT

Mr. NUNN. Madam President, as in executive session, I ask unanimous consent that the injunction of secrecy be removed from the Investment Treaty with the Republic of Ecuador—Treaty Document No. 103-15—transmitted to the Senate by the President today; and ask that the treaty be considered as having been read the first time; that it be referred, with accompanying papers, to the Committee on Foreign Relations and ordered to be printed; and that the President's message be printed in the RECORD.

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

The President's message is as follows:

To the Senate of the United States:

With a view to receiving the advice and consent of the Senate to ratification, I transmit herewith the Treaty Between the United States of America and the Republic of Ecuador Concerning the Encouragement and Reciprocal Protection of Investment, with Protocol and related exchange of letters, signed at Washington on August 27, 1993. Also transmitted for the information of the Senate is the report of the Department of State with respect to this Treaty.

This is the first bilateral investment treaty with an Andean Pact country, and the second such Treaty signed with a South American country. The Treaty

is designed to protect U.S. investment and encourage private sector development in Ecuador, and support the economic reforms taking place there. The Treaty's approach to dispute settlement will serve as a model for negotiations with other Andean Pact countries.

The Treaty is fully consistent with U.S. policy toward international and domestic investment. A specific tenet, reflected in this Treaty, is that U.S. investment abroad and foreign investment in the United States should receive fair, equitable, and nondiscriminatory treatment. Under this Treaty, the Parties also agree to international law standards for expropriation and compensation for expropriation, free transfers of funds associated with investments, freedom of investments from performance requirements, and the investor's freedom to choose to resolve disputes with the host government through international arbitration.

I recommend that the Senate consider this Treaty as soon as possible, and give its advice and consent to ratification of the Treaty, with Protocol and related exchange of letters, at an early date.

WILLIAM J. CLINTON.

THE WHITE HOUSE, *September 10, 1993.*

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 1994

The Senate continued with the consideration of the bill.

Mr. REID. Madam President, I have voted consistently for a strong military, and I think we need not get lost in that debate. Because you want to eliminate over $41 million does not mean that you are opposed to the military.

In fact, if you look at the State of Nevada, the State of Nevada has and is giving significantly to the defense posture of this country. Nellis Air Force Base and Fallon Naval Air Station are the two facilities that the Air Force and Navy look to for granting PhD's in the ability to fly fighter aircraft. Hawthorne Ammunition Depot has been in existence since the 1920's. Forty percent of the State is restricted air space, because the military can only use that air space. We have a station for communications with submarines. When you look in southeastern Nevada and see those lights blinking, that is so submarines can communicate and know at any time where they are located in the world. And there is the Nevada test site.

Safety and reliability is a concern of this country, of course, and a concern of the President, and that is why he issued this order relating to nuclear testing. We should be on standby. I have traveled to the Nevada test site with the senior Senator from the State of Nebraska. He understands the importance of nuclear testing if another power begins nuclear testing.

Mr. BENNETT. Will the Senator yield for a question?

Mr. REID. Yes.

Mr. BENNETT. As I hear the Senator from Nevada describe the impact of defense activities in Nevada, I am very sympathetic, because there is a similar impact on the State of Utah. Bombing runs and air space is tied up, and the constituents in Utah have raised some questions about GWEN, and I would like the Senator from Nevada to help me examine and understand this.

It is our understanding, Madam President—and I would like the Senator from Nevada to comment—that GWEN is an interim communication setup, and at some point in the future, rather quickly, it will be rendered obsolete by capabilities from space. Does the Senator from Nevada have information as to the accuracy of that?

Mr. REID. That is my understanding. That is what the literature indicates.

Mr. BENNETT. So if that is the case, the debate we are making is not for a long-term communications circumstance here but simply to fill a gap that will exist for a few years; is that the Senator's understanding?

Mr. REID. My understanding is that the ultimate goal would be the ability to have a space-based communication.

Mr. BENNETT. The concern of the people of Utah is that if the GWEN towers going to be built in Utah, if this program goes forward, are built with the kind of degradation of our living circumstances that the Senator from Nevada described for Nevada, the risk is that they will then be left there for years and years, considering the way the Defense Department seems to get around to moving things when they no longer need them, while the need for them will have gone away.

Mr. REID. That is my understanding.

Mr. BENNETT. Can we have a further understanding as to what would happen under the Senator's amendment with respect to existing GWEN capability, the capability we have depended on up to this point? Would that be done away with, or does this amendment stop the putting in place of additional capabilities?

Mr. REID. My amendment is different than what transpired in the House. The House prevents further construction of towers. My amendment eliminates the program.

Mr. BENNETT. I see. So there is a difference between the Senator's amendment and that which we have been given from the House?

Mr. REID. That is right. That would be resolved in conference if my amendment is adopted.

Mr. BENNETT. I see. I thank the Senator.

Mr. REID. Madam President, so there is no dispute—I hope there is not—about the need to do away with this program to save $41 million. The Senator from Nebraska indicated that the program was safe. We need not get lost in this debate about radio stations, AM radio stations. The reason it has been raised is because, different than a radio or TV station these powerful electromagnetic impulses go on the ground where people stand. This amendment, as I stated in my opening statement, is not being offered because of health concerns, even though it is a reason. It is being done because the system is unnecessary, and it would save this country money. So we need not get hung up on safety.

As indicated, Madam President, in an article in the New York Times by Ronald Fraser: "If Congress can't cut this, then it can't make headway on the Pentagon budget at all." I believe that.

I reserve the remainder of my time.

Mr. EXON addressed the Chair.

The PRESIDING OFFICER. The Senator from Nebraska.

Mr. EXON. Madam President, I yield myself 3 minutes.

During the debate today, I learned that the Senator from Wisconsin is also going to offer an amendment regarding the ELF system, which is the way we communicate to submerged submarines, including the U.S.S. *Nebraska*, which was just commissioned.

Mr. REID. Will the Senator yield?

Mr. EXON. The Senator will no longer yield. I am out of time. I am sorry.

The lower end system, which was referenced by the Senator from Nebraska, can communicate with submarines on the surface, but not submarines that are submerged. The ELF system, which I understand we are going to have to fight out, is, in the opinion of this Senator, even a more irresponsible, if possible, amendment than the one offered by the Senator from Nevada.

I certainly would point out that Russia today has satellites up there, in addition to all of the ICBM's that they had at the end of the cold war. We are in a very, very dangerous world.

It is not only irresponsible, in my opinion, but foolhardy for people to be nitpicking the maintenance of a system that has been bought and paid for and put it out of business to save $7 or $8 million a year.

That is a part of our deterrence. We continue to fund deterrent forces. If we are going to have bombers, if we are going to have Trident submarines out there to protect our deterrent force and make it worthy, then it is foolhardy, it is irresponsible, Madam President, in the view of this Senator, to start nitpicking the defense budget, for whatever reasons motivating some of these people.

We continue to fund the deterrent forces, including, I might add, as has been brought up by the chairman of the committee, the vast test site in Nevada, to be certain of the integrity of

our deterrent if we need to be concerned about the safety of our deterrence.

As long as we have strategic forces, we must maintain the means to control and communicate with them. In fact, as we reduce the size and readiness of our forces, assured communications become even more important than they were previously.

GWEN is not designed for fighting and winning a nuclear war, as the Senator from Nevada seems to maintain. It was designed not to survive an attack. It was designed, rather, to function in the period before a weapon was fired at us. This is a deterrent system, not a war-fighting system.

I suggest it is absolutely essential that we defeat this amendment and the ELF amendment that follows.

I reserve the remainder of our time.

Mr. REID. Will the Chair indicate the time remaining?

The PRESIDING OFFICER. The time remaining is 2 minutes and 50 seconds.

Mr. REID. And for the Senator from Nebraska?

The PRESIDING OFFICER. The Senator from Nebraska has 2 minutes and 29 seconds.

Mr. REID. Madam President, the Senator from Nebraska indicated that he opposed this amendment because the system was safe. We have established that it may be safe and it may not be safe, that the electromagnetic pulses go on the ground different than an AM radio station or a TV station.

He said that it is inexpensive. CBO said we would save $41.2 million. Under no circumstance would that be inexpensive.

Second, that it is useful. I suggest to my friend, the senior Senator from Nebraska, that it is not a deterrent, that all the literature dealing with GWEN indicates it would be used after a nuclear attack. That is the purpose of it. It was to be set up as a redundant system, not a deterrent. And that is the reason it is not useful. In fact, it is anything but useful.

As indicated in the literature, if we cannot cut this program, then we really cannot cut anything. We should not get lost on red herrings like safety and nuclear testing. This is a system that is no longer of any benefit.

Mr. EXON. Madam President, I hope we can keep this issue straight. As I said at the beginning of this debate, if we were starting out to build the GWEN system at the present time, the arguments made by the Senator from Nevada would be accurate. That is not the case. It is there. It is important for standby deterrence that we keep this system, as certified by the Commander in Chief, the Department of Defense, and those of us who have followed this issue for a long time.

I hope that we defeat this amendment.

I reserve the remainder of my time.

The PRESIDING OFFICER. Who yields time?

Mr. DURENBERGER. Mr. President, I rise in strong support of amendment 815, offered by my friend from Nevada, Senator REID. This amendment would terminate the Ground Wave Emergency Network [GWEN] Program of the Air Force.

This program is a truly outdated relic of the cold war. Conceived and initiated during the height of the defense buildup of the mid-1980's, GWEN is a radio communications system which would not be affected by high-altitude nuclear attack. The idea is to allow communication to continue between strategic military sites in the event of a nuclear attack from the air.

There have already been 54 GWEN towers built in various parts of the United States. The construction of yet another one is currently planned in my own State of Minnesota.

Over the past several years, I have received numerous letters and phone calls from Minnesotans concerned about the GWEN site that is scheduled to be constructed outside of the central Minnesota town of Lastrup. Area residents have expressed concern about the potential health effects and environmental effects of the electromagnetic fields that are emitted by GWEN. Some even refer to it half-jokingly as the "Doomsday Tower."

I expressed my concern about these issues in early 1990. At a time when the cold war is behind us—and a $4 trillion budget deficit still ahead of us, I think we have a clear responsibility to reexamine projects like this one.

The Congressional Budget Office estimates that terminating this program would save about $41.2 million over the next 5 years. The new realities of the post-cold-war era, coupled with a potentially adverse impact on the health of area residents, leads me to the conclusion that this program must be terminated. I thank my colleague from Nevada for his leadership in addressing this issue at this time, and I am pleased to offer him my support for this amendment.

Mr. BURNS. Madam President, I rise today to express my support for the amendment by my colleague from Nevada.

In the past, I supported the Ground Wave Emergency Network [GWEN] Program. Several years ago, the nuclear threat from our former enemies in the U.S.S.R. were very real and I felt then that the GWEN Program was an important part of our Nation's defensive communications system.

However, as we all know, the situation has changed. The cold war has ended, and with it, the need for a GWEN system has ended as well.

I have heard from numerous constituents in my State, particularly from the area of Livingston, who are concerned about the installation of a GWEN tower near their town. I understand these concerns. While some folks continue to be concerned about health risks despite the National Academy of Sciences study, others feel that the GWEN towers are just plain eyesores. For example, the tower slated for the Livingston area is planned to be built very close to the town. That these 299-foot towers might be plain unnecessary to boot is further reasons to question the need for this program.

That is why I am a cosponsor of this amendment and will support its adoption.

Thank you, Madam President. I yield the floor.

Mr. BAUCUS. Madam President, today, I join with my colleague, Senator REID, to offer an amendment to the fiscal year 1994 Department of Defense authorization bill. This amendment would terminate funding for the Ground Wave Emergency Network [GWEN] Program. After much deliberation, I decided that this was the correct course of action, even though I do not believe that—ultimately—the GWEN Program deserves to be terminated. However, give the way the Air Force has mismanaged this program, it certainly deserves to be put on hold—and the end of the cold war certainly removes some of the urgency to complete the GWEN Program.

While it is reasonable to say that we could do without GWEN in the current global environment, it is important to realize that this could change over time. While the Soviet threat is gone and world tensions have eased, there are still nuclear powers which possess the capability to strike the United States. In that world, GWEN continues to play an important role.

Simply put, the question is not whether GWEN should be completed. The question is when and where these towers will be located.

I support this amendment in order to express my outrage over the Air Force's plans to build a GWEN tower in Park County, near Livingston, MT. In the process of planning this tower, the Air Force has run roughshod over the legitimate concerns expressed in good faith by many Montanans. I cannot stand on the sidelines and allow this to continue.

In an August 18, 1993, letter to Secretary of Defense Les Aspin, I reiterated my position that "where there may be locations in Montana that would be appropriate for a GWEN tower, Livingston, the Paradise and Shields River Valleys are not among them." In addition, I told the Secretary of Defense that the Air Force was still giving me "nothing more than a rehash of the tired old excuses and rationalizations that the people of Livingston and I find simply unacceptable." I asked the Secretary to "send the Air Force back to the drawing board."

I want everyone to understand that I believe that GWEN is still desireable. I am equally certain, however, that a 300-foot GWEN tower marring the scenery of one of Montana's most beautiful towns is unacceptable.

Mr. REID. Mr. President, if the Senator from Nebraska would yield back his time, which is short, I would yield back mine.

I ask unanimous consent that Senator BAUCUS be added as a cosponsor of the amendment.

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

All time is yielded back.

Mr. EXON. Madam President, I ask unanimous consent that amendment No. 815 be temporarily laid aside and that Senators FEINSTEIN and LOTT be recognized in order to jointly offer their listed amendment regarding the 95 BRAC, with no intervening amendments in order prior to the disposition of the Feinstein-Lott amendment; further, that upon disposition of the Feinstein-Lott amendment, the Senate return to the Reid amendment and, without intervening action or debate, the Senate proceed to a vote on or in relation to the Reid amendment numbered 815.

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

Mr. EXON. I would explain to the Chair that the leaders are not here and that is the reason we cannot vote as we had agreed to with the previous arrangement. That is why we are putting off the vote on the Reid amendment.

I have yielded back my time on the Reid amendment. Senator REID has yielded back his time. Therefore, we are prepared to vote on that amendment after we have disposed of the Feinstein-Lott amendment.

I yield the floor.

Mr. THURMOND addressed the Chair.

The PRESIDING OFFICER. The Senator from South Carolina.

Mr. THURMOND. We have no objection to the request made by the able Senator.

The PRESIDING OFFICER. Senator FEINSTEIN is now recognized.

Mrs. FEINSTEIN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The absence of a quorum has been suggested. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

AMENDMENT NO. 816

(Purpose: To amend the Defense Base Closure and Realignment Act of 1990 in order to postpone the commencement of the next round of the base closure process until 1997)

Mrs. FEINSTEIN. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from California [Mrs. FEINSTEIN], for herself, Mr. LOTT, Mr. SMITH, and Mr. INOUYE, proposes an amendment numbered 816.

Mrs. FEINSTEIN. 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:

SECTION . POSTPONEMENT OF FINAL ROUND OF BASE CLOSURE PROCESS.

The Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101-510; 10 U.S.C. 2687 note) is amended—

(1) in section 2902—

(A) in subsection (c)(1)(B)(iii)—

(i) by striking out "January 3, 1995," and inserting in lieu thereof "January 3, 1997,"; and

(ii) by striking out "104th Congress" and inserting in lieu thereof "105th Congress";

(B) by striking out "1995" in subsection (c)(1)(C) and inserting in lieu thereof "1997";

(C) by striking out "1995" in subsection (e)(1) and inserting in lieu thereof "1997"; and

(D) by striking out "December 31, 1995" in subsection (l) and inserting in lieu thereof "December 31, 1997";

(2) in section 2903—

(A) by striking out "1996" in subsection (a)(1) and inserting in lieu thereof "1998,"; and

(B) by striking out "March 15, 1995," in subsection (c)(1) and inserting in lieu thereof "March 15, 1997,"; and

(3) in section 2909(a), by striking out "December 31, 1995," and inserting in lieu thereof "December 31, 1997,".

(Mr. BINGAMAN assumed the chair.)

Mrs. FEINSTEIN. Mr. President, I offer this amendment on behalf of myself, Senators LOTT, SMITH, and INOUYE.

This amendment is simple. It will delay the 1995 base closure round until 1997.

Mr. President, I am very pleased to have the occasion to work with the Senator from Mississippi, and I am also very pleased that the Senator from Georgia, the chairman of the Armed Services Committee, is on the floor to hear this debate.

Mr. President, since 1988, the Defense Department has selected 249 military bases for closure. And the Base Closure Commission has examined an additional 400-plus bases, up to 50 bases in California alone.

As this map will show, these are the major bases in our Nation which have been closed in rounds 1988, 1991, and recommended closures for 1993. You will see the large numbers in one State alone, the largest State in the Union, California.

Mr. President, all told, these actions have created tremendous economic turmoil, regional recession, and dislocation for hundreds of thousands of people who depend on military bases for their economic livelihood, all at a time when the Nation is still recovering from an economic recession.

It is my belief after carefully watching the 1993 base closure rounds that this process is deeply flawed and arbitrary.

The first major base closure round occurred in 1988. Since then, there has been a round in 1991 and 1993. All totaled, the Nation has lost over 300,000 direct and indirect jobs as a result of base closure alone—the majority in California.

Most of the civilian jobs lost are good, well-paying jobs. They are not the minimum wage jobs that this Nation has been producing and that have been all too common in today's economy. These jobs pay $30,000 to $40,000 a year. People can raise a family and, yes, buy a home. They are blue collar jobs and they are good jobs. And, like clockwork, regardless of circumstance, another base closure round is scheduled to occur in 1995 and more of these jobs will be eliminated, regardless of the cost, regardless of the economic impact, and regardless as to whether the closures are actually cost effective.

The 1995 base closure round was established way back in 1990 when Congress adopted the Base Closure and Realignment Act. Whether additional bases need to be closed or not, the next base closure round must occur under current round. In fact, the 1995 round—again, regardless of circumstance—will soon start. Within 8 months, the Army, the Navy, the Air Force, and the Marine Corps will begin sending out questionnaires to all of their bases around the country.

Though the cold war is over and some reductions in defense spending are appropriate, I believe the base closures are moving too quickly. We need to slow down and examine whether further base closures are appropriate. We must better understand the impact of the 249 bases already in the closure process. We must evaluate what is working and what does not work with defense conversion. Are the closures really cost effective in the long run? I am going to make a showing later in my remarks that I believe they are not when the real costs are known. Can our labor pool be better employed if America can recover from the recession?

Before additional base closures, we should give our economy time to recover. New jobs need to be created. As you know, from the latest economic indicators, new job creation is down; it is not up, despite a drop in the unemployment rate. The Congress and the administration should answer some of these questions before proceeding with another base closure round. The last base closure round, which recommended the closure or realignment of 32 major bases across this country, has not yet been approved but already dislocation is setting in in many of our regions.

Let me give an example. I live close to a base, a block from a base. I found that the moment that base was closed, the Presidio of San Francisco, the whole area began to be impacted. I will give one small example. A gas station 2 blocks from my home had a contract to service automobiles and they hired additional people to service that contract. Immediately after the closure was announced, jobs began to dwindle away. The gas station revenues dropped, the gas station began to fire its people, and that was even before the base was closed. It has not been closed yet.

That is just one small indication of what happens the minute the announcement takes place. Another thing happens: Banks stop lending. People begin to understand their business is challenged if it depends on a base and they look for other opportunities.

This latest round alone will adversely impact 115,000 people in more than 20 States, and communities across the country are still feeling the effects of the 1988 and the 1991 base closure rounds as those bases begin to close their gates.

So, by delaying the next round for 2 years, the Federal Government will be able to complete an examination of the effects of prior base closures, we will be able to review our force structure and assess the need for additional base closures, and we will give the economy time to fully recover before throwing hundreds of thousands of working men and women out of work.

This second chart shows that, although the Soviet Union is no more, the world is still an unsafe place. There are currently more than 30 conflicts raging throughout the world, and 6 in the former Soviet Socialist Republics. The Soviet Union has not completed its fragile journey to democracy. Our post-cold-war experience is still in its infancy. In fact, in just these few short years we have been involved in two separate military operations: Iraq, and a different one, Somalia.

In downsizing our military the United States can reduce troop strength and the stockpile of certain weapons but still quickly build up again in time of national emergency. But it is much more difficult to build infrastructure. Once lost, it is gone. Is our Nation closing bases today that will in fact be needed tomorrow? I do not believe anyone in this room can answer that question with certainty.

I am also not convinced that base closures actually save money. I understand the need to shrink the deficit and reduce Government spending. But are base closures in the long run truly cost effective? Let us begin to talk about some of the numbers of base closures. This chart shows that the costs, according to the Armed Services Committee hearing report, of base closures beginning in 1990, 1991, 1992, 1993, 1994, and 1995—the cost is $2.3 billion.

The savings, it is estimated, would be $2.4 billion.

The net cost, they say—and the savings—totals, by fiscal year 1995, $159 million.

But let me tell my colleagues something. They do not include in that the cost of environmental cleanup, which is anticipated on the very low end to be $898 million. If that is included there is not a net saving, there is a net cost of $739 million—a net cost of all of the first round. It costs; it does not save. I am going to contend that cost is greatly underestimated.

In reality, it is my belief that savings from the 1988 base closure round alone may never be recovered. Congress is anticipated to appropriate nearly $900 million—that is the best figure we can get—$900 million. That is the anticipated appropriation for environmental cleanup by fiscal year 1995 for bases closed in just the 1988 rounds.

If these costs are included, it will actually cost hundreds of millions of dollars, and, quite possibly, billions, to clean up and shut down the bases slated for closure in just 1988 alone.

Moreover, strangely enough, environmental cleanup costs are not considered when calculating base closure costs. That is the flaw in the process. But these monumental costs are a reality nonetheless. One can say that these bases would have to be cleaned up anyway, so do not count the costs. But the costs are there and they must be included.

During the 1993 base closure round, the official estimated cost for toxic cleanup at California's military bases is more than $800 million, but local estimates, just for the cleanup of one base alone, El Toro, exceeds $1 billion. So the cost of cleaning up just one base in California will be $200 million more than the anticipated costs of cleaning up all of the bases.

Let me show you on this chart. Here is the estimated cleanup cost for Mather Air Force Base, $40 million. In actuality, it is going to be $175 million. That is a 360-percent increase over estimate. Here is Castle Air Force Base, estimated at $30 million. It is going to be $120 million. That is a 300-percent increase. Sacramento Army Depot is estimated at $20 million. It is going to be $70 million. That is a 350-percent increase above expectations. Here is George. It is $35 million. It is going to be $70 million. That is a 200-percent increase above estimates. Here is Norton Air Force Base. It is $45 million. It is going to be $130 million. That is a 300-percent increase above estimates.

If these are not correct figures, someone should tell me why they are incorrect. We should figure the correct numbers into the analysis, I believe, before proceeding further.

If we abide by what history teaches us in just this one graph, environmental cleanup costs will skyrocket. If other cost factors to the Federal Government are considered, such as unemployment insurance—and let me tell you, since we have begun the base closure process, we have put in excess of $85 billion into unemployment insurance. On October 2, unemployment insurance runs out, and we will be faced with having to find additional moneys for it.

How much in unemployment insurance are base closures costing? We know not. Should we not know before we proceed with an additional cost? Should we not know how much in defense conversion dollars is going to be spent to convert to a peacetime economy? Should we not factor in the cost of defense conversion on base closures? Is that not a more real analysis?

In the last round—I will give you one specific example of the flawed costing that the military has used, and it is Alameda Naval Air Station versus Everett. The cost of closing Alameda and moving part of the nuclear carrier fleet to Everett, WA, is not included in the costs. If it were included, it would clearly be more cost-effective to maintain Alameda Naval Air Station than to complete a base that is only half completed and will cost $200 million to complete. But those numbers are not included in this, and I believe that is a flawed cost analysis.

So why the rush? Why proceed with the 1995 base closure round after completing three huge prior rounds? Let us give the administration and the Congress time to examine the need for additional base closures. Let us assess the impact of the 1988, the 1991, and the 1993 base closure rounds. Let us assess their portion of defense conversion dollars. Let us assess their portion of unemployment insurance.

Let me give you two precise examples. The Presidio, closed in an earlier round, I am told this year will need $45 million and they say in the future they are going to come to the Congress for from $45 to $200 million a year to sustain the Presidio as part of the Department of the Interior to which it goes by law. That is not factored in in any of this.

Mr. NUNN. Mr. President, will the Senator from California yield just on a procedural point?

Mrs. FEINSTEIN. I will be happy to.

Mr. NUNN. Mr. President, I have been asked by the majority leader to try to ascertain whether we can get some time agreement on this amendment on both sides. From our side, we would be willing to take as short a time as the Senator from California and the Senator from Mississippi think would be necessary to make their case.

Mrs. FEINSTEIN. If I may, I am just about ready to complete my remarks, and I would like to consult with the Senator from Mississippi. Perhaps as soon as I finish we can give you a time estimate.

Mr. NUNN. I thank the Senator.

Mrs. FEINSTEIN. Mr. President, to take up where I left off, the costs of the closure of the Presidio, which had been closed in a prior round, are not known. We know that $45 million will probably be appropriated this next fiscal year just to sustain it in a state of limbo.

The cost of closure of Fort Ord—I have a request to make it into a State university. The Federal Government is going to be requested to put up $150 million. Right there, I have added, in just two bases, an additional $200 million of costs which have not been figured into any of this. What are the costs of the additional 249 bases? I have given you two. No one knows.

Mr. President, I hope that outside there is some independent think tank that is going to take on a full analysis of the real costs of base closures, and I will predict that they will stagger the imagination of this Senate.

With that in mind, what is the rush? Let us wait. Let us see our economy recover. Let us see if we cannot do this in a more sensible way.

So I join with the distinguished Senator from Mississippi in presenting this amendment. We are delighted to have the cosponsorship of Senator SMITH and Senator INOUYE in asking that the 1995 round of base closures be delayed until 1997. Thank you.

The PRESIDING OFFICER. The Senator from Mississippi is recognized.

Mr. LOTT. Mr. President, I rise in very aggressive support of the Feinstein-Lott, and others, amendment to delay the next round of the Base Closure Commission activities from 1995 to 1997.

I want to compliment the distinguished Senator from California for her remarks this morning. I think she really has done an excellent job. She has raised some very serious points that we need to consider, we need to think about, need to try to find some answers to. That is my real thinking about this issue.

As a member of the Armed Services Committee, I am always hesitant to offer or be part of offering amendments on the floor of the Senate. We try to get that job done in the committee. I know the distinguished chairman of the committee would acknowledge that, in the last couple years, I have raised questions about the Base Closure Commission and my concerns about the next round and what the impacts are.

I think that the distinguished Senator from California, Senator FEINSTEIN, and her State of California is a perfect example of what we need to do in terms of stopping and thinking about and analyzing what we have done already in terms of the impact on national defense, the impact on the economy of this country, and loss of jobs.

I will tell you why I really joined in supporting and cosponsoring this amendment with Senator FEINSTEIN. I sat next to her on a Friday afternoon earlier this year when the Base Closure Commission was meeting and making decisions. Her State had already been hit by the activities in 1988 and by the first rounds in 1991, and now we have come to 1993. She was sitting there with numbers, and we started talking. I was looking at her numbers. This is how many civilian jobs are going to be affected. This is how many military jobs. This is how many jobs we have already lost.

We were not talking about hundreds, we were talking about tens of thousands. I was shocked that some of those decisions that were being made that day concerning bases, very important bases in California, were going to affect 10,000 and 12,000 people—more than that. It really stunned me because in my own State of Mississippi, while we have some military bases—not very many—the numbers are not nearly as great as she was dealing with on that day.

The decisions were made and the hammer came down, a few positive ones but a lot of very negative ones. So I really felt for this Senator and for her State. It brought to my attention, again, my concerns about this whole effort.

No. 1, I keep asking myself, are we doing damage here for which we are going to pay a heavy price for? There are those who say, "Don't worry, we are going to have savings in the outyears." I keep asking, "How far out?" "Oh, by the year 2000, give us 8 years, 10 years, 12 years."

Who among us knows what the situation will be in the world or domestically in 10 years or 12 years? I am willing to bet you that we are going to pay a higher premium price to buy back or to replace facilities that we are now in the process of closing or, if you will, destroying.

So I am worried about the cost really involved here and the future of our national security. I am worried about States and communities that have been hit and devastated by these decisions.

Sometimes these decisions are understandable. They are always hard decisions. Do not get me wrong. I think the Commission personnel, the staff have done a magnificent job under very bad circumstances. I am not critical of the Pentagon for the work they have done. I am just saying that the impact has been very tough and sometimes the decisions are very hard to justify on the merits.

You are saying, well, wait a minute. He must have had some facility that really made him mad. No. No. My State is not in that category as much as other States are. Yes, we paid our share. We have had a major facility closed. After spending $600 million of the taxpayers' money, an Army ammunition facility in Hancock, MS, was shut down. Built by the Army in such a way that it could not be altered to produce the next generation of shells, now it is just sitting there, a ghost, a $600 million ghost. The jobs are gone. It is empty.

Has it been replaced? Is the Government using it? Is the private sector getting to make use of it? None of the above.

I am not cosponsoring this amendment because my State has been really slammed or that it would be in the future. I am looking at what is happening all around this country. And there is another reason. How many bases are really being closed? Two-hundred fifty, approximately, have been recommended for closure. How many have really been closed? Eleven, twelve? After 1988, 1991 and now coming to 1993, 11 or 12 bases.

So I would like for us to know what have we really done? Are we saving money or is it costing money?

How much has really been done based on decisions that have been made? I know of one instance where a State and its congressional delegation went to Federal court and got an injunction blocking a closure that had been decided by the Commission. What does that mean? Because other decisions are made based on the assumption that closure was going to happen.

What is the environmental impact? Do we know? How much cleanup really is going to be involved? I think a lot of these bases will not be closed for years and there will be millions, maybe billions, in expenditures trying to do the environmental cleanup. Should we not assess that? Should we not at least ask what is happening, what is really at risk there?

I think the Chairman of the Armed Services Committee, the distinguished Senator from Georgia, and the committee are going to want to have a hearing on this. In fact, there has been indication that later on this fall maybe we will have an extensive hearing to see what is being done. But should we not do that before we go to the next round? And remember, as the Senator from California was saying, if we do not delay this for 2 years and do it pretty much right now, this process is going to be underway. The Pentagon, the service branches are going to be asked to start gathering information, start making decisions. It will be underway.

I have always raised questions about this process of base closure. I did it when I was in the House. I voted against it in the House—this no-hands, no-eyes, no-ears, don't-tell-me-I-do-not-want-to-know approach. Is that the way we ought to be doing business? I do not think so. I think we ought to pause here now, get our breath, assess what we have done, and make sure we know how it is being done before we let it go forward another round.

So again, I wish to thank Senator FEINSTEIN for her fine remarks. I think

she summed it up well. Her charts were very good. I think she has given us a lot to really think about this morning.

Mr. President, to paraphrase President John F. Kennedy, the great enemy of the truth is very often not the deliberate lie but the persistent myth, and I assert here this morning that there is a lot of mythology involved in this base closure process. This same quote, I believe, applies to the notion that base closing decisions save money. I do not believe it. And I am going to give you some numbers I think will back that up.

Since the late 1980's, the Defense budget has shrunk more than 30 percent. So for those who say we need to cut more, that we have not cut enough, the Armed Services Committee has been doing its job. The previous administration and this administration have moved forward in making tough decisions in saving through defense spending.

Over 1.5 million defense industry related jobs, many of them in California, have disappeared from the economy. Over 750,000 active duty and Reserve troops have been eliminated from force structure. More than 120 weapons systems have been terminated and over 800 bases have been closed or consolidated worldwide. No one can argue that defense spending has not taken a large hit in the push to have a smaller Government. The Defense budget has contributed its share of spending cuts for deficit reduction while domestic nondefense spending has continued to grow.

Now, the argument may be made later on today "but we have closed only 14 percent of our excess capacity." What excess capacity? Just this week we received the so-called bottom-up review. Had we ever assessed base closures, not only domestically but worldwide, in view of this bottom-up assessment of what we need in the future?

I am not suggesting that defense spending should not have been cut over the last 8 years. Clearly, communism's collapse in Eastern Europe and the former Soviet Union has allowed this chance for us to change our defense priorities, and that is fine with me. I understand that. I have supported realigning defense priorities, just as I have supported every Defense bill considered by the Senate since 1988. I believe I opposed the one in 1988 when I was still in the House, but every one since I have been in the Senate I have supported, with reservations and with criticism sometimes.

I have been concerned that we are making unwise, ill-conceived defense cuts that are eroding our military readiness and capabilities, but we have tried our best, and I think the Armed Services Committee of the Senate particularly has led the way in trying to do it in a careful, rational, thoughtful, concerned way. But I still am worried about it.

Now, here is the myth. Since 1988, as I pointed out earlier, 249 domestic bases have been selected to be closed in the United States with only 11 or so actually having been closed. In addition, 147 bases have had major realignments. Some of these 147 bases have increased employment but most have had reduced employment. Some bases have actually had increased numbers but always taking from somewhere else, so there has been usually a net loss involved. And all the while we are told that money would be saved. If we did not close these nonessential bases in 5 years, we could not afford to buy airplanes, ships or even tanks.

I do not want that to happen. It will not do any good to have great bases if we do not have men and women and ships and equipment to do the job. I understand that. I think it is folly if we do not provide what we need for the minimum national security interests of our country both in equipment and in bases. But now, like a ship sailing through rocky straits cloaked in fog, the reality of base closure savings sticks out like a sore thumb. The rhetoric of savings is cracking under the scrutiny of fact. The reality of base closure savings is a myth because I do not think you will find there are any savings. And I will give some more numbers in a minute.

By this year, we were told that savings from base closures would have reached $3.5 billion. This was the myth. But what have we actually saved? Only $1.7 billion—maybe. That is the reality.

We are saving less than half of what was projected. I say to my colleagues, look at the numbers. Where are the savings? Is it really happening? No, I do not think so. Maybe way on out in the future.

This year we are being asked—this is how it happens—we are being asked to authorize and appropriate $3.458 billion for base closure. In other words, we have to spend a lot of money to get base closure, particularly in the first year and hopefully the savings in the future. It is very interesting to me that the distinguished chairman of the Defense Appropriations Subcommittee, Senator INOUYE of Hawaii, is now a cosponsor of this amendment.

He is looking at the numbers. He is looking at what his committee has to do to find additional money to pay for the myth of savings by closing these bases.

Since 1990 the Congress has authorized and appropriated $5.1 billion for base closures in the United States. After this bill, Congress will have authorized a total of $8.56 billion to pay for base closures in the United States. We are authorizing and appropriating $8.56 billion to save what?

Not much in fact. That does not take into consideration impact on the communities; the human face of these base closures; the loss to the economy; the loss of these jobs; the closure of the service station that was affected and caused by this base closure in California, as the distinguished Senator pointed out.

What do we have to show for our money? How many billions have we saved?

The savings from the base closure myth would lead us to believe we have saved a bundle, but it has not happened. According to accounting data supplied by the military services, we have saved only $1.72 billion through 1993 fiscal year. So we have already spent $5.1 billion, but we have only saved $1.72 billion. It does not sound like a very good deal to me.

The stark truth is, closing bases costs us billions, maybe weakens our defense capability, and has devastated many areas of our economy.

If Ross Perot is right and the deficit is the "crazy aunt in the basement," then the notion that closing bases saves money is the Grinch that stole Christmas because there are no presents under the base closure tree for anybody—not for the country, not for the defense of our country, and certainly not for the communities involved. The only presents we get for closing bases are economic dislocation, regional recession, and increased unemployment.

Let me talk a little bit about the base closure process. In 1990, Congress passed this Base Closure and Realignment Act, which established the formal process and made it easier for the Secretary, the President, and the Congress to close bases.

I understand the reasoning for it. I watched in the past where Presidents or Secretaries of Defense would recommend a base closure and Congress would ignore it or override it. There had to be a way to do it. There is that capability. It has to be done. It is never going to be pleasant. There needed to be a way to do it. I do not think this is the best way. But it was passed by Congress.

The secret was to create this independent Commission nominated by the President and confirmed by the Senate to review recommendations by the Secretary and issue their judgments on the Secretary's list, which he sends to the President. The President could either approve the list and send it to Congress or send it back to the Commission. The act was replete with schedules, deadlines, and requirements, some of them realistic. And to the credit of the Armed Services Committee this year, we stretched out some of those deadlines so that a little more time could be allowed for careful consideration.

As a process, the Base Closure Commission has worked very well. I have to acknowledge that. After two rounds together, the Defense Department, the President, and the Congress have sent

us 249 bases to close. Boy, it has worked, and many others are in line here.

But here are some other things you need to think about that have been happening as a result of this base closure process.

In some States millions of dollars have been spent by the State and communities to defend these bases over the past 2 years. The Washington consultants have been doing quite well. I understand that this past year the people in Charleston, SC, spent over $1.5 million to defend their bases before the Commission. I understand they did a great job.

Certainly, under the leadership of the distinguished Senator from South Carolina, Senator THURMOND, you knew they would do the job and whatever is necessary to make sure that all the information that needed to be considered was available. Then they would take their lumps like everybody else.

But this is one angle of this whole thing that I think people seem to forget about; $1.5 million in South Carolina. Estimates are California spent over $4 million just to try to defend their bases, yet they lost over 50,000 jobs from closures in 1993. I believe that is an accurate number. It is a staggering amount even if it is less than that.

Not only have States spent exorbitant payments to defend their bases from the base closures, they face double and triple jeopardy. In a court of law, the Constitution protects presumed innocents from the threat of double jeopardy, but in base closures, the presumption of innocence just does not exist. It is double, triple, quadruple jeopardy. It seems like if you get on the list, you are there forever, and keep turning up again and again.

These are communities which have supported our country in good times and bad. These communities have both suffered and benefited from the vagaries of defense spending. Never in the history of this country have these communities been under the constant threat of the budget knife like they have been recently—States like California, New York, South Carolina. In the future it will be many others—Arizona, Alabama, Georgia, all of us could be affected by this.

I want to urge my colleagues to think about this. Some of our colleagues may come to the floor and say, "Look, I already paid at the office. I have already had cuts after cuts, bases closed, jobs lost. They have already done all they can do to me." Some States may say, "We do not have any left."

But most of us now are going to realize, I think, that in 1988 we stripped off the excess clothing. We got the jacket off of that which we did not really need. In 1991 we got down to the skin and started hitting bases where it hurt. But we could still survive. In 1993, I submit we got down to the bone.

I am saying before we go ahead and do mortal damage to the defense of this country, to the economy of this country, let us take 2 extra years, put it over until after the 1996 Presidential campaign—although it does not relate to this at all. Let us assess it and extend it 2 years.

I urge my Senate colleagues to think about this now. You may like this I-did-not-do-it process. Today, you are going to have a chance to vote on slowing down this train so we can review this carefully. Slow down, take your breath, let us push it back 2 years and do not always think that it is going to be in somebody's else's State.

This week I was doing an interview on the reinventing of Government proposal which the former Senator GORE, now Vice President GORE, proposed. I was saying positive things about it. I think the concept is good. As I have gotten into it, I have some question about how real is it? How much teeth does it have? We ought to be in the position if it does not have enough teeth, let us help it. At least he is trying. I think it was a good effort.

One of the reporters said, "But you realize this could affect some offices in Mississippi?" I said, "Yes. We cannot only have it affect New York or California. We may have to be involved, too."

In this case, let me tell you: Every State, every service, everything in your State could be affected by this. So just think very carefully before you allow this process to go forward now, not with a hammer but a meat ax in 1993.

The time has come to stop and look this over very carefully. Can we clearly predict what will happen in Bosnia, in North Korea, the People's Republic of China? The Senator from California had a map of hot spots around the world and clearly what we have in terms of bases affects what we are able to do around the world.

At this point, I see the distinguished Senator, the chairman of the committee, standing. Would he like me to yield? I only have a few more minutes.

Mr. NUNN. I was just going to inquire when the Senator gets to a convenient point as to whether we could get some kind of a time agreement. Last night it was indicated that we would have about, I believe, 20 minutes on each side, 30 minutes on each side—I had heard.

(Mr. MATHEWS assumed the chair.)

Mr. LOTT. On all amendments?

Mr. NUNN. Only this one. I had heard that. That may not be accurate.

In any event, we have, as you know, something like 100 amendments left. People are going to want to get away from here this afternoon. Everybody thinks their amendment is the most important one that has ever been presented before the Congress of the United States. If I had one, I would feel the same way. But we do have a lot of them. I would love to get a time agreement so that other people can make their plans, too, if we can do it.

Mr. LOTT. If I could respond to the distinguished chairman. We did talk about it last night. I do not remember talking about 20 or a total of 40 minutes, 20 on each side. I did think we could get a reasonable time agreement and I still hope we can do that.

I do not have any desire at all to drag this out. But I have not had a chance to speak about the time agreement with the Senator from California. Senator SMITH is here and would like to speak, and I understand there may be other Members on this side who would like to speak. Possibly, at least one on the other side indicated he would like to speak. We also are trying to communicate with the distinguished Republican leader. I hesitate to agree to a time until we have had a chance to consult with the ranking member on the committee and our leader. As soon as I get through with my remarks, I will work industriously to try to find out about a time agreement.

Mr. NUNN. I do not think our side will need as much time as yours. We may need it, but we will not take it.

Mr. LOTT. Mr. President, I have a few more remarks, and at the appropriate time, I would be glad to yield to Senator SMITH, or others.

Mr. President, this amendment does not terminate the base closure process. Frankly, I would like to do that, but I am reasonable enough, and I know the facts of life. We are going to have more base closures. I am willing to confront that problem. But that is not what this does. This just delays it for 2 years. Let us think about it and find out what the costs are and what the savings are.

The amendment suggests that we need to have a better understanding of the new post-cold-war situation. The amendment does not affect the continuance of consolidation or closure of European bases impacted by the collapse in the Soviet Union. Earlier, I said I am not going to support domestic base closures until we close them overseas. After some delay, that started happening. As we continued to have the need to cut spending, it started affecting domestic bases. This amendment only says let us wait 2 years, and then we will decide what to do.

At this point, I ask unanimous consent that an op-ed from the Washington Post by Mr. Frank Sullivan, a former staff director of the Armed Services Committee and the Appropriations Committee be printed in the RECORD.

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

[From the Washington Post, June 21, 1993]

PEOPLE AND EQUIPMENT, WEAR AND TEAR

(Frank J. Sullivan)

In recent years, defense spending has been cut about 30 percent in real terms, and more real cuts of 5 percent to 10 percent per year can be forecast through 1997. Some 1.2 million defense related jobs have already been cut, with another million or so more planned. No tanks, only three warships and 92 combat aircraft are budgeted for procurement next year—far below replacement needs. Military formations—divisions, ships, air squadrons—are being rapidly reduced. Military bases are being closed in record numbers, and defense industry layoffs and cutbacks continue apace.

A major dismantling of the Cold War American military establishment is well underway. It is time to stop and take a look at what will be left and whether it is adequate for future needs.

There are several compelling reasons to declare a temporary moratorium on further cutbacks in American military spending.

We should keep enough of the right stuff to help ensure America's role as superpower in a very unsettled world. Such order and stability as resulted from the alliances created by the U.S.-Soviet confrontation have not been replaced by a new kind of order, and the list of trouble spots is long—Iraq, Bosnia, North Korea, Somalia and Guatemala, to name a few. The troubles run the gamut from nuclear weapons to humanitarian relief. While U.S. forces may not be used in most cases, military power is one aspect of American world leadership and helps create other nonmilitary options.

We have not reduced the calls on our military forces to help out around the world. Iraq, Somalia and the Adriatic (Bosnia) all have required significant and rapid commitments of U.S. military personnel and equipment that endure for months and even years. With shrinking numbers, those that are left must operate at higher tempo—putting more wear and tear on people and equipment. The recent warnings on recruiting and readiness may mean we are beginning to use up the force.

We do not have a consensus on a military strategy for the future. That means we don't have firm criteria for setting new priorities within a smaller defense budget. Both the threat and the overseas land bases to support our forces have changed. The types and proportions of military capabilities that were needed to face massive Soviet tank formations along the inter German border from highly developed bases deep in Europe are different from those needed for ill-defined, smaller actions in unpredictable and poorly developed locations supported largely from the sea. If we continue to cut using Cold War priorities, we may cut the things we need most for the future and keep the things that we need least.

We cannot solve the deficit problem with further defense cuts. The deficit is forecast to grow to more than $350 billion within five years, while total defense spending declines to $250 billion. A temporary hiatus in future defense cuts would have only a marginal impact on the deficit. We should not risk major damage to American security and leadership in the name of minor changes to the bleak deficit picture.

More and more of the declining defense budget is being siphoned off for things other than military capability. Aid to the former Soviet Union, converting defense industry to civilian use, environmental cleanup, health care, base closure costs and a growing variety of civilian programs are all being funded out of the defense budget to the tune of billions. There are estimates that a growing 25 percent of the entire DOD budget is outside of the military departments, yet all the combat units are funded by the military departments. The elimination of the "walls" between defense and domestic spending this year by the Budget Enforcement Act of 1991 could accelerate the siphoning of defense funds for non-military purposes. We should impose tougher budget discipline to ensure against backdoor cuts of real American military capability.

Real savings in overhead and infrastructure are lagging behind cuts in forces. It takes more time to reorganize support functions, realign and close bases, release civilian and military personnel, and restructure industry than it does to stop operating ships, tanks, and aircraft. It will take several more years to fully translate the budget cuts of the last few years into savings of overhead and infrastructure. In the meantime, there is a likelihood that military capability will pay a disproportionate and unintended part of the bill. We should take time to ensure that proper support and overhead reductions are in fact being made before piling more cuts on military capability.

This is not to argue that there should be no future cuts in defense spending. It is to say that we should take a time out—freeze defense purchasing power for a year or so—until we clearly know where we stand and there is a consensus on where to go. American security, leadership and prestige depend on it.

Mr. LOTT. Mr. President, this article—and this is a very respected expert on defense issues—argues that it is time to take a look at what this contraction in defense spending has been doing. He says that we need to determine whether our remaining capabilities will be adequate for future needs. He is right. He feels like this pause in the base closure process would be a wise thing to do.

Mr. President, before I conclude my remarks, I want to just refer to some charts, too. I did not get them made into big, nice charts, but I think the numbers are really what is important. I have here on the first chart—this comes from the Base Closure Commission's final summary, and also it comes from the military construction appropriations subcommittee of the House. So these are reliable numbers. It shows the projected cost of closing bases in 1988, 1990, 1991, 1992, 1993, and the cumulative effect.

The cumulative total appropriated over these past 5 years is $8.56 billion. That is what we have paid to supposedly close these bases. The projected costs of that number, plus the next 4 years, brings the total to $14.5 billion. That is the cost to get the savings of closing the bases.

Let us look at the estimated and actual savings schedule. Let me emphasize that a lot of this is projection and estimated, because this is what we think we are going to get and what we hope to get. I think it is, once again, myth. Over the 1990, 1991, 1992, 1993, 1994 period, the savings has been estimated at $5.2 billion. And over the next 4 years, the cumulative estimated total savings is $13.2 billion.

So from 1990 to 1998, with the base closures, we are talking about saving an estimated $13.2 billion, while we would have been spending $14.5 billion to get that savings. Think about that. You do not have to be MIT educated to figure out that over this multiyear period of time here, 9 years, we are going to have a cost of about $1 billion for an illusory savings.

And then just one final point here, Mr. President. I could give you other numbers. I do not want us to choke on numbers. I just want us to use some common sense and really assess what we have done. When I tried to make that happen as a member of the Armed Services Committee, in talking to the services or base closure people, I cannot put my finger on it. It is like trying to get ahold of a jellyfish; it sort of slithers away. You know, "Go away, we do not want to talk about that. Trust us, we are going to get the savings." It is not happening, Mr. President. I do not think it will happen. But the harm and the damage to the defense of our country and to the people and the communities has been great. I think we need to assess it before we go forward.

At this time, Mr. President, I yield the floor.

Mr. THURMOND. Mr. President, although the base closure process is disruptive and causes economic turmoil to communities throughout the Nation, the Department of Defense must reduce its excess infrastructure. In my judgment, the sooner we eliminate these excess installations, the sooner the Nation will reap the savings that will be achieved in this process. Therefore, I oppose the Lott-Feinstein amendment.

Over 250 military installations have been recommended for closure since this process was started in 1988. Although most of them are still in the process of being closed, the Department of Defense estimates that it will save $8 billion annually by the turn of the century. These are savings that cannot be ignored.

Mr. President, the amendment sponsored by Senator LOTT and Senator FEINSTEIN will delay any additional base closures until 1997 and, therefore, burden the Department of Defense with excess facilities for 2 more years. The excess capacity is certain to be aggravated as a result of the administration's bottom-up review which calls for the deactivation of two more Army divisions, mothballing almost 100 ships, and eliminating three active duty fighter wings.

The Congress carefully crafted the 1990 Base Closure and Realignment Act and directed that the last segment of the process occur in 1994. If we pass this amendment it may be the first step toward abandoning the entire

process and I do not want that to happen. It is not good for the national defense and it is not good for the Nation.

Mr. President, I urge my colleagues to oppose this amendment.

Mr. SMITH addressed the Chair.

The PRESIDING OFFICER. The Senator from New Hampshire is recognized.

Mr. SMITH. Thank you, Mr. President.

I rise in very strong support of the amendment of my colleagues from Mississippi and California, and I am pleased to be a cosponsor of this amendment.

I might just say that this is a commonsense amendment, as the Senator from Mississippi just said. It is a very thoughtful amendment.

I think there are times when we have to step back, pause, and take a look at what we are doing. And I commend them both for their leadership in this area.

Senator THURMOND just indicated that this could be the first step in abandonment of the base closing process. I totally disagree with that analysis. I do not think that is the case at all. We have had three rounds of base closings already, and this will not prevent the fourth.

I think myself, Senator FEINSTEIN, and Senator LOTT understand full well the implications of this. We have had closures in all three States.

In my State of New Hampshire, in the first round, I supported the closing of Pease Air Force Base. So I stand here not as one who has any sour grapes, but who bit the bullet and supported the closure. I think it was justified.

But, today, I just think that it is time to step back, pause, take a look and think about what we are doing.

This is not an abandonment of the process. It is a postponement.

Mr. President, the U.S. military is in a free fall. The administration is demanding $178 billion in unsubstantiated spending cuts. Dozens of weapons programs are being terminated. Tens of thousands of volunteer service men and women with outstanding service records are being fired.

I can cite one example of a case where several people at a particular Air Force base had received commendations for being the best in their field and then, a short time after that, were given their pink slips and told that they were going to have to leave the military. It is a travesty.

Our national defense infrastructure is being decimated. We are going back to the hollow force. And all of this, we are told, is our reward for winning the cold war.

Well, I have a hard time justifying how you can call that a reward for winning the cold war, when we are decimating the very people and infrastructure that caused us to win the cold war.

At the outset, let me be very clear about one thing. I support and have voted in favor of responsible reductions in defense spending. I have also supported each and every round of base closures thus far, even when it negatively affected my State, as I said, at Pease Air Force Base.

I recognize that the dissolution of the Warsaw Pact and the demise of the Soviet Union have, in fact, fundamentally transformed the international security environment. There is no question about that. And with the nuclear threat receding and the prospect of a massive Soviet attack across the Fulda Gap having all but disappeared, the United States is now able to restructure its military forces and adapt its war-fighting doctrine to the changed threat environment.

But it also behooves us, as responsible men and women who are in a position to make these major decisions, to look very carefully at the consequences. When the Base Closure Commission began its work, we still had a Soviet Union. That has changed now. I think we need to look at it in that environment.

This does not mean that we should continue now for the fifth straight year to randomly pillage our defense program without any regard to the long-term consequences of our actions, all under the guise of some mythical peace dividend.

I would say to my colleagues, the only real peace dividend is peace itself. That is the dividend—peace itself.

The fact that the Soviet Union no longer exists and hopefully will no longer be aiming its missiles, its warships, or its guns at us; that is the dividend. But the ongoing effort to wring more and more money from a defense well run dry is actually costing U.S. taxpayers money, not saving it. If it is costing them their jobs, their livelihood, their community economic vitality, and their security, how can it be a dividend?

Mr. President, of the many myths being perpetrated in the post-cold-war defense debate, perhaps the most egregious, is that somehow we are saving billions of dollars by closing all of these military bases. Nothing, unfortunately, could be further from the truth.

Since 1988, some 249 bases have been targeted for closure in the United States; another 147 have been realigned. Congress has been led to believe that these actions would have saved about $3.5 billion by now. What we have actually saved is about half of that, about $1.7 billion. That is positive. If installations are not needed, we ought to close them, and we have and we will in the future.

But what have we spent on base closures? Since 1990, Congress has authorized and appropriated $5.1 billion to close bases in the United States. In addition, the bill before us includes some $3.5 billion in assorted funds for base closures. Thus, once this legislation is enacted, Congress will have authorized $8.5 billion to pay for base closures that as yet have saved only $1.7 billion.

According to the military services, we have already spent $5.1 billion on base closures and, as I said, we are authorizing $3.5 billion this year. But to date we have saved only $1.7 billion.

It does not take Price Waterhouse to tell you that these are not savings. Now, savings may come in the future. But we should not continue recklessly closing bases without stepping back and taking a look at the results.

It is high time that we slowed the train down just a bit and took a long, hard look at where we are going and how we got here. We have come a long, long way since that August day 2 years ago when the beginning of the end occurred for the Soviet Union.

We are decimating our defense infrastructure recklessly and without any regard for the military and the economic implications. That is wrong.

It is time we looked at the effects these actions are having on our national security, first, our economic vitality, second, and the health of our communities.

It is important that we do that. We have a responsibility to do that.

These contractors, these communities, these bases, these people, they are the ones who delivered us a safer world. They did it. We have a responsibility to them to be responsible in how we deal with the cutbacks.

Mr. President, I speak from authority on this issue. Pease Air Force Base in New Hampshire was the first base to close as a result of the 1988 base closure first round. I supported that base closing, as I indicated. The community agreed, for the most part. There was very little opposition. Pease provided a great service to our country as a strategic air base, and we are proud of it.

But, Mr. President, I have seen the massive economic turmoil that resulted from that closure and the loss of services.

I have seen the dramatic effect that it had on the surrounding communities whose businesses thrived on that military presence for decades.

I have seen the dislocation of military retirees who suddenly lost access to the base hospital and health care, and I have seen environmental complications arise from decades of military use and abuse and a burdensome cleanup process. These are real problems that have to be dealt with by people, by communities.

While New Hampshire was the first State to experience this turmoil, the pain now has spread throughout the country, exacerbating its impacts and increasing the transition and adjustment costs which must be absorbed. If we are saving some defense dollars by closing these bases but spending a far

greater amount on realignment, on environmental cleanup, and community adjustment, it is time we take a hard look at the merits of further closures. Because, if the goal is to save money then we ought to save money. If we are not saving money, then it does not make a lot of sense to proceed.

The amendment before the Senate does not terminate the base closure process. It merely delays the next round by 2 years so we can examine the international threat environment, determine what type of military force structure will be required to counter these threats, and survey the results in the first three rounds of base closures that have been piggybacked on one another in such a brief time.

What people do not realize is that in order to prepare for the 1995 round of base closings, the process has to begin now. It does not begin in 1995 when the list is finalized. The process begins now, and that is too soon and it is too far-reaching.

Let me emphasize this amendment has nothing to do with overseas base closures. We are continuing to reduce our overseas troop levels and basing structure as expeditiously and responsibly as appropriate. What this amendment does do is ensure that adequate attention is focused on our domestic infrastructure—those national assets that are so vital to preserving national security and an effective reconstitution capability.

All of us in this body talk, from time to time, to the people who work at these installations, and the contractors who produce the weapons. I think we have to stop and think about the fact that they may not be around the next time we need them. They are getting hit hard. Once you close a military installation and you develop it into condominiums, say, along the shore front somewhere, you are not going to be able to get that back. Try going through the environmental hoops you have to jump through to establish another military installation.

Slow it down. That is all we are saying. We are moving too fast. It was too fast in 1977 and 1978 and 1979, after the Vietnam war, and it is too fast now. Former Secretary of Defense Cheney said, "Every time we build down the military we screw it up." That is what I am afraid is happening again. I hope we can stop that process.

That is the key point in this debate. Our shipyards and our military installations are national treasures. The workers in these facilities are second to none in their patriotism and diligence in what they accomplish.

If we shut down these installations and send their skilled work force into the streets, they simply cannot be reconstituted. They are not going to be there when we need them. This is particularly evident in the case of our Nation's shipyards.

The public shipyards are unique national assets. They cannot be replaced. We know from experience, once a shipyard is closed and converted to condominiums or some commercial venture, they are not going to be reconstituted again. The environmental challenges and nuclear licensing restrictions are simply prohibitive.

Why not step back. Let what the first three rounds have done settle in. Lord knows how difficult it has been in California, the tremendous hit that the Senator from California has seen in her State. There is no reason why we cannot step back and let those cuts settle in. Then we can initiate the next round if need be.

We should close what we need to close based on national security. We should not close bases just to save money. We should close bases because they are not needed for national security anymore and, secondarily, to save money. Unless somebody here has the capability to predict the future, which I will not claim to be able to do, I do not see how anyone can know what the threat is going to be in 50 years or 100 years. I think we are moving too fast, and I think history will judge that we are moving too fast if this amendment is defeated.

Let me close on this point. This amendment, again, does not terminate the base closure process. There are going to be those who come to the floor and say this is the end of the base closure process. That is simply not true. This amendment merely defers the next scheduled round of closures by 2 years. That is all it does. It defers, not terminates, to enable us to survey what we have done.

Frankly, we ought to be doing this in many other areas of the defense budget as well: In manpower, in weapons, force structure, all of it. And we ought to be analyzing what effect the previous closures will have on our national security and economic health and determine how we can apply these lessons learned to the next round. The world is in transition. There are tremendous amounts of weapons being exported around the world. Terrorism and regional instability are everywhere.

Just because there is no longer a Soviet Union does not mean we are not going to have problems in the world. The world is in transition. The threat environment is changing.

We need to assess these threats very carefully. We have a constitutional and a moral responsibility to provide for the common defense. We need to develop a comprehensive strategy to promote U.S. interests and formulate a blueprint for U.S. force structure in the future.

I am afraid, as I listened to some of the debate on this bill, and I heard it yesterday with SDI, the same people are coming down here year after year with the same outdated arguments. They prevailed yesterday, took another $400 million out of SDI. But I think they are looking at the past. We cannot afford to look just at the past. We have to look at the future. We can learn from the past but we better be looking to the future.

Thank goodness under Democrat and Republican Presidents from the 1940's through today, Presidents and Congresses of the United States of America were thoughtful enough to prepare to face the Soviet threat. That is why it is gone.

We won the cold war because we built the weapons and bases needed to protect our security. We now stand alone as the preeminent world power. We must not jeopardize our military and economic security by haphazardly decimating our national assets, our national treasures. All the amendment before us does is propose a more responsible, methodical approach to the ongoing base closure process while preserving its statutory mandate and mission.

I urge my colleagues to support this amendment. It is thoughtful, it is in our national interest, and it certainly is in the interest of hundreds of thousands of jobs throughout the United States of America.

So I commend, again, Senator LOTT and Senator FEINSTEIN, for their leadership and I urge my colleagues to support this important amendment.

At this time, Mr. President, I yield the floor.

Mr. GLENN addressed the Chair.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. GLENN. Mr. President, I would like to address the same subject. I rise in opposition, regrettably and I want to talk for a very few minutes about why I oppose this amendment. Let me give a little bit of background.

The base closure authority envisioned three closure rounds. They were to be conducted on off-election years: 1991, 1993, and 1995. We still have the 1993 package that is to come before the Congress. It will involve some 250 installations in the United States to be closed, 70 of them major installations.

I realize the problems involved when a base is closed in a particular area. It is a very vexing matter which creates problems with employment and job opportunities, impacts the local economy, and so on. But unless the law is changed, the President has the option—I want to emphasize—the President has the option. The 1995 Base Closure Commission will be at the option of the President. He can nominate another Base Closure and Realignment Commission in 1995 to consider any U.S. base closure or realignment that is made by the Secretary of Defense. I stress that option because I think we have some time to look at this whole process. Currently, we are conducting a bottom-up review of the Department of

Defense. We have been briefed on it in the last few weeks and are thoroughly reviewing it. I may have misgivings about the bottom-up review.

I, too, am concerned whether we are moving too far, too fast with some of the cutbacks, but we have 2 years to analyze what is going on in the world, and the President has the option of saying whether he wants to nominate another Base Closure and Realignment Commission in 1995.

What this legislation would do, as I understand it, is cut out that option for the President. We are now in the process of defining whether the bottom-up review recommendations will be enacted into law. But at this point to say we would automatically cut back and not give the President the option of initiating the third base closure round would be premature.

I realize that the economic dislocation of closure, particularly in California, is great. With a flat economy right now on the west coast, we need time to absorb these transitions. I agree with all that. But the proposal to do away with the current round of closures or to knock out the option of the President to even have the option of having a Base Closure Commission in 1995 or putting that off until 1997, rather, is something I do not think we need to do right now.

The three-round base closure process spaced over 5 years is based upon the need to make an orderly and timely reduction in U.S. base infrastructure. DOD plans and phasing and have been based upon this schedule.

The end-strength of the Department of Defense is projected to be reduced by about a fourth from the cold war level. Overseas bases have been reduced already by some 37 percent. U.S. bases measured in investment value at least will be reduced only 15 percent, and that includes the 1993 package. Delaying the next closure round for 2 years simply prolongs the expense of operating unneeded bases, funds that DOD cannot afford to waste.

I am very concerned about that area because I do not want to see us wasting money. We already are short of operation and maintenance accounts. The Army is putting off a lot of their overhaul of equipment. The Navy is doing the same thing. We are running short of dollars already in some of these areas. Keeping open unneeded bases is not a luxury that we can afford.

Secretary Aspin's bottom-up review envisions force reductions below the Bush base force of two active Army divisions, three Air Force active fighter wings and about 55 ships. That is a big order. His plans also emphasize the need to reduce support infrastructure, and cites the unwillingness to do this in the post-Vietnam era as a major reason for the readiness shortfalls of that period.

In other words, we kept too much overhead, too many bases still open. We did not cut back when we had the opportunity to do so and wound up spending far more on overhead than we should have been spending. We were getting less bang for the buck out of every defense dollar than we should have been getting at that time. Clearly, we do not want to repeat those mistakes of the seventies in the nineties.

Secretary Aspin's 1993 base closure recommendations were based upon the Bush base force. It is a continuation, not a complete elimination, which was a concern I shared with most of the people on the Republican side of the aisle.

I think Secretary Aspin needs the opportunity to adjust the base structure in 1995 to bring it into line with the Department's revised force structures and to make support reductions that were not included in the 1993 package or at least providing the option to do it then.

We are in the middle of a national performance review, with a goal to be as efficient as possible. Base closure is part of that process. To thwart it and to say, no, we should not have another round, to not try and be more efficient, more effective in our military, whether it is with bases or people, or whatever, is just not the way we should be going. Delaying the next closure round until after the next Presidential election, which is what the proposal would do, could deny the Clinton administration the opportunity to make its base closure recommendations and increase the overall projected shortfall in defense funds over the next 6 years.

The Clinton administration is committed to helping communities transition from defense-dependent economies. A major tenet of the bottom-up review is the need for a strong national economy. If the economic cost of military base closure proves too great, the President has the option now of canceling the 1995 closure round by simply not nominating a commission. If that happens, Congress can then address whether a 1997 closure round is in order.

So, Mr. President, I propose that we oppose this amendment and defeat it, and still give the President the option of going ahead with the 1995 base closure round. I yield the floor.

Mr. NUNN addressed the Chair.

The PRESIDING OFFICER. The Senator from Georgia.

Mr. NUNN. Mr. President, shortly I will propound a unanimous consent request that would request that this amendment be voted on at approximately 1:10 today and that there will be 5 minutes equally divided for debate on the amendment at that time, so that we would resume consideration of the amendment at 1:10 after we complete this debate and hopefully move to another amendment. There will be 5 minutes for debate. And then at that stage, we would vote on the Feinstein-Lott amendment and then we will move to vote on the Reid amendment.

It is my hope—and I see Senator HARKIN on the floor—that we can end this debate in the next 5 or 10 minutes, move on to the Harkin amendment, debate that Harkin amendment, and I will talk to the Senator about a possible time agreement on that amendment. Then we can have all three of these votes hopefully around the 1:10 timeframe. I will not propound that request at this moment. I want to give people a chance to know.

Let me say a few words about the amendment we now have pending.

First of all, Mr. President, I understand completely the position of the Senator from California. She makes her points vigorously. She is representing a State that is, of course, one of our more important States. It has been one of our most important States in the entire period we have been engaged in the cold war. We have had tremendous military presence in California. I would say that the California people have been superb in their support of our defense and national security needs.

We have literally scores of bases in California. Even after the whole builddown, we are still going to have an enormous defense presence in California. But the adjustment in California more than any other State I know has been very difficult.

So I have tremendous sympathy for that point of view. I think we ought to do everything we can to help in the conversion fund so that, as we agreed yesterday in the amendment we accepted of the Senator from California, we give priority in those conversion funds to the States that have been hardest hit.

I also believe in, and we accepted the amendment of Senator BOXER from California, a consolidated data base to help small businesses not only in California but throughout the country on the conversion effort.

Having said that, and understanding the authors of this amendment and what they are saying, having sympathy with the position they offer, I would have to say this. Mr. President, we are told on the Armed Services Committee you have to bring down the Defense budget. We are given a number that in my opinion is too steep. I think we are cutting too steeply. I have said that over and over again.

I also think we are not putting a wall between defense and other expenditures so that if we do cut spending, it does not pour into domestic. Because it is just an open invitation for anyone who wants to grab the great big Defense budget and wrestle $100 million here, $200 million there, $300 million there and put it in domestic need.

Nobody ever talks about from where this money is going to come. So what we like to do in this body—and I say

sometimes we reflect our constituents in that regard—we like it both ways. We like to say, by golly, we are bringing down the Defense budget, but then we like to say we are not going to hurt this State, this community, these people.

Mr. President, there is one thing we can all bet on. You cannot bring down the Defense budget without bringing down the defense establishment. You cannot cut money from defense without losing jobs. It is impossible. You cannot do it. If you do not take the money out of one area, you have to take it out of another.

Now, one of the most visible and difficult things to do is to cut military bases. That is reflected in what we have done so far. We have cut, since 1985, about one-third out of the force structure of the national defense, that is, Army, Navy, Marine Corps, Air Force. About one-third has been cut. In the infrastructure, the bases primarily but not simply the bases, we have cut about 15 percent.

Even with this last round of base closures, we are not keeping up with the force structure cuts in infrastructure cuts. We have cut in the European and other overseas bases about 37 percent of the bases. So we have cut overseas about 2½ times more than we have cut at home. And that is appropriate. I would like to see that ratio go higher, although we do have obligations around the world. There is no doubt about that.

So the bottom line is we have a choice: Are we going to take the cuts primarily out of force structure and readiness or are we going to take some of the cuts proportionally out of overhead?

This amendment basically says the Senate is in favor of keeping overhead at the expense of readiness.

What do we mean by readiness? We mean by readiness the ability to pay for the training, the flying hours, the steaming hours, all of those things that go into making our men and women able and ready to fight. And a high degree of that is in the morale factor.

In the 1970's, the Senator from Ohio said, we did just the opposite. We said we are going to bring down this large force we built up in Vietnam, but we are going to spare the communities and we are not going to close any bases, and we did not. We closed very few bases after Vietnam.

What happened? We ended up with a hollow military force at the end of the 1970's. It became a major political issue. In fact, it was one of the main things that helped to elect—not the only thing; there were many—a Republican President in 1980 because that was a big issue. We had hollowed out our military forces because we had protected infrastructure and overhead.

So we have to choose. And the time to decide whether we are going to hurt people on the Defense budget and how fast we are going to bring it down and whether communities are going to be hurt, the time to decide that is when the budget debate takes place. That is when we set the level of Defense. That is when we make those decisions.

But, of course, there are an awful lot of people who want to have it both ways. They want to drive down the Defense budget but then every time we get ready to cut something say, "Not here; not us; not this time; not now; let us wait."

You cannot do it both ways. You cannot save money without cutting out some functions. And you cannot bring down an Army, Navy, Air Force force structure by one-third and then have the infrastructure and the overhead come down only 15 percent. But that is what we will be doing if we pass this amendment.

I know it is said, and I have heard this and it is frustrating and it is hard to explain, it is hard to explain to people that it costs more money to close bases in the first 3 or 4 years than you save. So in the short term the proponents of this amendment are correct in the sense that we do not save a lot of money. In the long term, we save huge amounts of money because we get to a point where we have paid for all the expenses of closing bases; we have paid for the environmental cleanup; we have paid for any RIF's that might occur in taking care of those people under the Federal procedures or civil service, we have paid for moving equipment, in consolidation. All of that costs money. And it is true you do not save much money in the first 2 or 3 years.

So we are talking about about a 10-year picture. And one of the reasons we are in such a terrible fiscal blight in this country is because we debate everything as if the savings have to occur in the first year or two, otherwise it is not worth doing.

So what we do is we build up these huge expenses. We start off programs that are very small. They grow; they grow; they grow. But we get the foot in the door. The same thing is true in reverse. The only way you can save big bucks in the Defense budget or any other budget in this country is to do it over the long haul unless you do not care about people, unless you do not care about communities, unless you are just going to lay people off and not help them get another job or give them some special severance pay.

We do not do that in this country. We care about people. We care about communities. So when we bring down military bases, we do everything we can to help them adjust and that costs.

There is one other argument that is made over and over again, and I also understand the logic of this. And yet, Mr. President, when you look at it, if we followed that line of reasoning, we would really have a complete environmental nightmare on military bases, and that is that we should not close bases unless those bases do not have a lot of environmental cost.

Mr. President, the same people who demand that we do something about cleaning up the environment seem to be saying if we have an environmental problem on a military base, do not close it because we would have to fix it.

Well, are we going to just leave these environmental problems on military bases if they do not close? If anyone thinks through it, what we would really be saying, if we say, look, we are going to measure all of those environmental costs and if we are going to have to spend $500 million to clean up a base even though it would take us 6 years to get to the point where we save money net, we are not going to close that base, do we realize what that would be doing? We would be inviting every military base that wants to stay open to make sure they have the worst environmental problem.

We would say the way to stay open, if you do not want to close this, is to pollute the streams, bury waste, get hazardous material all over the base, and then we will not close you because it will cost too much. That is the absolute opposite of what we want to do in terms of incentives. Is that what we want to do?

I can guarantee you—we have some smart people in Georgia. We have some military bases that are exposed, and I understand where the Senator is coming from. I had four on the list, none of them are closed. But we went through the trauma, not to the point of having them closed but we went through some considerable amount of anxiety. I understand something about where the Senator is coming from. But if we send out the word in this body, the congressional policy——

Mr. BURNS. Mr. President, will the Senator yield for a question?

Mr. NUNN. Let me make one point. I will be glad to yield.

If we send out the word in this body the way you keep a base open is to pollute it to despoil the environment, to make sure you do everything you possibly can to make it more expensive to close it, I will guarantee you we will have some people who can figure out how to do that. It is hard to figure out how to clean up the environment. It is not hard to figure out how to wreck it. I do not think that is the incentive we want to send out.

So the military and the Defense Department have said we are not going to cost account the environmental cleanup in determining which bases to close because if we do we will give reverse incentives. Besides that, we have to clean up those anyway. We are not going to leave hazardous waste knowingly in the middle of a military base even if it is not closed. We owe something to the communities where the

bases are in terms of cleaning that up, even if those bases stay open. I yield to my friend from Montana.

Mr. BURNS. Mr. President, I would ask my friend from Georgia, after we made the decision to establish this Commission to put us on some kind of a schedule to scale back and close down some of our military installations, which was clearly the intent—and I think the American people have made the decision that we are in a different kind of environment, the walls are down, we have to start thinking about peacetime and doing business in a little bit different way, I listened to this debate—I ask the Senator, the distinguished chairman of the committee, do we really save any money by not going on with the plans that have been stated by the Commission?

Mr. NUNN. I say to the Senator, if you are asking me whether, if we do not close bases in 1995 but wait until 1997, whether we will save any money the next 2 or 3 years or if we are going to spend more money, I would say the answer is this: Over the next 10 to 12 years, if we delay this 2 years, which is what this amendment does, it will cost us an enormous amount of money.

Mr. BURNS. To back that up.

Mr. NUNN. Not in the first 5 years, but over a 10-to-12-year period. If we delay this 2 years, it will cost a great deal of money.

Mr. BURNS. If that be the case, and that is the way the figures show, then I would think—I ask the Senator, are we eroding the integrity of the original intent of the Commission?

Mr. NUNN. I would say if the amendment passes, we will be. I will say, as has been said by Senator GLENN from Ohio, that if the President chooses not to, if he believes the economic impact is such—he may get to that point where he does not want to tackle this in 1995—then he does not have to appoint a Commission. But if we pass this amendment, he will not have that option. It will not be on the table. The Congress would have said, look, we finally bit the bullet, we did something we were not willing to do in the sixties, seventies, until the late eighties, we finally set up a Commission, we said to the Commission, you have the authority, we have the final say, but we will want to go on about the task of getting rid of some of this overhead, we finally said that.

We would now, if we pass this amendment, be saying, whoops, we did not know there was going to be any pain and suffering involved. Whoops, we did not know anybody is going to have to pay a price. We did not know it is going to cost anybody a job.

We all knew that when we set up the Commission. I think we have to stick with it. My view is let us stick with it. If the President decides not to move in 1995, that will be his right. But if we jerk the rug out now, one of the few things that Congress has done around here in the last 5 to 6 years that really gets at the heart of saving some money, we would have taken a significant step backward. We would not have wrecked it.

We would still be addressing it in 1997. The process will not be over, but we would be basically saying we have looked at it very carefully, we have weighed the effect of cutting overhead versus the effect of harming readiness and we choose to preserve overhead at the expense of readiness.

That is what it does over a period of time. It is not the intent. It is not what anybody intends, but it is what happens. Nobody intends to hurt readiness. Nobody intends to create a hollow force. It is just what happens. Those of us who have been around here awhile understand it because we have seen it happen.

Mr. BURNS. I thank the Senator for the information. But I would suggest that if the conditions of security around the world had changed in the last year since this Commission has ended, has been set in motion, and where conditions change to where maybe we should take a look at our own priorities as far as the Nation's security, I would say the argument to delay the closing or the mission of this Base Closing Commission would have to change with it.

But so far as this Senator has been able to tell, those conditions around the world have not changed, that we have to some way still protect the integrity not only of this body but what we are trying to do here. I thank the Senator for his time.

Mr. NUNN. I agree with the Senator from Montana. I thank him. I yield the floor.

Mr. WARNER addressed the Chair.

The PRESIDING OFFICER (Mr. AKAKA). The Senator from Virginia.

Mr. NUNN. Would the Senator yield for one moment?

Mr. WARNER. Yes.

Mr. NUNN. Mr. President, I ask unanimous consent, notwithstanding the pendency of any other amendment, the Senate move to the consideration of the Feinstein-Lott amendment No. 816 at 1:10 p.m. today; that there be 5 minutes equally divided in the usual form for debate on the amendment at that time; and that at the conclusion or yielding back of the time, the Senate vote on or in relation to the amendment to be followed without any intervening action or debate by a vote on or in relation to the Reid amendment No. 815.

The PRESIDING OFFICER. Is there objection?

Mr. LOTT. Mr. President, reserving the right to object, I do not intend to object, I want to say I think this has been checked out on all sides. I think it is very fair. I appreciate the chairman's courtesy. I think we ought to be able to go with it.

Mr. NUNN. I thank the Senator from Mississippi.

Mr. COATS. Reserving the right to object, I want to clarify the procedural situation. Will the time between now and the vote be reserved for debate on their amendment and equally divided between those?

Mr. NUNN. No. It would be my hope that we would conclude debate on this amendment very shortly. As soon as we do, I would hope we move to the testing amendment, do as much of that as we can. That would be interrupted if this unanimous-consent agreement is agreed to, interrupted at 1:10. Then we would vote on these two amendments, come back to the Harkin amendment after that.

Mr. THURMOND. Mr. President, I have no objection to the unanimous-consent agreement.

Mr. COATS. Mr. President, I would say my only interest is in speaking briefly in opposition to the amendment. I want to reserve the right to do that.

Mr. NUNN. The Senator will not be losing his right.

Mr. EXON. Reserving the right to object, may I make inquiry? The unanimous-consent request is to put off any votes until an hour from now at 1:10, and at that time we would interrupt debate on the Harkin amendment, which I understand will be next, set that aside temporarily for the two votes.

Mr. NUNN. That is correct.

Mr. EXON. I reserve my right to table the amendment offered by the Senator from Nevada, as I indicated earlier.

Mr. NUNN. The Senator has that right.

The PRESIDING OFFICER. Is there objection to the unanimous-consent request of the chairman? Without objection, it is so ordered.

Mr. WARNER addressed the Chair.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. Mr. President, I rise to join the distinguished chairman and ranking member in opposing this amendment. I would like to step back in history a little bit because I had the privilege of serving in the Department of Defense as Secretary of the Navy, and perhaps I may be the only one, or certainly one of a very few Members of the U.S. Senate who had to go through a base closing prior to the enactment of the framework of these laws.

I remember very vividly. It was about 1972. The distinguished Senator from Massachusetts [Mr. KENNEDY] stared down behind a battery of television cameras in the caucus room as the then Chief of Naval Operations, Elmo Zumwalt, and I defended our decisions as the two leaders of the Department of the Navy to close the Boston Naval Shipyard; one of the most historic yards in American history.

The U.S.S. *Constitution* I believe, is docked up there now, and, indeed, the ancillary facilities, the Newport, RI, destroyer facilities, and other facilities on the east coast that were a part of the complexion of mutual support with the Boston Naval Shipyard and the operating fleet. The distinguished senior Senator from Rhode Island [Mr. PELL] was also in that hearing room.

For the better part of a day, that caucus room was filled with people examining whether or not the Department of Defense could move forward and close an installation. And only by the narrowest of margins, and only by the narrowest of votes was that decision sustained.

I point out, as a footnote, the difficulty of closing a base or an installation, because historically they have grown to become a part of each and every community. They have become symbols of the pride in that community, of that community's contribution to our Nation's defense, past, present, and future. And the pain associated with the cut of those bases and installations is one that is very difficult for the local citizenry to accept.

Then I step up in the chronology to one day when the distinguished chairman and I were visiting with Secretary of Defense Carlucci. Secretary Carlucci was among the first to recognize that the base and installation structure in this country was out of balance, in terms of the cost to support them, with the future sizing and configuration of the U.S. military, in terms of numbers of personnel, in terms of types of equipment. And it was in that meeting that the seeds were planted by which this series of legislative actions by the Congress—that is, the laws—for base closure started. And the basic concept was that the Congress could not really come to grips with the closure. Members of Congress would band together and say, "You protect my base, I will protect yours, and we will form a network and a coalition, and we will block successive actions by the Department of Defense."

Time and time again, reference was made to the closing of the Boston Naval Shipyard. That shipyard had more history, more tradition, than any other shipyard in the United States of America. It was, I think, the first. Out of that meeting, again, flowed this series of enactments by Congress by which we have taken away from the Congress in some substantial measure the voice as to what should be closed in terms of bases and installations.

I agree with the proponents of this amendment that it has not worked as well as we had hoped. It has not generated to date the savings that we had hoped. And, indeed, the several actions through the years of the Base Closure Commission has caused irreparable pain and harm to communities and individual Members of this body.

69-059 O—97 Vol. 139 (Pt. 14) 41

I can remember the day when Chairman NUNN hit the gavel in our committee to ask for a vote this year to ratify the actions of the present Commission. My distinguished colleague and friend, Senator ROBB, also a member of the Armed Services Committee, and I knew that our responsibility was to vote "yea," even though our State, the Commonwealth of Virginia, had taken a terrific hit, in our judgment, by this round of base closures. Indeed, we were severely criticized in our State by the Governor himself. But we felt it was our duty to support the concept of this law and to support the actions by that Commission, and to do what was in the best interest of this country. Senator ROBB and I did it together, and we still take, as we say in political parlance, "heat" in our State. But there are times when you have to step up and make these decisions, and we did it.

With no disrespect to my colleagues, the proponents of this amendment, I would call it the "Humpty-Dumpty" amendment, because if this amendment passes, all the king's horses and all the king's men would never put back together again a base closure package, a base closure law. This will be, as we say in naval parlance—I see here watching me a distinguished former naval officer—it is like pulling the sea cock, and the ship will go down. And this chapter in American history, where the Congress has come to grips and faced the fact that they could not close bases, will be erased from the books forever, and we will be back to the old system where, on an ad hoc basis, the Secretary of Defense or one or more of the several Secretaries of the military departments will have to come and sit in that caucus room and try to convince the Members of the Congress to stick by a decision that has been made by the Department of Defense.

Others speaking on this issue this morning have given, in precise detail—particularly the chairman of the Armed Services Committee—the fact that if this concept of base closure is fractured, we will see a steady erosion of those dollars which are necessary for readiness, necessary for personnel and, indeed, bottom line, necessary to maintain the strongest possible national defense establishment that we can for our Nation and for our allies.

Earlier today, Mr. President, a group of us had the privilege of being with the President of the United States. He started the meeting describing to us this historic moment in which the enemies of 100 years-plus are now trying to forge an alliance—Israel and the PLO. It was a very moving briefing, the President and the Secretary of State and the leadership of the Congress being present. But our President, in his foreign policy to date, in my judgment, has conducted himself very admirably. The chairman of the committee, and others, have worked with him in months past this year on Bosnia and Somalia. And, in particular, this day the President is striking a key note of modesty on behalf of the United States and its participation in the arrival of this historic agreement.

I think that is a proper tone for the President to take with regard to this historic moment in history, because many people have assumed great personal risk, risk on behalf of their political institutions, respective institutions, and on behalf of their country, to lay down and forge these two historic agreements, which will soon take place. And in other actions, be it the Bosnian conflict, the tragedies of Bosnia and of Somalia, I think our President has very wisely judged the actions that he will take on behalf of the United States, in terms of the best solution for the present crisis, but always the President is looking beyond such that the actions he takes on the immediate crisis, may become building blocks for the future, become decisions which bring about a greater degree of credibility and respect for this Nation so that we can continue to take a role of leadership in solving the world's problems.

So I commend the President for the conduct of his foreign affairs today, in particular with relation to Bosnia and Somalia and now in striking a keynote of humility and recognition to the tremendous leadership of others in bringing about this historic détente between two ancient enemies.

It has certain parallels to where we are today because we have had longstanding animosities among ourselves with respect to how we should cut this defense budget.

I have been privileged for 14 years to work with our distinguished chairman and many Members of this Chamber on working with the defense budget and how we should carefully put those budgets together to reflect, most importantly, the threat as it is being posed today and in the future to the United States of America. We should spend not one penny more than we absolutely need to meet our own security requirements and that of our allies, with whom we are becoming more and more dependent in this multipolar world, more and more dependent on establishing freedom, security, with a continuation of democracy.

And a key element of that budgetary planning cycle has always been the allocation of funds to support the infrastructure, sort of the foundation on which the military rests, the bases and the installations.

I remember when we first started this process—and this is way back in 1969, when I first went to the Department of Defense—there were actually military posts in America, primarily in the central regions of our country, that were associated with that conflict that

we had with Native Americans, the Indians, years ago. Someone was preserving those posts for the historical significance in that chapter of American history. That was the primary reason for keeping a lot of those far-flung posts open.

I will always remember at the outbreak of World War II, right after Pearl Harbor, when the Department of the Army, as it was known in those days, suddenly realized that we were going to be confronted with a very major military action, one of the first decisions—if you can believe it—was to go out and buy 50,000 horses and mules to equip the U.S. cavalry.

Now, mind you, here we had seen the Nazi forces go through Poland in September 1939 and Poland used the cavalry against the Nazi tanks, the Nazi armored carriers.

And so we rushed to buy horses and mules because the money was flowing into the coffers of the Department of the Army. We bought them, again, thinking about the old days and the grand old days of the cavalry.

Indeed, the cavalry, if you will read Patton's biography, was the line to get promoted in the Army.

George Patton, in World War I, was a burly lieutenant colonel. He commanded all of the elements of the AEF, the American Expedition Force, that was known as the mechanized, the first use of tanks, first use of tanks in World War I.

The British had started them in about 1914–15, and their program sort of bogged down in the mud and it just did not come to fruition. But the Americans came along and made a contribution with those tanks. Patton, a brilliant tactical officer, employed those few assets we had, those few mechanized assets, in a way that indeed impressed all the military observers at that point in time. And they were very successful, the overall successful package of the results of the AEF in 1917–18.

Patton came back to the United States and he tried to sell to the old Army brass still hanging around then in the War Department—the War Department was right up next to the White House in those days, in the EOB. You can still go up there and see on the knobs on those doors, the Department of the Army and the Department of Navy. There was no Air Force then. The Air Force was a corps, the Army Air Corps, within the Army.

And Patton came back to sell the concept of armor to America's future military. What happened? The old guys slipped right back to their thinking, decided armor would not be a part of the Army in the aftermath of World War I. He could not get any budget. What little budget he got was minuscule for the research and development of armor in the period of 1920, 1921, 1922.

So what did George Patton do? It is right there in his biography. George Patton resigned from armor and went back to the cavalry because he recognized that was the only way he would ever advance in this man's Army. That is the tunnel vision that the brass had in those days.

And, indeed, he did succeed, slowly through the period of the twenties and the thirties, advancing through the ranks to where he became a colonel. My father knew him. My father was a resident of this area.

George Patton became a colonel over here right across the river in Virginia. He had the honor guard. He was a very elegant character. He had a home which is very near the home I now occupy down in Virginia.

He used to be a great horseman. As a matter of fact, he would be the first to say he rose through the ranks primarily because of his horsemanship.

I bring out that little vignette in history and take the time of this prestigious body today because, again, it shows the thinking that you have to combat in the Department of Defense from time to time, the lethargy that sets in: We do not want change.

But, finally, the Department has come along and recognized we have to get change in terms of cutting back this base structure, which is draining the lifeblood out of the active forces. And it took a lot of guts by Secretary Carlucci and some Members of this body and some Members of the other body to sit down and enact this framework of the base closure statute.

Why come all the way back around to Humpty-Dumpty? If this amendment passes, Humpty-Dumpty comes down off the wall. And I daresay, in the years that I am privileged to remain in this body, I do not think that we will ever see Humpty-Dumpty put back together again.

But I see my distinguished colleague from Indiana patiently waiting. He has been kind enough to listen to my thoughts on this. Therefore, I shall yield the floor.

Several Senators addressed the Chair.

The PRESIDING OFFICER. The Senator from Indiana.

Mr. COATS. Mr. President, I want to assure my friend from Iowa that I am not intending to take very long at all. I understand that we want to try to deal with an amendment the Senator has so we can couple the votes. I will not impede on that for more than about 3 or 4 minutes of time.

I want to briefly commend my colleague from Virginia for his statement, which I think sheds considerable light on this whole process. I also want to commend my colleagues from Virginia for stepping up to the plate in a very, very difficult vote and very difficult decision with immense political ramifications and staring down the politics and the political fallout and saying we are going to do the right thing even though it impacts our State, even though it impacts our people. We are sent here to look beyond the short term and look at the long term and what is in the best interests of the United States and ultimately the best interests of the people of the State of Virginia.

I believe the people of the State of Virginia will recognize that and reward that with their support. I say that because I have been there. I have been at the plate also at a tough time with an election pending, and I can hear the press releases beginning to roll as the roll was called in the committee about whether or not you would support the base closing recommendations when it included your bases.

It was very easy for both the House and the Senate back in the eighties to vote for the base closing process because we all knew that the current process was broken. No bases were being closed. We knew that it contributed significantly to the hollow forces of the late seventies. We had an infrastructure that was far greater than the forces necessary to occupy that infrastructure. And the drain of funds into maintaining an infrastructure were funds directly out of the paychecks of armed services personnel, funds directly out of training functions which affected their ability to be effective, which in many cases can cost lives if they do not have proper training. These are funds directly out of operations and maintenance, funds out of necessary functions, necessary in order to provide for effective and efficient military.

We went through that once. Congress in the eighties basically said, save us from ourselves. We are going to vote for a procedure whereby we do not have final veto authority individually. We can reject or accept the entire list as propounded by the Base Closure Commission, but there will be none of this "everybody's but mine."

We are in a significant drawdown period. Some of us think the drawdown is too fast. But I guarantee the drawdown on base infrastructure is not too fast, it is too slow. We are ending up with far more infrastructure than we need to accommodate the size of the force for the future. In the interests of time I will not go through the number of arguments that I have had because of the agreement worked out with the Senator from Iowa, but I urge my colleagues to not forfeit here one of the few things that this Congress has done in the last decade to truly effect savings.

There are very few times we can stand on the floor and say we have constructively reduced the burden on the taxpayer. I know what the pain is at home. I know what the difficulty is for those who are directly involved in the decision to close the base.

The administration has been sensitive to that. They have created a

fund to help with the transition. Those communities that have rolled up their sleeves and gone to work have actually found it is to their long-term economic benefit to make the transition because we are not serving the community, we are not serving the people who occupy the bases or support the bases if we simply end up with a base that is partially manned, where the economic activity there is significantly reduced simply because we do not have the budget to support the infrastructure.

We prepared a port infrastructure to house up to 600 ships. We planned a 600-ship Navy in the early 1980's. We are now looking at a little more than half of that. Yet we want to keep the same amount of port structure. It is possible. We can divert our funds into that. But we are sacrificing and jeopardizing the security of the U.S. Armed Forces and the security of this country by diverting funds to unnecessary purposes.

Virtually every corporation in America has had to downsize, restructure, consolidate in order to become more productive and more efficient. The only institution that does not do that is government and here is one element of government where we have made the right decision, as painful as it is in the short term, where we have made the right decision and where it actually is going to effect savings.

I understand the point of my friend from Mississippi. I find myself reluctant to argue against his amendment because we find ourselves together on so many issues. We share a common philosophy relative to the strength of our military and to a whole number of issues. But on this issue, unfortunately, we disagree. I think we need to understand that during the period of time when Congress had ultimate control over base closings we did not close a base. We could always find a justification to keep a base open. We did not close a base. That authority used to belong to the Secretary of Defense. Congress took it away from the Secretary of Defense and we ended up, in this country, with 3,000 military facilities occupying a land total greater than the entire square mileage of the State of Indiana.

There may have been some justification for most of that during the cold war. But with the end of the cold war the world has changed and we need to change with it or we are going to find ourselves in a situation like that described by the Senator from Virginia, and that is a force structure based on the past and not on the future. We cannot anticipate conflicts of the future. We are beginning to get a glimpse of them and we need to understand we have to have a force that is differently constituted than that of the past. That means we cannot afford to pour money into unneeded infrastructure because that takes money away from the very elements of our force that are going to provide us that winning edge in the future.

Credibility of Congress is on the line these days. There is a lot of cynicism and skepticism throughout the land about whether we are going to be business as usual, politics as usual, or whether we are going to bring about real change, whether we are going to step up to the plate and take the high hard one and suffer the political consequence. But I can tell my colleagues, if they think the people they represent want politics as usual, if my colleagues think that pork barrel, bring home the bacon is the way to political popularity and the way to ensure election, I think they are misreading the public. I think my colleagues would be misreading what the public is looking at. They are about to tear this place down and start over because they do not see represented here the kind of change they are demanding.

I think we would be wise to send some strong signals that this Congress has heard the message, that we are willing to be responsive, that we are willing to make the tough votes, and that we are willing to proceed with a procedure that, while the savings we had hoped for are not achieved in the timetable originally laid out, it is going to achieve those savings. It has to achieve those savings if we continue the process of eliminating unwanted infrastructure.

In that regard I hope our colleagues will resist the temptation of the short term, look at the benefit of the long term, and reject the amendment offered here before us.

With that I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa [Mr. HARKIN] is recognized.

Mr. LOTT. If I could, Mr. President.

Mr. HARKIN. Mr. President, I thought I was recognized.

The PRESIDING OFFICER. The Senator from Iowa is recognized.

Mr. LOTT. Mr. President, we had not completed the debate on this amendment.

The PRESIDING OFFICER. The Chair recognizes the Senator from Iowa.

Mr. NUNN. Mr. President, if I can suggest something, I talked with the Senator from Mississippi. He informs me he has very brief concluding remarks and the debate will be concluded on this amendment. I think if we could, even though the Senator from Iowa has the floor, if he does not mind yielding for that purpose, then we can finish debate on this amendment and move to his.

Mr. HARKIN. I yield the floor.

Mr. LOTT. I thank the Senator from Iowa.

The PRESIDING OFFICER. The Senator from Mississippi.

Mr. LOTT. We do have 5 minutes for closing remarks, on our side.

Mr. NUNN. Five minutes equally divided.

Mr. LOTT. The final 2½ minutes will be used by the Senator from California, Senator FEINSTEIN, in support of the amendment. I will be very brief.

There have been several points made by Senators WARNER, COATS, and GLENN that I need to just respond to briefly.

First, I want to emphasize, this amendment does not stop the base closure process. Every decision that has been made, every base that has been recommended for closure, I presume, will go forward to closure, and that includes the 1988–1989 timeframe, 1991 and 1993. So it does not stop the process. It just says instead of the next round occurring in 1995, it would recur in 1997. It would just slip that timeframe 2 years to give us time to assess what has happened, the damage that has been done and make sure that the next round of decisions on this are based on reality and take into consideration what has actually been closed and what costs have been involved.

Ninety-seven will be the next round, and unless Congress votes and the President, I guess, signs a bill that will stop that, it will go forward. So do not misunderstand this. This is not trying to undo what has happened or stop another round. It is just to have one little extension for cooling off. This does not jerk the rug out from under base closure. We are simply recognizing the facts.

Senator WARNER made the points. He said base closure has been expensive. He said we have not saved what we wanted to. That is a fact. I think we ought to look at what we are really saving and also look at what we are spending for the savings we are getting.

He notes that base closure devastates communities. In these numbers of costs that are involved, they do not include the devastation to the community, the loss of the jobs, the people who had a position on a base that wound up having to go on welfare and food stamps. There is no way to assess the economic damage that base closure has done to the State of California, and it has affected other States.

We all realize it has to be done. We are not arguing stop it. We are just saying let us look at what we have done and make sure we are doing the right thing. Let us look at the impact on national security as well as the cost, the savings and the impact on the economy. That is all we are advocating with this amendment.

Also, Senator GLENN mentioned the bottom-up review requires more closure and more money. He is right. The Secretary of Defense needs about $15 billion more to pay for the bottom-up force review. As a matter of fact, I think this Base Closure Commission is costing money that we could be using on readiness and sustainability.

I will just conclude with this one point. Closing bases costs us money, it does not save money, or at least it has not so far, and it will not be projected over 9 years. This chart just shows, first of all, as has been indicated, that so far the savings have been $1.64 billion below what was estimated; $1.6 billion below what was estimated in savings.

I want to emphasize again for my colleagues to look at these numbers. Over the 9-year period, the cost is estimated to be $14.5 billion. The savings is estimated to be $13.2 billion. I do not think the savings stack up against the costs, and it does not even include the impact on the economy.

Mr. President, I ask my colleagues to think about this vote carefully, think about national defense, but also think about your State and what we are getting in the process.

With that, I will yield the floor. I believe we will be ready to go to the Harkin amendment and then come back for a final statement at 1:10.

Mr. NUNN addressed the Chair.

The PRESIDING OFFICER. The Senator from Georgia.

Mr. NUNN. Mr. President, the Senator from Iowa will be here in one moment. I have persuasive rebuttals for every point the Senator from Mississippi made. As a member of the committee, I would like to make those points. As manager of this bill, I would like to move on to the next amendment.

If I could say for the RECORD, there are counterpoints to those points, but the Senator has made his case effectively. I think we had a good discussion on this amendment. We will have 5 more minutes on it before the vote, which will begin 10 minutes after 1. That gives the Senator from Iowa 25 minutes to make at least a start on his amendment. I appreciate his patience. He has been here a long time.

Mr. HARKIN. I want to inquire if I could, the vote starts on this amendment at 1:10, or the debate?

Mr. NUNN. At 1:10, we go back to the Feinstein-Lott amendment. If you lay down your amendment now, that amendment is the pending business until 1:10. We would go then, assuming we do not finish your amendment by 1:10, we go to their amendment, we vote on the Feinstein-Lott amendment, then vote on the Reid amendment and then we come back to yours. As I said to the Senator privately, I hope we can get a time agreement as we go along.

Mr. HARKIN. I am sure we can.

The PRESIDING OFFICER. The Chair recognizes the Senator from Iowa.

Mr. HARKIN. Mr. President, I ask unanimous consent that the Feinstein-Lott amendment No. 816 be laid aside.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

AMENDMENT NO. 817

(Purpose: To reduce amounts available for nuclear testing activities)

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

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Iowa [Mr. HARKIN], for himself, Mr. JEFFORDS, Mr. KERRY, Mrs. MURRAY, Mr. BUMPERS, Mr. WELLSTONE, Mr. SASSER, and Mr. HATFIELD, proposes an amendment numbered 817.

Mr. HARKIN. 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 375, line 15, strike out "$3,788,954,000" and insert in lieu thereof "$3,582,954,000".

On page 375, line 19, strike out "$428,383,000" and insert in lieu thereof "$222,383,000".

On page 393, strike out line 13 and all that follows through page 394, line 12.

Mr. EXON addressed the Chair.

The PRESIDING OFFICER. The Senator from Nebraska.

AMENDMENT NO. 818 TO AMENDMENT NO. 817

(Purpose: To reduce the amount authorized to be appropriated for fiscal year 1994 for operating expenses of the Department of Energy for weapons testing)

Mr. EXON. Mr. President, I send a substitute amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report the substitute.

The assistant legislative clerk read as follows:

The Senator from Nebraska [Mr. EXON] proposes an amendment numbered 818 to amendment No. 817.

In lieu of the matter proposed to be inserted, insert the following:

On page 375, line 15, strike out "$3,788,954,000" and insert in lieu thereof "$3,735,571,000".

On page 375, line 19, strike out "$428,383,000" and insert in lieu thereof "$375,000,000".

On page 393, line 13, section (f), change "$150,000,000" to "$131,250,000", "$125,000,000" to "$109,375,000", and "$153,383,000" to "$134,375,000".

The PRESIDING OFFICER. The Senator from Nebraska.

Mr. EXON. Mr. President, the amendment I just sent to the desk is a substitute amendment to the amendment offered by Senator HARKIN, and I have asked and received permission for its immediate consideration. The defense authorization bill, in explanation, funds the nuclear weapons testing budget request of $428 million.

Mr. President, without losing my right to the floor, I would like to request that I might be able to yield to the Senator from West Virginia. In granting the request to my friend from West Virginia, I yield the floor.

Mr. BYRD. Mr. President, I do not want the Senator to yield the floor, unless he intended to anyhow.

Mr. EXON. Without losing my right to the floor, I would like to yield to the Senator from West Virginia then, if I understand it, for what purposes he might have.

AMENDMENT NO. 793 TO AMENDMENT NO. 792

Mr. BYRD. Mr. President, my purpose will take about 2 minutes, so I will know how to proceed with eating my lunch. I am getting hungry, and last night, my culinary instincts took offense at my suggesting that I might have to chew on a coat this morning. So I want to find out from the distinguished, very distinguished Senator from Georgia as to how I should plan to go about my lunch. Am I supposed to eat his coat this morning, or shall I go ahead and do the normal thing?

Mr. NUNN. Mr. President, I say to my good friend from West Virginia that I thought about it very carefully last night as to whether, as the Senator described so well, whether I had hit the Senator or whether I had narrowly missed. Of course, if I hit the Senator, he would have to eat my coat. If I narrowly missed, he would not. I looked through my wardrobe this morning, and I may have rationalized a bit, but I came to the conclusion that I narrowly missed and I wore my second dark suit.

So I would say to the Senator, I appreciate his courtesy but I believe I narrowly missed, and I would encourage him to have a normal meal, but thank him for his consideration.

Mr. BYRD. I am deeply grateful to the Senator. I feel much relief. My wife especially is relieved because I used to have an ulcer and she does not want me to have any such problems.

In return for the Senator's application of mercy, may I say to him, any time he might feel the need to lower his blood pressure a bit, I will loan him my picture for a brief period of my little dog Billy which so relieves blood pressure and might even do other things.

Mr. NUNN. I say to my friend from West Virginia, around 5 o'clock this afternoon, if I have to send an emergency message down that I need the picture, the Senator will know what I am talking about.

Mr. BYRD. I thank the Senator, and I thank the Senator for his kindness in yielding.

Mr. NUNN. I thank the Senator.

The PRESIDING OFFICER. The Senator from Nebraska is recognized.

Mr. EXON. In explanation then of the substitute amendment now before the Senate, I simply say that the defense authorization bill funds the nuclear weapons testing budget request of $428 million. The Armed Services Committee approved this funding request during its July markup pending—and I emphasize pending—the formal submission of the President's nuclear test report and a Department of Energy budget amendment revising, revising downward the administration's requested

amount. But in so doing, the committee did fence $180 million until this detailed spending plan was submitted.

The nuclear testing report was sent to Congress during the August recess. The budget amendment is due later this month in time for the conference on the bill with the House and will bring the testing budget in line with the President's July 3 policy to extend the moratorium through fiscal year 1994.

Given that this document will be essential in determining the appropriate level of funding for the testing program, I have urged my colleagues on both sides of this issue to not propose any amendments cutting the testing budget or tinkering with the Hatfield-Exon-Mitchell provision signed into law last year.

I understand, Mr. President, that the Senator from Iowa would like to make his opening remarks on the amendment, and I know he has been waiting for an extended period.

Did the Senator wish for me to go ahead?

Mr. HARKIN. Fine.

Mr. EXON. I do not have a long statement, but I am trying to put into context what I just offered.

It is too soon after the President's July 3 announcement to begin tying his hands, I suggest, as he seeks to form a multinational agreement on a comprehensive test ban treaty which I think is the will and wish of the vast majority of the Senate. Administration officials have been consulting with our allies and other nations over the past few months as to how to best achieve such an agreement, an important step in limiting the proliferation of nuclear weapons throughout an increasingly unstable world.

This is the first opportunity I have had to take the floor and speak on the nuclear testing issue since the President's July 3 policy announcement. I applaud President Clinton's action as it has been applauded by many nations around the world that fear that international security will be undermined if nonnuclear countries are able to develop, test, and field with confidence these weapons of mass destruction.

The President's decision to extend our testing moratorium on a voluntary basis throughout September of next year was recognition that there is no compelling reason at this time to continue our testing program.

Furthermore, President Clinton understands, as I and other proponents of last year's testing law had been saying for quite some time, that the world is looking to the United States of America for leadership in halting the spread of nuclear weapons.

When Russia and France unilaterally halted their testing programs last year, the world looked to the United States and Britain to pick up the gauntlet and do likewise, in the process isolating China as the only testing nation not to accept a "No First Test" pledge.

The consequences of doing nothing were potentially great. With the Nuclear Non-Proliferation Treaty up for renewal in 1995, the nonnuclear nations of the world have made it clear that progress towards a comprehensive test ban agreement would be necessary or the renewal of this important treaty would be in doubt. To do nothing would have been a step backward on curbing the spread of nuclear weapons in the Third World.

President Clinton's policy was articulated very well in that August nuclear testing report and it shows great courage on his part, great vision and leadership reminiscent of President John F. Kennedy. Like President Kennedy 30 years ago, he has made a compelling case that both American and global security can be enhanced through limits on nuclear testing. President Clinton should be commended for seizing a remarkable window in history and attempting to realize what may be the most exciting and historic achievement of the post-cold-war world to date, the comprehensive test ban treaty.

As the past few years illustrate, the course of international events is difficult to predict, and therefore I am not in a position to say categorically that the United States will or will not need to conduct nuclear weapons tests in the future. At this point in time, however, I am convinced as chairman of the Nuclear Deterrence, Arms Control, and Defense Intelligence Subcommittee of Armed Services that such tests, whether for safety or reliability purposes, are not justified in that the costs of such tests far outweigh the benefits. Yet I agree with President Clinton that our Nation's only testing facility in Nevada should be kept in a standby status until more is known about the progress toward a comprehensive test ban treaty.

Based on the information I have been able to obtain from the administration, the budget amendment now being prepared by the Department of Energy will likely propose a reduction of $53 million—let me repeat that, Mr. President—the administration is proposing and preparing and has recommended to us that there be a $53 million reduction in the request, the original request, from the administration. The remaining $375 million then will be used to keep the work force and the facilities at the Nevada test site in a standby status as the United States continues to work toward a comprehensive test ban treaty.

While I have not seen the actual amendment and cannot attest to supporting the rationale behind all of these figures, I believe it is more than reasonable and a responsible number than is being proposed by my good friend from Iowa. It seems to me, Mr. President, that to go as far in the cuts as proposed by my friend from Iowa would not fit with the standby status that is necessary.

For this reason, I have offered the substitute amendment that has just been delivered to the desk reducing—and I emphasize reducing—the testing budget by $53 million. This is now the official position of the administration. My amendment is in contrast to the chain saw approach, the cutting of the testing budget which, if successful, will only result in layoffs at the test site and confusion over its mission.

My colleagues should be aware that the House Armed Services Committee has cut $206 million from the testing budget in its authorization bill.

So when we go into conference, we will have a difficult position to bargain with the House when we meet later this month. We will be revisiting this issue again at that time. At that time, we will have the administration's formal budget. And I am assured that will be exactly in line with the substitute amendment that I have just offered.

At that time then we will be in a better position to deal with the House if the Senate will accept my substitute amendment which is the $53 million cut rather than the larger cut figure that is incorporated in the amendment on this subject offered by my friend from Iowa.

Mr. President, in these early weeks following the announcement of President Clinton's nuclear testing policy it is important that we not undercut our negotiators as they strive to reach an international consensus laying the groundwork of a comprehensive test ban treaty. The Senate endorsed the objective contained in the Clinton policy in overwhelmingly passing the Hatfield-Exon-Mitchell amendment last year. Now that the administration has adopted the Senate position, we should allow the President the necessary flexibility to implement that policy.

For those reasons I urge my colleagues to adopt the pending substitute amendment which would make a $53 million cut in the program now endorsed and accepted by the administration, and if that action is taken, then the substitute amendment would be a replacement thereof, a cut like Senator HARKIN is suggesting but not as deep a cut.

Mr. President, I yield the floor.

Mr. HARKIN addressed the Chair.

The PRESIDING OFFICER. The Senator from Iowa.

(Mrs. MURRAY assumed the Chair.)

Mr. HARKIN. Madam President, I want to make sure I understand the substitute amendment. It was offered I think as a substitute. If my friend from Nebraska could again let me know precisely what it is. What it does is it has an overall $53 million cut from the figure of $428 million. It cuts it $53 million down to $375 million?

Mr. EXON. The Senator is correct.

Mr. HARKIN. It leaves intact also the $195 million fence. That is in there until the report is given by the Secretary of Energy.

Mr. EXON. Yes. The $180 million fence is still in the package. That would be the position as the Senator from Iowa will understand when we go to conference with the House.

Mr. HARKIN. I understand that. I appreciate that.

Madam President, first of all I want to say to my good friend from Nebraska, he is a dear and good friend, I want to recognize his leadership in this area going back over the last several years in carving out a pathway to hopefully by 1995 not only extending the Nuclear Nonproliferation Treaty but of course by then having a total comprehensive ban enacted, a nuclear test ban treaty signed by the nations of the world so that we will indeed have no more nuclear explosions.

I can only assume that is the desire and the desired goal that the Senator from Nebraska has, I am sure it is, as we all do, to have a comprehensive test ban, to put this era behind us, and to secure for future generations the security of knowing that no more nuclear weapons will be exploded. And of course in 1995 strengthening and extending the Nuclear Nonproliferation Treaty. So all well and good. So we agree on that.

But the cut that the distinguished Senator from Nebraska has made, while it is of course in the right direction, certainly does not comport with the situation we find ourselves in right now with the moratorium on testing that has been put forward by the President of the United States; that is, we had no tests this year and we will have no tests next year. Yet, at the same time that we are not having any tests the budget for testing continues to go up. That is really what I wish to address myself to.

I perhaps can see the handwriting on the wall, so to speak, in terms of this amendment. Again, while I applaud the Senator for moving the figure down at least $53 million, I certainly do not think again that it is in line with what we are looking at in reality. That is what I want to address myself to.

So I commend the Senator from Nebraska for his leadership in this area over the last several years. He has been a leader in, again as I say, carving out this pathway of getting to a comprehensive test ban treaty.

I would also like to congratulate President Clinton for his decision to extend the testing moratorium until at least October 1994, assuming of course that no other nation explodes a nuclear weapon.

I applaud the decision because it sends a clear message to the rest of the world. It is not business as usual in the nuclear weapons domain. The United States is serious about curbing nuclear proliferation and considers a permanent global ban on nuclear testing as one component of a comprehensive nonproliferation policy.

Extending the moratorium shows that the international message of nuclear nonproliferation is far more important than any marginal information that might be gained from a few more nuclear explosions. Extending the moratorium would indeed make progress towards strengthening and extending the Nuclear Nonproliferation Treaty in 1995 much more likely.

So while I applaud this policy decision I must also note that the testing budget, the nuclear testing budget in the bill before us today, is not consistent with a continued testing moratorium.

The President and Vice President have just released a major report with recommendations on reinventing Government, making Government more responsive to the needs of our citizens by improving efficiencies and cutting out unnecessary Government programs. Nuclear weapons testing is just such an unnecessary program. We have exploded 942 nuclear bombs over the last 48 years. We do not need any more tests.

The President's decision to continue the moratorium indicates that additional nuclear weapons explosions are not necessary for our national security, yet, the nuclear testing budget has not been reduced.

Many Senators of course have pointed out repeatedly that outdated Government programs and subsidies like the wool and mohair program for example, or the honey program, ought to be done away with. Well, continued cold war funding levels for nuclear testing are just as unjustified as continued wool and mohair subsidies. I might point out that wool and mohair is only $154 million a year, and honey is $2.5 million a year. It pales in insignificance to what we are talking about here in terms of the nuclear testing budget.

Incredibly, the administration request includes a $53.4 million increase for nuclear testing for fiscal year 1994.

So what has happened now is that the Department of Energy wants $428.4 million to conduct no tests—compared to $375 million this fiscal year also to conduct no tests—although plans of course were made to conduct up to 5 tests before the moratorium was extended.

So I can see clearly now that what the amendment of the Senator from Nebraska does is it just sort of freezes the level of last year at about $375 million.

The PRESIDING OFFICER. The Senator's time has expired.

PRIVILEGE OF THE FLOOR

Mr. REID. Madam President, unanimous consent request, please. I ask unanimous consent that Larry Ferderber, Congressional Fellow, be allowed floor privileges during this bill that is being debated.

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

Mr. NUNN. Madam President, I ask unanimous consent that on the second rollcall vote, which I believe is the Reid amendment, there may be a tabling motion; too, that there be 10-minute rollcall votes since we will have already had everyone here for the 15-minute rollcall vote.

The PRESIDING OFFICER. Is there objection?

Mr. HARKIN. Madam President, I also ask unanimous consent that upon the ending of the second rollcall vote, the Senator from Iowa be recognized to continue and complete his statement?

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

AMENDMENT NO. 816

The PRESIDING OFFICER. Under the previous order, the question recurs on the Feinstein amendment No. 816. There remains five minutes for debate equally divided and controlled in the usual form.

The time is controlled by the Senator from Georgia, Mr. NUNN, and the Senator from California, Mrs. FEINSTEIN.

Mr. NUNN. Madam President, I suggest the absence of a quorum and ask unanimous consent that the time be equally charged to both sides.

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

The clerk will call the roll.

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

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

Mrs. FEINSTEIN. Madam President, it is my understanding that we have 2½ minutes to close the debate.

The PRESIDING OFFICER. The Senator from California has 2 minutes remaining.

Mrs. FEINSTEIN. Madam President, I want to say that I think there is some misunderstanding about what this amendment does. We are not trying to call off base closures. What we are trying to say is, look, in a short period of time, 250 bases across this great Nation have been closed. What we are trying to say is that there is evidence now being brought to bear that the base closures are not cost effective. What we are trying to say is that hundreds of thousands of people have been discommoded.

Is not the point of the Government in this base closure to save money? Is that not why we are doing it? If we do not look and see if we are really saving money, then I think it is a very foolish public policy to have a kind of arbitrary procedure that goes on over a decade, regardless of ramifications, and I cannot believe that this is what the American people want; that we set into

motion something that absolutely wreaks havoc in some communities.

In the largest State of the Nation, it is doing just that, and what I hear is this: We said it in 1990; therefore, we are going to continue it. We are sorry, lady, what happens to your State. That is just the way it is. I must say that I profoundly differ with that kind of public policy. I do not believe it is good. I think there is enough evidence coming forward——

The PRESIDING OFFICER. The time of the Senator from California has expired. The Senator from Georgia has the remaining 2 minutes.

Mr. NUNN. I did not hear the question.

Mrs. FEINSTEIN. Is it possible to have another minute?

Mr. NUNN. I yield another minute.

Mrs. FEINSTEIN. For my State, if you delay the 1995 round to 1997, we will save two big bases that otherwise, in addition to what we have already lost, will be closed. One of them is McClellan Air Force Base, and the other one is the Long Beach naval shipyard. These employ tens of thousands of people, in addition to 50 percent of the personnel hit in the Nation. In 1995, with 9 percent unemployment, and up above 14 percent in many of the affected areas, there are two more bases that will most probably go. So there is a very real application that keeps operating for 2 years, two more big bases in my State. Thank you very much.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. NUNN. Madam President, I will just take a few seconds here to say this is one of those times where the United States has to decide whether we are willing to have this tough vote. It would be much easier for me and everybody who has a military base in this country to delay it 2 more years. But as I have said in the debate, we will be kidding ourselves, because we will pay the price and we will pay the price in other ways. We have a declining defense budget and so many dollars that has to come from somewhere. We cut the force structure by about one-third since 1985. We have cut the infrastructure, the overhead, by about 15 percent. It is a question of overhead versus readiness. If we do not get the money here, we have to find it elsewhere. I urge defeat of the amendment.

CHARLESTON'S NAVAL FACILITIES: WHY CLOSE THE NAVY'S BEST?

Mr. HOLLINGS. Mr. President, I will vote against the Base Closure Commission list. I do so out of loyalty to the fine men and women of the Charleston Naval Station and Shipyard. And I do so for reasons of common sense and cost effectiveness.

Let me first emphasize the special qualities of the work force at Charleston Naval Complex. Time and again, these men and women have been cited for their superior productivity, competitiveness, and dedication to duty. The fact is, it took a willful act of denial for the Base Realignment and Closure Commission to ignore the unique qualities of Charleston's work force.

Last June, when the BRAC Commission visited Charleston, they witnessed the destroyer *O'Bannon* being refurbished in drydock at the Navy Yard—a project that was subsequently finished $21 million under budget and months ahead of schedule. The Commission witnessed work teams from Pearl Harbor, Norfolk, Portsmouth, and Mare Island who were visiting the Charleston yard for the express purpose of studying the superior teamwork and methods employed on the *O'Bannon* project. Likewise, the BRAC Commission was fully aware of the extraordinarily distinguished record of the Charleston Shipyard stretching back nearly a century.

In recent years, Charleston has been recognized with Presidential citations, Navy E Awards for excellence, and other top honors. Repeatedly, the Charleston Navy Ship Yard has won contracts in competition with private shipyards. This is a record of excellence that stretches back decades. For example, after World War II, the West German Government insisted that Charleston do the repair and rehabilitation work on ships destined to the Federal Republic under Lend Lease.

So the Navy is closing down its very best. In this case, the Navy's motto should be "no good deed goes unpunished."

Mr. President, quite aside from the issue of loyalty and good faith to the outstanding people in the Charleston Navy work force, there is the collateral issue of the waste involved in shutting down Charleston at the same time the Navy plans to spend hundreds of millions expanding bases at Pascagoula, Ingleside, and Everett to accomplish the same mission.

Bear in mind, in the case of Charleston Naval Station, we have a mature, up-and-running base that is fully equipped with the most modern facilities and equipment. In contrast, the bases at Pascagoula, Ingleside, and Everett are bare-bones facilities that will require huge investments if they are to aspire to Charleston's stature. Given the practical demands of keeping a volunteer Navy happy, each of these facilities will have to be equipped with commissaries, PX's, clinics, snack bars, recreation facilities, day care centers, bachelor officer quarters, and so on.

Today, Ingleside will require $41 million to build small boat piers and a degaussing station. Charleston Naval Station already has these facilities, but Charleston is to be closed.

Today, Everett Naval Station requires millions to build a commissary and child care center. Charleston already has these facilities, but Charleston is to be closed.

In the name of saving taxpayer dollars, the BRAC Commission opted to close the time-tested, fully equipped Charleston Naval Station and to spend hundreds of millions expanding Pascagoula, Ingleside, and Everett. This simply defies rational analysis, and can only be explained by a distorted and biased base-closure process.

On that score, I place no small measure of blame on the incestuous nature of the BRAC proceedings. The Navy assigned personnel to staff the BRAC Commission. Those uniformed staff members were not there to do an objective job; they were there to justify the Navy's predetermined choices. For example, Naval staff officers attempted to justify moving the Mine Warfare Center from Charleston to Ingleside partly on the grounds that Corpus Christi Air Station is close to the Texas naval facility; they failed to note that Charleston Air Force Base—home to the C–17 Globemaster—is even closer to the existing Mine Warfare Center in Charleston.

Mr. President, it is not in the best interest of the Navy to lose its best equipped, best staffed facility. And it is not in the interest of taxpayers for us to sanction the tremendous waste involved in closing Charleston at the same time we are building up three other naval bases with a directly comparable mission.

The list drawn up by the BRAC Commission is grossly flawed with regard to Charleston. I will vote against it.

Mr. MITCHELL. Mr. President, I oppose the Feinstein-Lott amendment to delay the 1995 base closure round until 1997. There are clear indications that if the 1995 base closure round is delayed until 1997, Portsmouth Naval Shipyard's future would be less secure.

The Defense Department recently released the results of its Bottom-Up Review, a comprehensive analysis of our Nation's future defense needs. It is anticipated that this review will serve as the basis for the force structure plan that will guide DOD base closure recommendations in 1995. Of interest to Portsmouth Naval Shipyard, this review indicated that the Navy will require between 45 and 55 attack submarines in the foreseeable future. Portsmouth is the Navy's lead shipyard for the repair and overhaul of these submarines, and the majority of its future workload will come from these vessels.

If the base closure round is delayed until 1997, it is almost certain that a lower force structure—including submarines—than that outlined in the Bottom-Up Review would be used as a basis for base closure recommendations. This will result in more base closures than expected in 1995, putting all installations at greater risk.

In the aftermath of the 1993 base closure round, the Navy is considering the establishment of submarine refueling

capabilities at several of its remaining shipyards. Such an effort is ill-advised: Portsmouth Naval Shipyard is the only Navy facility performing this work, and establishing new capabilities at other yards would be a waste of taxpayer dollars. However, if the Navy proceeds with this effort, by 1997 other Navy shipyards may have the capabilities and equipment that are now unique to Portsmouth. Therefore, while Portsmouth is expected to still be the only Navy shipyard performing refueling in 1995, this may not be the case in 1997. Consequently, a delay of base closes to 1997 would likely eliminate the shipyard's ability to claim unique capabilities to serve the Navy's submarine fleet in the future.

Others have called for a delay of the base closure process in order for the Defense Department to evaluate the post-cold-war security environment and the impact of previous base closures on our national security. However, they ignore the fact that such an evaluation was part of the recently completed Bottom-Up Review. I believe that the results of this review support the continued service of Portsmouth Naval Shipyard to our Nation. No one can predict whether the same can be said for the possible force structure plan that would likely be used in a delayed base closure round.

Mr. LEVIN. Mr. President, we need to close excess military bases, but we need to do it fairly. I would have voted against this amendment but for some actions of the Air Force as relates to a Michigan Air Force base.

After months of deliberations, site visits, testimony, and communications between the Base Closure and Realignment Commission and community leaders from Michigan's Upper Peninsula, and extensive work by this Senator and others in the Michigan congressional delegation, the Air Force pulled some punches.

Less than 24 hours before the Commission was slated to vote on the recommendation to close K.I. Sawyer, the Air Force presented to the Commission new conclusions about the costs and savings associated with that recommendation and other alternatives. The Air Force significantly reduced its estimate of savings available from an alternative to closing Sawyer that the Commission had under active consideration—shutting down flying operations at Grand Forks Air Force Base while leaving missile operations there intact. The underlying assumptions behind these conclusions were not made available to the Base Closure Commission or the public before the decision was made to close Sawyer.

Since that happened at the beginning of July, I have repeatedly requested this information from the Air Force and it has yet to be provided. Without it, there is no way to evaluate or rebut the Commission's decision. I have never received a full explanation of precisely which personnel and facilities the Air Force assumed would be required to operate Grand Forks without its KC-135 tankers and B-1 bombers, so that I may examine these assumptions and validate their accuracy.

Without those details, I remain deeply skeptical of the Air Force's 11th hour conclusion that operating Grand Forks with 3,053 personnel instead of 5,104 would result in annual savings of only $1 million.

Mr. President, Michigan has borne more than its fair share of base closings—Kincheloe, Wurtsmith, and now K.I. Sawyer Air Force Bases are all closed or in the process of being closed. This means very real pain for the local communities around the closing bases. It means a tough period of economic adjustment. These impacts are being felt all around the country, not just in Michigan.

But I want the Department of Defense to make this process open, and I don't believe it has been. So I'm voting "aye" as a protest and will support the amendment of the Senator from California.

Mr. DODD. Mr. President, for years my home State of Connecticut has been hammered time and time again by consequences of military downsizing. If you want to see the negative repercussions that are brought on by this process, look no further than Connecticut's defense-dependent communities. The results have been devastating to my State financially, emotionally, and physically. Thousands of workers who have relied on the steady and dependable jobs that military contracts have provided have been greeted in this new era of peace with pink slips and unemployment checks. I have seen some of the worst that this process has created and I've spent a large portion of my time working to ease the difficult transition to a peacetime economy for my constituents.

I say this because despite the difficulties my State has faced, I continue to believe that Congress should play no part in the individual decisions regarding the closing of our military bases. I know better than most how hard base closures are on local communities, but the fact is that cuts need to be made. And they need to be made in a impartial manner that allows for the greatest cost savings while at the same time protecting those communities particularly vulnerable to further reductions.

The Base Realignment and Closure Commission was created for a reason—to keep these decisions from becoming overly politicized. Congress is not capable of carrying out that charge. We are all far too wrapped up in the problems of our individual regions to carry out this task without prejudice. Therefore we have given this odious responsibility to the appointed members of the BRAC Commission.

This amendment however, changes that philosophy. We all know that cuts made in 1995 will be hard. But that does not negate nor rationalize a change in the current public law which would delay the BRAC Commission's review until 1997. That would be a reversal of the very principles that the Commission was based upon. It is, quite simply, the wrong thing to do, and I urge my colleagues to reject this amendment.

The PRESIDING OFFICER. The yeas and nays have not been ordered on the amendment.

Mr. NUNN. 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 question is an agreeing to the amendment.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DOLE. I announce that the Senator from Alaska [Mr. MURKOWSKI], the Senator from Wyoming [Mr. SIMPSON], and the Senator from Wyoming [Mr. WALLOP] are necessarily absent.

I further announce that, if present and voting, the Senator from Wyoming [Mr. SIMPSON] would vote "nay."

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

The result was announced—yeas 18, nays 79, as follows:

[Rollcall Vote No. 254 Leg.]

YEAS—18

Akaka	Helms	Moseley-Braun
Boxer	Inouye	Pressler
Campbell	Johnston	Riegle
Cochran	Levin	Simon
Feinstein	Lott	Smith
Gorton	Mikulski	Specter

NAYS—79

Baucus	Durenberger	Mack
Bennett	Exon	Mathews
Biden	Faircloth	McCain
Bingaman	Feingold	McConnell
Bond	Ford	Metzenbaum
Boren	Glenn	Mitchell
Bradley	Graham	Moynihan
Breaux	Gramm	Murray
Brown	Grassley	Nickles
Bryan	Gregg	Nunn
Bumpers	Harkin	Packwood
Burns	Hatch	Pell
Byrd	Hatfield	Pryor
Chafee	Heflin	Reid
Coats	Hollings	Robb
Cohen	Hutchison	Rockefeller
Conrad	Jeffords	Roth
Coverdell	Kassebaum	Sarbanes
Craig	Kempthorne	Sasser
D'Amato	Kennedy	Shelby
Danforth	Kerrey	Stevens
Daschle	Kerry	Thurmond
DeConcini	Kohl	Warner
Dodd	Lautenberg	Wellstone
Dole	Leahy	Wofford
Domenici	Lieberman	
Dorgan	Lugar	

NOT VOTING—3

Murkowski	Simpson	Wallop

So the amendment (No. 816) was rejected.

Mr. NUNN. Madam President, I move to reconsider the vote.

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

The motion to lay on the table was agreed to.

AMENDMENT NO. 815

The PRESIDING OFFICER. Under the previous order——

Mr. REID. Madam President, may we have order. I cannot hear.

The PRESIDING OFFICER. The Senate will be in order.

Under the previous order, the question is now on the Reid amendment.

Mr. REID. Madam President, I ask for the yeas and nays.

Mr. EXON. Madam President, I move to table.

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 question is on agreeing to the motion to lay on the table the amendment of the Senator from Nevada.

The Chair reminds all Senators under the previous order this will be a 10-minute rollcall vote.

The clerk will call the roll.

The bill clerk called the roll.

Mr. DOLE. I announce that the Senator from Texas [Mr. GRAMM], the Senator from North Carolina [Mr. HELMS], the Senator from Alaska [Mr. MURKOWSKI], the Senator from Wyoming [Mr. SIMPSON], and the Senator from Wyoming [Mr. WALLOP] are necessarily absent.

I further announce that, if present and voting, the Senator from Wyoming [Mr. SIMPSON] would vote "yea."

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

The result was announced, yeas 67, nays 28, as follows:

[Rollcall Vote No. 255 Leg.]

YEAS—67

Akaka	Dorgan	Lugar
Bennett	Exon	Mack
Biden	Faircloth	Mathews
Bingaman	Feinstein	McCain
Bond	Ford	McConnell
Boren	Glenn	Mitchell
Breaux	Gorton	Moseley-Braun
Brown	Graham	Murray
Bryan	Grassley	Nickles
Byrd	Gregg	Nunn
Campbell	Hatch	Packwood
Chafee	Heflin	Pressler
Coats	Hollings	Robb
Cochran	Hutchison	Rockefeller
Cohen	Inouye	Roth
Conrad	Johnston	Shelby
Coverdell	Kassebaum	Smith
Craig	Kempthorne	Specter
D'Amato	Kennedy	Stevens
Danforth	Kerrey	Thurmond
Dodd	Kerry	Warner
Dole	Lieberman	
Domenici	Lott	

NAYS—28

Baucus	Burns	Feingold
Boxer	Daschle	Harkin
Bradley	DeConcini	Hatfield
Bumpers	Durenberger	Jeffords
Kohl	Moynihan	Sasser
Lautenberg	Pell	Simon
Leahy	Pryor	Wellstone
Levin	Reid	Wofford
Metzenbaum	Riegle	
Mikulski	Sarbanes	

NOT VOTING—5

Gramm	Murkowski	Wallop
Helms	Simpson	

So, the motion to lay on the table the amendment (No. 815) was agreed to.

The PRESIDING OFFICER. Under the previous order, the Senator from Iowa is recognized.

Mr. HARKIN. Madam President, I might again just bring Senators up to date on what the situation is right now in this Chamber.

I offered an amendment to reduce the money for the nuclear testing facilities program. The Senator from Nebraska offered a substitute amendment that also reduces it but not as much as the amendment that I introduced. So now the debate, if I am not mistaken, Madam President, is on the substitute offered by the Senator from Nebraska. Is that the correct floor situation?

AMENDMENT NO. 818

The PRESIDING OFFICER. The pending question is the amendment of the Senator from Nebraska to the amendment of the Senator from Iowa.

Mr. HARKIN. I thank the Chair.

Madam President, I also wanted to point out that the amendment that I had offered, to which the substitute has been offered, was cosponsored by Senators JEFFORDS, KERRY of Massachusetts, MURRAY, BUMPERS, WELLSTONE, SASSER, and HATFIELD. I wanted to list those as cosponsors of the amendment. I ask unanimous consent that they be listed as cosponsors.

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

Mr. HARKIN. Madam President, the Senator from New Jersey has a statement not pertaining, I understand, to this bill. I understand the Senator would like to speak as if in morning business for how long?

Mr. BRADLEY. Four minutes.

Mr. HARKIN. The Senator wanted to speak as if in morning business for 4 minutes.

Madam President, I wonder, to accommodate his schedule, if I could yield the floor to the Senator from New Jersey.

I ask unanimous consent that I yield him the floor and that I be recognized immediately upon his yielding back the floor when he is finished with his statement.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered. The Senator from New Jersey.

Mr. BRADLEY. I thank the distinguished Senator from Iowa.

PRINCIPLES IN CUTTING FEDERAL SPENDING

Mr. BRADLEY. Madam President, the Federal Government spends too much taxpayer money. While it is true that taxes are the price of a civil society, it is also true that we have become uncivilized in the eagerness with which we overspend these tax dollars.

Madam President, is there anyone in this Chamber who would disagree with the assertion that we are uncivilized in our eagerness to overspend taxpayer dollars? I do not think so. As we will see in the coming weeks, there is a stronger consensus than ever before for the need to reduce Federal spending. That consensus will hopefully lead us to enact some real cuts in Federal appropriations.

We have all talked with great courage about making new spending cuts. Now is the time to support the talk with real proposals and real votes.

It is here that the consensus will be difficult to achieve. Even as the trumpets have sounded for additional spending cuts, a wide variety of notes have been heard, each proclaiming either the inviolate value of one's specific program or the utter absurdity of another. Clearly there is not consensus in the Senate about exactly what to cut.

Madam President, I contend that agreement on spending cuts will be impossible without a set of principles that inform our action. Unless we establish a set of principles against which we can measure the value of all Federal spending, we will continue to argue in circles about the relative value of specific programs.

So what principles? First, does the spending provide something that is in the general interest and is essential to American public life? At this time of profound economic transformation and personal insecurity, we cannot afford having public dollars fund things which are of a narrow interest and which are merely good rather than essential. The purposes served with taxpayer money must be broad and the interests affected must be many. Scarce urban parks might meet this test. Landscaping for military officers' golf parks probably would not. An appropriation which does not meet this test should be voted down by this body, but not every one which passes the first test should be adopted.

There should be a second test. The second principle is, is taxpayer funding the only and most cost effective way that this specific important public purpose can be met? The simplest way to use this principle is to apply the free market test, to ask whether the market should be sorting out whether a service should be provided or a specific project should survive or fail.

Almost any time we put a subsidy on one project rather than the other, we distort the selection process and waste money. Not every subsidy is wrong, but the hurdle to justify a subsidy should be very high. Compelling reasons are needed. The tougher issues are those where consumer selection cannot provide the discipline. In those cases we

need to decide whether something will get done only if it has Government support. Certain types of research fall in this category. Programs that build communities and social programs that lift people to the level where they can begin to function freely are other examples. Because we do not apply this if-Government-does-not-do-it-it-will-not-get-done test, we have failed to provide transitional support for people caught in major economic transformations.

Mr. President, in the next few weeks I will propose amendments to cut spending that violates these principles. We must bring a systematic approach to our effort to reduce Federal spending or be left only to trade sound bites with each other.

I believe the two principles that I have laid out reflect basic American values and take into account the obvious limitations we have on Federal spending. We have always believed that since taxpayer funds come from everyone they should serve everyone, and that the marketplace is a better allocator of resources than the Federal Government. If we have to make choices, should not they be our guidelines? If not, what should they be?

To those who would argue with the principles I have proposed, I say what is your alternative? And I do not mean wasteful spending.

One person's waste is another person's essential services. And I do not mean listing out specific budget cuts to fill a sound bite. That will never be sufficient. That is business as usual.

Mr. President, finally, we cannot go on spending taxpayer's money whether in appropriations, entitlements, or tax loophole spending. We cannot continue spending in such reckless and undefined ways. As the Senate embarks on the bulk of its works on the appropriations bills, I contend we should ask two questions. Is this a use of tax dollars that meets an essential public need which serves a good general interest? And then can this general purpose be better served by the market and not by Government funding the effort or the project? If we can apply these two principles consistently, I believe we can save billions of dollars and help restore faith in Government.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 1994

The Senate continued with the consideration of the bill.

The PRESIDING OFFICER (Mr. LEVIN). Under the previous order, the Senator from Iowa was to be recognized.

Mr. HARKIN. Mr. President, I see the distinguished Senator from Vermont on his feet. He is a cosponsor of the amendment. I know he has other pending business that he has to attend to off of the floor. So I yield the floor and hopefully regain the floor after he finishes.

Mr. JEFFORDS addressed the Chair.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. JEFFORDS. Mr. President, I rise in strong support of the amendment being offered by the Senator from Iowa. I think the importance of the amendment far, far outweighs the money involved here. The world has changed. The dangers of the world have changed. No longer is there a viable or imminent or even an expected possibility of attack from Russia or any of the others who have ballistic missiles. However, there is a real and present danger from the spread of nuclear weapons that some other country not presently so enabled will utilize a nuclear weapon. The spread of nuclear proliferation is by far a greater danger to this Nation than the existence of nations with ballistic weapons.

I commend President Clinton for his decision to extend the moratorium on U.S. nuclear testing until October 1994. I believe that my children's and my grandchildren's future will depend on our ability to stop nuclear proliferation and stop nuclear testing worldwide.

I have argued for several years that the response to nuclear proliferation should not be a Strategic Defense Initiative. Rather, I believe that we should work through the United Nations to establish a worldwide nonproliferation regime to set stiff penalties against any nation that proliferates. A major stumbling block to this type of international system has been the U.S. insistence that it is not willing to eliminate its own underground testing program.

Now that we finally have shown the restraint in our own testing programs, we are in a much better position to protect ourselves against a much greater threat of nuclear proliferation.

I urge the administration to exercise real leadership and to put us solidly on the road to a comprehensive test ban agreement.

So where does this amendment come in? The Harkin amendment recognizes that things have changed since last year. We are no longer planning to conduct an aggressive series of tests in this coming year. Unfortunately, this bill does not recognize that reality and has actually increased the testing budget by $53 million over this year's funding level. The House Armed Services Committee and Congress reduced the testing ban by $152.6 million. The amendment of my colleague from Iowa could bring the testing budget in this bill in line with those House figures.

Mr. President, there are so many worthy programs competing for our funding, even in this bill here, that we cannot afford to fund them all. Why then are we considering increasing funds for the program that has been put on hold?

I urge my colleagues to make the tough calls when reason so dictates and support the Harkin amendment. I also say though I know that the amendment by Senator EXON to the amendment of the Senator from Iowa is good and well intentioned. But it does not do what really can be and should be done; that is, to reduce the amount of money for testing down to a level that would just maintain some semblance of the ability to test but not indicate that we intend really to test again and that we are not in any way looking towards changing our policy which will assist us in trying to bring the proliferation of nuclear weapons under control.

Mr. President, I strongly support the amendment of the Senator from Iowa and will vote against the substitute.

Mr. President, I yield the floor.

Several Senators addressed the Chair.

The PRESIDING OFFICER. The Senator from Nebraska.

Mr. EXON. Mr. President, I will not pose a unanimous consent request, but several Senators indicated they would like to vote as promptly as we could. I believe the Senator from Iowa needs 10 or 15 minutes, I believe the Senator from South Carolina needs about 5 minutes, possibly. I need about 10 seconds to place a statement in the RECORD. Then maybe we could vote.

I will advise the Senate that with a little bit of luck, we will have a vote on the substitute amendment, hopefully, in about 10 minutes. Is that agreed to generally by those on the floor at this time?

I yield the floor.

Several Senators addressed the Chair.

The PRESIDING OFFICER. The Senator from South Carolina.

Mr. THURMOND. Mr. President, the Senator from Iowa proposes that we should cut the funds authorizing nuclear testing in DOE because we are in a test moratorium. I can easily see how the Senator from Iowa might conclude that there is no need to keep all of these funds. What the Senator omits from his argument is that we may have to go back to nuclear testing. If we have to go back to testing, it would be far more expensive, far more time consuming, and potentially far more dangerous if we do not retain the technical capabilities to test.

Mr. President, underground nuclear testing is a fragile art. It took us many years and many millions to get it right. We learned over the years to conduct these tests so that we successfully get back a treasure trove of data and at the same time trap underground all the radioactive products of the detonation. By comparison, Soviet nuclear tests routinely leak radioactive gas, and no other countries were able to conduct the sensitive nuclear tests that we did. Already we are starting to lose that confidence. The best people

believe that is what we will do if we have to return to nuclear testing.

The administration has proposed an answer to that question. If we maintain the testsites safe and securely, and if we rigorously continue the technical art of testing, we can safely resume if we have to.

Mr. President, that does not come cheap. It will take about $150 million to maintain the testsite. It takes 8,000 people to operate the site even if we are not going to do tests.

These people provide security, operate utilities, prevent environmental damage, and the like. Remember, this site is in the middle of the desert. DOE has to build the roads. It takes about $125 million to attain the technical capability to test and design, test instrumentation, to engineer safe containment, and the like. For instance, the test satellites against nuclear weapons effects require that DOD build 1,000-foot-long vacuum pipe inside the mountain.

This is not trivial and it is not cheap. The largest expense DOE proposes is for research to discover alternatives to testing. We need to design military equipment like satellites, to be able to survive nuclear environments. What would we have done if Saddam Hussein had detonated a crude weapon in space? We could have lost intelligence and communication satellites.

We used to test these systems underground with nuclear detonation; now we cannot. But we do not know how to design electrical machines that give the same kind of radiation that nuclear explosions do. We can only approximate.

It would take years of expensive research before we can have any confidence that experiments above ground can actually have the same effect on delicate electronics and optics that nuclear weapons do.

Mr. President, the Senate should realize that the alternatives to nuclear testing are going to be quite a bit more expensive than nuclear testing itself. The funds in this bill are just the first installment, and the Senator from Iowa is not correct in proposing to eliminate these funds.

I yield the floor.

Mr. HARKIN. Mr. President, I ask unanimous consent to add Senator LAUTENBERG and Senator FEINGOLD as cosponsors.

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

Mr. HARKIN. Mr. President, the amendment I sent to the desk would cut back on the money for nuclear weapons testing to the level that was adopted in the House of Representatives. Right now, we face an interesting situation, Mr. President. We have a moratorium on testing, yet, we are asked to spend about $53 million more money for testing.

I must say, Mr. President, in fairness to the President of the United States, the nuclear testing budget request preceded the decision to extend the moratorium. But now that the decision has been made on the moratorium, it is our responsibility to reduce the budget accordingly.

The House cut this nuclear testing funding request by $206 million, down to $222.4 million. My amendment would do the same.

The amendment, offered by the Senator from Nebraska as a substitute to mine, would only cut it down to $375 million, or the level of last year.

Let us put this in a frame of reference. In 1980, the Department of Energy spent $209 million to conduct 14 nuclear tests. Adjusting for inflation, this would be equivalent to about $362 million in 1994 dollars. Now the Department of Energy is asking for $428 million to conduct zero tests.

In this time of obscene national deficits, how can we justify to our constituents spending $428 million to conduct no tests, when $362 million—in constant 1994 dollars—was adequate to conduct 14 tests in 1980?

My amendment would still provide $222.4 million to maintain the nuclear weapons testing capability in the event that the United States should have to resume testing in the future. My amendment would not eliminate all funds. I repeat, my amendment would not eliminate all funds.

Furthermore, the Department of Energy has requested a total of about $5.9 billion in other accounts to maintain our nuclear weapons arsenal. The testing budget is but one small component of the DOE nuclear weapons budget. Cutting the nuclear testing budget does not eliminate funds for maintaining our nuclear arsenal for deterrence purposes.

For frame of reference, I have some charts here to illustrate the history of DOE budgets. These charts compare the 1994 budget for nuclear weapons R&D, production and testing. First, chart one addresses the issue of nuclear weapons testing in constant 1994 dollars. The red line shows the number of nuclear tests per year conducted since 1960. The blue line shows the testing budget in billions of dollars for each of those years. Note that from about 1960 until about 1980, the nuclear testing budget tracked the number of tests pretty closely.

In other words, as the number of tests went up, the budget went up. As the tests went down, the budget went down. There is one exception. This big spike in 1962 is when the United States exploded 96 nuclear weapons. Except for that one anomaly there, all the way through 1980, the budget for testing tracked the number of tests.

In 1980, that began to change. The number of nuclear tests, beginning actually in 1982, started going down. But the budget did not. The budget continued to go up until about 1987; then it started down a little bit, but not as much as the reduction in the nuclear tests.

Here is the interesting point. The number of tests have been coming down to where we have no tests now. We are down to zero tests, but at the very point that we are at zero tests, this budget line starts to go back up again. So rather than keeping the budget coming down, we are now being asked to increase, once again, the budget for nuclear testing at a time when we are at zero nuclear tests.

This very clearly points out what this amendment tries to do—to try to close this gap. It is not complete, because we left about $222.4 million in the testing budget, but we at least try to get the testing budget coming back down again. The amendment offered by the Senator from Nebraska, rather than bringing this line down, simply levels it off at last year's level. So the gap will continue to widen between the number of tests, which now is zero and the costs of those tests.

The second chart provides the same data in a little bit different form. This shows the number of dollars spent per nuclear test since 1961 in millions of dollars. We can see that the cost per test has gradually gone up. But the cost per test from about 1964 until about 1980 stayed about the same.

Generally speaking, from about 1964 until about 1980, the average cost per test stayed about the same. The average cost was about $34.08 million per nuclear explosion.

Beginning in about 1980, the cost per test started increasing dramatically and now we are at about $75 to $80 million per test. Of course, now that we are at zero tests, the cost per test is infinite.

In other words, we have no tests, but we are still spending a lot of money.

The next chart, shows why we should not be too worried about what the Senator from South Carolina was alluding to—and that is that we will not be ready to test; that we have all these personnel and sites we have to keep up. This chart shows why we should not be too worried about cutting a couple hundred million dollars out of the nuclear testing program.

This chart shows that nuclear testing is but one component of the DOE nuclear weapons budgets, the so-called atomic energy defense activities. It is just one component. Nuclear testing is the blue line at the bottom. R&D is the green line. Weapons production is the orange line—nuclear materials production, plutonium, highly enriched uranium, and tritium. The red line is waste management.

We are proposing to authorize in this bill $11.3 billion for all of these activities. This includes $5.3 billion to clean up the radioactive mess from 48 years of building nuclear weapons.

As I said, the blue line shows the testing budget.

The orange line adds a nuclear weapons production activity. But now we are not building any new nuclear weapons, so this has been renamed "stockpile support." A new name, but still the same amount of money. We are not producing more nuclear weapons, but still we are spending a little over $2 billion in that area for nuclear weapons, but it is now called stockpile support.

The nuclear testing budget is only 3.8 percent of the DOE nuclear weapons budget.

So we have about $5.9 billion in this account—the Atomic Energy Defense Activities—to maintain our nuclear weapons stockpile, to make sure that our facilities are kept in order, to make sure that we have the personnel.

Let me repeat, $5.9 billion. So cutting $53 million is not going to do anything. The $200 million that I wanted to take out still leaves well over $5 billion for DOE to maintain our nuclear stockpile.

The argument that my amendment might gut our ability to maintain our nuclear arsenal is totally absurd when you look at the amount of money that we have in the entire DOE weapons budget. Cutting the $200 million out of nuclear testing would still leave $1.15 billion in nuclear weapons R&D.

Now, again, that is at a time when we are not designing any new nuclear weapons. Cutting $206 million out of nuclear testing still leaves $1.79 billion in nuclear weapons production at a time when we are not producing any new nuclear weapons. And cutting $206 million out of nuclear testing still leaves $2.1 billion for nuclear materials support and other defense activities.

Cutting $206 million, Mr. President, still leaves $1.15 billion in nuclear weapons R&D at a time when we are not designing any new nuclear weapons. It leaves $1.79 billion in nuclear weapons production when we are not producing any more. And it still leaves $2.1 billion in nuclear material support.

This last chart compares the relative levels of the fiscal year 1994 DOE nuclear weapons request with the 1980 levels. I have used constant 1994 dollars so we can compare actual purchasing power.

Starting on the left of this chart, we can see that the testing budget that we are voting on here is 11.7 percent above the 1980 level, again in constant dollars. Again, 11.7 percent more to conduct zero tests than we had in 1980 when we conducted 14 tests.

The second pair of bars shows that nuclear weapons R&D is up 8.8 percent over 1980, despite the fact that we are designing no new nuclear weapons in 1994.

The third pair of bars shows the incredible fact that nuclear weapons production costs are up almost 50 percent over 1980, despite the fact that we are not producing any new nuclear weapons.

Someone please explain that to me. Nuclear weapons production costs are up almost 50 percent in constant dollars over what they were in 1980, yet we are not producing any nuclear weapons.

Now I think this is a real candidate for Vice President GORE's reinventing government and how we keep programs going even though their useful life has gone out and there is no mission.

Of course, I do want to point out that the name of the program has been changed. It is no longer called weapons production. It is called stockpile support. But the money remains there, nonetheless.

The last pair of bars illustrates that the nuclear material support account is an amazing 73 percent higher this year than it was in 1980, again in constant dollars, even though we are not producing any new nuclear material.

Again, I wish somebody would explain that to me. It costs 73 percent more in constant dollars to produce nuclear material today, even though we are not producing any. Now, this has got to be a candidate for some comic strip someplace. We have stopped producing weapons grade plutonium, highly enriched uranium, and tritium, and yet we are being asked to authorize 73 percent more next year than we did in 1980, again in constant dollars.

So, to summarize, Mr. President, my amendment would cut the budget for nuclear testing from $428 to $222 million, the level approved by the House of Representatives. This level would provide funds to maintain the Nevada test site on a standby basis, ready to resume testing should that be necessary in the future. This $222 million is in addition—is in addition—to the roughly $5.7 billion available in the DOE budget for maintaining our nuclear weapons stockpile.

So, again, Mr. President, I understand the situation. The amendment offered by the Senator from Nebraska is a substitute. It will be voted on.

I find myself in an odd position. I, of course, believe that we should reduce the amount of money that we have in this account for the very reasons I have stated here, for the data that I have shown on these charts. But I believe that any cut warrants support. I think the cut ought to be a lot deeper, obviously, because my amendment was $200 million and this substitute is only $53 million. This only takes it back to last year's level. I am hopeful that when they go to conference, since the House was $222 million and this is at $375 million, assuming this amendment would be adopted, that we might get closer to the House level.

But I find myself in the position of being partially supportive of this amendment, the substitute compared to the original bill reported by the Armed Services Committee, because at least it cuts $53 million. But it does not cut nuclear testing enough.

Faced with the situation of voting for or against this substitute, with no other option, I would vote for it because at least it moves it in the right direction. But we do have another option; defeat the substitute amendment and vote for my original amendment to cut $206 million.

Mr. WARNER addressed the Chair.

Mr. HARKIN. If the Senator will wait, I will be through in a second, unless he wanted to engage in a colloquy.

Mr. WARNER. I wanted to ask my distinguished colleague a question. He raised a very good point, about why is it more expensive? That same issue was one I felt obligated to look into. I wonder if, in the Senator's analysis, he had studied the increased environmental protection costs, the increased cost for security, and the costs associated with, frankly, preserving these unique facilities which are really only useful for one purpose? Those are the associated costs which, in my judgment, give an explanation for the added expenditures.

Mr. HARKIN. If the Senator will yield, I did not include environmental cleanup costs in my comparison. This is not included in the $5.9 billion. Environmental cleanup is over and above that, raising the total Atomic Energy Defense Activities budget to over $11 billion.

As I pointed out, I will show the Senator this chart right here, waste management includes all of the programs the Senator is talking about. That is not included in my comparison. I have exempted that.

Mr. WARNER. But you asked the question why would it cost more today than it did when we were in full production. I just suggest those are some of the reasons.

Mr. HARKIN. That is this account here. That is the waste management account. I have no problems with that.

Mr. WARNER. All right.

Mr. HARKIN. What I have problems with is the R&D and weapons production. As you can see, the actual production is going down because we are not producing any more, and yet the cost of producing has gone up.

Even though we are not making any highly enriched uranium or tritium, those accounts this year are 50 percent and 73 percent higher than they were in 1980, when indeed we were producing a lot of nuclear materials and a lot of weapons.

Mr. WARNER. Mr. President, one last point and I will yield to the distinguished acting chairman here.

The weapons production has a lot of associated cost in correcting the deficiencies to meet environmental standards. And that, in our analysis, explains in part why there is this increased cost.

I just make the point and thank my colleague. I yield the floor.

Mr. HARKIN. I appreciate it. I do not know if I understand that fully—but I will leave that as it is. I just do not understand why, if we are not producing

more nuclear weapons—I am sure there are environmental concerns we have to deal with for existing weapons—but that should come under the environmental cleanup and waste management account. Perhaps there is a element here that needs to be cleared up.

Mr. President, I wanted to have printed at this point in the RECORD a letter of support from a number of organizations: The Council for a Livable World; Friends Committee on National Legislation; Greenpeace USA; Institute for Science and International Security; Military Production Network; the National Taxpayers Union; the Natural Resources Defense Council; Peace Action; Physicians for Social Responsibility: Plutonium Challenge; 20/20 National Project; and the Union of Concerned Scientists, all in support my amendment.

I ask unanimous consent that letter and the signatories appear at this point in the RECORD.

Mr. HATFIELD. Mr. President, I commend Senator HARKIN for addressing in his amendment a very important issue. Last year the Senate adopted historic legislation placing a moratorium on the U.S. nuclear testing program and since that time a great deal of momentum has been gained toward comprehensive test ban talks. President Clinton has affirmed his strong support for the CTB and for the continued suspension of the U.S. testing program.

These important changes have not been fully integrated into the Department of Energy's budget for the Nevada test site and for its other nuclear weapons programs. I agree with the Senator from Iowa that further reductions in this program can be made. I will support Senator HARKIN's amendment as well as any other proposal which decreases the weapons testing budget and look forward to working to reduce appropriations for this program when the Senate considers the fiscal year 1994 Energy and Water Appropriations legislation.

I would only take this time to further note that I do not consider the debate today to be another referendum on the need for the United States to continue testing. Congress spoke clearly last year when it suspended our testing program and placed it under strict conditions. For the first time the Senate stated that the underground testing program, which at that time was operating virtually without limitation, was an obstacle to the effort to halt such tests worldwide.

President Clinton also has expressed his belief that the continued moratorium on U.S. testing is in our best interests as we pursue a comprehensive test ban treaty. He too recognized that the de facto worldwide moratorium, which has been in place since last year, is fragile and should not be broken by the United States. In his July 3 radio address to the Nation, the President said that "the price we would pay for conducting those tests now by undercutting our own nonproliferation goals and ensuring that other nations would resume testing outweighs these benefits."

So with this commitment of the White House and Congress to pursue this new course of testing policy, we arrive today to this debate over the appropriate amount of spending for maintenance of the test site and for alternatives to underground nuclear tests. I appreciate Senator HARKIN'S continued commitment to this issue and his decision to bring this amendment before us today. I think it is clear from this debate today that there is room for significant savings in the testing budget.

Mr. LAUTENBERG. Mr. President, I rise to support this amendment to reduce the nuclear testing budget by $206 million. I am pleased to be a cosponsor of this amendment. It is a prudent amendment and is entirely consistent with the current U.S. nuclear testing moratorium policy.

Earlier this year, President Clinton announced an extension of the nuclear testing moratorium until at least October of 1994. I, along with many of my colleagues in the Senate, welcomed that announcement.

Although the testing moratorium has been extended, the fiscal year 1994 budget includes an increase of $53.4 million above the level provided in fiscal year 1993 for nuclear testing. The budget request for fiscal year 1994 is $428.4 million.

In an effort to save the American taxpayer's money and to bring the nuclear testing budget in line with current policy, the House of Representatives reduced the budget request by $206 million. The Senate should do the same.

Even with this amendment, the nuclear testing budget will be adequately funded at $222.4 million. Our capability to remain on stand-by will not be undermined.

Mr. President, this is a prudent amendment. It will save money without undermining the national security of the United States.

It is the type of fiscal responsibility the American people are calling for in the Congress. With a deficit of $266 billion and a $4 trillion national debt, we cannot afford to speed additional money on nuclear testing that we simply don't have. We can't afford to approve the funding level in the current budget. I urge my colleagues to sport this amendment.

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

SEPTEMBER 9, 1993.

DEAR SENATOR: We are writing to urge you to support Senator Tom Harkin's amendment to the FY 1994 Defense Authorization Act to reduce the nuclear weapons testing budget by $206 million. The amendment would leave $222.4 million for the Department of Energy's nuclear testing program. The Senate Armed Services Committee approved $428.4 million for FY 1994 nuclear weapons testing activities. We believe that this amendment is an important step towards enforcing stronger budgetary discipline on a nuclear testing program that remains at unnecessarily high Cold War spending levels.

The U.S. Department of Energy last conducted a nuclear test explosion in Nevada in September 1992. The President's decision to extend the U.S. nuclear test moratorium at least through September 1994 means that it is unlikely that United States will conduct a nuclear test explosion in FY 1993 or FY 1994. Despite the nuclear test moratorium, the U.S. Department of Energy spent approximately $419.1 million this fiscal year for nuclear testing activities—and will soon submit a revised nuclear testing budget request of $402.7 million for FY 1994 activities. The Department of Energy claims that the $402.7 million is necessary to maintain the capability to conduct tests and to initiate new research and construction projects to "substitute for the loss of data which had been available from underground nuclear tests."

However, the Harkin amendment would allow the DOE to maintain a nuclear test capability. Furthermore, if additional resources are necessary to pursue new nuclear weapons research and construction activities to ensure the safety and reliability of the remaining U.S. nuclear weapons stockpile, the DOE could use funding resources for nuclear weapons laboratory research and development activities. The Department of Energy has requested $1.32 billion for nuclear weapons research and design activities in FY 1994—a 10.1 percent increase over FY 1993.

On behalf of the tens of thousands of citizens represented by our organizations, we strongly urge you to support the Harkin amendment to save taxpayer dollars by reducing the FY 1994 nuclear weapons testing budget. Thank you for your attention to this matter.

Sincerely,

John Isaacs, Council for a Livable World.
Joe Volk, Friends Committee on National Legislation.
Audrey Cardwell, Greenpeace USA.
Tom Zamora Collina, Institute for Science and International Security.
Stephen Schwartz, Military Production Network.
Jill Lancelot, National Taxpayers Union.
Christopher Paine, Natural Resources Defense Council.
Burton Glass, Peace Action.
Daryl Kimball, Physicians for Social Responsibility.
David Culp, Plutonium Challenge.
Kerry Cooke, 20/20 National Project.
Lara Levison, Union of Concerned Scientists.

The PRESIDING OFFICER (Mr. PRYOR). The Senator from Nebraska.

Mr. EXON. Mr. President, I feel maybe we are close to a vote that we indicated might happen around 2:30.

I will just make two or three statements. First, let me say I appreciate very much my friend from Iowa making some very, very good points. I hope the money we are spending on this program—we are reducing it as the Senator from Iowa has indicated by $53 million. I would also say if the Exon substitute is agreed to, we will be

spending in the area of $375 million. As the Senator from Iowa has properly said, the House of Representatives is about $228 million. So even if the Exon substitute amendment is agreed to, we are going to have a pretty vast difference between the Senate position and the House position.

I think history dictates the Senate is not likely to hold to its position. So the funding level, I am sure, will go down at least some. I hope not too much below the level I have indicated.

Why is that? I hope we never have to start up testing again at the nuclear test site. Those of us who have been there and have seen the operation hope we never test again. I have a feeling, though, that maybe somewhere along the line some other country will begin testing. If they do that I believe it will all but eliminate the chances for a comprehensive test ban treaty that I think the vast majority of the Senate wants.

So I simply say the expense of maintaining the expertise that we have out there—that we would have great difficulty ever getting back together if we lose—is worth the protection I think this country needs if we should be forced back in early on because someone else begins testing.

I would like to have printed in the RECORD at this time a letter from the Secretary of Energy, authorizing and suggesting the reductions that we have made.

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

SECRETARY OF ENERGY,
Washington, DC, September 9, 1993.

Hon. SAM NUNN,
Chairman, Committee on Armed Services, U.S. Senate, Washington, DC.

DEAR SENATOR NUNN: I am writing to express my strong concern over a proposed amendment to S. 1298, the National Defense Authorization bill for Fiscal Year 1994 which would reduce funding available to the Department of Energy to carry out its responsibilities to assure a safe and reliable nuclear weapons stockpile and effective nonproliferation programs.

In his July 3, 1993, decision to continue the nuclear testing moratorium, the President directed the Department of Energy to maintain the capability to resume underground testing if the testing moratorium is broken by another nation. He also directed the Department to explore other means of maintaining the Nation's confidence in the safety, reliability, and performance of our nuclear weapons and refocus the talent and resources of our Nation's nuclear laboratories on new technologies to curb the spread of nuclear weapons and verify arms control treaties.

In order to fulfill the President's directives, we must have sufficient funding to implement a stockpile stewardship program which can maintain a strong science and technology base, retain and develop experienced nuclear scientists and engineers, and provide experimental facilities and computational capabilities to substitute for the loss of data which had been available from underground nuclear tests. In addition, we must maintain a minimum infrastructure and capability to support a return to testing at the Nevada Test Site, if necessary. This has resulted in an amended Fiscal Year 1994 budget request which you should be receiving shortly. The Administration's budget amendment contains $402.7 million for testing, which is $53 million lower than the original budget request.

I understand that the proposed amendment to the Fiscal Year 1994 National Defense Authorization Act would result in significant reductions in the funding levels available for the Department's weapons testing activities. While I am mindful that the moratorium on nuclear testing has raised expectations that the Department could significantly reduce funding for these activities, such an amendment would seriously impede the ability of the Department to fulfill its fundamental responsibilities to assure the continued safety and reliability of the nuclear weapons stockpile and maintain the minimum infrastructure and capability to resume underground testing if directed by the President. I seek your continued support for the Department's amended Fiscal Year 1994 budget and urge you to defeat the proposed amendment.

Sincerely,

HAZEL R. O'LEARY.

Mr. EXON. Mr. President, I ask for the yeas and nays on the Exon substitute amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

NUCLEAR TESTING

Mr. GLENN. Mr. President, as the Senate considers the fiscal year 1994 DOD authorization bill, I would like to take the opportunity to express my strong support for President Clinton's decision—announced on July 3—to extend the moratorium on U.S. nuclear testing through September of next year, as long as no other nation conducts nuclear tests.

Last year, Congress passed legislation—which I supported—which was enacted into law stating that "no underground test of nuclear weapons may be conducted by the United States after September 30, 1996 unless a foreign state conducts a nuclear test after this date." The provision mandated an interim test moratorium through July 1, 1993, to allow the administration sufficient time to assess what, if any, additional nuclear tests were needed. Under the law, a maximum number of 12 tests were permitted by the United States to improve the safety and confirm the reliability of nuclear weapons in our arsenal. Three other nuclear tests could be conducted in cooperation with Great Britain.

In a statement issued on July 3, the White House declared that "after a thorough review, the administration determined that the nuclear weapons in the United States arsenal are safe and reliable. Additional nuclear tests could help us prepare for a CTB—comprehensive test ban—and provide some additional improvements in safety and reliability. However, the President determined that these benefits would be outweighed by the price we would pay in conducting those tests now—through undercutting of our nonproliferation goals."

It is precisely because of my strong concern with the threat of nuclear proliferation that I had sent a letter to President Clinton on June 25 recommending that he announce that the United States continue its nuclear test moratorium as long as no other nation resumes nuclear testing.

Mr. President, I ask unanimous consent that my letter to President Clinton be included in the RECORD at the conclusion of my remarks.

(See exhibit 1.)

I believe that the perceived need for additional nuclear tests does not supersede the far more compelling national security requirement to strengthen our nuclear nonproliferation policy. Continued nuclear testing compromises efforts to end the proliferation of nuclear weapons to other nations around the world. From the standpoint of our Nation's nuclear nonproliferation policy, it is nothing less than a double standard for the United States to claim the right to engage in nuclear testing, while seeking to deny nuclear testing programs to other nations.

In my more than 18-year career in the Senate, I have been more concerned with the proliferation of nuclear weapons than any other national security issue. As author of the Nuclear Non-Proliferation Act of 1978, and more recently the Omnibus Nuclear Proliferation Control Act of 1993 (S. 1054), and the Nuclear Export Reorganization Act of 1993 (S. 1055), I cannot emphasize strongly enough the important nonproliferation aspect of continuing the current nuclear test moratorium.

I believe that if the United States were to break the current nuclear test moratorium, Russia and France would be highly likely to resume their nuclear test programs, ending pressure on China to terminate its nuclear testing. This in turn will impact the nuclear weapons programs of other nations.

The preamble to the Non-Proliferation Treaty [NPT] of 1968 recalls the Limited Test Ban Treaty of 1963 to "seek to achieve the discontinuance of all test explosions of nuclear weapons for all time and to continue negotiations to this end." The NPT comes up for renewal in 1995, and under article VI of the treaty the nuclear weapons states are committed to pursue effective measures relating to the cessation of the nuclear arms race at an early date.

Mr. President, the NPT will only be renewed if a majority of its parties conclude that the treaty continues to promote their national security interests. If the United States and other nuclear powers do not do more to distance themselves from the logic that a dynamic nuclear arms competition—fueled by a dynamic nuclear testing program—confers greater security than

negotiated restraints, other nations can be expected to employ a similar logic to rationalize decisions to pursue their own nuclear weapons programs.

I would also like to note that the administration is making an effort to increase our capability to monitor low-yield tests—a critical CTB and NPT verification issue. In late September of this year, the Department of Energy is conducting a major verification experiment at the Nevada test site. The nonproliferation experiment [NPE] will involve the detonation of a one kiloton conventional explosive which will serve to provide a basis for comparing previous conventional and nuclear explosion results. The NPE will increase our ability to discriminate between conventional and nuclear explosions. Such tests play an invaluable role in enhancing our monitoring efforts.

Mr. President, I also ask unanimous consent that at the conclusion of my remarks a July 28 article in the New York Times entitled, "U.S. Hopes To Curb A-Arms by Restricting Fuel Output," be included in the RECORD.

(See exhibit 2.)

The article states that the Clinton administration is in the end game of proposing an arms control proposal to ban the production of highly enriched uranium and plutonium unless it is subject to international inspection. According to the press account, this is part of a more comprehensive plan that will also encompass biological and chemical weapons, and missiles—in addition to fissile material.

While the administration is apparently still in the process of formulating its proposal, I believe that the outline of the plan as described in the New York Times is a step in the right direction. For a number of years, I have advocated that the United States and what is now the former Soviet Union explore the possibility of a verifiable ban on the production of weapons grade fissile material. With the collapse of the Soviet Union, the need for such an agreement is all the more compelling.

Mr. President, a multilateral agreement on the control of fissile material would greatly enhance our Nation's nuclear nonproliferation efforts and serve as a useful supplement to a ban on nuclear testing. I hope that the administration's proposal ultimately will, in fact, include a ban on the production of fissile materials, require accurate inventories of these fissile materials, and establish tight safeguards and security controls to lower the risks of weapons proliferation and terrorism.

In conclusion, I applaud President Clinton's decision to extend the nuclear test moratorium and his ongoing efforts to halt the spread of nuclear weapons.

EXHIBIT 1

U.S. SENATE,
Washington, DC, June 25, 1993.

The PRESIDENT,
The White House, Washington, DC.

DEAR PRESIDENT CLINTON: I am writing to express my concern about certain proposals apparently being considered by your Administration regarding the continuation of nuclear testing.

As you know, legislation passed by the Congress and enacted into law last year states that "no underground test of nuclear weapons may be conducted by the United States after September 30, 1996 unless a foreign state conducts a nuclear test after this date." Under the law, a maximum number of 15 nuclear tests would be permitted for "safety" or "reliability" purposes prior to that date.

It is my understanding that some individuals in your Administration are recommending that nuclear tests below the one kiloton threshold level be conducted after September 30, 1996. I believe that such a proposal would be inconsistent with the spirit as well as the letter of last year's law. Most importantly, the continuance of low-yield nuclear testing would seriously undermine the primary rationale for a comprehensive nuclear test ban—halting the proliferation of nuclear weapons.

Because of my strong concern with the threat of nuclear proliferation, I recommend that you announce that the U.S. will continue its current nuclear test moratorium as long as no other nation resumes nuclear testing.

The primary rationale for breaking the current moratorium is a perceived need to conduct additional safety tests. However, it appears that the additional safety tests being contemplated would at best be a marginal improvement in the safety of certain nuclear warhead designs. It also appears that the Department of Defense may be reluctant to expend the considerable resources required in an increasingly constrained budget environment to make the modest safety upgrades that would ostensibly be the purpose of the few additional nuclear tests currently under consideration.

I believe that the perceived need for these few additional nuclear tests does not supersede the far more compelling national security requirement to strengthen our nuclear non-proliferation policy.

In my more than 18-year career in the Senate, I have been more concerned with the proliferation of nuclear weapons than any other national security issue. As author of the Nuclear Non-Proliferation Act of 1978, and more recently the Omnibus Nuclear Proliferation Control Act of 1993 (S. 1054), and the Nuclear Export Reorganization Act of 1993 (S. 1055), I cannot emphasize strongly enough the important non-proliferation aspect of continuing the current nuclear test moratorium.

Continued nuclear testing compromises efforts to end the proliferation of nuclear weapons to other nations around the world. From the standpoint of our nation's nuclear non-proliferation policy, it is nothing less than a double standard for the U.S. to claim the right to engage in nuclear testing, while seeking to deny nuclear testing programs to other nations.

The preamble to the Non-Proliferation Treaty (NPT) of 1968 recalls the Limited Test Ban Treaty of 1963 to ". . . seek to achieve the discontinuance of all test explosions of nuclear weapons for all time and to continue negotiations to this end. . ." The NPT comes up for renewal in 1995, and under Article VI of the Treaty the nuclear weapons states are committed to pursue "effective measures relating to the cessation of the nuclear arms race at an early date."

The NPT will only be renewed if a majority of its parties conclude that the Treaty continues to promote their national security interests. If the U.S. and other nuclear powers do not do more to distance themselves from the logic that a dynamic nuclear arms competition (fueled by a dynamic nuclear testing program) confers greater security than negotiated restraints, other nations can be expected to employ a similar logic to rationalize decisions to pursue their own nuclear weapons programs.

If the U.S. were to break the current nuclear test moratorium, Russia and France are highly likely to resume their nuclear test programs, ending pressure on China to terminate its nuclear testing. This in turn will impact the nuclear weapons programs of other nations.

If we expect to lead the fight on nuclear non-proliferation by example, we must begin by setting the example of ending nuclear testing. Extension of the current test moratorium to a multilateral test ban would help to establish a global norm of "non-testing" that would raise the political cost of acquiring nuclear weapons.

As the U.S. seeks to redefine its role in a post-Cold War world, there is no more urgent need than to do all that we can to prevent the spread of nuclear weapons which could ultimately destroy all of civilization. A nuclear test moratorium is, as Adlai Stevenson said more than 36 years ago, a "step which would reaffirm our purpose to act with humility and a decent concern for world opinion." This is a step that needs to be taken. And the time to take it is now.

I hope you will consider my views as you make a decision on this important national security issue. I look forward to continue working with you and your Administration on nuclear non-proliferation issues.

Best regards.

Sincerely,

JOHN GLENN,
U.S. Senator.

EXHIBIT 2

[From the New York Times, July 28, 1993]

U.S. HOPES TO CURB A-ARMS BY RESTRICTING FUEL OUTPUT

(By Michael R. Gordon)

WASHINGTON, July 28.—The Administration is preparing a new arms-control plan that calls for a worldwide ban on the production of materials for nuclear weapons.

President Clinton promised during the campaign to step up efforts to slow the spread of weapons of mass destruction. Washington has pushed diplomatic efforts to stop North Korea's efforts to develop nuclear weapons and has sought to persuade Ukraine to give up its nuclear arsenal, but critics have complained that the Administration has been slow to propose a comprehensive plan.

In the coming weeks, Administration experts hope to present a proposal to ban the production of highly enriched uranium and plutonium unless it is subject to international inspection. Those materials are used to make the explosive warheads in nuclear weapons, and the purpose of the ban would be to stop the further development of nuclear arsenals.

CONSENSUS SEEMS CLEAR

President Clinton has yet to formally approve the plan, which covers nuclear, biological and chemical weapons and the missiles that deliver them. But there is broad agreement about the effort among State, Defense and Commerce Department officials and the staff of the National Security Council, and Washington has begun sounding out its allies.

While Administration officials defend their plan as a careful balance of arms-control and diplomatic concerns, it is drawing fire from critics who complain that some elements do not go far enough. Some experts have urged the Administration to propose a worldwide ban on the production of all enriched uranium and plutonium.

Under the plan, all nations would be asked to join an international agreement to stop producing uranium and plutonium for nuclear weapons. The United States has already stopped producing such material, but Britain, China and Russia still produce it.

This agreement would not prohibit Western European nations and Japan from producing highly enriched uranium or plutonium for nuclear power. But the producers would have to let the International Atomic Energy Agency inspect such production, and insure that excess plutonium is stored securely.

IN SOME NATIONS, A TOTAL BAN

Other nations, including South Africa, North Korea, Israel, Pakistan and India, would be treated differently: the United States would try to discourage them from building plants to make these materials even for civilian purposes.

India, Pakistan and Israel already produce highly enriched uranium and plutonium; they would be expected to stop all production. South Africa has said it has abandoned its nuclear bomb program, but it has a factory that can produce highly enriched uranium. United States officials hope to persuade South Africa to limit its production to less-enriched uranium.

Administration experts describe the plan as a first step that, along with a ban on nuclear testing, will restrain weapons development while Washington and its allies grapple with the thorny question of how to reduce stock piles of fissionable material.

Officials also say that the emerging plan is the most that the United States can hope to achieve, and that asking Japan and Western European nations to stop all production of uranium and plutonium would be futile.

THE HURDLES AHEAD

Even carrying out Washington's new plan may prove difficult. Britain, for example, has indicated that it wants to keep producing material to make warheads for its new Trident submarine-launched missiles. And third-world nations may object to the request that they stop all production of uranium when Western Europe and Japan are not being asked to do the same.

Another potentially contentious feature involves controls on United States exports of technology that might be used to develop weapons of mass destruction. Under the new plan, there is to be a thorough review of such controls, and officials say that in some cases, regulations may be relaxed if they prove ineffective and are more stringent than those imposed by other nations.

But some critics are concerned that the Administration's efforts to create jobs may triumph over its push to control such exports.

The Administration plan would also seek to strengthen the ban on the production of biological weapons by calling for compulsory inspections of suspected factories.

The 1972 treaty banning biological weapons does not provide for verification. The Bush Administration opposed verification provisions, arguing that they would be ineffective. Some officials worried that such procedures would open up sensitive American installations to inspections.

U.S. PRODUCTION ENDED IN '92

The Bush Administration announced in 1992 that the United States would no longer produce plutonium or uranium for nuclear warheads, making a formal policy of a suspension that had been in effect for years because of production problems and arms-reduction agreements. The United States now has a surfeit of material from old warheads that can be recycled to make new weapons if Washington decides they are needed.

But Leonard S. Spector, a senior associate at the Carnegie Endowment for International Peace, said getting other countries to suspend production would be significant step.

Mr. Spector said the plan would be a useful way to involve China in the arms-control process and could help pressure India to agree to constraints on its nuclear program. While India says its nuclear research and production is for civilian purposes, others say India is carrying out military research under the guise of an energy program.

Mr. EXON. I am prepared to vote. We are under no time agreement. We are just trying to move this along.

I yield the floor.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. BRYAN. Mr. President, I appreciate the effort of the floor manager to move this measure along. I assure my colleagues I will not be lengthy. I want to make it clear the outcome of this debate on the Senate floor will have a profound and long-lasting impact on our national security. In my judgment, if the Harkin amendment becomes law the Senate will force dangerous limitations on the Department of Energy in their ability to monitor the safety and reliability of the nuclear weapons stockpile.

Let me read that one more time. That is the ability of the Department of Energy to monitor the safety and reliability of our nuclear weapons stockpile.

In effect, we will be declaring a unilateral and irreversible United States nuclear test ban for the next 3 to 5 years without negotiations or careful study.

Finally, we will be laying to waste a very valuable national resource, the Nevada test site.

My preference is the $428 million funding level by the Senate Armed Services Committee, which was approved for the weapons testing program. However, as we are all aware, the President of the United States has announced an extension to the moratorium on nuclear testing, extending that through September 1994. As the acting floor leader has pointed out, the administration will soon submit a revised nuclear testing budget which takes into account the moratorium. That is the $375 million level which the distinguished senior Senator from Nebraska has in his substitute.

The Exon substitute will reduce the testing funding by $53 million. And although I do not support this reduction I do intend to support the Senator from Nebraska in an effort to defeat the more draconian and totally unacceptable funding reductions as proposed by the distinguished Senator from Iowa.

The Harkin amendment would slash the post cold war budget level provided by the administration, that is the reduced figure, by nearly half. I want to be clear, the Harkin amendment not only destroys the ability of the United States to resume nuclear tests but it also seriously impedes research into developing technology to monitor our nuclear weapons stockpile without nuclear tests.

The Department of Energy has initiated research into a series of new technologies to monitor the safety and reliability of our nuclear weapons stockpile without—and I emphasize the word without—without underground nuclear testing.

These technologies would be absolutely necessary for national security during a comprehensive test ban. By cutting off funding for these initiatives, this amendment could delay the time when a comprehensive test ban is possible.

The Secretary of Energy, Hazel O'Leary, in a letter to the distinguished chairman of the Armed Services Committee, Senator NUNN, stated that the Harkin amendment "would seriously impede the ability of the Department to fulfill its fundamental responsibilities to assure the continued safety and reliability of the nuclear weapons stockpile and maintain the minimum infrastructure and capability to resume underground testing if directed by the President." The Energy Department opposes the Harkin amendment, the Department of Defense opposes the Harkin amendment. This level of cuts is dangerous.

It is plain reckless for our Nation to hold thousands of the most powerful and dangerous weapons known to mankind, and destroy the ability to test them for safety and reliability.

That is the essence of his directive.

Mr. President, no one in this body can state with certainty that the nuclear weapons created by the United States have, suddenly, become completely safe and reliable for the foreseeable future. No one in this body can say with certainty that we will never again discover a dangerous flaw in a nuclear weapon.

Individuals working with the test program have estimated that, under the terms of the Harkin amendment, it would take 3 to 5 years to resume testing if that became necessary. Mr. President, that is 3 to 5 years of endangering our national security, or even

endangering military personnel and civilians who may be in the vicinity of a flawed weapon. This is unacceptable. This is not a hypothetical concern.

Only 5 years ago, dangerous flaws were discovered in nuclear weapons that had already been placed in stockpiles throughout Europe. Computer calculations and earlier underground nuclear tests had been unable to detect the problem. Only through nuclear testing at the Nevada test site was it possible to find the flaw, and fix the problem.

The story was reported in a Washington Post article in May 1990 when the Department of Defense unexpectedly discovered a defect in a type of nuclear weapon after it had been deployed throughout Europe. Urgent orders were issued not to move the warheads, and repair teams had to hurry to the nuclear ammunition depots to disable the weapons so they could not accidentally be detonated. Computer calculations and underground tests before the start of production had indicated no safety problems. Yet, a new safety analysis in 1988 raised concerns that were only confirmed by actual underground nuclear tests conducted at the Nevada test site.

Should safety standards change or weapons deteriorate, we must have a capability to monitor and test our nuclear weapons arsenal. The Harkin amendment in my view seriously jeopardizes that ability.

The Nevada testing facility is a unique resource, and the Nation's investment in it must not be wasted. Some of America's greatest technological resources have been devoted to design, production, and testing of our nuclear weapons. Personnel at the Nevada test site are a small community of highly specialized workers, with expertise found nowhere else in the world.

Mr. President, in less than 2 weeks, a 1 kiloton conventional explosion will occur in the tunnels at the Nevada test site. The nonproliferation experiment will be conducted in the general vicinity of previous low-yield nuclear tests, and will provide vital data on the different seismic signals between a conventional explosion and a nuclear explosion. By furthering our ability to distinguish between conventional explosions and low-yield nuclear explosions, we will greatly expand our ability to monitor the proliferation of nuclear weapons. And that is an objective that all of us share. This test will have far-reaching consequences in the ability of the United States to prevent renegade nations from disguising low-yield nuclear tests.

No other facility in the world has recorded data from low-yield nuclear explosions that make this test possible. No other facility in the world has the unique tunneling capability that enabled this conventional test to occur efficiently and without undue expense. Yet, if the Harkin amendment would have been adopted last year, the nonproliferation experiment may not have been possible.

Most of our colleagues recognize the unique assets and expertise of the personnel at the Nevada test site. What my colleagues may not realize is that a wide variety of activities, such as the nonproliferation experiment, are now occurring at the test site, and many more activities are being planned for the future.

With my colleagues in the Nevada delegation, I am working to find ways to use the valuable assets at the Nevada test site. I introduced an amendment in last year's defense authorization bill to explore the solar energy possibilities at the test site. Because of its size and location, the test site is ideally suited for research in solar energy development, which I believe should have a very high priority in supplying our future energy needs. Even a small portion of the test site, devoted to solar electric generation, could supply substantial energy resource for the Nation.

In addition, promising proposals have been developed to use the tunnels at the Nevada test site for environmentally responsible demilitarization of rocket motors and rocket fuel. Again, passage of the Harkin amendment would threaten the development and study of these proposals.

Most importantly, the infrastructure and expertise at the site make it ideal for future nonnuclear testing activities that will help us maintain confidence in the safety and reliability of our nuclear weapons stockpile should a comprehensive test ban eventually be negotiated. Facilities such as the national ignition facility, hydrodynamic experiment facilities, and other simulation technologies will form the core of Department of Energy weapons testing activities should a comprehensive test ban be enacted. Many of these programs would be ideally suited for the Nevada test site.

Mr. President, I think it is important for us to bear in mind that, even if START II is ratified, the United States will continue to maintain a stockpile of thousands of nuclear weapons. The reliability of these weapons forms the basis for their existence, as a strategic deterrence. The recently released bottom-up review reaffirmed strategic nuclear deterrence as a fundamental part of our national security structure. The Harkin amendment in my view, threatens this structure.

In fact, as our stockpile of nuclear weapons is reduced, the reliability of each nuclear weapon becomes even more critical to an effective deterrence. Only through testing at the Nevada Test Site can we have adequate assurance that our nuclear weapons will function as expected in a time of crisis. Stockpile surveillance, above ground experiments, and modeling often uncover flaws that cannot be resolved without the use of a nuclear test. Almost one-half of the nuclear weapons systems developed since 1970 have needed nuclear testing to correct or evaluate defects. Clearly, the Harkin amendment, in my view, would seriously hamper our confidence in our nuclear weapons stockpile.

Despite the collapse of the Soviet Union, and advances in arms control agreements with Boris Yeltsin's new Russian state, we should not be blinded by euphoria. The communist dictatorship still remains in Beijing, and their nuclear program continues to progress, unchecked by any treaty. Indeed, there are reports that circulate that perhaps a test will occur sometime this year or early next year in the People's Republic of China. Countries as diverse as North Korea, India, and Libya all have nuclear weapons development programs. Reports out of Iraq should be sobering to all of us, that Saddam Hussein was dangerously close to having a nuclear weapon. Even now, many believe that U.N. monitors in Iraq have failed to halt the Iraqi nuclear development program. It is disingenuous to believe that by inflicting devastating cuts on our own nuclear weapons testing program, we will somehow, magically cause renegade nations to halt their nuclear weapons development.

As long as dictatorships are striving to acquire weapons of mass destruction, we must be vigilant. Our nuclear deterrence, tested time and again in the Nevada desert, helped prevent the tensions between the Soviet Union and the West from ever resulting in a nuclear conflict. Testing was part of that success, and we must not lightly discard such a proven capability.

Again, the Harkin amendment would have grave consequences not only to the Nevada test site, it's infrastructure, facilities, and ongoing projects, but more importantly, to our national security. I strongly urge the Senate to reject the Harkin amendment.

I yield the floor.

Mr. REID addressed the Chair.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. REID. Mr. President, we heard the statements made by my friend from Nebraska and my colleague from Nevada regarding the Nevada test site. I associate these remarks with those of my colleague from Nevada as to the reason and the necessity of voting for the amendment offered by the Senator from Nebraska.

Before we proceed to cut the testing budget—both nuclear and nonnuclear—with emotional and politically motivated attacks, we need take a step back and look at the facts. We need to be reasonable.

First, we need to review our national goals that require testing; we then

need to discuss the issues and challenges involved with reaching those goals; and we need to look logically at what the requirements are to meet those challenges.

What are our national goals that require testing? The first goal is to certify the stockpile. We need to do this through surveillance, monitoring, and maintenance in order to assure the safety, reliability, security, and survivability of the weapons systems.

Our second goal is to assess the capability of other nuclear weapon states, proliferants, and terrorist groups and be prepared to counter any threats that may develop.

Third, we need to retain the capability to resume testing should the Nation judge it to be in its best interest to do so.

And, fourth, we need to support international efforts in arms control, including the pursuit of a comprehensive test ban [CBT] and the extension of the Non-Proliferation Treaty [NPT].

Now, what are the issues and challenges we must face in reaching these goals? What are the questions that need to be answered?

First, how do we maintain the stockpile and nuclear weapons expertise without nuclear testing? Or without adequate nonnuclear testing?

Second, how do we maintain the capability to resume testing without wasting money and leaving our experts to sit around doing nothing?

And, third, how do we maintain the competence and capability to assess, and respond to, proliferation issues without a nuclear test program, or a program that involves tests of nuclear components?

One of the misconceptions of the testing program is that it is all nuclear testing. The fact is that it is far more than just setting off nuclear devices under the ground.

Historically, the weapons testing budget has supported a wide variety of tests both nuclear and nonnuclear.

With the present restrictions on nuclear tests, greater emphasis will have to be put on nonnuclear tests and other treaty compliant experiments to acquire the information necessary to maintain the stockpile and address nuclear proliferation issues. The moratorium on nuclear tests does not mean we don't need any tests.

Critical to all weapons testing is the maintenance of the Nevada Test Site. It is the only place where the Nation can conduct a wide variety of nuclear and/or hazardous experiments. It is the foundation upon which the specific testing programs are built.

Maintenance of the facility includes both the physical plant—roads, utilities, communication, water, and power—and the key operations personnel who manage the operations and can coordinate and oversee various test programs.

The Department of Energy and the National Labs, with the concurrence of the administration and Congress, are refocusing the considerable skills of our nuclear weapons scientists and engineers on weapons-related and other issues of national importance already mentioned.

The weapons RD&T budgets should be supported so that the labs and field technology teams may address this new task of developing our national security missions.

I would like to review that mission in some detail to demonstrate that there is much more going on than just nuclear testing.

First is stockpile stewardship: assuring enduring confidence in the performance of weapons in the stockpile well past their intended lifetimes without the benefit of nuclear tests.

Nuclear tests have been the proof of performance in the past. Should a stockpile weapon require modification, new techniques must be developed to allow performance recertification—if possible.

Such techniques need to be developed and proved to be of value in assessing stockpile changes with time. Success is not assured—there is no substitute for a nuclear test in this mission. Experimental programs will address critical areas of weapons physics which can allow continuing upgrades to the physics models in our computer simulations. This is critical to understanding the significance of subtle changes in an aging warhead.

Treaty compliant experiements—hydronuclear experiments—at very low yield—less than 4 pounds of yield—are being evaluated by the administration with regard to legal and policy issues. If allowed, such experiments may have significant utility as part of an enhanced stockpile surveillance program, in addressing safety and security in the U.S. stockpile, and for disabling terrorist and proliferant devices. These experiments require test skills at the labs and in Nevada.

Experiments to demonstrate the safety from nuclear yield of stockpile weapons ignited abnormally, or after exercising built-in disablement techniques can perhaps be conducted with treaty compliance. This class of experiments will improve our capability for calculating three-dimensional problems in dynamic criticality, an important feature in addressing subtle changes in stockpile weapons. These experiments, too, require test skills at the labs and in Nevada.

Enhanced hydrodynamic experiments using replacements for nuclear material are already underway. These will explore changes in implosion dynamics when subtle changes such as those which might be expected with aging, are introduced into the test assemblies. Improved radiography and other diagnostic techniques will be required for this most demanding mission.

Ultimately, a single user facility for well-enhanced hydrodiagnostic experiments, capable of using plutonium assemblies with very small yield should be built at the Nevada test site. Plutonium experiments will be directly applicable to stockpile issues as differentiated from today's practice of extrapolating from data based on the use of surrogates. The facility will go well beyond today's state of the art in image definition and image framing, building on current local improvements now in the works.

Experiements addressing the physics of materials with temperature and density approaching nuclear weapons conditions can be accomplished using any of several pulsed laser and electrical energy sources. These will be increased in scope and number. Such experiments will greatly improve in value with significant increases in energy inputs from new large laser and pulsed electrical power facilities.

Second, we need to develop counterproliferation technologies including assessing foreign capabilities, detecting delivery across our borders, improving search technologies in response to threats, rendering safe a discovered proliferant device, and devising means for identifying the proliferant from analysis of the device or—in the worst case—its debris.

Design, engineering, materials, and production specialists are developing credible designs to determine the necessary manufacturing processes, the requirement for testing and other experimental work, and finally their vulnerability to detection and disablement.

Radiation detection and analysis technologies developed for nuclear testing are being expanded for adaptation to intelligence gathering, border monitoring, and search and evaluation missions for a suspected weapon. Experiments requiring the use of nuclear weapons materials demonstrating the effectiveness of these developing techniques will be conducted at the Nevada Test Site.

Nuclear chemistry techniques for measuring minute isotopic concentrations are being applied to identifying the country of origin of nuclear materials in a suspect explosive before or after its detonation. The information will be important for informed decisionmaking should the need arise. Data from the Nevada Test Site will be necessary for development of a consistent methodology for this analysis

Third, we need to improve techniques for simulating nuclear weapons effects testing.

The loss of effects tests leaves the Nation little ability to accurately simulate over large volumes the x-ray output of a nuclear device for determining the vulnerability of military systems to this threat.

Appropriate pulsed x-ray sources can perhaps be developed by scaling up existing technologies. Studies are under

way by DOE and the Defense Nuclear Agency. A new facility based on state-of-the-art technologies has been proposed for construction in Albuquerque.

Fourth, we must maintain a technological ability to conduct full-scale tests at the Nevada Test Site if it is deemed to be in the national interest.

The current requirement is to be ready to test with a 6-month notice. Whereas 12 to 15 months are required under normal circumstances to make ready and execute a nuclear test, much of the hardware has to be in place now, field preparation must be complete, treaty compliance assured, and most fiscally important, the test organization must be at full test staffing.

Treaty compliant experiments which resemble nuclear tests in their execution will not only provide a scientific mission, but also will maintain functional readiness for full-scale tests. Such experiments will aid in keeping test scientific and engineering technologies abreast with the state of the art.

There are many other experiments that are either ongoing or planned or need to be planned that are necessary for us to attain our national security goals.

For example, experiments still need to be conducted in the dismantlement of retired nuclear weapons; production capabilities in a scaled-down nuclear complex; applying weapons designs, manufacture, and test skills to commercial endeavors with the goal of improving the economic competitiveness of the Nation in world markets; and applying weapons design, manufacture, and test skills to other national and international priorities such as environmental issues such as global climate change and ozone depletion.

So we must conclude that the testing budget cannot be cut. We cannot support this amendment.

The weapons program has provided a stockpile that is second to none over a history of changing test restrictions, and can continue to do so if provided with continuing support.

Zero yield does not mean zero tests.

The Nevada Test Site is a unique national resource that has supported the nuclear deterrent for over 40 years and is prepared to support it as long as the United States has nuclear weapons.

Nuclear competence and expertise are too valuable in this uncertain world to allow them to be jeopardized by a precipitous budget cut—too valuable to be ruled by emotion and politics.

The PRESIDING OFFICER. Who seeks recognition?

The Senator from Iowa.

Mr. HARKIN. Mr. President, 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. HARKIN. 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. HARKIN. Again, Mr. President, we are about to vote on this amendment. I have heard the comments made by my friends from Nevada on this amendment. I wish to make it clear again that the amendment that I offered still leaves $222.4 million in the account of nuclear testing, even though we are not testing. It is the same level as passed by the House of Representatives. There still is in the whole atomic energy defense activities $5.7 billion of nonenvironmental funding to maintain our nuclear weapons stockpile. And yet to hear my friends from Nevada talk, you would think I was gutting this whole program. Far from it.

The amendment offered by the Senator from Nebraska does go in the right direction, but it is not enough. It simply freezes it at last year's level. And last year's level is $375 million for operating expenses, even though we are not doing any testing.

Again, I agree that we have to maintain the facilities, and make sure we get to the point where we can have a Comprehensive Test Ban Treaty. I think we are close to that right now. So that in 1995 we might have an extension of the Nuclear Non-Proliferation Treaty. But I believe that this amendment does not go far enough. It simply freezes at last year's level.

Mr. President, I think we need to do much more than that. I believe that there are a number of Senators here who believe as I do, and because of that, I move to table the amendment offered by the Senator from Nebraska and 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 question is on agreeing to the motion to table the amendment.

The yeas and nays have been ordered. The clerk will now call the roll.

The assistant legislative clerk called the roll.

Mr. DOLE. I announce that the Senator from New Mexico [Mr. DOMENICI], the Senator from Texas [Mr. GRAMM], the Senator from North Carolina [Mr. HELMS], the Senator from Arizona [Mr. MCCAIN], the Senator from Alaska [Mr. MURKOWSKI], the Senator from Wyoming [Mr. SIMPSON], the Senator from Wyoming [Mr. WALLOP] are necessarily absent.

I further announce that, if present and voting, the Senator from Wyoming [Mr. SIMPSON] would vote "nay."

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

The result was announced—yeas 31, nays 62, as follows:

[Rollcall Vote No. 256 Leg.]

YEAS—31

Boxer	Grassley	Pell
Bradley	Harkin	Pryor
Bumpers	Hatfield	Riegle
Conrad	Jeffords	Sarbanes
Danforth	Kennedy	Sasser
Daschle	Kerry	Simon
DeConcini	Kohl	Specter
Dorgan	Lautenberg	Wellstone
Durenberger	Leahy	Wofford
Feingold	Metzenbaum	
Feinstein	Moseley-Braun	

NAYS—62

Akaka	Dole	Mack
Baucus	Exon	Mathews
Bennett	Faircloth	McConnell
Biden	Ford	Mikulski
Bingaman	Glenn	Mitchell
Bond	Gorton	Moynihan
Boren	Graham	Murray
Breaux	Gregg	Nickles
Brown	Hatch	Nunn
Bryan	Heflin	Packwood
Burns	Hollings	Pressler
Byrd	Hutchison	Reid
Campbell	Inouye	Robb
Chafee	Johnston	Rockefeller
Coats	Kassebaum	Roth
Cochran	Kempthorne	Shelby
Cohen	Kerrey	Smith
Coverdell	Levin	Stevens
Craig	Lieberman	Thurmond
D'Amato	Lott	Warner
Dodd	Lugar	

NOT VOTING—7

Domenici	McCain	Wallop
Gramm	Murkowski	
Helms	Simpson	

So the motion to table the amendment (No. 818) was rejected.

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

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

The motion to lay on the table was agreed to.

Mr. NUNN. Is the Senator from Iowa willing to have a voice vote on the amendment?

Mr. HARKIN. Yes.

Mr. NUNN. I hope we can now deal with the EXON amendment. I ask unanimous consent that the yeas and nays be vitiated.

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

The question is on agreeing to the EXON amendment.

The amendment (No. 818) was agreed to.

Mr. EXON. I move to reconsider the vote.

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

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. Is there further debate on the Harkin amendment?

Mr. NUNN. Mr. President, the Exon amendment is in the form of a substitute. I thought we agreed to that. I believe we could go ahead with the Harkin amendment, as amended.

The PRESIDING OFFICER. The question its now on agreeing to the Harkin amendment, as amended.

The amendment (No. 817), as amended, was agreed to.

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

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

The motion to lay on the table was agreed to.

Mr. LAUTENBERG addressed the Chair.

The PRESIDING OFFICER. The Senator from New Jersey seeks to speak on the floor. Will all other conversation desist. There will be order in the Chamber.

The Senator from New Jersey is recognized.

AMENDMENT NO. 819

(Purpose: To require the President to seek to obtain host-nation payment of most or all of the overseas basing costs for forces of the Armed Forces of the United States in such nation, to limit the use of funds for paying overseas basing costs for U.S. forces, and for other purposes)

Mr. LAUTENBERG. 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 New Jersey [Mr. LAUTENBERG], for himself, Mr. CONRAD, Mr. HARKIN, Mrs. BOXER, Mr. METZENBAUM, Mr. RIEGLE and Mr. CAMPBELL, proposes an amendment numbered 819.

Mr. LAUTENBERG. 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 233, after line 23, insert the following:

SEC. 1056. INCREASED BURDEN SHARING BY ALLIES OF THE UNITED STATES.

(a) DEFENSE COST-SHARING AGREEMENTS.—The President shall enter into negotiations with each foreign nation referred to in subsection (b)(1) that is not excluded by subsection (b)(2) to seek to conclude an agreement that provides for such nation to pay at least 75 percent of the overseas basing costs that are incurred for the stationing of members of the Armed Forces of the United States and related civilian employees of the Department of Defense in that nation as a result of the implementation of a bilateral or multilateral defense agreement with that nation.

(b) COVERED FOREIGN NATION.—(1) Except as provided in paragraph (2), subsection (a) applies with respect to the following foreign nation:

(A) Each member nation of the North Atlantic Treaty Organization (other than the United States).

(B) Every other foreign nation with which the United States has a bilateral or multilateral defense agreement that provides for the assignment of combat units of the Armed Forces of the United States to permanent duty ashore in that nation.

(2) Subsection (a) does not apply with respect to any foreign nation—

(A) that receives assistance or financing under—

(i) section 23 of the Arms Export Control Act (22 U.S.C. 2763), relating to the foreign military financing program; or

(ii) the provisions of chapter 4 of part II of the Foreign Assistance Act of 1961 (22 U.S.C. 2346 et seq.); or

(B) in which not more than 1,000 members of the Armed Forces of the United States and related civilian employees of the Department of Defense are assigned to permanent duty ashore as a result of the implementation of a bilateral or multilateral defense agreement.

(c) USE OF FUNDS FOR PAYING OVERSEAS BASING COSTS.—(1) Funds may not be expended to pay more than the allowable percent of the overseas basing costs that are incurred during a fiscal year referred to in paragraph (2) for the stationing of members of the Armed Forces of the United States and related civilian employees of the Department of Defense in a nation referred to in subsection (a) as a result of the implementation of a bilateral or multilateral defense agreement with that nation.

(2) For purposes of paragraph (1), the allowable percent for a fiscal year is as follows:

(A) For fiscal year 1994, 60 percent.

(B) For fiscal year 1995, 40 percent.

(C) For each fiscal year that begins after September 30, 1995, 25 percent.

(d) WAIVER AUTHORITY.—If the President determines that it is necessary to do so in the national security interest of the United States, the President may waive, with respect to a foreign nation referred to in subsection (a), the limitation in subsection (c). In the case of each such waiver, the President shall submit to Congress a written certification of the determination and a description of the extent of the waiver.

(e) DEFINITIONS.—In this section, the term "overseas basing costs" means all costs related to the operation of installations in foreign countries at which forces of the Armed Forces of the United States are based and—

(1) includes, among other costs—

(A) pay for foreign nationals;

(B) costs of utilities;

(C) costs of local services;

(D) costs of military construction projects;

(E) costs of real property maintenance;

(F) costs of environmental restoration;

(G) leasing costs;

(H) taxes;

(I) user fees;

(J) tolls; and

(K) import duties; and

(2) does not include the pay and allowances of members of the Armed Forces of the United States and civilian employees of the Department of Defense.

AMENDMENT NO. 820 TO AMENDMENT NO. 819

(Purpose: To express the sense of Congress regarding increased defense burdensharing by allied countries, and other friendly countries)

Mr. NUNN. Mr. President, I send an amendment to the desk in the form of a substitute and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from Georgia [Mr. NUNN], for himself and Mr. THURMOND, proposes an amendment numbered 820 to amendment No. 819.

Mr. NUNN. 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 the first page, strike out line 2 and all that follows through the end of the amendment and insert in lieu thereof the following:

SEC. 1056. DEFENSE BURDENSHARING.

(a) FINDINGS.—Congress makes the following findings:

(1) Since fiscal year 1985, the budget of the Department of Defense has declined by 34 percent in real terms.

(2) During the past years, the United States military presence overseas has declined significantly in the following ways:

(A) Since fiscal year 1986, the number of United States military personnel permanently stationed overseas has declined by almost 200,000 personnel.

(B) From fiscal year 1989 to fiscal year 1994, spending by the United States to support the stationing of United States military forces overseas will have declined by 36 percent.

(C) Since January 1990, the Department of Defense has announced the closure, reduction, or transfer to standby status of 840 United States military facilities overseas, which is a 50 percent reduction in the number of such facilities.

(3) The United States military presence overseas will continue to decline as a result of actions by the executive branch and the following initiatives of the Congress:

(A) Section 1302 of the National Defense Authorization Act for Fiscal Year 1993, which required a 40 percent reduction by September 30, 1996, in the number of United States military personnel permanently stationed ashore in overseas locations.

(B) Section 1303 of the National Defense Authorization Act for Fiscal Year 1993, which specified that no more than 100,000 United States military personnel may be permanently stationed ashore in NATO member countries after September 30, 1996.

(C) Section 1301 of the National Defense Authorization Act for Fiscal Year 1993, which reduced the spending proposed by the Department of Defense for overseas basing activities during fiscal year 1993 by $500,000,000.

(D) Sections 913 and 915 of the National Defense Authorization Act for Fiscal Years 1990 and 1991, which directed the President to consult with East Asian allies, and to develop a plan, regarding gradually reducing the United States military force structure in East Asia.

(4) The East Asia Strategy Initiative, which was developed in response to sections 913 and 915 of the National Defense Authorization Act for Fiscal Years 1990 and 1991, has resulted in the withdrawal of more than 12,000 United States military personnel from Japan and the Republic of Korea since fiscal year 1990.

(5) In response to actions by the executive branch and the Congress, allied countries in which United States military personnel are stationed and alliances in which the United States participates have agreed in the following ways to offset more of the costs incurred by the United States in basing military forces overseas:

(A) Under the 1991 Special Measures Agreement between Japan and the United States, Japan will pay by 1995 almost all yendenominated costs of stationing United States military personnel in Japan.

(B) The Republic of Korea has agreed to pay by 1995, one-third of the won-based costs incurred by the United States in stationing United States military personnel in the Republic of Korea.

(C) The North Atlantic Treaty Organization (NATO) has agreed that the Infrastructure Program could pay the annual operation and maintenance costs of facilities

that would support the reinforcement of Europe by United States military forces.

(b) FUNDING REDUCTIONS.—(1) The total amount authorized to be appropriated to the Department of Defense for operation and maintenance and for military construction (including NATO Infrastructure) to conduct overseas basing activities during fiscal year 1994 may not exceed the amount equal to the baseline for fiscal year 1993 reduced by $1,355,500,000.

(2) For purposes of paragraph (1), the baseline for fiscal year 1993 is the sum of the amounts that were made available for overseas basing activities out of the amounts appropriated for such fiscal year for the following purposes:

(A) Operation and maintenance.

(B) Family housing, operations.

(C) Family housing, construction.

(D) Military construction (including NATO Infrastructure).

(c) SENSE OF CONGRESS.—It is the sense of Congress that the amounts obligated to conduct overseas basing activities should decline significantly in fiscal year 1995 and in future fiscal years as—

(1) the number of United States military personnel stationed overseas continues to decline; and

(2) the countries in which United States military personnel are stationed and the alliances in which the United States participates assume an increased share of United States overseas basing costs.

(d) BURDENSHARING AGREEMENTS FOR INCREASED HOST NATION SUPPORT.—(1) In order to archive additional savings in overseas basing costs, the President should intensify his efforts to negotiate a more favorable host-nation agreement with each foreign country to which this paragraph applies under paragraph (3)(A).

(2) For purposes of paragraph (1), a more favorable host-nation agreement is an agreement under which such foreign country—

(A) assumes an increased share of the costs of United States military installations in that country, including the costs of—

(i) labor, utilities, and services;

(ii) military construction projects and real property maintenance;

(iii) leasing requirements associated with the United States military presence; and

(iv) actions necessary to meet local environmental standards;

(B) relieves the Armed Forces of the United States of all tax liability that, with respect to forces located in such country, is incurred by the Armed Forces under the laws of that country and the laws of the community where those forces are located; and

(C) ensures that goods and services furnished in that country to the Armed Forces of the United States are provided at minimum cost and without imposition of user fees.

(3)(A) Except as provided in subparagraph (B), paragraph (1) applies with respect to—

(i) each country of the North Atlantic Treaty Organization (other than the United States); and

(ii) each other foreign country with which the United States has a bilateral or multilateral defense agreement that provides for the assignment of combat units of the Armed Forces of the United States to permanent duty in that country or the placement of combat equipment of the United States in that country.

(B) Paragraph (1) does not apply with respect to—

(i) a foreign country that receives assistance under section 23 of the Arms Export Control Act (22 U.S.C. 2673) (relating to the foreign military financing program) or under the provisions of chapter 4 of part II of the Foreign Assistance Act of 1961 (22 U.S.C. 2346 et seq.); or

(ii) a foreign country that has agreed to assume, not later than September 30, 1996, at least 75 percent of the nonpersonnel costs of United States military installations in the country.

Mr. LAUTENBERG. Mr. President, I ask unanimous consent that a congressional fellow from my office, June Dignan, be granted the privileges of the floor during this debate.

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

Mr. LEAHY. Mr. President, I ask unanimous consent that the Senator from New Jersey be allowed to yield to me without losing his right to the floor and with the right to reclaim the floor at any time he asks.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. LAUTENBERG. I yield to my colleague and friend from Vermont.

Mr. LEAHY. Mr. President, I thank the distinguished Senator from New Jersey.

The PRESIDING OFFICER. Would the Senator withhold for a moment?

There will be order in the Chamber. The Senator from Vermont is speaking. There will be order in the Chamber.

The Senator is recognized.

LANDMINE AMENDMENT

Mr. LEAHY. Mr. President, many of us have seen photographs like this. It is a horrible photograph. It is not one that any of us like looking at. A photograph of a young boy, one leg badly burned, damaged, crippled, the other leg torn off, one arm torn off.

I do not show this picture simply to upset my colleagues. It is a picture of just one of hundreds and hundreds of thousands of landmine victims worldwide; innocent children, legs and arms blown off by landmines.

I show the picture, though, because it has to touch the morality of every man and women in this Chamber. It does not make any difference whether we are conservative, liberal, moderate, Democrat or Republican, we have to understand how terrible these things are.

I recall the first time I met one of these children in a field hospital in the jungles of Honduras, a little boy who lost his leg and lived in that hospital because he had no other place to go. He was from a peasant family, and could no longer work.

I asked him how it happened. He said it was a landmine on a jungle trail. I ask him if it was put there by the Contras or the Sandinistas? He did not know. But one thing he did know, was that his life was horribly changed.

Bombs and artillery can target military targets and soldiers can aim, at other combatants. But, like chemical weapons, landmines do not discriminate. A landmine will blow the arm or leg off anybody who steps on it, civilian or military. Usually it is a civilian.

Landmines are used more and more as weapons of terror against civilian populations.

The Senator from New Jersey has kindly yielded to me for a few moments. I will return later and offer up my landmine amendment. Fifty-nine Members of this body have already cosponsored it. Both leaders, the Republican leader and the Democratic leader, have. Again, Senators who range across the political spectrum.

But today it is estimated that at least 85 million landmines are scattered in 62 countries, and they kill or maim hundreds of innocent people every month.

In Cambodia alone there are four million landmines, and those mines are being cleared, as they say, an arm and a leg at a time. Much of the arable land in that country may never be safe for farming because the people cannot even walk in the fields without dying.

Kuwait has already spent $700 million to get rid of some of the seven million Iraqi landmines, many of which were sold to Iraq by NATO countries. Afghanistan, Lebanon, El Salvador, Mozambique, Armenia, even the Falkland Islands—these are some of the countries strewn with landmines, some dating back to World War II. My amendment extends the moratorium on exports of landmines an additional 3 years. By doing so we can pressure other countries to stop exporting them, and finally to give the same onus to landmines that we give to chemical and biological weapons. Then we can say once and for all that people of any morality, of any respect for humanity, will not use landmines.

For me, this is a moral issue. And the most powerful nation on Earth, the only superpower, can set the example.

Mr. President, I thank my good friend from New Jersey for his courtesy.

Mr. KENNEDY. Will the Senator yield very, very briefly?

Mr. LEAHY. The Senator from New Jersey has the floor.

Mr. KENNEDY. I just need 1 minute.

Mr. LAUTENBERG. I am happy to yield, without losing my right to the floor.

The PRESIDING OFFICER. Without objection, the Senator from Massachusetts is recognized.

Mr. KENNEDY. Mr. President, I join in commending the Senator from Vermont for this proposal. I am also grateful to the chairman of the Armed Services Committee and the ranking minority member for also being willing to accept a corollary amendment that will permit an authorization of up to $10 million to permit surplus Army equipment that could be helpful and useful in clearing up these mines, permit some technical help and assistance, when appropriate and available, to be utilized in the country.

I have heard, as chairman of the Refugee Committee, if you talk to any of the nongovernmental agencies or any of the international agencies, the No. 1 concern that they have is how to clear up these landmines.

We have some very considerable capability to do it. I commend the Senator from Vermont, who has been a great leader in this area.

And I am grateful to the chairman of the committee for being willing to accept a very modest amendment which would permit up to $10 million in the O&M account to be utilized in ways that can further advance this humanitarian cause.

I have heard the chairman of the Armed Services Committee in our markups and in our considerations speak very eloquently about this problem, as well. I really think that this is something that will be very modest but very useful, particularly for the children in many of these war-torn lands.

I thank the Senator.

Mr. NUNN. Will the Senator yield for 30 seconds?

Mr. LAUTENBERG. I am happy to yield.

Mr. NUNN. Mr. President, I commend the Senator from Vermont. I will recommend to the Senate that we accept this amendment, as well as the amendment of the Senator from Massachusetts.

This is a tragedy that occurs every day. It is beyond human imagination the number of innocent women and children and people having nothing to do whatsoever with battles that are going on around the world that are victims of this.

I am not sure that this amendment will alleviate much of it because there are so many mines out there now, but at least it puts us on record in strong support of this kind of conduct.

I remember very well visiting with our American military people in Cambodia. Most people do not realize we had American people in Cambodia. They were assigned as observers; unarmed observers, of course. They told of the horrors they witnessed. As they walked from one village to another as observers, they had to follow oxen down the trail because there were so many mines in the area. They have one story after another about the horrors of dealing with this and the number of atrocities they have seen.

So, at the appropriate time, I would certainly recommend the acceptance of both of these amendments.

Mr. LAUTENBERG addressed the Chair.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. LAUTENBERG. First, Mr. President, I commend the Senator from Vermont for his proposed amendment. I think it is appropriate that, as much as possible, we remove the ability to destroy, maim, and kill people who had no involvement with the conflict at the time, and that we should do whatever we can to protect those lives.

I ask unanimous consent that I be included as a cosponsor of the amendment.

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

AMENDMENT NO. 819

Mr. LAUTENBERG. Mr. President, I sent an amendment to the desk. It is on behalf of Senator CONRAD, Senator HARKIN, Senator BOXER, Senator METZENBAUM, Senator RIEGLE, and Senator CAMPBELL. The proposal we are offering today is intended to shift the burden of defending Europe and the Pacific from the American taxpayer to our allies who can and should pay more. This amendment is based on a bill that I introduced earlier this year, S. 802. The amendment would require the United States to secure burden-sharing agreements with our allies that have major concentrations of U.S. military installations. We are talking about allies like Germany and the United Kingdom, Italy, and South Korea.

These agreements would require that our allies pay for at least 75 percent of the stationing costs of maintaining U.S. troops in their countries.

We are not asking them to pay for our service persons' salaries. That is our responsibility. We pay those salaries. But by 1996, we are asking that our friends and allies meet this requirement that we have included in our amendment.

The agreements called fcr by this amendment are modeled on the burden-sharing agreement that our country currently has with Japan. Under that agreement, the Japanese are required to pay for the majority of our overseas basing costs. By the end of 1996, Japan will pay nearly all of the yen-dominated costs of stationing United States forces in Japan. At that time their direct contribution will be 75 percent of the total stationing costs of U.S. deployment. Again I remind everybody, that excludes salaries of U.S. armed services and civilian personnel.

The Japanese will also provide an additional contribution through free rent for facilities that we use.

The Japanese agreement is an appropriate deal for the American taxpayer. But in many other countries the United States currently pays more than 75 percent of the overseas basing costs while our allies pay less than 25 percent of these costs. This amendment seeks to shift that burden away from the American people and to our allies who, frankly, can afford to pay more.

If one looks at the balance of trade on this chart it becomes quite obvious that there is a significant gain for our trading partners. And we ought to ask them to help out in our protection of the free world.

These allies include Germany, South Korea, Belgium, Iceland, the Netherlands, Spain, the United Kingdom, and Italy. The United States would contribute no more than 60 percent of the total overseas basing costs for 1994.

In fiscal 1995, our allies would contribute 60 percent of the total costs of maintaining our bases. The U.S. contribution would be reduced to 40 percent. And in fiscal year 1996 and beyond, our allies would then pay a minimum of 75 percent of the overseas basing costs and we, the United States, would pay no more than 25 percent. Again, I remind everybody, that is on top of the wages and the equipment, ammunition that we pay for. Those are our responsibilities and we accept them as part of our contribution to defending the free world.

Overseas basing costs are the costs related to the operation of military installations in foreign countries. They include, but they are not limited to foreign national's salaries, utilities, cost of local services, military construction costs, costs of real property maintenance, environmental restoration, leasing costs and user fees. It is important to note once again that they do not include the considerable salaries of U.S. personnel, which we would still pay for in addition to our 25-percent contribution.

To ensure that our troops will not be undermined and our national security will not be compromised, if a country does not increase its contribution, the amendment includes a waiver for the President of the United States, in case he needs flexibility. The President could authorize additional U.S. contributions to pay for overseas basing costs if he determines and certifies to Congress that it is essential to the national security of the United States. This waiver is an important part of the amendment and provides the administration with the flexibility it needs to ensure that national security will not be undermined.

Additionally, the amendment includes an exemption for foreign nations that receive foreign aid from the United States. This would exempt countries like Turkey and Greece and Portugal, for example, that cannot at this time afford to pay a greater share. The amendment also exempts any country in which we have less than 1,000 troops stationed. And it does not cover any country in which the United States only has military equipment, for instance, that is prepositioned.

Even if this amendment is enacted, the United States will still pay a significant share of the overseas basing costs of countries where we have bases. If the United States was contributing only 25 percent of the costs in 1994, we would be spending only $3.8 billion of the total of $15.4 billion that it will cost for overseas basing.

Even if this amendment becomes law, we will still pay our significant costs for the salaries of our personnel. Based

on 1996 troop level expectations of 100,000 persons in Europe, the United States would still be paying an additional $3.5 to $4 billion just for the salaries and benefits for our personnel, in addition to our 25-percent contribution. And we would still pay the cost of equipment and training. That is quite significant.

Based on Department of Defense documents, the Congressional Research Service estimates that the United States spent approximately $12 billion for equipment in Europe out of a total of $50 billion that we spent in Europe in 1992.

The percentages established in the amendment are reasonable. They set targets and they phase in these changes over 3 years to reach those targets. Because the amendment includes a national security waiver, the administration still maintains significant flexibility.

Some argue that our allies are already contributing more, and that this amendment is unnecessary. I could not disagree more. All one has to do is ask the American people, who have just been asked to cough up a significant sum more on taxes, and to sacrifice in other ways.

When you look at the favorable trade balance that these countries have, just these four we are showing here, we are talking about a significant burden. We ought not to turn to our people first when other countries, with whom we do business and have a negative balance of trade, are doing so much better.

Last year, in an effort to secure increased contributions from our allies, the fiscal year 1993 DOD Appropriations Act stated that the level of Japanese burden-sharing efforts should be emulated by our European allies. The Congress reduced funding by $250 million for operations and maintenance and foreign nationals who are employed by the United States at bases in Europe. The Congress fenced an additional $175 million for overseas basing costs, pending certification that negotiations to revise the current European agreements are yielding increased contributions from the allies.

Because the certification was made, some argue that our allies are doing better. And, while it is true that the certification was made that the allies are doing better, it was based on only a 2.4-percent increase in contributions. That is their increase.

I would not call that a tremendous negotiating success when, in fact, costs overall are going down. And although the percentage claims a slight increase of 2.4 percent, our European allies were actually contributing less money than they did the year before. According to the DOD certification in fiscal year 1992, our European allies were contributing $1.6 billion toward the total overseas basing costs. But in fiscal year 1993, after the negotiations were supposed to yield increased contributions, our European allies were contributing over just $1.5 billion. Again, I remind my colleagues that that is compared to $1.6 billion in the previous year.

The percentage on which the certification was based increased because our total overseas basing costs were coming down. I would not say that our allies are doing better by contributing less.

The fiscal 1993 DOD appropriations conference agreement was very clear. It said:

> * * * notify the Congress that negotiations to revise the current agreements governing European allied contributions yield increased contributions from the allies.

I do not understand how successful negotiations could result in a decrease in actual dollars contributed by our allies.

Mr. NUNN. Will the Senator yield for a brief procedural question?

Mr. LAUTENBERG. I will be happy to yield.

Mr. NUNN. Could we get a time agreement, I ask my friend from New Jersey, on this one of, say, 30 minutes on each side?

Mr. LAUTENBERG. I ask the chairman of the Armed Services Committee whether that would include time reserved for what I understand is going to be an amendment that he already sent to the desk?

Mr. NUNN. On our side, I will describe the second-degree amendment within that timeframe. I would not ask for additional time for that. So it would include the discussion of both amendments.

Mr. LAUTENBERG. I have a couple of colleagues who would like to speak. Is the Senator from Georgia asking for 1 hour from this point forward?

Mr. NUNN. Yes, that would be fine with me.

Mr. LAUTENBERG. Divided——

Mr. NUNN. Divided equally.

Mr. LAUTENBERG. I think that would be acceptable. May I ask the Senator from North Dakota how much time he would like to have?

Mr. CONRAD. I would like 10 minutes, 15 minutes.

Mr. NUNN. Is there any shorter period of time? I do not want to leave any period of time on the table here.

Mr. LAUTENBERG. If we can do it in less time, maybe so. Of course, if the Senator from Georgia dropped his second-degree amendment, it would shorten the time considerably.

Mr. NUNN. I would say we can really expedite it if the Senator would withdraw the underlying amendment.

Mr. LAUTENBERG. Let us agree upon 1 hour equally divided, and if we can yield time back, we certainly will be happy to do it.

Mr. NUNN. I will propound that in just a moment. I will prepare that unanimous-consent agreement.

Mr. LAUTENBERG. Mr. President, I take it that what is being asked for is a time agreement that is 1 hour equally divided, a half hour on each side for the opponents and the proponents.

Mr. NUNN. Mr. President, I thank my friend from New Jersey.

I ask unanimous consent that there be a time limit of 1 hour equally divided, with time controlled by the Senator from New Jersey, and I will control the time——

Mr. LAUTENBERG. That is not 2 hours now because I had just asked for that hour.

Mr. NUNN. We are talking about 1 hour equally divided.

The PRESIDING OFFICER. Is there objection?

Mr. WARNER. Reserving the right to object, those of us in opposition, of course, would be beholden to the distinguished chairman for such time allocations as required. I might suggest the following: The Senator from South Carolina would like how many minutes?

Mr. THURMOND. Three minutes.

Mr. WARNER. Let us say 5. The Senator from Maine [Mr. COHEN], it is my understanding would probably take about 7. I would like to have 10. Can you factor that in? I can reduce mine to——

Mr. NUNN. That would be a total of 20 minutes.

Mr. WARNER. Yes.

Mr. NUNN. I will make sure you have that much time within my 30 minutes.

The PRESIDING OFFICER. Is there further objection?

Mr. CONRAD. Reserving the right to object, and I will not object, I, too, would just like to make provision so that I would have at least 10 minutes out of the 30 minutes.

Mr. LAUTENBERG. The Senator from North Dakota has my assurance that he will get at least 10 minutes.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. LAUTENBERG. I thank the chairman of the Armed Services Committee and our colleagues on the other side of the aisle.

We were talking before about negotiations with our allies in terms of getting them to participate more fully in the costs for basing our troops overseas offering protection to the free world, as well as specific protection for those countries and strategic positioning for our mutual interests.

As we struggle to regain our competitive edge, I think it is fair to say that most people in this country feel very strongly that our allies ought to be paying a fairer share.

Mr. President, I am sympathetic to the daunting task that is faced by our burden-sharing negotiators. They have a tough job, and there has to be a fair balance struck. It is difficult, and the world economy is dragging. However, I

think that our negotiators should, at a minimum, be holding a firm line. Under no circumstances should we let the actual contributions of our allies go down.

Look at Germany for example. According to a DOD budget document, Germany was paying for $1.68 billion of the total overseas basing costs in fiscal 1992. But in fiscal 1994, Germany will pay for only $1.336 billion of the total cost. That is nearly a $350 million decrease in their spending.

Let us look at what this amendment will require our friends in Germany to do in fiscal 1994. It says that they have to contribute 40 percent of the total overseas basing costs.

According to the same DOD document, the Germans currently pay for 31 percent of these costs, or the $1.336 billion out of a total of $4.3 billion it costs to maintain our bases in Germany. To reach the 40 percent goal in the amendment, the Germans would need to increase their contribution by 9 percent in fiscal 1994. Well, 9 percent of the total amount it costs us to maintain our bases in their country is $388 million.

My point is that if the United States had simply required the Germans to hold their contributions steady since 1992, rather than letting them decline by nearly $350 million, Germany would be fairly close to contributing what this bill requires in the first year, 40 percent of the total costs. And instead of letting them reduce their contributions by nearly $350 million since fiscal 1992, we should have demanded that, at least, they hold it steady and gradually increase the level of their contributions.

Now, I think it is important also, Mr. President, to note that America wins the prize on the percentage of GDP allocated to defense spending. We want to have strength, and we want to play a leadership role when our country is needed and when appropriate. But when you look at 2.2 percent of GDP for Italy spent on defense, and 2.5 percent of the GDP spent on defense for France, and 4.5 percent from our very prosperous friends in South Korea, it looks like an extra burden is being assessed the United States. We spent 5.7 percent of our GDP to provide for defense spending.

Mr. President, this amendment is long overdue. There is not any reason for the American taxpayer to continue paying the lion's share of the overseas basing costs in countries that can afford and should afford to pay more. We have, as we all know from the debates that have gone on here in the last few weeks, a $266 billion deficit, and a $4.2 trillion national debt. We can no longer afford to be the policeman of the world without significant help from our friends who want us to share that responsibility with them in some cases or take it on our own in others.

If we secure the agreements called for by this amendment over the next 5 years, we will save almost $13 billion. In fiscal 1994 alone, we would save nearly $1 billion. That is why this amendment has been endorsed by people like the National Taxpayers Union and Citizens Against Government Waste.

I ask unanimous consent that copies of the letters from these organizations endorsing this amendment be printed in the RECORD at the end of my statement.

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

(See exhibit 1.)

Mr. LAUTENBERG. I hope, Mr. President, my colleagues will support this amendment. While our economy continues to stagnate and unemployment claims take their toll on the American people, our allies are getting, if not a free ride, certainly a cheap ride at the expense of the American people. While we continue to pour money into the defense of our nations, theirs and ours, they pour more money into their economies. That is why we have a negative trade balance with the U.K., Germany, Italy, and South Korea as we saw on the other chart. And yet we have spent the highest proportion of our GDP, nearly 6 percent, on defense and collective security.

This amendment will move the Nation in the right direction and will at long last provide some relief for the American people from the part of the defense burden which they have carried fully for too long. It sets reasonable goals for the administration to achieve based on our agreement with Japan. A similar agreement ought to be able to be executed with our other friends. It phases in increased contributions over 3 years, gives people time to make the adjustment, and gives the administration flexibility to authorize additional contributions in the event that national security necessitates increases.

Mr. President, I urge my colleagues to give this amendment their support.

I yield to my friend from North Dakota the 10 minutes that he requested.

Mr. CONRAD. I thank the Senator from New Jersey.

First of all, I commend the Senator for this amendment because I think it is an important amendment to once again raise the issue and the question of what is a reasonable distribution of the common burden of defense.

Mr. President, when I came to this Chamber, we had over 300,000 troops stationed in Europe. We were spending over $100 billion a year paying the defense costs for Europe, or a substantial part of the defense costs for Europe. We had over 50,000 troops stationed in Japan, spending tens of billions of dollars providing for a significant share of the defenses of that country, keeping the sea lanes open so they could get their Hondas and their Toyotas to the United States for sale.

Mr. President, in the midst of that, we were running $200 billion budget deficits ourselves. In effect, we were paying the bills for others when we could not pay our own bills. What sense that made and what sense that makes eludes me.

Mr. President, we have just had the Vice President of the United States unveil reinventing Government. This is an opportunity to reinvent Government. This is an opportunity to reinvent relationships because something is wrong when the United States, which is already in serious fiscal shape itself, keeps on spending a disproportionate part of its Treasury defending others who are well able to defend themselves.

Beyond that, Mr. President, I think we should begin to ask, what are we defending Europe from? What is the threat to Europe? When we started this, when I came to the Chamber in 1987—or when my involvement began, because others had taken up the battle before then—the threat was still the Soviet Union. We were told then we had a 24-hour warning period—24 hours that we could count on, that we would know in advance before the Soviets launched an attack on Europe. Today, that waiting period, that warning period, has been extended to over a year. It would take over a year for them to concentrate the troops and prepare for any invasion of Europe, and yet we keep on doing what we have done in the past. We keep on spending tens of billions of dollars defending Europe against some threat. We are not even sure what the threat is anymore, but we are certainly ready to keep on spending the money.

One has to ask, does it make any sense for us to continue to spend 2 and 3 times, as a percentage of our gross domestic product, what they spend in providing for the common defense, the common defense?

I suggest those days are over. It is, in my judgment, time for us to take another step in the direction of asking those we have defended for a very long time to take on a greater share of the burden.

Very frankly, we need to move from burden sharing to burden shedding. This country is still in deep fiscal crisis. Even after the budget reconciliation agreement that we have passed, we see $200 billion deficits as far as the eye can see and still this country, through its elected leadership, insists on paying the bills for others when we cannot pay our own.

Mr. President, when I came to this Chamber in 1987, I offered an amendment requiring the President to negotiate greater burden sharing arrangements with our allies. That became law. We had negotiations that went on that asked our allies to take on a greater portion of the common defense burden.

In 1989, I offered an amendment to reduce the forces in Europe by 30,000. In 1990, I offered an amendment to require the Japanese to pay all incountry costs of United States troops, and that too became law. In 1990, I offered an amendment to again reduce the number of forces in Europe, and in 1991 I again offered a sense-of-the-Senate resolution asking to reduce the number of forces in Europe to 100,000 by 1995. That was enacted. And in 1992, we took the final step of asking that U.S. troops in Europe be limited to 100,000 by 1996, and that was adopted. So some steps have been taken, but still we find that we are bearing a disproportionate part of the load.

Mr. President, last year, Congress required that our European allies pay a greater share of the overseas basing costs. And so what happened? DOD certified that European contributions will increase from 10 percent to 12 percent.

Mr. President, that is not what we had in mind. That is not good enough. Wealthy countries like Germany are still paying only 25 percent or less of U.S. basing costs.

Mr. President, what is the result when we pay a disproportionate share of the burden? What happens? What do they do with what is in effect a subsidy?

They invest it in businesses in their countries that compete with businesses in ours. Mr. President, Germany enjoys a trade surplus with this country. They take the money that they save because the United States is footing the bill and they invest it in health care for all of their people, something we have not yet accomplished in this country.

Mr. President, they take the money that we save them by paying their bills for defense, and they invest it in their kids' education, in preparing them to compete in this global economy.

We had better smarten up. We had better toughen up. We had better say to those allies who are well able to pay their own bills, the gravy train is over. The United States can no longer afford to pay others' bills when we cannot pay our own. Our allies can and must do more, Mr. President. There is no reason for us not to insist.

The most recent figures for 1992 indicate that we are spending about 6 percent of our gross domestic product on defense; the United Kingdom 4.3 percent; Germany, 2.5 percent, less than half of what we are doing; Italy, 2.2 percent; in Japan, 1 percent, at the very time that we are bearing a disproportionate part of the common defense burden for Japan and they have a $50 billion trade surplus with this country. And we are wondering why it is the United States is falling behind. One reason is because we have paid the bills, we have footed the charges, and we have not asked those whom we are defending to appropriately chip in.

Mr. President, this is a modest amendment, but it moves us another step in the direction that we must go.

So I hope that my colleagues will study this amendment, that they will revisit the history of all of the burden-sharing amendments that have been offered as long as I have been in this Chamber, and look back and see that every time they voted for one of these burden-sharing amendments they cast the right vote, because I believe that, if they vote with Senator LAUTENBERG today, they will again be able to look back and see that they cast the right vote, the right vote for this country, the right vote for our position in the world; the right vote for a fair distribution of the burden.

I thank the Chair. I yield the floor.

EXHIBIT 1

NATIONAL TAXPAYERS UNION,
Washington, DC, July 29, 1993.

Hon. FRANK R. LAUTENBERG,
U.S. Senate, Washington, DC.

DEAR SENATOR LAUTENBERG: On behalf of the 250,000 members of the National Taxpayers Union, I am writing to let you know of our support for your burdensharing bill, S. 802 and related amendment to the FY 1994 Department of Defense Authorization bill.

Your proposal to shift the burden for defending Europe and the Pacific from the American taxpayers to our Allies is a step in the right direction toward eliminating such subsidies. The United States can no longer afford to pay the lion's share of defending the collective security.

Your proposal will save American taxpayers billions of dollars in the long run. According to the Congressional Budget Office, this legislation could result in savings totaling $9.6 billion over the 1994–1998 period.

With the budget deficit hovering around $300 billion and with a national debt over $4 trillion, it is imperative to do everything in our power to save tax dollars. Your proposal should be adopted with that end in mind. We look forward to working with you to enact this legislation.

Sincerely,

JILL LANCELOT,
Director, Congressional Affairs.

COUNCIL FOR CITIZENS AGAINST GOVERNMENT WASTE,
August 3, 1993.

Hon. FRANK R. LAUTENBERG,
U.S. Senate, Washington, DC.

DEAR SENATOR LAUTENBERG: I am writing to express the Council for Citizens Against Government Waste's (CCAGW) support for your burdensharing bill, S. 802, and related amendment to the fiscal year 1994 Department of Defense Authorization bill.

With a budget deficit of $290 billion and a national debt of over $4.3 trillion, the United States cannot afford to continue to foot the entire bill for defending the Free World. The burden of protecting Europe and the Pacific must be more equitably distributed. According to preliminary estimates of the Congressional Budget Office, burdensharing could save $8.7 billion in budget outlays over five years.

CCAGW is supportive of this bill because it makes fiscal sense. In fact, Citizens Against Government Waste identifies burdensharing as one of 50 "Prime Cuts" (enclosed), which would save more than $245 billion over five years. Your proposal is an important step in restoring fiscal sanity to our country and reducing the inefficient use of our tax dollars.

Sincerely,

THOMAS A. SCHATZ,
President.

The PRESIDING OFFICER (Mr. GRAHAM). Who yields time? The Senator from New Jersey.

Mr. LAUTENBERG. Do the opponents want to take any of their time at this juncture?

Mr. THURMOND. Yes.

The PRESIDING OFFICER. The Senator from South Carolina.

Mr. THURMOND. Mr. President, I yield myself 5 minutes.

Mr. President, I rise to support the substitute amendment offered by Senator NUNN and myself.

The Lautenberg amendment would force nations hosting U.S. forces to pay 75 percent of their upkeep. While the amendment may be intended to save the U.S. taxpayer money, I believe it will harm the taxpayers—perhaps not intentionally, but harm them nevertheless in the long run by undermining U.S. security. It will also hurt American forces overseas, and jeopardize good relations with our allies.

In a letter written to Senator NUNN, chairman of the Armed Services Committee, on 7 September 1993, by Warren Christopher, Secretary of State, and Les Aspin, Secretary of Defense, there are certain excerpts that I would like to quote at this time.

Our allied security arrangements with the U.S. forward-deployed presence are the underpinning of our larger vital interests in the world. They contribute immeasurably to world peace; the expansion of democracy and human rights; access to open markets and economic growth opportunities; long-term stability; and democratic consolidation across the region, especially in Eastern Europe, Russia and the newly-independent states of the former Soviet Union.

We share the Congress' concern about equitable burdensharing, and this remains a primary Administration policy. However, the proposed amendments run contrary to U.S. interests and would portend disastrous consequences, certainly a diminution of American prestige and leadership, U.S. European presence, and regional and world influence. What the United States has achieved in Europe over the past half century would be in jeopardy.

We will continue to negotiate vigorously arrangements with our allies that seek to be more beneficial to the United States.

U.S. leadership is vital to the Alliance's future, and we can continue to lead only as long as we maintain the readiness of our forward-deployed forces.

As I say, that letter is signed by Warren Christopher, Secretary of State, and Les Aspin, Secretary of Defense.

I remind my colleagues that we have forces stationed overseas not just to defend our allies, but to protect our own interests. Since World War II our policy has used forward deployment to prevent regional crises from exploding into world conflicts, and to meet threats far from our own soil. The United States still has vital interests

in the Pacific, in Europe, and in the Middle East. If we impose this Draconian cost-sharing formula on our allies, it will result in fewer U.S. bases abroad, or fewer dollars to support Americans who must remain overseas.

The U.S. Government is making real progress in improving the allied burden-sharing formula through negotiations and goodwill. But our allies will see this amendment as punitive. It could do genuine harm to the alliances and partnerships we rely on for our mutual security.

I urge the Senate not to accept this amendment.

Mr. President, I want to say again that we send troops overseas primarily to protect our interests, not to protect allies necessarily, but to protect our interests. We have to keep that in mind.

I yield the floor, Mr. President.

The PRESIDING OFFICER. Who yields time?

Mr. LAUTENBERG. Mr. President, I yield 4 minutes to the junior Senator from North Dakota.

SUPPORT MILITARY BURDENSHARING

Mr. DORGAN. Mr. President, I rise as a cosponsor in strong support of Senator LAUTENBERG's amendment to require that the President negotiate new Host Nation Support agreements, which offset overseas basing costs for U.S. forces. I am also pleased to join in this effort with my colleague Senator CONRAD, who has been a Senate leader on this issue for years.

The amendment does the right thing: It asks our wealthy allies to pay for 75 percent of basing costs—other than the salaries of U.S. military personnel. This prevents U.S. forces from becoming mercenaries while also requiring that wealthy allies bear a reasonable share of mutual defense costs. The amendment proposes a formula similar to one that I helped to develop several years ago; namely, that wealthy allies could and should pay the nonpersonnel costs of U.S. forces based overseas.

Some colleagues may argue that burdensharing is a dead issue. They might advance that the cold war is over and that every allied nation should take care of its own budgets. The world says otherwise. Interventions in the Persian Gulf, Somalia, and Bosnia symbolize that United States forces still have a global role and that few other allied nations can play that role—either in stopping aggression or making peace.

True, the cold war is over. And thank Heavens for that. But as I have mentioned our global responsibilities are not. And I submit that most of our allies still lag behind the United States in paying a fair of mutual defense costs that arise in sustaining world peace. So this amendment is still timely and necessary.

It reflects a strong trend in Congress to address the burdensharing issue. Let me review for a moment my concerns about mutual burdensharing.

Several years ago I offered an amendment to section 1243 (1257) of H.R. 2461, the fiscal year 1990–91 Defense authorization bill, which urged the President to negotiate a new pact with Japan to increase that nation's share of host nation support costs by $2.5 billion. The amendment passed on July 27, 1989, and became a mandated part of section 913 of Public Law 101–189 on November 29, 1989.

I later teamed up with Representative DAVID BONIOR to pass an even tougher law on Japanese burden sharing, which many now regard as the model for other mutual cost sharing efforts. The amendment to section 1346 of H.R. 4739 mandated that Japan pay all costs of supporting United States troops in Japan. The final version included in Public Law 101–510 required that Japan pay all nonpersonnel costs.

The result is that Japan by 1992 paid 50 percent of costs in 1995, a $1 billion per year increase from the 40-percent level of 1989.

As the Persian Gulf war began, I introduced legislation (House Joint Resolution 92) in Congress to permit imposition of tariffs on allied countries which did not honor their pledges to share the costs of the war. I subsequently worked with colleagues in both bodies to ensure our allies contributed all of the $53 billion in pledged aid, which they ultimately did do.

I adopted the model of cost sharing in the gulf war as the basis for a more comprehensive burden sharing law. This amendment in section 1046 to the 1992 Defense Authorization Act for fiscal year 1992 and 1993—(Public Law 102–190)—mandated that the President negotiate new cost-sharing agreements with all of our military allies, set up an allies mutual defense payments fund, and report to Congress on the progress of these efforts.

This initiative and others helped to produce improved burden sharing agreements with Japan, Korea, and NATO Allies. Increased participation by our allies will surely save American taxpayers billions of dollars in the years ahead.

I conclude by saying that my colleague, Senator LAUTENBERG is on the mark. The United States still bears the largest share of its gross domestic product for defense—half of which of more really goes to defend others. In the face of our persistent deficits and sluggish growth, we can no longer allow our allies to get a cheap ride on defense and a sweet ride on economic investment.

This amendment would save $13 billion over 5 years and nearly a billion dollars next year alone. It builds on a longstanding effort in the Congress to fairly share mutual defense costs.

I strongly urge support for this amendment as offered.

Mr. NUNN. Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. The Senator has 25 minutes, 47 seconds.

Mr. NUNN. Mr. President, I will not take much of my time. I yield myself 4 minutes and ask to be notified.

Mr. President, the Lautenberg amendment would require countries in which U.S. military forces are stationed to pay at least 75 percent of those force's basing costs by fiscal 1996. The amendment would cover all countries hosting U.S. forces and do not receive U.S. security assistance. Japan is already to that level. I think the Senator from New Jersey already mentioned that.

So the countries most affected would be South Korea, Great Britain, Germany, Italy, and Spain. The Senator mentioned a moment ago the French, and that we were protecting them from a Polish invasion and Poland was free. I believe those are close words. I inform my colleagues that we got kicked out of France in 1968, so there are not any American basing costs to be reimbursed in France.

Frankly, if everybody decides we are going to just issue edicts and just tell them what they have to do, we will be kicked out of a number of other countries, and we will wake up and wonder what happened. I do not know how many people recognize what we had to do with our allies in terms of the Middle East conflict, which we so brilliantly executed from a military perspective. We had to use the Spanish overflight rights extensively. We had airplanes flying out of Spain—and I am going to get to the actual number of flights in a few minutes. The Italians were enormously helpful. We flew flight after flight out of Great Britain. We were running bombing runs out of Great Britain and were getting refueled from the Spanish bases.

Are we going to say to them: We are helping you so much that you are going to have to pay this, particularly Great Britain. Great Britain and South Korea now spend virtually the same amount of GNP on defense as the United States. We are moving toward less than 4 percent of our GNP on defense. Great Britain and the South Koreans spend proportionately at least what we do, and we are going to have several allies that, within 2 or 3 years, are going to be spending more than we do.

The world has changed; there is no doubt about that. We do not need as many forces in Europe as we did. We are drawing down those forces as quickly as we can load the men and women on planes, that are in uniform, and bringing them home without having very severe disruptions on their families. That is how quickly we are withdrawing from these countries.

If we are going to decide we do not need any allies in the world—and we are now in a position to basically not

have European bases—then go ahead and take this approach. Ever since I have been in the U.S. Senate I have been urging—and in some cases very successfully—various administrations to really be firm with the allies in terms of reimbursement. One of the first amendments I sponsored was to require that there be much more of a contribution from the Germans, back in the 1970's. We have gotten much more of a contribution from the Germans.

However, if we just look and get the periscope a little wider, the Germans have, in the last 5 years, put something like $50 billion in the account of Russian aid. Part of it was wasted, because part of it went when it was formed into the Soviet Union. But we wanted them to do it then; we urged them to do it. They have put so much more resources into East Germany and the Eastern European countries and Russia than we have. And for us to point to Germany now and say, "You are not doing enough," they will laugh. They will first be outraged, and then they will start laughing.

We have to adjust to the times. This is not the 1970's and 1980's when we were over there, I think, primarily to defend Europe. What we have in Europe today and what we intend to keep in Europe—maybe we need to go lower—is going to be utilized primarily for our own national security.

So this amendment in this time, in this circumstance, at this juncture, considering the history, considering the Middle East, considering the fact that we still have a very great stake in trying to protect certain groups in the Middle East that were virtually slaughtered by the Iraqis after the Persian Gulf war, including the Shiites in the south and Kurds in the north, considering all of that, we are really dependent on our allies in giving us assistance.

Any time we can get the allies to do more, let us do it. I have spent a great deal of my time in the U.S. Senate doing exactly that. But there are ways to do it, and there are ways that would be totally counterproductive. If this amendment were to pass, I can assure you that the first thing we would have is at least four countries in Europe that would be outraged. The French would die laughing, because they would say, "We got rid of that problem in 1968. We told them to vamoose. We did not want them." The French, as I have said many times, are very carefully a la carte with NATO. They take what they like and do not take what they do not like. I have been a critic of that.

I understand the appeal, I say to my friend from New Jersey, of saying we are going to do more to make our allies pay more. But this amendment is out of sync with what is happening in the world. It is particularly out of sync with our interests in Europe. It is particularly out of sync with what is happening in the former Soviet Union. It is particularly out of sync with what is happening in Eastern Europe, and out of sync with our obligations in the Middle East.

If this amendment passed, and if the Spanish and Italians and the Germans and others do what I think they will do, if the result is basically a sense of both outrage and scorn, then I think what we are going to do is end up cutting off our ability to really even have the counter capability in the Middle East that everybody I think here knows we have to have, particularly at a time where we have just seen a tremendous breakthrough in terms of the hope and dreams and aspirations of millions of people in this country and all over the world, and particularly in Israel and in other countries surrounding Israel, for peace there.

If all of a sudden we get into a war with our allies over burden sharing at this point in time when we are bringing home our forces, when the Spanish, for instance—really, a large number of the Spanish people would like us out. If you pass this kind of amendment, in Spain you will see very quickly that the elements over there will say we are going to adopt a French position.

And then let the Americans ask us what they are going to do? Overfly Spain or use our bases or cargo aircraft? And the British will say, "We have forces, for a small country, all over the world. What are you doing? What are you telling us?"

Mr. President, I certainly understand the sentiment. If we can find some way—and I think our second-degree amendment does that—to urge the President to negotiate carefully and to use as much leverage as is diplomatically wise to get more contributions from certain countries, then I think it is time to do so.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. NUNN. How much more time do I have?

The PRESIDING OFFICER. Seventeen minutes and fifty-six seconds.

Mr. NUNN. I ask for 2 more minutes, Mr. President.

At a time where we are bringing down our defense budget very, very rapidly, we are bringing home our forces very rapidly, we still have contingencies in the Middle East, we still have obligations in the Middle East, we have obligations in various parts of the world.

We are worried about the North Koreans building a bomb. Is this the time to get into a virtual standoff with our South Korean allies? When the North Koreans build a nuclear weapon, it is going to have a profound effect on the Japanese, on the Chinese, on the whole Far East.

This is just not the time for this kind of action. If we are going to have this kind of action by the U.S. Senate, Mr. President, really I would fear for what we are going to be able to do in future years in a changed world. It would send the wrong signals all over the world.

I will be the first to join with my colleague from New Jersey in a carefully crafted effort to try to get more contributions from our allies. I have been frustrated for years because we have done more than our share.

But if you look at the U.S. Treasury now and you look at what we have at stake in terms of freedom in Europe, freedom in Eastern Europe, Poland, and Czechoslovokia and Hungary and these other countries that are struggling for freedom, and you look at the empty U.S. Treasury, you say, "Who is going to help these countries that we have spent lots of money trying to defend over the years and try to avoid them being permanently part of the Soviet Empire? Who is going to help them succeed in democracy?"

You are going to have to turn to some of the same countries that are the focus of this amendment, because they are the ones that, unfortunately, because we have been so fiscally irresponsible for years in this country, they are the ones that have the money.

The Germans, I repeat, have put up many times more than we have for Russian aid. They are putting up $11 billion now, $11 billion to help move the Russian forces out. That dwarfs any contribution that they would make to the United States under this.

Do we want those Russian troops to stay in Germany? Do we really want to have that kind of disruption with our allies now?

I ask all of our colleagues who may be favorably inclined to this amendment to think a little deeper about the security interest of the United States.

Mr. President, how much time would the Senator want?

Mr. WARNER. I want to make a short statement so the Senator from Maine has some time.

How much time does the Senator have remaining?

The PRESIDING OFFICER. The Senator from Georgia controls 15 minutes and 17 seconds.

Mr. WARNER. I would think 5 minutes or less.

Mr. NUNN. I yield 5 minutes to the Senator from Virginia.

Mr. WARNER. That would leave adequate time to the Senator from Maine, I ask the Senator from Georgia.

Mr. NUNN. Yes.

The PRESIDING OFFICER. The Senator from Virginia is recognized for 5 minutes.

Mr. WARNER. Mr. President, I join my distinguished colleague from Georgia in opposing the Lautenberg amendment. Anyone reading the so-called bottom-up review will see that the entire blueprint for our Nation's defense is predicated on the doctrine of forward deployment. Let me repeat that—the doctrine of forward deployment.

I would like to indulge in just a short anecdote about our Nation's defense. This gray hair connotes that I have been here a little longer than some others.

I remember very well, on the eve of World War II, my father, who had been in World War I as a surgeon in the front lines in France, took me down and showed me, on the beaches of Virginia, my beloved State, coastal artillery pieces, enormous cannons, basically half the length of this Chamber. They could fire 22 miles out to sea. My father and others at that time felt that these cannons would defend America. No invader would challenge our shores. America was ringed with these coastal artillery pieces.

They never fired a single shot. They were eventually melted down and made into other weapons.

I state that because, from that moment on, from World War II on, we recognized the value of forward deployed forces—forces that can work on an hour's notice with our allies in all parts of the world, to defend the security of the United States.

Were we to recede, now, back to a fortress America mentality and bring our troops home and sever, one after another, relationships with our allies, we would be reverting to a 1930's mentality on the defense of this country.

In this bill there is a specific authorization for more prepositioning of our supplies, pre-positioning of military equipment, again, to support the doctrine of forward deployment.

We recognize now that conflicts today can erupt on a moment's notice. We do not have time to move troops and supplies from the heartland of America across the ocean to meet the contingency and the enemy. We have to be there beforehand. We have to be ready and we have to have training relationships with our allies. We have to have our troops there to train with our allies, so that they can march out arm in arm on a moment's notice.

I say to my friend from New Jersey, we want to save money wherever we can in our defense budget. But the doctrine of forward deployment is predicated on relationships with our allies, pre-positioning forces, and the ability to move on a moment's notice to face and confront the contingency.

So we will work, as the distinguished chairman of the committee and the ranking member have indicated, with you in every way possible to try and find ways to increase the burden sharing contributions of our allies.

The Senator's amendment gives them an alert across the ocean that there are those who are deeply concerned about this issue. And it will be helpful to the administration, as we continue to negotiate these burden sharing agreements. But to accept it today would be to reverse a period of the military history that was initiated basically in 1941.

I yield the floor.

The PRESIDING OFFICER. Who yields time?

Mr. NUNN. Mr. President, I yield 5 minutes to the Senator from Maine.

The PRESIDING OFFICER. The Senator from Maine is recognized for 5 minutes.

Mr. COHEN. Mr. President, I thank the Senator from Georgia for yielding.

Mr. President, I recall when Mikhail Gorbachev came to the United States several years ago, he gave a speech in San Francisco. As I recall, he was quoted as saying at that time, "The cold war is over. Let us not argue about who won it."

And I recall reading an article in the New York Times, I believe, by a columnist who said it was almost tantamount to Max Schmeling, after having been knocked out by Joe Louis, saying, "Joe, this fight is over. Let's not argue over who won it."

Of course, it is important to remind ourselves what the fight was all about and how much was expended and why we expended it. It is important to remind the world that, indeed, it was the West who won the cold war and how much we were willing to pay for the winning of that war.

The argument I have heard today tends to ignore much of history, saying "we spent all of these billions—for what?" We spent it to maintain the peace. It is as if somehow this money that has been expended overseas is only for their benefit, for the Europeans or the Japanese or the South Koreans, as if we have no interest whatsoever.

Senator NUNN mentioned we are about to witness the signing of an agreement between Israel and the PLO. The parties are coming here to Washington. There will be great joy in the hearts of many people. Why is that? Many of my constituents over the years have asked me why should we spend one penny for aid to the State of Israel—one penny? What is in it for us? And I am called upon to justify exactly what is in it for us.

I know the Senator from New Jersey is a very strong supporter of Israel, as are the Senator from Illinois, the Senator from California, and others.

What is in it for us? Maintaining peace in that region is in it for us.

You might ask why should we care how many Israelis die in the course of a day or week, or how many Palestinians are killed? What is it to us? And the answer is, If the killing goes on, if war breaks out as it has on a number of occasions before, perhaps it will not be contained. And perhaps now in this age of technology we are going to find that other countries, such as Iraq and Iran, and maybe even Saudi Arabia and other Arab nations will have the capability to step in and wage war, which will draw many other nations into that conflict.

So we have an interest. We have an interest in seeing to it that we help to maintain the peace in that region. We tend to forget that. We seem to slip into the notion that somehow we are only defending other people, we are wasting all of this money on other people who are not carrying any burden or at least an acceptable burden.

If you accept the logic of the Senator from New Jersey and the arguments being offered by the Senator from North Dakota and others—if you accept that logic, you ought to defeat this amendment. You ought to defeat the Lautenberg amendment because we have no interest in these regions. We ought to get out now. Let us not spend another penny on any overseas deployment. If we have no interest in Southeast Asia, why do we have any ships over there? To help Japan, as someone said, simply send their Hondas over here? Is that why we are there?

If we have no interest in South Korea, let us pull the 36,000 troops out today and not spend another penny. And if North Korea goes to war with South Korea, so be it. What is it to us? The fact that Japan might have to get involved and perhaps China and other countries, it should not be of any concern. That is their problem.

If you start applying the logic of the Senator from New Jersey, all you have to do is just pull all the troops right back to the continental United States. We can wrap ourselves in a cocoon and let the world walk by. Let world events unfold as we sit here in Maine and New Jersey and Los Angeles and San Francisco and watch events unfold on CNN, because we have no interest out there. That is the logic of the arguments being offered by the Senator from New Jersey, only saying: But we just want better burden sharing.

We all want other countries to bear a greater burden. But what this amendment would do is apply the Japanese solution to Europe, as Senator NUNN has pointed out. We are applying the solution for Japan to Great Britain, to Germany, to Italy, and others.

We adopted a compensatory program for Japan because they were only spending 1 percent of their gross domestic product on defense and we said that is not enough, you must pay more. And they have agreed to do it. Now proponents of this amendment are saying we must apply the Japanese solution to Europe.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. NUNN. I yield the Senator 1 more minute.

The PRESIDING OFFICER. The Senator from Maine is recognized for 1 additional minute.

Mr. COHEN. We are told, let us apply that particular formula to South Korea which, as I understand it, spends as great a percentage of their GDP on defense as we do, maybe more. So let us just apply the Japanese formula to every other country.

What we have to have is a rule of reason and not a rule of thumb. What they are proposing to do is to impose an arbitrary rule of thumb that does not have applicability. If you really want to jeopardize our relationships with these countries, take this action.

The Senator from Georgia has offered a substitute that will try to achieve a greater balance. As the world continues to shrink and our presence in the world shrinks, we will try to achieve a better balance, but let us do so in a responsible fashion and not jeopardize the very tenuous situation that we have in many parts of the world.

I again switch back to the Middle East. We are about to witness the signing of a historic document.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. NUNN. Mr. President, I yield another 30 seconds to the Senator from Maine.

Mr. COHEN. At a time we are going to celebrate the signing of that agreement as glimmer of hope to the resolution of that conflict which has existed too long, it seems to me we ought to take into account the fact that there we have an interest in maintaining stability and peace. We have other interests in the world.

We are seeking ways to arrive at a more equitable sharing of the burden. We are doing it, I think, in a more appropriate fashion through the amendment of the Senator from Georgia as opposed to that of the Senator from New Jersey.

To reiterate, this amendment is based on a false understanding of American interests in the world and the threat to those interests. If adopted, this amendment would undercut our ability to defend our interests while increasing the chance that American troops would be forced to go in harm's way, as well as increasing the likelihood of nuclear proliferation.

This amendment is also based on a misreading of the facts of the cost of basing U.S. forces overseas. It would require most allied nations in which we station forces to pay at least 75 percent of the cost of basing those forces. This figure is taken from our arrangements with Tokyo, under which Japan, by 1996, will pay about 75 percent of the cost of basing United States forces there.

But the amendment fails to take into account that this agreement with Japan was negotiated as a means for Japan to compensate for the fact that it spends a disproportionately small amount on defense, just 1 percent of its gross domestic product.

We can and are negotiating with allies to increase their contributions to the common defense, including increasing their support for U.S. forces deployed overseas. But it makes no sense to try to apply the compensatory Japanese arrangement to other countries that make significant contributions to the common defense.

South Korea can contribute more to support our troops there, and our negotiators have won significant concessions from Seoul and are working to gain more. But why would anyone try to apply the compensatory Japanese standard when South Korea spends five times more of its GDP and federal budget on defense than does Japan? In fact, South Korea spends more of its GDP and more of its federal budget on defense than we do.

Great Britain devotes about the same portion of its GDP to defense as we do and has thousands of troops deployed in combat zones in the former Yugoslavia. Why would anyone think it appropriate to apply to Great Britain a compensatory arrangement designed to make up for Japan's inadequate contributions to the common defense?

The authors of the amendment argue that the United States cannot continue to afford to foot the entire bill for defending our allies. It is difficult to debate with such a grotesquely distorted perception of the facts. The fact is, of course, that essentially half of the cost of providing for the common defense is provided by our allies.

Finally, the authors of this amendment assert that it would somehow reduce the Federal deficit. This is erroneous. First, the amendment would not reduce the total amount of funding in this bill. More importantly, the withdrawal of troops that the amendment would compel would cost more than it would save. Finally, the amendment would lead to greater risk of war and nuclear proliferation, in which case U.S. defense expenditures would have to be increased.

So this amendment is founded on a misreading of the facts.

This amendment also completely misreads American security interests abroad and the threats to those interests. It is premised on the belief that deploying our forces overseas is an act of altruism. Far from altruism, stationing our forces overseas is an act of cold, calculated self-interest. We may engage on rare occasions in operational deployments such as in Somalia for humanitarian reasons, but we permanently station forces abroad only where we have strong national interests.

Secretary Aspin's just-released bottom-up review confirmed the continuing need for overseas stationing of forces to defend American interest. Under the Clinton administration's plan, we would station about 100,000 troops in Europe and just 100,000 in East Asia. This is a drastic reduction from our cold war deployments in Europe and a one-third cut from that advocated by the Bush administration. But in the opinion of the Clinton administration, the military, and many of us who have studied this question for years, this is as low as we can go and still be able to defend our interest.

Let there be no doubt or misunderstanding. In a letter dated September 7, the Secretary of Defense and the Secretary of State have clearly stated that, if adopted, this amendment "would force the withdrawal of U.S. troops from Europe * * * and with them our ability to promote and protect our vital national interests there."

And, I would add, not just there. Our troops in Europe defend our interests not only there but in Southwest Asia, as well. When we fought the war against Iraq, the bulk of our ground combat forces came from our troops stationed in Europe.

Adoption of this amendment would make it well-nigh impossible to defend our interests in the gulf region—interests for which Americans in uniform fought and died just 2 years ago.

Do the proponents of this amendment really argue that those interests have somehow disappeared or diminished to the extent that we do not intend to protect them, just 2 years after Operation Desert Storm? We still have military personnel on the ground and over the skies of Iraq, enforcing the Security Council resolution, yet we are supposed to believe that we no longer have vital interest in the region.

We do not know if adoption of the amendment would force a reduction of our troops in Korea, but that uncertainty alone will lead to changes in North Korea's and South Korea's calculations.

The North will have far less incentive to negotiate on giving South Korean and international inspectors access to its nuclear facilities while it waits to see if America will remain engaged. The scales of war and peace now hang in precarious balance on the Korean peninsula. It is quite possible that adoption of this amendment could tip those scales in the wrong direction, at incalculable cost.

If South Korea becomes uncertain of America's commitment, it could well turn to the nuclear option to ensure its security. Some South Korean parliamentarians are publicly regretting Seoul's decision in the late 1970's to forgo the nuclear option and the defense minister publicly refused to reject a reconsideration of that decision. I would note that Seoul made that decision in the late 1970's only after the uncertainties about America's commitment were put to rest.

And, of course, any resurrection of a Korean nuclear option could well lead to the initiation of a Japanese nuclear option.

And what of Europe? Some have cavalierly asserted that the United States presence in Europe and NATO are worthless if we will not use them to intervene to end the fighting in Bosnia.

Those who wring their hands over inaction in Bosnia, worrying that we are

eroding the foundations of stability and security in Europe have not seen anything compared to what would result if this amendment were adopted.

The withdrawal of U.S. forces from Europe, as this amendment would compel, would lead to the effective collapse of NATO and the renationalization of European defense. Ancient rivalries in Western and Central Europe, which we thought had been transcended over the past four decades, could re-ignite. Actual conflict, now restricted to the European periphery, could once again threaten the heart of Europe.

And while neo-isolationists, like their ideological brethren of half a century ago, might argue against American involvement, our interests in Europe are so obvious that we would have no choice but to once again interject ourselves—at a far greater cost than if we had simply remained engaged in the first place.

To quote Secretary Christopher and Secretary Aspin again:

> The proposed amendments run contrary to U.S. interests and would portend disastrous consequences * * *. What the United States has achieved in Europe over the past half century would be in jeopardy.

The tragic history of the first half of this century and the remarkable success of the second half has taught us that protecting our interests in Europe requires an American presence and American involvement.

Mr. President, the underlying amendment is ill conceived and seems to presume that not American politics but American interests stop at the water's edge. I urge its defeat.

Mr. NUNN. I thank the Senator from Maine for his remarks that are, as usual, right on target.

I reserve the remainder of my time.

Mr. LAUTENBERG. I yield 3 minutes to the distinguished Senator from California.

The PRESIDING OFFICER. The Senator from California is recognized for 3 minutes.

Mrs. BOXER. Mr. President, I want to speak as one Senator who believes that we have great interests in the world for sure; as one Senator who wants to see a strengthened NATO, a strengthened United Nations; as one Senator who is absolutely filled with joy at the events in Israel. And I do agree that a lot of what has happened there is in many ways a result of the end of the cold war.

But I do not think that feeling this way, as the Senator from Maine does, and as I do, and as the Senator from Georgia has expressed, and others have expressed, should preclude those countries who can afford it from paying their fair share of their defense. To me, it is a commonsense premise and does not contradict one wishing to have America as a leader in the world.

I say to those who have stated that this is not the time for burden sharing, that if this is not the time for burden sharing, I do not quite know what is. We saw that it did work in the Persian Gulf. Our allies did not get upset with us when we asked them to pay their fair share. We saw it did work with Japan, even though I was in the House of Representatives at the time and people said, "Oh, my God, do not ask this because they will kick us out and we have to be there."

It worked.

So we can build on that experience. I do not think we should forget that experience. I think we should build on it. I believe the Lautenberg amendment is a very important policy that accurately reflects the new world order.

It was understandable, after World War II, that we take on the defense responsibility of a war-torn Europe. They needed to get on their feet. They needed to rebuild. That was the right thing to do, that we were there for them.

But the Senator from New Jersey today has shown us just how well they are doing now. I am glad they are doing well. I am proud they are doing well, because this country made it possible for them to be doing well. If you look at Germany, and the United Kingdom, and Italy, and South Korea, as the Senator has wisely shown, they are doing well in their trade with America. They have a trade balance with us in the billions of dollars. All the Senator is asking is that they pay their fair share of their defense.

I do not know how many of my colleagues have read John Steinbruner of the Brookings Institute, and his call for cooperative security. I think it is a very important, fundamental policy. I think it is embodied in this very commonsense amendment.

Our allies should pay their fair share. That is as simple as it is. And in this amendment the Senator wisely gives the President the right to waive these requirements.

So, in summing up, I trust that my colleagues will support the Lautenberg amendment. I think it accurately reflects where we are at this time in history.

The PRESIDING OFFICER. Who yields time?

Mr. LAUTENBERG. Mr. President, I will take as much of the remaining time as necessary. I listened with interest to this debate and I heard myself variously described as cut and run—I almost felt like Neville Chamberlain for a minute here. All we are asking, after all, is for our allies to do their share. How dare we?

But Senators on this floor, one by one—especially those who are talking now about my amendment—voted against charging the American taxpayers more money to run our Government.

But what those Senators are saying is we do not want our citizens to pay for it. They do not even want our allies to pay for it.

Mr. President, at some point, somebody has to pay for it. Our allies, whom we join in protecting should do more. I have not once suggested withdrawing, I am only asking our allies to pay more, contrary to the statements made by my colleagues on the other side. I, too, like the Senator from Virginia, served in World War II, served in Europe; I remember it very clearly.

But to suggest that what we want to do here is drive our allies out of the coalition is absurd. The amendment gives the President flexibility. It is up to the President of the United States, the Commander in Chief. He is the one who has the ability to waive any charges for them if we want to. But I would tell you this: When I look at this chart, I do not worry about whether our allies chip in or not. It is clear they should. I see the American taxpayers being asked to pay more because America is not demanding that our allies pay more. I think it is darned unfair to the American taxpayer. If they do not want to pay, they should not pay; and if they want us out, we may have to negotiate something. We have been kicked out before. It is not a very good experience.

My interest is in America and that is why I want to see the balance paid here. I want to see our allies pay their fair share. That is not too much to ask.

This chart that displays the share of GDP attributed to defense was based on the most recent CIA world fact book, and I refer to the comments of the Senator from Maine. These figures are based on the CIA world fact book of 1992.

To all the Senators in this Chamber, I say when you walk up to vote, you ought not to vote the Nunn substitute because what the Nunn substitute says is that we will cap our expenditures—cap them—at a fixed number. That number is the 1994 budget. But what it fails to say is that the stationing costs are coming down. So our percentages go up while our allies pay less. The substitute does not save any money.

I do not think it is too much to ask our allies to pay 75 percent of the basing costs. We are paying salaries. We are paying for ammunition. We are paying for equipment. And we will still be paying 25 percent of the basing costs. So I think it is fair and reasonable.

Mr. President, I did not want this debate to get into this kind of a mode, but I am struck by the fact that our friends are so concerned about offending—offending—our allies. I say that our allies have a joint responsibility and they ought to pay their fair share. If our relationship is so tenuous with them that if we ask them to pay something more for the basing costs, they will walk away, then we had better rethink what our relationships are.

They are sending money; yes, the Germans have paid a lot. They paid a

lot to bring their country together, to bring back East Germany to West Germany. And we paid a lot when we sent 540,000 young people to the Persian Gulf to protect their interests.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. LAUTENBERG. Their interests, my friends.

I hope that we will defeat the Nunn amendment.

The PRESIDING OFFICER. The Senator from Georgia controls 3 minutes 42 seconds.

Mr. NUNN. Mr. President, I will take just 30 seconds. I hope the Senator does not have a date on that chart. I hope if it was prepared by the CIA that they are more accurate in their assessment abroad than they are at home. I hope the date on the chart would reflect several years ago, because if that was prepared by the CIA and that far off, we have moved down to about 4 percent of our GNP being spent on defense, and that shows 5.7.

Mr. LAUTENBERG. The year is 1992, in response to the Senator.

Mr. NUNN. Mr. President, I do not have any more time. I do not yield. That chart is woefully inadequate and out of date.

I yield the remainder of my time to the Senator from Virginia.

Mr. LAUTENBERG. Will the Senator yield for a quick question?

Mr. NUNN. I do not have enough time.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. COHEN. Will the Senator yield?

Mr. WARNER. I yield.

Mr. COHEN. Mr. President, I want to note, having served on the Senate Intelligence Committee for 8 years, that I believe that that chart, although it may be dated 1992, is based upon data that is perhaps a year or two older than that. So it is going on being 3 years out of date.

Mr. WARNER. Mr. President, could I pick up on an entirely different consideration? And that is, the words have been used during this debate that this amendment will "offend our allies." I am deeply concerned about offending someone else, and that is the President of the United States.

We have a new President. It has been my privilege, along with a number of others in this Chamber, to work with him, not just in the context of our legislative problems, but in small meetings at the White House. The Senator from Georgia and I came back from a trip to the former Yugoslavia and met with the President privately on that issue. I met with him and with other Senators in connection with the situation in Somalia, and today I was privileged to be with the Senate leadership when he made the historic announcement about the coming agreement in the Middle East.

Here is a new President, a young President grappling with the reins of foreign policy, and I have gone on record and will again go on record to say that he is doing a good job. He is always looking ahead, not just at the immediate crisis but at how the solutions to the immediate crisis will lay a more solid foundation for our United States to be credible in the future crises.

What is the President's opinion with respect to my distinguished colleague's amendment? I have a letter addressed to Senator NUNN, signed by the Secretary of State, signed by the Secretary of Defense, and I read one sentence:

> If enacted into law, these amendments would force the withdrawal of U.S. troops from Europe and with them would go our leadership position——

I repeat—the leadership position that our new President is putting forward.

> in European affairs and our ability to promote and protect our vital national interest there.

Mr. President, January of next year will mark his first anniversary in office, and he will be attending his first NATO summit.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. WARNER. Let us not require our President to go to that meeting and have to deal with the provisions of this amendment. Let him go and hold his head up and stand proudly as the leader of the Western World with the Congress supporting him.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. NUNN. Mr. President, what is the pending business?

The PRESIDING OFFICER. All time on the amendment has expired.

The question is on agreeing to the Nunn amendment No. 820.

Mr. NUNN. 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 question is on agreeing to the amendment No. 820. The yeas and nays have been ordered. The clerk will call the roll.

The legislative clerk called the roll.

Mr. FORD. I announce that the Senator from Colorado [Mr. CAMPBELL] is necessarily absent.

Mr. DOLE. I announce that the Senator from Utah [Mr. BENNETT], the Senator from New Mexico [Mr. DOMENICI], the Senator from North Carolina [Mr. FAIRCLOTH], the Senator from Texas [Mr. GRAMM], the Senator from North Carolina [Mr. HELMS], the Senator from Florida [Mr. MACK], the Senator from Arizona [Mr. MCCAIN], the Senator from Alaska [Mr. MURKOWSKI], the Senator from Wyoming [Mr. SIMPSON], and the Senator from Wyoming [Mr. WALLOP] are necessarily absent.

I further announce that, if present and voting, the Senator from Wyoming [Mr. SIMPSON], would vote "yea."

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

The result was announced—yeas 74, nays 15, as follows:

The result was announced—yeas 74, nays 15, as follows:

[Rollcall Vote No. 257 Leg.]

YEAS—74

Akaka	Ford	McConnell
Baucus	Glenn	Mitchell
Biden	Gorton	Moseley-Braun
Bingaman	Graham	Moynihan
Bond	Grassley	Murray
Boren	Gregg	Nickles
Bradley	Hatch	Nunn
Breaux	Hatfield	Packwood
Bryan	Heflin	Pell
Bumpers	Hollings	Pryor
Burns	Hutchison	Reid
Byrd	Inouye	Robb
Chafee	Jeffords	Rockefeller
Coats	Johnston	Roth
Cochran	Kassebaum	Sarbanes
Cohen	Kempthorne	Sasser
Coverdell	Kennedy	Shelby
Craig	Kerrey	Simon
D'Amato	Kerry	Smith
Danforth	Leahy	Specter
Dodd	Levin	Stevens
Dole	Lieberman	Thurmond
Durenberger	Lott	Warner
Exon	Lugar	Wofford
Feinstein	Mathews	

NAYS—15

Boxer	Dorgan	Metzenbaum
Brown	Feingold	Mikulski
Conrad	Harkin	Pressler
Daschle	Kohl	Riegle
DeConcini	Lautenberg	Wellstone

NOT VOTING—11

Bennett	Gramm	Murkowski
Campbell	Helms	Simpson
Domenici	Mack	Wallop
Faircloth	McCain	

So the amendment (No. 820) was agreed to.

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

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

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The question is on agreeing to the Lautenberg amendment No. 819, as amended.

The amendment (No. 819), as amended, was agreed to.

WHITE SANDS MISSILE RANGE

Mr. DOMENICI. Mr. President, I would like to engage the distinguished chairman of the Armed Services Committee in a short colloquy. I note that the report accompanying the committee's bill contains language directing the Secretary of Defense to appoint a commission to study if some of our Nation's defense test centers, laboratories, and other acquisition infrastructure could be converted to serving the commercial needs of the country. I also note that the report language recognizes that several Senators have introduced legislation regarding specific installations. I would say to the chairman, that I am one of those Senators. I would like to ask the chairman if White Sands Missile Range is one of the test centers that the commission would study for this purpose?

Mr. NUNN. Yes.

Mr. DOMENICI. I thank the chairman of the Armed Services Committee. I had intended to offer my bill, S. 614, as an amendment to the committee's legislation. However, I am satisfied with the chairman's response, and I am confident that my concerns will be addressed by the Department of Defense in their attempt to comply with the committee's directive.

BENEFITS TO CERTAIN ABUSED MILITARY SPOUSES

Mr. DOMENICI. Mr. President, I would like to engage the Senator from Alabama [Mr. SHELBY] in a short colloquy. The Senator from Alabama will recall that last year, on this bill, I offered an amendment that would provide some benefits to certain abused military spouses. This amendment was included in Public Law 102-484. The Department of Defense has been working diligently on this issue, and recently issued its implementing regulations. I have two concerns about those regulations which I believe are inconsistent with the original intent of the legislation.

First, the implementing regulations state that in order for the abused spouse to be eligible for the benefits provided by the amendment, "the spouse or former spouse to whom the payments are to be made was married to the member for a period of 10 years or more during which the member performed at least 10 years of service credible in determining the member's eligibility for retired pay." Is it the understanding of the chairman of the Subcommittee on Force Requirements and Personnel that this was the intent of the legislation I offered last year?

Mr. SHELBY. I say to my friend from New Mexico that this was not the original intent of the legislation. The original intent of the legislation was to provide some benefits to certain abused military spouses without regard to the length of the marriage to the member during the member's time of service.

Mr. DOMENICI. I agree with the chairman of the subcommittee. The second issue I am concerned about is that the implementing regulations state that the payments to the abused military spouse shall terminate no later than the date of the death of the former member. Is it the understanding of the Senator from Alabama that this was the intent of the original legislation?

Mr. SHELBY. I say to my friend from New Mexico that, once again, this was not the intent of the legislation this committee passed last year. The intent of the legislation that the Senator from New Mexico offered, which this body passed, and the President signed into Public Law 102-484, was to provide some benefits to certain abused military spouses until the death or remarriage of the abused military spouse to whom the payments are being made.

Mr. DOMENICI. Thank you. Will the Senator from Alabama join me in strongly urging the Department of Defense to change the implementing regulations so that the two concerns we have discussed today will be implemented in accordance with the original intent of the legislation?

Mr. SHELBY. I join the Senator from New Mexico, and agree that the Department of Defense should take actions to implement the legislation consistent with its original intent and as we have discussed here today.

Mr. DOMENICI. I thank the Senator, and I yield the floor.

DEFINING OUR MISSION IN SOMALIA

Mr. DORGAN. Mr. President, last night, I voted for an amendment regarding Somalia offered by Senator BYRD to the Defense authorization bill. I would like to explain why I voted as I did.

The original commitment of United States troops to Somalia was laudable. It was something that I supported. That is because it was an unprecedented multilateral effort to prevent mass starvation and safeguard human lives.

Our troops succeeded brilliantly in fulfilling their original mission. They helped to save probably hundreds of thousands of lives. And they created an atmosphere in which Somalis could start producing food and supporting themselves.

Now, however, circumstances have changed. So has the U.S. role, and that is what was in question last night. I joined with my colleagues in raising the question of what useful role United States forces can continue to play in Somalia. Their mission has clearly shifted from ensuring delivery of food and medical supplies to tracking down power-hungry warlords and helping to rebuild the country's social and political structure.

I would have no truck with the warlords who terrorized their own people and brought Somalia to the brink of total collapse. But I do not believe that hunting the warlords down is a clear, definable, and finite goal for our forces.

I have no quarrel with those who want to rebuild the Somali nation. But I do not think that the current congressional resolutions give any support for the broader mission of nation building.

I support this President. But that does not mean that I think that Congress should abandon its war powers role. We in Congress have a duty to question the role of our forces in Somalia because the American people themselves are questioning that role. And in reverse, if the Congress understands and supports the mission of our troops, the American people will also understand and support it. A national consensus would fortify our forces in Somalia.

Our troops may need such renewed support. That is because the multinational forces, which have now belatedly been put under overall U.N. command, do not have a clear operational command. This has caused not only confusion and conflict among the U.N. forces, but also tragic loss of life. Nigerian soldiers were recently slain by local militiamen when other coalition forces did not quickly come to the Nigerians' rescue.

Consequently, I agreed with Senator BYRD that we have reached a crossroads, that we must reexamine our policy, and that we must clearly define the present mission of United States forces and must plan for the option of early withdrawal.

The bipartisan compromise resolution which the Senate approved would do this.

It requires the President to consult closely with the Congress and to report to the Congress on the goals and objectives of United States forces remaining in Somalia. It also urges the President to seek and receive congressional approval for the deployment of our forces there to continue.

Again, I reiterate that our armed forces have made an outstanding contribution under Operation Restore Hope to create a secure environment for humanitarian relief. Our troops have helped save hundreds of thousands of Somali lives. And some relief officials still report serious problems in providing humanitarian aid.

At the same time, when our troops' mission is unclear and unauthorized, we should no longer put them in jeopardy of being killed or wounded by marauding Somali militiamen. That is why I voted for the modified Byrd amendment and asked that the administration work with the Congress in setting a new course.

DEPARTMENT OF ENERGY NATIONAL LABORATORIES

Mr. CRAIG. Mr. President, I am honored to be a cosponsor of an amendment to the National Defense Authorization Act for Fiscal Year 1994 that establishes a clear mission and direction for the Department of Energy National Laboratories.

This amendment encourages the Department of Energy's laboratories to join forces with the private sector in meeting the challenges of the future. I want to emphasize how important it is that, as a nation, we recognize our economic competitiveness in the international community is central to our survival as a world leader. We have amassed a tremendous pool of scientific and technological talent within the national laboratories over the years. It would be folly to forego the opportunity to reap the economic harvest of our investment in that pool of talent. This course not only will result in new and valuable products and services, but will ensure numerous additional employment opportunities at the Idaho National Engineering Laboratory as well as elsewhere.

This amendment confirms that the laboratories have a mission to share their expertise with our business and educational communities. I am strongly supportive of that mandate. I want to emphasize that in my view, the laboratories should use every avenue open to them to contribute to development of technologies that will prove useful to our economic health and the well-being of our citizens.

Mr. President, this is a good amendment that will allow our national laboratories to play a vital role in our increasingly technical world.

THE INSTRUMENTED FACTORY FOR GEARS AT THE ILLINOIS INSTITUTE OF TECHNOLOGY

Ms. MOSELEY-BRAUN. Mr. President, as we consider the fiscal year 1994 Defense authorization bill, I would like to call the attention of my colleagues to a unique technology transfer program that is critically important to the U.S. gear manufacturing industry, the Instrumented Factory for Gears, also known as INFAC. I would like to take a moment to share with my colleagues the unique contribution of this industrial initiative.

INFAC is an in-place, fully equipped experimental teaching facility that provides research, education, and industrial extension in the field of gear manufacturing technology. Located at the Illinois Institute of Technology [IIT], the project features a hands-on shop floor with state-of-the-art precision machine tool equipment. Researchers and students at INFAC provide consulting and seminar services to small- and medium-sized manufacturers to develop methods to keep these firms competitive and up to date with current technologies. The unique training and extension activities at the INFAC complex are a successful, working example of technology transfer.

This program was awarded to the Illinois Institute of Technology Research Institute in October 1989 as a result of a competitive procurement. The contract is for 5 years and requires a 25-percent non-Federal cost share. In fiscal year 1993, Congress appropriated $8.5 million for continued funding for INFAC, but reassigned INFAC into the Defense Conversion Program under the technical direction of the Advanced Research Project Agency. Since that time, INFAC has faced serious funding obstructions based on inconsistencies between the cost-share terms of its contract and the requirements of the Defense Conversion Program. For INFAC to survive, it is crucial that the program be returned to the technical direction and operating conditions which prevailed in earlier years, and to the cost-share terms and duration of its current contract.

Given that nearly $15 million in Illinois and Federal funds have been invested in this program to date, I ask that steps be taken to guarantee that INFAC continues without further funding disruptions. The past support of INFAC by the distinguished Senator from Georgia has been instrumental in proving the concept of industrial partnerships such as INFAC. I thank him for his continued support, and I ask that the members of the Senate Armed Services Committee concur with House language authorizing $8.5 million for INFAC, the same level as provided for fiscal year 1993. I also urge that INFAC be returned to the technical direction of the Army. Thank you for your assistance.

Mr. NUNN. I thank the Senator from Illinois for her comments regarding the Instrumented Factory for Gears. I can assure the distinguished Senator that I will give every consideration to her request in conference.

CREDIT UNION AMENDMENT

Mr. D'AMATO. Mr. President, I rise today to add my support for the adopted amendment the distinguished Armed Services Committee chairman offered last night to the Defense authorization bill on behalf of Senators BRYAN and COATS. This amendment deals with the allotment of space in Federal buildings for credit unions.

This amendment is technical in nature and it would merely clarify current law. The amendment would continue to allow credit unions to occupy offices on military bases if 95 percent of the members using the office located on Federal property are military or Federal employees and family members of these employees—even if they were forced to expand their field of membership to individuals outside the military base. Off-base facilities, however, would not receive special treatment and would be subject to all the normal expenses of credit unions in similar areas, including the payment of rent and logistic expenses.

The Department of Defense supports this change and had approved the Defense Credit Union Council's request for a moratorium on the application of the 95-percent rule to allow time for congressional action to amend the Federal Credit Union Act.

Mr. President, I want to thank Chairman RIEGLE, my colleague on the Banking Committee, and Senators NUNN, THURMOND, BRYAN, and COATS for their assistance in expediting adoption of this amendment.

HIGH PERFORMANCE COMPUTING MODERNIZATION PROGRAMS

Mr. HATFIELD. Mr. President, I would like to take this opportunity to engage the managers of the bill in a colloquy regarding the Department of Defense's high performance computer modernization program, and the high performance computer and communication program. I am specifically concerned about four provisions which were included in H.R. 2401, the House-passed version of the National Defense Authorization Act.

First, section 214 of title II of the House-reported bill contains language that is not competitive and virtually shuts out some important nonincumbent supercomputing vendors who could provide the Pentagon with new and possibly better technologies. Specifically, this section of the House bill gives the Department of Defense discretion to upgrade or actually replace obsolete computer facilities with new products from the same incumbent vendors without a new and competitive procurement. This discourages DOD from seeking the best products in the supercomputing arena as well as fair and open competition.

Second, this same section of the House-reported bill further precludes the Department of Defense from considering high performance computing alternatives that are not substantially compatible with existing systems. This is inconsistent with recommendations made in the Department's high performance computer modernization plan of March 31, 1992. This language micromanages the Department's ability to modernize its supercomputer assets and shuts out a whole class of computer systems that the Pentagon may determine better meets its needs.

Third, the House Armed Services Committee report contains language that recommends the fencing of 50 percent of all high performance computing and communications funds in the bill until the Secretary of Defense submits a plan to respond to the General Accounting Office report that criticizes the program. In my view, this restriction is unwarranted because most of the findings contained in the GAO report have been addressed by DOD and are being corrected.

Finally, I would strongly recommend that a study of the interagency high performance computing and communications initiative by the National Academy of Sciences, mandated by section 215 of the House bill, be opened to allow for input from the high performance computing industry.

Mr. NUNN. I am aware of the provisions contained in sections 214 and 215 of title II of the House bill, and the restrictions on HPCC funds recommended in the House report. I am also aware of the distinguished Senator's concerns about these provisions.

Mr. THURMOND. I also am aware of the concerns raised by Senator HATFIELD.

Mr. HATFIELD. The chairman and ranking member of the Senate Armed Services Committee should know that it is not my intention to offer any amendments to S. 1298 to counter the House provisions. I would like, however, to receive a commitment from both Senators that they will seek appropriate changes and modifications to sections 214 and 215 in conference with the House, to assure a process for full and open competition for the Pentagon's high performance computing [HPC] requirements.

I would also hope that the Senate conferees will consider report language which would supersede the House report language regarding the withholding of HPCC funds. The managers may also want to consider requesting a full report by the Secretary of Defense on the GAO report findings by March of next year.

Mr. DOMENICI. I would like to associate myself with the comments of the ranking member of the Senate Appropriations Committee, Senator HATFIELD.

Mr. BINGAMAN. If the Senator would yield, I want to concur with the views of the Senator from Oregon on this matter involving the Department's high performance computing programs, and the language contained in both the House bill and report in this regard. I have carefully examined these sections in title II of H.R. 2401 as reported, and I agree with the Senator that they discourage competition; they unnecessarily micromanage the Department's HPCC programs; and they severely restrict the ability of the Department to consider new technologies and supercomputing products that could be more effective and substantially less expensive to procure.

The Senator from Oregon has my total commitment to work with my counterpart subcommittee chairman, Representative PAT SCHROEDER, and the ranking member, Representative BOB STUMP, in conference to correct the problems that you have outlined today on the floor. I agree that changes should be made in sections 214, 215, and the statement of managers to counter the House report language with regard to the fencing of HPCC funds.

Mr. NUNN. The Senators from New Mexico and Oregon have made an excellent case for addressing these issues in conference, and they have my assurance that I will give every consideration to making the changes in conference.

Mr. THURMOND. I concur with the chairman and am committed to supporting consideration of these changes during conference.

Mr. HATFIELD. I thank my colleagues for their shared concern and for their commitments to address these matters in conference.

Mr. DOLE. Does the Senator from Vermont have an amendment?

Mr. LEAHY. I have an amendment, but if the Republican leader is seeking recognition, I will withhold.

Mr. DOLE. I would like to make a couple of brief statements on my leader time. If I might have the attention of the majority leader, I will direct a question to him.

It is my understanding that there may be some agreement in the works, or about to be worked out with the distinguished chairman from Georgia and the distinguished ranking member from South Carolina, to stay here tonight, continue to debate amendments, debate amendments all day Monday, and Monday evening that would be over, and votes would occur then on Tuesday.

That seems to be agreeable on this side of the aisle, if that is what the majority leader had in mind.

Mr. MITCHELL. Mr. President, within the last 30 minutes, I met with the distinguished chairman of the committee and others interested in the legislation, including Republican Members, and after hearing their report on the current situation, I suggest that we proceed in the manner that the distinguished Republican leader has just stated.

There really are two options. The first option is that we can simply stay here and complete action on this bill this evening. That would necessitate a few more hours and a few more votes. I was advised that several Members have left, and several more wish to leave. So as an alternative to that, I propose what the Republican leader has just stated: That the managers would stay here this evening and be present on Monday.

There exists, by virtue of a previous order, a finite list of amendments to the bill. All of those amendments, or any amendment, would have to be offered either this evening or Monday, and there would be no amendments in order after the close of business on Monday; and that any amendments that have been fully debated with respect to which a vote was scheduled would then occur not prior to 2:15 on Tuesday.

In the meantime, we would proceed to the Interior appropriations bill promptly on Tuesday morning. So there would be the possibility of votes on that on Tuesday morning. If that is agreeable—it is now being prepared at my direction by the staff, and I will propound it shortly—then there will be no further rollcall votes between now and Tuesday morning. The votes with respect to the pending defense bill would occur following the caucus on Tuesday.

At the request of the distinguished Republican leader, I will also include that if a Senator could not be present to offer his or her amendment on Monday, the managers would be authorized to offer the amendment on behalf of that Senator. I will propound that request shortly.

Mr. DOLE. I know of no objection on our side to that request.

Mr. LEAHY. Mr. President, if the leader will yield, I realize the request to be propounded has now been stated. I would just ask for further information. I am going to have two amendments, and one, I am led to understand, will not require a rollcall. On the second one, a number of the cosponsors have requested a rollcall.

If those were laid down and debated either tonight, or on Monday, how does that work on the one that might require a rollcall? Do we have a specific order for that on Tuesday, or would it be possible to add into the order that it would be the first rollcall to occur on this on Tuesday?

Mr. MITCHELL. Rather than attempting to anticipate all that might occur this evening and tomorrow, it is my intention to leave that to the discretion of the managers in the handling of the bill on Monday. So that decision would be made as the Senate proceeds.

Mr. LEAHY. If the leader will yield further, might I make a suggestion to the managers of the bill. If a rollcall is ordered on the landmine amendment, might we have that as the first in whatever series of rollcalls you have on this bill on Tuesday?

Mr. NUNN. Mr. President, I will respond to the Senator from Vermont. I do not have any objection to voting on this one first. But I can see how handling 20 or 30 amendments, maybe 10 or 15 or 20 rollcalls, everybody is going to have a particular order in mind. I do not mind this being first, but my instinct as a manager would be to recommend that we take the amendments that would require a rollcall in order as they are presented.

If the Senator would like to present his this evening, it would be at the top of the order. Otherwise, we could get into an impossible situation of everybody asking us what order their amendments will be voted on. I do not want to get into that. I say to anyone that stays this evening, we will vote on their amendment first if it cannot be agreed to.

Mr. LEAHY. I would be happy to bring that up next so that it would be in order to have that vote. I know on Monday we are going to be voting in committee on a major appropriations bill, and I would prefer to be able to do that.

Mr. NUNN. That is fine. The logical way to order rollcalls would be in the order in which they are debated.

Mr. MITCHELL. Mr. President, the only thing I would like to make clear, which I did not previously because it was not asked, but I want to add it. The one thing I will ask the managers is not to agree to a request by Senators that their amendment then be redebated prior to the vote on Tuesday. Then what we will get is Senators not coming in here, having their amendment offered, and having the debate occur Tuesday. That will defeat the entire purpose of the process through which we are going.

Mr. NUNN. Mr. Leader, if we get the agreement, I can assure you that the managers will not have any kind of debate on Tuesday.

Mr. MITCHELL. That should be understood before the Senators accept the agreement.

Mr. LEAHY. Mr. President, I understand this unanimous-consent agreement is being written up. I wonder if I

might be recognized to begin on my antipersonnel landmine. I will then ask for the yeas and nays with unanimous consent that the vote not occur until Tuesday, provided you get your unanimous-consent request, which apparently you will.

Mr. DOLE. We have no objection to the unanimous-consent request. We are signing off now.

Mr. MITCHELL. I believe Senator DOLE had the floor previously for a statement he wished to make.

SALUTE TO MALCOLM WALLOP

Mr. DOLE. Mr. President, "Leadership, hard work, experience, loyalty to Wyoming—That's what MALCOLM WALLOP is all about."

Ronald Reagan made that statement a while back, and as usual, the "Gipper" was right on target.

No doubt about it, MALCOLM WALLOP's leadership, hard work, experience, and loyalty to Wyoming will be greatly missed when he retires in January 1995, after 18 years as a U.S. Senator.

Of all the qualities that President Reagan listed, I think MALCOLM would say that the most important is loyalty to Wyoming.

And whether it was protecting Wyoming jobs and Wyoming interests as ranking Republican on the Energy and Natural Resources Committee, standing up for small businesses and family farms, or helping to lead the Sagebrush Rebellion, MALCOLM WALLOP never forgot the priorities of the men and women who sent him here.

He also never forgot that one of the most important duties of government is to protect its citizens.

And throughout his three terms, there have been few Senators who have worked harder to strengthen our national security.

I believe that America's victory in the cold war was a direct result of the visionary leadership of Ronald Reagan, George Bush, and public servants like MALCOLM WALLOP who knew that the only way to achieve peace was through strength.

When MALCOLM announced that he would not seek a fourth term, he said "I don't think the only place to fight for freedom is in the Halls of Congress."

MALCOLM is still a very young man, and I have no doubt that he has many more years of fighting for Wyoming and fighting for freedom ahead of him.

I look forward to another year of serving alongside Senator WALLOP, and I wish he, French, and their family all the best in the years ahead.

Mr. President, I believe the leader's time was reserved.

The PRESIDING OFFICER. The minority leader is correct.

NAFTA IS GOOD FOR AMERICA

Mr. DOLE. Mr. President, I want to report to my colleagues about a recent meeting in Mexico City with President Salinas and members of his Cabinet. Our Republican delegation, consisting of myself, Senators GRAMM, HATCH, MCCAIN, and GREGG, and Representative BONILLA, went to Mexico City to discuss the North American Free-Trade Agreement. We wanted to tell President Salinas that the debate over NAFTA this fall will be contentious, but that we are committed to fight for it.

President Salinas is a very positive person, but he is also realistic. He told us he fully recognizes the difficulties facing this agreement in Congress. He said that he wants to help in any way possible. He also said what we all know to be true about NAFTA: That it will create jobs, opportunity, and growth on both sides of the border. That is what NAFTA is all about, and that is why I support NAFTA and intend to help President Clinton every step of the way to respond to NAFTA's critics, build support for this agreement, and pass it in the U.S. Congress.

But, Mr. President, I am becoming increasingly concerned about the fate of this trade agreement in Congress. We seem to be losing ground every day, whereas we should be gaining ground. Support for NAFTA may be eroding in Congress because we do not hear the administration speaking out about the importance of this agreement. I must note that Ambassador Mickey Kantor has done an outstanding job as an advocate for NAFTA, but he has been virtually a lone voice up to this point. President Clinton has made a few supportive remarks, but other issues seem to be crowding out the message. I have been doing everything I can to build support for NAFTA. Nevertheless, no one but the President can demonstrate the administration's unwavering commitment. No one but the President can work with all Members of the House and Senate, in both parties, to show them why NAFTA is so important and must pass the Congress. If we do not see action soon, I fear that the loud and persistent critics of NAFTA will prevail before we even get started.

NAFTA is good for America, Mr. President. While NAFTA is primarily a trade agreement, the consequences of NAFTA are far-reaching. Creation of jobs and a rising standard of living in the United States and Mexico will help to resolve a host of collateral problems. President Salinas knows that jobs and opportunity at home help remove the incentive to seek them elsewhere. Ambitious, risk-taking Mexicans from southern and central Mexico will be less inclined to find a brighter future to the north when that future is available to them in their own cities and towns. Furthermore, poor countries are poor defenders of the environment. A wealthier, increasingly prosperous Mexico will have greater resources to devote to compliance with environmental laws, and to environmental cleanup and improvement.

We discussed all of these issues with President Salinas, and our Republican delegation was very encouraged by our visit. We invited him to come to the United States this fall to help us and President Clinton educate the American people on the truth about NAFTA. I hope he is able to do this.

Educating the American people about NAFTA is crucial because so much misinformation is currently in circulation. The effort to tell the truth about NAFTA has been nearly dormant, while the hysterical and paranoid campaign against the agreement is in high gear.

To listen to NAFTA's critics, you would think this trade agreement was negotiated in the middle of the night, in the middle of a desert by double agents seeking this country's economic ruin. Nothing could be further from the truth. NAFTA's critics probably would say that the Declaration of Independence and the Bill of Rights received insufficient public scrutiny before they were adopted. The truth is that no trade agreement in history has ever been the subject of as many legislative and private sector consultations as NAFTA. During negotiations, the administration held almost 1,000 consultations or briefings with persons outside the executive branch. This included public hearings at which hundreds of individuals testified, 350 meetings with official advisory committees, and briefings of House and Senate staff on average more than 3 times per day, every working day.

No superlative has gone unuttered in attacking this trade agreement. Practically no image has been too preposterous, no hyperbole too outrageous for these fear-mongering protectionists trying to depict NAFTA as a sellout.

What is the truth about NAFTA? The truth is that trade with Mexico today supports 700,000 jobs in the United States. Under NAFTA, that figure will grow to nearly 1 million jobs. The United States has a $5.4 billion trade surplus with Mexico, as United States exports to Mexico more than tripled since 1986. Mexicans can't get enough of United States-made products: Out of every dollar Mexicans spend on imports, 70 cents goes for products imported into Mexico from the United States. Mexico is our third-largest trading partner, after Canada and Japan. Barriers to trade with Mexico exist today. These barriers make it harder to do business with Mexico, and yet our trade with that country has exploded over the past few years. The reason is that Mexico itself has liberalized its own economy extensively, and that liberalization has brought a new era of increasing prosperity, rising

wages, and a brighter future for Mexico. It has also brought new business for United States exporters, and 426,000 new jobs for Americans who produce those exports.

This is just the beginning. Other countries are lining up, seeking the opportunity to enter this exciting new market-opening enterprise. This enterprise is not a zero-sum game, as the critics contend. Our gain is not some other country's loss. It is a win-win situation, and nothing shows that more clearly than our immediate experience with Mexico after President Salinas took bold and courageous steps to open up his country's economy to the world, and let his people begin to enjoy the benefits of trade.

To prosper we must trade. It is that simple. I will be working to help President Clinton pass this agreement because it is the right thing to do. We promised President Salinas that we would do everything possible to make NAFTA a reality, and that is what we will be doing over the weeks and months ahead.

ISRAELI-PALESTINIAN PEACE AGREEMENT

Mr. DOLE. Mr. President, many of us thought we would never live to see today's headlines proclaiming peace between Israelis and Palestinians. And while there were many indications over the past week that peace was at hand, it was still remarkable to read the text of Yasir Arafat's letter to Prime Minister Rabin stating that the PLO recognizes Israel's right to exist in peace and security and that the PLO renounces the use of terrorism. And, it was just as remarkable to read Prime Minister Rabin's letter stating that the Government of Israel recognizes the PLO.

While the achievement of this peace accord at first glance appears so sudden, if we look back at developments over the past 2 or 3 years, we can see more clearly why this peace agreement was achievable at this point in time.

Starting with the gulf war, the dynamics in the Middle East changed significantly. The United States, under the strong leadership of President Bush, spearheaded a multinational coalition against Iraq which included most of the Arab countries. This U.S. led coalition successfully rolled back Saddam Hussein's forces. However, the coalition was not supported by the PLO, nor by Jordan. And so, when the war ended, the PLO and Jordan were left standing alone, cut off from the Gulf States who had provided substantial financial support over the years.

With the collapse of the Soviet Union only months later, the PLO lost another patron.

These two developments created the ideal conditions for the onset of negotiations between Israel and its neighbors. President Bush launched the diplomatic initiative to seek a Middle East peace in March 1991, and brought the Russians on board to support the negotiating process in Madrid in October 1991. The pursuit of peace in the Middle East remained one of Secretary Baker's top priorities until his departure.

Upon assuming office, the Clinton administration wisely continued the U.S. role established under the Bush administration—that of facilitating the peace process.

But, as we have learned in recent days, the Norwegian Government was the key intermediary in the secret negotiations which have led to this particular accord.

In my view this Israeli-Palestinian peace pact was made possible because of a number of factors: The success of the gulf war, the collapse of the Soviet Union, United States leadership in the Middle East, the active participation of the Norwegian Government, and last, but not least, the commitment of the Israeli Government and Palestinian leaders to breaking the cycle of violence and laying the foundation for a genuine peace.

The peace accord will be signed on Monday, but that alone will not bring peace. There are still extremists on both sides who oppose peace—those who want more Israel and those who want no Israel. Nevertheless, I believe that the majority of Israelis and Palestinians desire peace and recognize the benefits peace will bring. And, so I encourage the Israelis people and their leaders, and the Palestinians and their leaders, to stay the course. The U.S. Government and the American people support this accord. I hope that it will be the first step toward a broader Middle East peace.

Mr. President, I thank the Chair, and I reserve the remainder of my leader time.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 1994

The Senate continued with the consideration of the bill.

UNANIMOUS-CONSENT AGREEMENT

Mr. MITCHELL. Mr. President, I ask unanimous consent that all first-degree amendments remaining in order to S. 1298, the DOD authorization bill, as contained in the previous unanimous consent agreement, must be offered by the close of business on Monday, September 13; that no rollcall votes associated with amendments to the DOD bill occur prior to 2:15 p.m. on Tuesday September 14; and that at 9:30 a.m., on Tuesday, September 14, the Senate proceed to the consideration of H.R. 2520, the Interior appropriations bill.

Mr. BROWN. Mr. President, reserving the right to object.

The PRESIDING OFFICER. The Senator from Colorado.

Mr. BROWN. If I might inquire of the distinguished leader, does that mean that an amendment that is filed but which a Member is not recognized to offer could well be extinguished by this unanimous consent?

Mr. MITCHELL. Yes.

Mr. BROWN. I will object.

Mr. MITCHELL. Mr. President, the Republican leader just stood out on the Senate floor a few minutes ago and said that this was approved by all Republicans. Now Senators have left here. If we are going to have an objection now, we better get notice out to all Senators to come back, because the alternative to this is, as I clearly stated previously, that we were going to stay here tonight and finish the bill.

Mr. BROWN. With the Chair's permission, let me simply say, I believe two of my amendments are ones that we already agreed to clear on both sides of the aisle. On the other, I believe I can agree to a 5-minute limitation or anything reasonable. But I do not want to be in the situation I was on the reconciliation bill, where I have amendments, where they are duly filed, and where even a 5-minute period is not available for them.

Mr. MITCHELL. There is no intention to do that. If the Senator had been present during the previous discussion, I stated the managers will stay here this evening and on Monday, and be available to consider amendments that will be offered by Senators. All the Senator has to do is stay here and offer his amendment.

But we are not going to have a situation where a Senator can just—just leave, does not want to bother to be here on Friday or Monday, but says, "I still want to offer my amendment at some later time."

The PRESIDING OFFICER. Is there objection? Hearing none, the unanimous consent agreement is entered and agreed to.

Mr. MITCHELL. Mr. President, I just further say to the Senator from Colorado, I also stated even if the Senator is not present, the managers will be present and will be permitted to offer the amendment on behalf of the Senator.

Mr. BROWN. I thank the leader for his explanation.

Mr. MITCHELL. If I may say one thing further. I want to repeat what I said earlier. We are going to start on the Interior bill on Tuesday at 9:30. There may be votes on that bill Tuesday morning. The inclusion in the unanimous consent agreement of the provision that votes on the DOD bill will not occur prior to 2:15 on Tuesday means that there will certainly be votes after 2:15 p.m. on Tuesday, but should not be interpreted to mean that there will be no votes on Tuesday morning. That will be up to the distinguished manager of the Interior appropriations bill and the Senators who are offering amendments to that.

But I am advised it is at least possible that there will be votes on Tuesday morning. So no Senator should be under any misunderstanding in that regard.

Mr. DOLE. That is the point I wanted to make. I think some Senators felt there would not be any votes until after 2:15. It was my understanding there could be votes Tuesday morning on the appropriations bill. The majority leader has made that clear so everybody should be on notice.

Mr. MITCHELL. Right. Mr. President, I thank my colleague.

I want to make one other thing clear. Next week, in observance of Rosh Hashanah, the Senate will not have rollcall votes from sundown Wednesday through the remainder of the week. That means that the only full day we will have will be Tuesday.

There are a number of potential amendments to the Interior appropriations bill. So I want to say right now, so there can be no misunderstanding on anybody's part, we are going to be in session late on Tuesday. Tuesday will be a day on which there will be many votes throughout the day, and we will be in session late on Tuesday as we attempt to make good progress on the Interior appropriations bill.

I thank my colleagues for their cooperation.

The PRESIDING OFFICER. The Senator from Vermont.

AMENDMENT NO. 821

Mr. LEAHY. 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 Vermont [Mr. LEAHY], for himself, Mr. MITCHELL, Mr. PELL, Mr. INOUYE, Mr. MOYNIHAN, Mr. DECONCINI, Mr. KERREY, Mr. KERRY, Mr. DODD, Ms. MIKULSKI, Mr. WOFFORD, Mr. SIMON, Mr. KENNEDY, Mr. BRYAN, Mr. LAUTENBERG, Mr. RIEGLE, Mr. EXON, Mr. ROCKEFELLER, Mr. BUMPERS, Mrs. FEINSTEIN, Mrs. MURRAY, Mr. FORD, Mr. HARKIN, Mr. METZENBAUM, Mr. DASCHLE, Mr. BRADLEY, Mr. GRAHAM, Mr. DORGAN, Mrs. BOXER, Mr. LEVIN, Mr. FEINGOLD, Mr. SARBANES, Mr. AKAKA, Mr. REID, Mr. KOHL, Mr. WELLSTONE, Mr. MATHEWS, Mr. PRYOR, Mr. SASSER, Mr. ROBB, Mr. BINGAMAN, Mr. CAMPBELL, Mr. GLENN, Mr. BYRD, Ms. MOSELEY-BRAUN, Mr. DOLE, Mr. JEFFORDS, Mr. D'AMATO, Mr. SPECTER, Mr. HATFIELD, Mr. DURENBERGER, Mr. MCCAIN, Mr. DOMENICI, Mr. MURKOWSKI, Mr. CHAFEE, Mrs. KASSEBAUM, Mr. LUGAR, Mr. SIMPSON, Mr. BURNS, and Mr. GRASSLEY, proposes an amendment numbered 821.

Mr. LEAHY. 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:

SEC. LANDMINE MORATORIUM EXTENSION ACT.

(a) This section shall be titled the "Landmine Moratorium Extension Act of 1993".

(b) FINDINGS.—The Congress makes the following findings:

(1) Anti-personnel landmines, which are designed to maim and kill people, have been used indiscriminately in dramatically increasing numbers around the world. Hundreds of thousands of noncombatant civilians, including children, have been the primary victims. Unlike other military weapons, landmines often remain implanted and undiscovered after conflict has ended, causing massive suffering to civilian populations.

(2) Tens of millions of landmines have been strewn in at least 62 countries, often making whole areas uninhabitable. The State Department estimates there are more than 10 million landmines in Afghanistan, 9 million in Angola, 4 million in Cambodia, 3 million in Iraqi Kurdistan, and 2 million each in Somalia, Mozambique, and the former Yugoslavia. Hundreds of thousands of land mines were used in conflicts in Central American in the 1980s.

(3) Advanced technologies are being used to manufacture sophisticated mines which can be scattered remotely at a rate of 1000 per hour. These mines, which are being produced by many industrialized countries, were found in Iraqi arsenals after the Persian Gulf War.

(4) At least 300 types of anti-personnel landmines have been manufactured by at least 44 countries, including the United States. However, the United States is not a major exporter of landmines. During the past ten years the Administration has approved ten licenses for the commercial export of anti-personnel landmines with a total value of $980,000, and the sale under the Foreign Military Sales program of 108,852 anti-personnel landmines with a total value of $980,000, and the sale under the Foreign Military Sales program of 108,852 anti-personnel landmines.

(5) The United States signed, but has not ratified, the 1980 Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed To Be Excessively Injurious or to have Indiscriminate Effects. Protocol II of the Convention, otherwise known as the Landmine Protocol, prohibits the indiscriminate use of landmines.

(6) When it signed the 1980 Convention, the United States stated: "We believe that the Convention represents a positive step forward in efforts to minimize injury or damage to the civilian population in time of armed conflict. Our signature of the Convention reflects the general willingness of the United States to adopt practical and reasonable provisions concerning the conduct of military operations, for the purpose of protecting noncombatants.".

(7) The United States also indicated that it had supported procedures to enforce compliance, which were omitted from the Convention's final draft. The United States stated: "The United States strongly supported proposals by other countries during the Conference to include special procedures for dealing with compliance matters, and reserves the right to propose at a later date additional procedures and remedies, should this prove necessary, to deal with such problems.".

(8) The lack of compliance procedures and other weaknesses have significantly undermined the effectiveness of the Landmine Protocol. Since it entered into force on December 2, 1983, the number of civilians maimed and killed by anti-personnel landmines has multiplied.

(9) Since the moratorium on United States sales, transfers and exports of anti-personnel landmines was signed into law on October 23, 1992, the European Parliament has issued a resolution calling for a five year moratorium on sales, transfers and exports of anti-personnel landmines, and the Government of France has announced that it has ceased all sales, transfers and exports of anti-personnel landmines.

(10) On December 2, 1993, ten years will have elapsed since the 1980 Convention entered into force, triggering the right of any party to request a United Nations conference to review the Convention. Amendments to the Landmine Protocol may be considered at that time. A formal request has been made to the United Nations Secretary General for a review conference. With necessary preparations and consultations among governments, a review conference is not expected to be convened before late 1994 or early 1995.

(11) The United States should continue to set an example for other countries in such negotiations by extending the moratorium on sales, transfers and exports of anti-personnel landmines for an additional three years. A moratorium of this duration would extend the current prohibition on the sale, transfer and export of anti-personnel landmines a sufficient time to take into account the results of a United Nations review conference.

(c) STATEMENT OF POLICY.—

(1) It shall be the policy of the United States to seek verifiable international agreements prohibiting the sale, transfer or export, and further limiting the manufacture, possession and use of anti-personnel landmines.

(2) It is the sense of the Congress that the President should submit the 1980 Convention on Certain Conventional Weapons to the Senate for ratification. Furthermore, the Administration should participate in a United Nations conference to review the Landmine Protocol, and actively seek to negotiate under United Nations auspices a modification of the Landmine Protocol, or another international agreement, to prohibit the sale, transfer or export of anti-personnel landmines, and to further limit their manufacture, possession and use.

(d) MORATORIUM ON TRANSFERS OF ANTI-PERSONNEL LANDMINES ABROAD.—For a period of three years beginning on the date of enactment of this act—

(1) no sale may be made or financed, no transfer may be made, and no license for export may be issued, under the Arms Export Control Act, with respect to any anti-personnel landmine; and

(2) no assistance may be provided under the Foreign Assistance Act of 1961, with respect to the provision of any anti-personnel landmine.

(e) DEFINITION.—For purposes of this section, the term "anti-personnel landmine" means—

(1) any munition placed under, on, or near the ground or other surface area, or delivered by artillery, rocket, mortar, or similar means or dropped from an aircraft and which is designed to be detonated or exploded by the presence, proximity, or contact of a person;

(2) any device or material which is designed, constructed, or adapted to kill or injure and which functions unexpectedly when a person disturbs or approaches an apparently harmless object or performs an apparently safe act;

(3) any manually-emplaced munition or device designed to kill, injure, or damage and which is actuated by remote control or automatically after a lapse of time.

Mr. LEAHY. Mr. President, on July 22 when I introduced the Landmine Moratorium Extension Act, I spoke at length about the urgent need to stop the slaughter of innocent people by landmines.

My amendment today is simple. It extends the current U.S. moratorium on the sale, transfer, and export of antipersonnel landmines for an additional 3 years. The moratorium was passed last year but it will expire this October unless we extend it.

With one minor change, my amendment is the same as the legislation I introduced in July, which has 59 cosponsors, including the majority and minority leaders of the U.S. Senate.

In addition to myself and Senators MITCHELL and DOLE, the cosponsors are Senators INOUYE, BYRD, MOYNIHAN, ROBB, SASSER, JEFFORDS, MCCAIN, DECONCINI, GLENN, KERRY, KERREY, LUGAR, KASSEBAUM, DODD, PELL, SPECTER, HATFIELD, DURENBERGER, D'AMATO, MIKULSKI, WOFFORD, MURKOWSKI, CHAFEE, SIMON, EXON, DOMENICI, LAUTENBERG, KENNEDY, ROCKEFELLER, BRYAN, BUMPERS, FEINSTEIN, MURRAY, HARKIN, METZENBAUM, BRADLEY, DASCHLE, FORD, GRAHAM, DORGAN, FEINGOLD, LEVIN, RIEGLE, BOXER, SARBANES, AKAKA, REID, KOHL, WELLSTONE, MATHEWS, PRYOR, CAMPBELL, SIMPSON, MOSELEY-BRAUN, BINGAMAN, BURNS, and GRASSLEY.

I mention their names because I defy anybody to find an ideological root in this. You have Senators across the political spectrum, from all parts of the country. They join together because this is not a political or economic issue as much as it is a statement of moral leadership on the part of the United States.

When we passed the moratorium last year, there was not a great deal of notice, initially. Certainly no notice, as I recall, in the press in Washington or anywhere else. But like so many other seeds that take root, the effect was great.

Let me tell you what has happened since we passed it, I think largely because of the moral leadership of the United States.

The French Government has announced that it ceased all exports of antipersonnel landmines. In fact, it went further and urged all other European countries to do the same.

The European Parliament issued a resolution calling upon its members to support a 5-year landmine moratorium.

Belgium has stopped all production of the antipersonnel landmines, and has said it will not permit the transit of landmines within its territory. It is also moving to ratify the Landmine Protocol.

Members of the British Parliament introduced a resolution for an indefinite moratorium.

The French, Swedish, and Dutch Governments have asked the United Nations to schedule a conference to review the 1980 Landmine Protocol.

UNICEF has called for a worldwide ban on production and trade in landmines.

The Secretary of State, Warren Christopher, testified in the Foreign Operations Subcommittee in support of restrictions or prohibitions on the export and use of landmines, and the State Department has said it supports an extension of the moratorium and has called on other countries to adopt similar laws.

Mr. President, everyone has seen the horrifying pictures, like this one, of innocent children with their legs and arms blown off from landmines. These are not combatants.

Bombs and artillery can be aimed at military targets, and bullets fired by soldiers at other combatants. But, like chemical weapons, landmines do not discriminate. A landmine will blow the arm or leg off whoever steps on it, and usually it is a civilian.

According to a recent State Department report titled "Hidden Killers," the first report of its kind produced by the U.S. Government on the global problem of landmines, at least 85 million landmines are scattered in 62 countries.

The magnitude of the death and destruction caused by these insidious weapons is absolutely incredible. Landmines kill or maim hundreds of people every month, most of them innocent noncombatants, many of them children, who just happen to walk in the wrong place.

Cambodia, where there are over 4 million landmines, is being cleared of mines an arm, a leg, and a life at a time. Large areas of that country will never be rid of these timeless death traps.

Kuwait has already spent over $700 million to get rid of some of the 7 million Iraqi landmines, many of which the NATO countries exported to Iraq.

Afghanistan, Lebanon, El Salvador, Mozambique, Somalia, Cyprus, Bosnia, Armenia. Even the Falkland Islands. These are a few of the countries strewn with millions and millions of landmines, some of them dating from the Second World War and still capable of blowing off an arm or a leg.

The United States is not a major exporter of landmines, but I would offer this amendment even if it were. We simply must show leadership. Landmines are increasingly being used as weapons of terror, and once they are sold there is no way of knowing where they end up, or how they are used.

High-technology landmines are capable of being scattered from the air by the thousands. Some are made to self-destruct after a period of weeks or months, but they also endanger civilians and can end up in the wrong hands.

Let me read what Gen. Patrick Blagden, head of the U.N. demining program says about self-destruct mines.

Blagden's deminers found 181 unexploded "self-destruct" mines in southern Iran, 2 years after they were sown. I am quoting him:

> If they so successfully self-destruct, how come I've got one?
>
> I don't know how many were sown, so I don't know the proportion that did self-destruct. But it certainly wasn't 99 percent. If somebody is going to prove to me that there is a 99 percent chance of self-destruction, then I am going to say, "OK, fine." But until that time, no way.

This amendment sets an example for other countries that are major landmine exporters, but it does not affect the manufacture of landmines by U.S. companies for use by U.S. forces.

Obviously, by itself, this amendment will not get rid of this horrendous problem. But it does call on the President to seek to negotiate an international agreement to prohibit the export of antipersonnel landmines and further limit their manufacture, possession, and use.

If other countries follow our example, as they are beginning to, and controls on exports are coupled with measures to limit the kinds of landmines that are manufactured and used, that would go a long way toward banning these weapons altogether.

I make no bones about it. I believe that should be our goal. Like chemical weapons, there is simply no way these weapons can be designed so they distinguish between combatants and civilians. They are inherently indiscriminatory, and they are inherently inhumane. They should be outlawed.

We are a long way from seeing that day. But in the meantime, by this amendment, we can continue the momentum we have begun.

Let me emphasize two other points. There is an international treaty that deals with landmines, but the United States has not ratified it. The administration needs to send the Landmine Protocol to the Senate for ratification without further delay.

And next year, or in early 1995, the United Nations will sponsor a conference to review the Landmine Protocol, for the purposes of strengthening it. A dialogue has already begun to define the agenda for that conference. The administration should assert an active, creative role in those discussions. The agenda should be broad enough in scope to encompass a wide range of ideas for correcting the flaws and weaknesses in the treaty.

Mr. President, I appreciate the support of all the cosponsors of this legislation.

It gives me a great deal of pride in the U.S. Senate that this amendment will be adopted on Tuesday, and I applaud those Senators of both parties.

We discuss many weighty issues on this floor. Next week we will have the signing of the first steps toward real

peace in the Middle East. Perhaps like last year, what we do on landmines will be missed by the newspapers, but it is an idea taking root around the world. Here in the U.S. Senate we lit the spark, we lit the fire.

Mr. President, I ask for the yeas and nays on this amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

Mr. LEAHY. I thank the Chair. Mr. President, I understand that rollcall will now occur on Tuesday; is that correct?

The PRESIDING OFFICER. That is correct.

Mr. LEAHY. I ask unanimous consent that when we begin the rollcalls after 2:15, according to the distinguished majority leader's original request, this be the first of the rollcalls to occur.

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

Mr. LEAHY. Mr. President, I know the Senator from Arkansas is here to speak. We have a second amendment. I am simply going to put it into the RECORD because it is going to be accepted. It is offered on behalf of myself and Mr. KENNEDY. But I had wanted the managers of the bill on the floor to do that.

Mr. PRYOR addressed the Chair.

Mr. LEAHY. I yield to the Senator from Arkansas.

Mr. BROWN addressed the Chair.

The PRESIDING OFFICER. Has the Senator yielded for a question?

Mr. LEAHY. Mr. President, I yield to the Senator from Arkansas for——

The PRESIDING OFFICER. The Senator has a right to yield to the Senator for a question. The Senator from Colorado is seeking recognition.

Mr. LEAHY. Mr. President, I am reluctant for a moment to give up the floor. I am only going to hold it for about a minute. I just was hoping that——

Mr. PRYOR. I was going to make a suggestion as to how to get us out of our dilemma.

Mr. LEAHY. I ask unanimous consent to yield for that purpose without losing my right to the floor.

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

Mr. PRYOR. I am wondering, I certainly do not want to take over from the Senator from Colorado, because I think he may want to go next with an amendment. I am not in the business of yielding time. I wonder if we might temporarily lay the Senator's amendment aside for a moment to allow the Senator from Colorado to go forward with his statement and then perhaps return to the amendment of the Senator from Vermont.

Mr. LEAHY. I am perfectly willing to do that. I think I can do it in about 20 seconds, now that the distinguished chairman is here.

The PRESIDING OFFICER. The Senator from Vermont has the floor.

Mr. LEAHY. I have completed my discussion of my amendment. We have ordered the yeas and nays. The vote will be on Tuesday. I ask if I might simply insert a statement on behalf of Senator KENNEDY, a statement on behalf of myself, and an amendment on behalf of Senator KENNEDY and myself and ask for its acceptance on the subject of authorizing funds for clearing landmines.

Mr. NUNN. Is this the second amendment we discussed that has been cleared that basically provides surplus funds for the purpose of clearing landmines?

Mr. LEAHY. That is right.

Mr. NUNN. I recommend acceptance.

Mr. THURMOND. Mr. President, I share the concerns expressed by the senior Senator from Vermont, Senator LEAHY, and the senior Senator from Massachusetts, Senator KENNEDY, regarding the tragic accidental deaths and injuries suffered by innocent civilians as a result of antipersonnel landmines left on former battlefields around the world.

Unfortunately, the weapons of war are intended to maim and kill. Antipersonnel landmines are particularly bad because they may remain in battle areas long after the battles are over causing injury and death to innocent civilians.

I support Senator KENNEDY's amendment to utilize resources of the Department of Defense to assist in the removal of these mines and for research to develop better ways to detect and neutralize residual antipersonnel landmines.

I appreciate the cooperative manner in which Senator LEAHY's staff has worked with members of my staff. I understand that Senator LEAHY has agreed to maintain the wording of the current law with respect to the policy of the United States regarding the manufacture, possession, and use of antipersonnel landmines.

Last year the Senator from Vermont agreed that the moratorium on sale, transfer, or export of antipersonnel landmines should be for only 1 year. This year, he proposes that the moratorium should be extended for 3 more years. Unfortunately, because of this proposed moratorium, the U.S. manufacturers will continue to be prohibited from exporting antipersonnel landmines with self-destruct features.

Antipersonnel landmines manufactured by the United States have self-destruct or self-neutralizing features rendering them harmless after reasonable periods of time. Obviously, these mines do not pose the threat to innocent civilians that less sophisticated mines do.

As a result, countries seeking to buy such mines from the U.S. firms will be forced to buy elsewhere and may buy the more dangerous mines without self-destruct features, thereby making the situation Senator LEAHY has described, and which we all abhor, even worse.

In fact, the protocol of the 1980 convention cited throughout Senator LEAHY's amendment does not preclude the use of antipersonnel mines with self-destruct or self-neutralizing features. But Senator LEAHY's amendment prohibits the sale or export of such mines.

Mr. President, I am also concerned that the United States will be prohibited from transferring antipersonnel landmines to allies and coalition parties even when hostilities are imminent or have begun.

I hope that the Senator from Vermont does not intend to propose limitations on the future use of mines by our own forces. Our military forces should not be required to go into battle with unilaterally imposed restrictions which greatly increase their risks. Our forces may arrive in areas of combat outnumbered, requiring the use of economy of force measures where the employment of both antitank and antipersonnel mines are essential to deny the enemy key terrain and critical avenues of approach.

Mr. President, all of us share the concern expressed by Senator LEAHY's amendment. However, I believe that the moratorium proposed in this amendment may have a symbolic effect but will do little to alleviate the situation.

Mr. President, I yield the floor.

AMENDMENT NO. 822

(Purpose: To authorize the use of funds by the Department of Defense for the clearing of landmines for humanitarian purposes)

Mr. LEAHY. Mr. President, I send the amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. Under the request of the Senator from Arkansas, the amendment that has been discussed here the past hour or so by the Senator from Vermont is laid aside.

The clerk will report.

The bill clerk read as follows:

The Senator from Vermont [Mr. LEAHY], for Mr. KENNEDY, for himself and Mr. LEAHY, proposes an amendment number 822.

Mr. LEAHY. 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 81, between lines 7 and 8, insert the following:

SEC. 307. FUNDS FOR CLEARING LANDMINES.

Of the funds authorized to be appropriated in section 301, not more than $10,000,000 is authorized for activities to support the clearing of landmines for humanitarian purposes (as determined by the Secretary of Defense), including the clearing of landmines in areas in which refugee repatriation programs are on-going.

Mr. NUNN. Could the Senator from Vermont bring me up to date on what the status of his first amendment is?

Mr. LEAHY. I want to make sure I understand. Mr. President, am I correct in that we debated my first amendment and it is before the Senate? I have asked for the yeas and nays and, under the earlier unanimous-consent request, a vote will now occur as the first of whatever series of votes we have following the caucuses on Tuesday.

Mr. NUNN. I thank the Senator.

The PRESIDING OFFICER. The statement of the Senator from Vermont is correct.

Mr. LEAHY. I further understand Senator KENNEDY's amendment, cosponsored by me, is now before the Senate?

The PRESIDING OFFICER. Amendment No. 822 is now before the Senate.

Mr. LEAHY. I will accept a voice vote on that.

Mr. KENNEDY. Mr. President, this amendment continues an effort begun by last year's defense bill to address a serious worldwide humanitarian problem—the tens of millions of uncleared, unexploded land mines that plague large numbers of Third World nations around the globe. My amendment would provide $10 million to the Defense Department to support current and planned efforts to remove these mines.

This problem has been carefully studied. Last year, I sponsored a provision in the fiscal year 1993 Defense Authorization Act that required a report from the President on the status of international mine-clearing efforts in situations involving the repatriation and resettlement of refugees. That report, "Hidden Killers: The Global Problem With Uncleared Land Mines," was issued this past July. It paints a devastating picture of uncleared mines as a scourge of war-torn nations trying to rebuild themselves after the conflict ends.

According to the report, more than 85 million landmines scattered around the world kill 150 people each week, maim countless more, and pose a devastating obstacle to efforts to repatriate refugees and resettle lands in areas that were formerly war zones.

If mines are not cleared from these areas of habitable land, refugees cannot return to these areas and rebuild their lives and their societies. Farmers cannot plant crops in fields littered with mines. Injuries from mine explosions overwhelm health care facilities. The cost of demining is a heavy burden to struggling economies. To demine up to 7 million landmines spread across Cambodia, that nation's entire GDP for 5 years would have to be devoted to nothing else but clearing these mines.

The "Hidden Killers" report outlines practical steps that the United States can take to address this enormous problem. The solution involves training foreign military personnel and civilians to conduct demining operations, and providing them with the equipment and technical assistance to carry out the job themselves. U.S. know-how and equipment can help these nations to help themselves.

In particular, the report focuses on the interagency Demining Consultative Group. This group, consisting of representatives of the Office of the Secretary of Defense, the Joint Chiefs of Staff, regional bureaus of the State Department, and selected demining experts of the Defense Department, brings together experts on the technical and policy problems of demining to formulate a national strategy for addressing the global problem.

The specific recommendations contained in the report emphasize three main areas: education and training, technical assistance, and equipment and technology.

The report points to two training methods that have proved effective to date. The first consists of bringing foreign personnel to the United States for training as demining instructors. In the spring of 1993, the U.S. Army conducted its first demining training course for foreign mine clearing instructors. The course was a success, and the report recommends continuing this form of training, which costs less than $4,000 per trainee.

The second method consists of sending Special Operations Forces overseas to conduct training on mine clearing in the nations that need it. The Special Operations Command has already conducted a successful demining training course under U.N. auspices in Afghanistan. The command has used this experience to develop a demining training course that it can tailor to local conditions around the world.

With respect to technical assistance, the Defense Department has outstanding experts on mine detection and removal located at several key centers around the Nation. They have compiled a comprehensive database on mines and demining. This database should be put in declassified form and made available to foreign demining personnel and to the U.N.

The Demining Coordination Group is currently looking at ways to establish an official communications channel between the United States and other nations. This system can make technical assistance available on a regular basis.

Finally, we can provide equipment to foreign personnel trained by our forces to clear mines. Much of this material consists of excess stocks maintained by our Armed Forces, and will require no additional procurement. We should also pursue new technologies for wide-area mine clearing.

The committee bill provides $10 million in research and development for advanced counter-mine warfare capability, and I hope that the needs of civilian mine clearing will be considered in that program as well.

This amendment provides $10 million to the Defense Department to implement these recommendations. This sum is an investment that will help remove a main obstacle to the reconstruction of war-torn nations, and I urge the Senate to approve it.

Mr. LEAHY. Mr. President, I rise to offer an amendment on behalf of Senator KENNEDY and myself to authorize up to $10 million for activities to support clearing landmines. When the Defense appropriations bill comes to the floor I intend to offer an amendment to make these funds available.

I want to applaud Senator KENNEDY for sponsoring this amendment, which I understand has been accepted by both sides.

Five years ago I started a fund in the foreign aid program to get medical aid to landmine victims. Last year I sponsored a moratorium on the export of antipersonnel landmines from the United States. This amendment is the third leg of this effort to stop the slaughter of innocent people by landmines.

There are 100 million landmines scattered around the world in over 62 countries. Think of what that means for the people of those countries, who live in constant fear that they, or their children, will inadvertently step on one of these explosives and lose a leg, or an arm, or their life.

In Cambodia, over 4 million mines have turned huge areas of that country into death traps for returning refugees. The same is true of Afghanistan, Nicaragua, Mozambique, Somalia, Bosnia. The list goes on.

The Defense Department has a long history of involvement in mine clearing, but from a military perspective. Its focus has been in countermine warfare, not getting rid of mines in humanitarian situations, to enable civilians to return to their land after a conflict.

The purpose of this amendment is specifically to get U.S. military personnel involved in training, technical assistance, and provision of equipment, and other activities in support of landmine clearing efforts in a humanitarian context.

We are not contemplating that these Americans will get involved in actual mine clearing. That is for the people of those countries. but our people have the expertise and the resources to assist countries that are trying to deal with their own landmine problems.

I look forward to discussions with the administration on the specifics of implementing this program.

Mr. President, long after the conflict has ended and people have forgotten why they were fighting, millions of landmines continue to kill and maim innocent people. The human and economic costs of these weapons is incalculable. This amendment is another step toward stopping this senseless slaughter.

The PRESIDING OFFICER. Is there further discussion on amendment No. 822?

Mr. NUNN. Mr. President, I believe we now have a unanimous-consent agreement, as I understand it, that has been entered on the Leahy amendment which has just been debated and will be voted on Tuesday.

The PRESIDING OFFICER. It will be the first vote taken after the caucus.

Mr. NUNN. Are the yeas and nays ordered on that?

The PRESIDING OFFICER. Yes.

Mr. NUNN. I ask unanimous consent there be no other amendment to that amendment.

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

Is there further debate on amendment No. 822?

The amendment (No. 822) was agreed to.

Mr. LEAHY. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

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

The motion to lay on the table was agreed to.

Mr. BROWN addressed the Chair.

The PRESIDING OFFICER. The Senator from Colorado is recognized.

Mr. BROWN. I thank the Chair. Mr. President, I have three amendments. Two have been agreed to by both sides. One has not been agreed to by both sides. I ask unanimous consent that I might be allowed to offer the three in order, and that my time in presenting the one amendment that has not been agreed to, by both sides, be limited to 5 minutes.

The PRESIDING OFFICER. Is there objection?

Mr. NUNN. The majority would object. I apologize to the Senator. I did not hear.

The PRESIDING OFFICER. The Senator has asked unanimous consent that the three amendment, he has, be allowed to be offered now in order, and that the final amendment which has not been agreed upon by the managers have a 5-minute time agreement.

Mr. BROWN. Five minutes only to apply to my presentation.

Mr. NUNN. I think we can accomplish the same purpose, but this is a big unanimous-consent request. I do not have the amendments before me. I do not know what they are all about. We are under a very unusual kind of agreement, so I would ask the Senator if he would please deal with one amendment at a time.

I would at this point object to that unanimous-consent request, but I believe we could get the same thing done.

The PRESIDING OFFICER. The Senator from Colorado.

AMENDMENT NO. 823

(Purpose: To affirm that the Department of Energy will honor its commitments under existing environmental compliance agreements)

Mr. BROWN. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report the amendment.

The bill clerk read as follows:

The Senator from Colorado [Mr. BROWN], for himself, Mr. CAMPBELL, and Mr. METZENBAUM, proposes an amendment numbered 823.

Mr. BROWN. 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 413, between lines 18 and 19, insert the following:

(e) EXISTING OBLIGATIONS.—(1) Notwithstanding any other provision of this section, nothing in this Act is intended to void or amend any obligation of the United States under any agreement referred to in subsection (a). In addition, this section is not intended to require any party to any agreement referred to in subsection (a) to renegotiate its agreement.

(2) The Secretary of Energy shall, 60 days prior to filing its report required in subsection (d), provide a copy of the proposed report and request comments from parties to agreements referred to in subsection (a). Any such comments received shall be printed as an appendix to the report to Congress.

Mr. BROWN. Mr. President, this bill that is before us provides for a review and an analysis of a number of projects in the environmental area. This amendment simply attempts to make it clear that the Department of Energy will honor its existing commitments under environmental compliance agreements, those, that is, agreements that have already been entered into and executed.

I believe it has been okayed by both sides.

Mr. CAMPBELL. Mr. President, I want to take this opportunity to thank the Armed Services Committee for its assistance in accepting this amendment to section 3138 of S. 1298, the Department of Defense authorization bill. Section 3138 of this bill requires the Secretary of Energy to review all of the Department of Energy's environmental compliance agreements, and identify requirements that are unnecessary or that cannot be completed by the required date. The language also requires the Department to consider alternatives to the agreements and report these alternatives to the congressional defense committees.

While the language is purportedly neutral with respect to future enforceability of these agreements, concerns have been raised that section 3138 of the bill severely undermines existing agreements between the DOE and State and Federal agencies.

Thanks to the passage of the Federal Facilities Compliance Act, States are now authorized to fine Federal agencies for violations of State hazardous waste laws. Section 3138, as written, seems to assume that States have been unreasonable in exercising their new enforcement authority. This assumption is totally unfounded. In short, section 3138, as written, weakens the position of the States in enforcing environmental agreements entered into with the Federal Government. This provision could jeapordize the current cleanup framework and further delay site cleanup, making a mockery of the Federal Government's stated goal of expedited cleanup at these sites.

The Campbell-Brown amendment clarifies the language in section 3138 by stating that nothing in the bill lessens any existing U.S. obligation with respect to these previous agreements between the States and the Department of Energy.

This amendment ensures that State sovereignty is protected so environmental agreements may be enforced, as outlined in the Federal Facilities Compliance Act.

Mr. NUNN. Mr. President, let me make sure that we are talking about the same amendment.

As I understand it, this amendment will clarify that the study of DOE environmental activities required by section 3138 of this bill would not void or amend any obligations that DOE has made in any environmental agreements. In addition, this amendment will clarify a provision of the authorization bill and would not require one party to any of the environmental agreements to renegotiate any agreement.

Is that the amendment we are talking about?

Mr. BROWN. It is.

Mr. NUNN. Mr. President, I recommend approval of the amendment.

The PRESIDING OFFICER. Is there further debate on the amendment? If not, the question is on agreeing to the amendment.

The amendment (No. 823) was agreed to.

AMENDMENT NO. 824

(Purpose: To require the Secretary of the Air Force to determine the unit assignment and basing location for C-130 aircraft procured for the Air Force Reserve from funds appropriated for National Guard and Reserve Equipment procurement for fiscal year 1992 or 1993 in such manner as the Secretary determines to be in the best interest of the Air Force)

Mr. BROWN. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report the amendment.

The bill clerk read as follows:

The Senator from Colorado [Mr. BROWN] for himself and Mr. CAMPELL, proposes an amendment numbered 824.

Mr. BROWN. 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 242, after line 19, insert the following:

SEC. 1067. BASING FOR C-130 AIRCRAFT.

The Secretary of the Air Force shall determine the unit assignment and basing location for any C-130 aircraft procured for the Air Force Reserve from funds appropriated for National Guard and Reserve Equipment procurement for fiscal year 1992 or 1993 in such manner as the Secretary determines to be in the best interest of the Air Force.

Mr. BROWN. Mr. President, this particular amendment is to require the Secretary of the Air Force to determine the unit assignment and basing locations for C-130 aircraft procured for the Air Force Reserve from funds appropriated for the National Guard for Reserve equipment procurement for fiscal years 1992 and 1993 in such manner as the Secretary determines to be in the best interests of the U.S. Air Force.

This amendment has been cleared by both sides.

Mr. CAMPBELL. Mr. President, I rise to support this amendment, and I commend the senior Senator from Colorado, my friend and colleague, for sponsoring this legislation.

Mr. President, this amendment is very short, and very simple, and I hope that we can accept it without debate. This amendment simply makes it clear that the Secretary of the Air Force has sole responsibility for determining where she wants to base C-130 aircraft already procured for the Air Force Reserve.

I trust Secretary Widnall to make this decision based on military efficiency and cost-effectiveness. Unfortunately, she may find her decisions second-guessed and undermined by congressional interference, which is usually entirely unjustified in military terms. I hope that the Senate will support this amendment in this particular instance, and perhaps we can set a small example here that we are going to quit playing political games by moving around military units.

Mr. President, I yield the floor.

The PRESIDING OFFICER. Is there further debate on the amendment? If not, the question is on agreeing to the amendment.

The amendment (No. 824) was agreed to.

AMENDMENT NO. 825

(Purpose: To ensure proposals for merger of United States Space Command and the United States Strategic Command proceed with thorough cost-benefit analysis and consultations with Canada)

Mr. BROWN. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report the amendment.

The bill clerk read as follows:

The Senator from Colorado [Mr. BROWN] proposes an amendment numbered 825.

Mr. BROWN. 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 193, between lines 3 and 4, insert the following:

"Sec. 905. Requirement for Proposals to Merge the United States Space Command and the United States Strategic Command.

(a) DEFENSE DEPARTMENT REPORT.—Before submitting a final report on and before beginning a merger or move of any United States Space Command assets or functions to United States Strategic Command, the Secretary of Defense shall:

(1) CONSULTATIONS.—consult with the government of Canada on any proposed functional or operational transfers and the effect of any proposed merger of the two commands on existing agreements and practices of the two countries in defending the North American continent;

(2) REPORT.—submit to the Speaker of the House of Representatives and the Chairman of the Armed Services Committee of the Senate a report detailing—

(i) all of the costs, including possible environmental costs, that would be incurred through relocation of the United States Space Command or of any of its elements, functions or missions;

(ii) the results of consultations with the government of Canada, and the effect of such a merger on the defense agreements and practices of the two countries.

Mr. CAMPBELL. Mr. President, I join my friend and colleague from Colorado in support of this amendment. I know that General Powell broached the idea of merging the U.S. Space Command and the U.S. Strategic Command, and I agree that we need to study that option. I think we need to consider all proposals that might allow our armed services to do the job they need to do more efficiently. The Defense Department should have the freedom to make decisions based on military goals and cost effectiveness; it's our job to play politics.

It's also our job to provide oversight and guidance to the executive branch, including the Department of Defense. This amendment simply provides that oversight by ensuring the Secretary of Defense considers international factors regarding a potential Spacecom-Stratcom merger, and ensures that Congress has the necessary information to make an informed decision about this merger. We need that information to do our jobs as elected representatives.

Mr. President, I yield the floor.

Mr. BROWN. Mr. President, my intention is to limit my remarks on this amendment to 5 minutes or less.

Mr. NUNN. Will the Senator yield just for a brief observation?

It is my understanding the Senator from Nebraska [Mr. EXON] objects to the amendment. We are letting him know. This will be one of these amendments that will be debated and I assume we will vote on it on Tuesday.

Is that the Senator's understanding?

Mr. BROWN. Yes. While I do not have a final word for him, my thought would be to ask for a record vote. That can always be vitiated. But I think as a courtesy to the Senator from Nebraska that would be appropriate.

Mr. NUNN. He will be here in a moment, so if the Senator will just proceed we will be guided by that.

Mr. BROWN. I thank the Senator.

Mr. President, this particular amendment deals with a study that is currently underway, and that is the potential merger of the U.S. Space Command and the U.S. Strategic Command. There is an amendment dealing with this subject that is a part of the House bill. That particular amendment suggests that there be a moratorium on any merger or any recommended merger until a variety of items are studied and reviewed.

This amendment that I am proposing does not suggest a moratorium. I am suggesting simply that several factors be included in any analysis of that potential merger. Indeed, if there are savings to be achieved, this Congress ought to be willing to look at those potential savings.

What this amendment does, though, is pretty basic. Since the U.S. Space Command is a joint command—it is a command that is participated in by the sovereign nation of Canada along with the United States—this amendment asks that the Canadians be consulted before the report on this subject is completed.

It seems to me that is the least that we should do. It should not inordinately delay any decision in this area, but it seems the least that we ought to do before a decision or a report is made.

Mr. President, it also asks one additional thing. It asks that any report on this subject include the cost of moving that. That seems to me to be a basic item. I cannot imagine a report coming out without it. But this makes clear and makes sure that no decision is made and no report is generated without analyzing the cost.

These are two pretty basic, reasonable suggestions.

Mr. President, at this point I reserve the remainder of my time.

Mr. PRYOR addressed the Chair.

The PRESIDING OFFICER. The Senator from Arkansas.

Mr. PRYOR. Mr. President, I was visiting with Senator LEAHY. Did the Senator from Colorado yield?

The PRESIDING OFFICER. The Senator from Colorado no longer has the floor. The Senator from Arkansas now has the floor.

Mr. PRYOR. Mr. President, I thank the Chair very much for recognizing me. I will be very brief. It is late. It is Friday afternoon. But I do want to address for a few moments a very critical issue in those communities, Mr. President, which have been adversely affected or will be adversely affected by military base closing.

On this amendment that I am offering today, we worked very carefully with several cosponsors, members of the Armed Services Committee, with members of the various committees involved with the issue of base closings.

We are very proud today to offer this amendment. I do so in behalf of 15 Members of the Senate, and in a moment I will send the amendment to the desk. I will read the names of the cosponsors.

The PRESIDING OFFICER. The Senator is advised that there is now an amendment pending. You have to ask unanimous consent to set it aside.

Mr. PRYOR. I was not aware of that. I ask unanimous consent that the pending amendment be set aside.

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

Mr. PRYOR. Mr. President, before I proceed, I see my friend from Nebraska appearing, and he might want to question what we are doing. Am I wrong in that interpretation?

Mr. EXON. If I may respond without the Senator losing his right to the floor, I came down to speak against—possibly at some length—the amendment offered by the Senator from Colorado. That is why I am here. I will be talking about this for some time. I am not sure. Is the Senator from Arkansas offering an amendment?

Mr. PRYOR. Yes. Mr. President, if I may respond to my friend from Nebraska, I am about to momentarily send an amendment to the desk. It is an amendment that I understand has been accepted on both sides of the aisle. I will speak very shortly. Then I have another amendment. It, too, has been accepted on both sides of the aisle. I will not even speak on that amendment. I will just insert my statement in the RECORD. I do not want to detain the Senator, nor do I want to detain the Senate.

Mr. EXON. The Senator from Vermont has an amendment that I understand has been agreed to on both sides. The only possible difficulty the Senator from Nebraska has is an airplane schedule that I am somewhat tight on but not that tight.

Let me ask the Parliamentarian. Since we are on a streamlined procedure here, when an amendment is offered by a Senator then is that the proper time and the proper order for anyone who has differing points of view with regard to the amendment?

The PRESIDING OFFICER. The Senator is directing the question to the Chair. Is that right?

Mr. EXON. Yes. Or is it open to whoever gets the floor to do whatever they wish to do after an amendment has been offered?

The PRESIDING OFFICER. Under the procedure of the Senate, if there is an amendment pending, unless there is some unanimous-consent agreement entered to change that, if there is an amendment pending, it would have to be set aside to take up another amendment.

Mr. EXON. I would object therefore to the matter of procedure of setting aside of the amendment that I understand has been——

The PRESIDING OFFICER. The unanimous-consent agreement has already been entered into. The amendment has been set aside.

The Senator from Arkansas has the floor.

Mr. EXON. The Senator from Nebraska then is not in a position to make any further objection. I will await my turn.

Mr. PRYOR. Mr. President, I want to apologize to the Senator from Nebraska. I did not know I was doing anything that was going to preclude him from making his statement short or long on this.

Mr. President, I understand the Senator from Wisconsin, speaking of plane schedules, has a plane to catch. I am not yielding time. But for the moment I am going to sit down.

Several Senators addressed the Chair.

The PRESIDING OFFICER. The Senator from Wisconsin [Mr. FEINGOLD] is recognized.

Mr. FEINGOLD. Thank you Mr. President. This will only need 30 seconds.

AMENDMENT NO. 826

Mr. FEINGOLD. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Wisconsin [Mr. FEINGOLD], for himself and Mr. KOHL, proposes an amendment numbered 826.

Mr. FEINGOLD. 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 bill add the following new section:

Purpose—Sense of the Congress regarding the justification for continuing the Extremely Low Frequency Communication System.

Findings—There is a need to re-evaluate all defense spending in light of the post-Cold War era and budget and fiscal constraints;

The Extremely Low Frequency Communications System (ELF System) was originally designed to play a role in the strategic deterrence mission against the former Soviet Union;

The threat of nuclear war has greatly diminished since the collapse of the Soviet Union;

The ELF system is increasingly in use for communications with our SSN attack submarines in addition to our strategic missile submarines;

Military base closing, downsizing of military facilities and activities, and termination of selected projects are appropriate in light of the end of the Cold War and the approximately $4 trillion national debt; and

It is appropriate to establish funding priorities within the military defense budget; and

Ongoing studies of the effects of ELF operations on human health and the environment are due to be concluded next year;

Now, therefore, it is the Sense of Congress that—

(1) The Secretary of Defense should conduct an evaluation of the benefits and costs of continued operation of the Extremely Low Frequency Communications System and alternatives thereto, if any;

(2) The results of such an evaluation should be submitted to the Congressional Defense Committees prior to consideration of the Fiscal Year 1995 Defense Budget request; and

(3) Extremely Low Frequency Communication System should again be considered in the next round of military base closures.

Mr. FEINGOLD. Mr. President, I understand that this amendment will be accepted by the managers and I appreciate their willingness to reach an agreement on the text of the amendment.

The amendment is a sense-of-the-Congress resolution that the justification for continuing the extremely low frequency [ELF] communications system should be reevaluated in light of our budget and fiscal constraints and the need to reevaluate all defense spending in light of the post-cold-war era. The amendment calls for DOD to conduct an evaluation of the benefits and costs to continue operation of the ELF system.

The ELF Project is a communication system of the U.S. Navy which was developed during the cold war as a device for the *Trident* submarine fleet to communicate through deep-water signals. This project is of special concern to Wisconsin because one of the 28-mile transmitter sites is in Clam Lake, WI.

ELF operates as a messenger—or bell ringer—which sends electromagnetic waves with one-way, phonetic-letter-spelled-out [PLSO] messages to submarines deployed in deep waters. The PLSO messages act like a beeper and tells the deep-water submarine that it needs to come to shallow waters to receive a message. In essence, ELF protects submarines by allowing them to surface to shallow waters only when they know they have messages, rather than risking periodic surfacing to check for messages. However, as we all know, the naval nuclear threat has greatly diminished since the collapse of the Soviet Union. Although originally designed for the *Trident* submarine, the resolution has been modified to note that it is also used in the SSN fleet.

Wisconsinites have been trying to kill this program ever since its creation in the early 1980's. On July 15, I introduced legislation, S. 1247, 5o terminate the program. The safety and security benefits it offered then were marginal at best. Today, as this amendment reflects, I believe a thorough review of ELF's continued purpose and costs is warranted.

I hope that the study which the resolution encourages the Secretary to undertake will look not only at the cost-effectiveness and relevance of this program, but also look at the environmental and public health hazards associated with ELF. The Navy has historically claimed that electromagnetic waves emanating from the transmitter are similar to the electromagnetic fields produced by ordinary civilian electric power companies. Residents in the area, however, point to a 1992 Swedish finding about the link between magnetic fields of power lines to leukemia.

Furthermore, I would point out that in 1984 a U.S. district court, ruling on State of Wisconsin versus Weinberger, ordered ELF to be shut down because the Navy paid insufficient attention to ELF's possible health effects and violated the National Environmental Policy Act. An appeals court threw out the ruling, arguing that the national security threat at the time from the Soviets was more important. While our national security is still of paramount concern, it seems sensible to review this ruling in light of the changed geostrategic realities.

For these reasons, I am pleased that this amendment will be accepted. We most certainly need a review and justification of ELF which will address both our military concerns and the threat to our national security posed by the bloated Federal deficit. This amendment calls on the Secretary of Defense to conduct such a review; I would hope that given its candidacy as a cold war relic the Office of Management and Budget will also play a major role in the study.

Once again, I thank the managers of this bill for their cooperation, and hope that this will be only the first step in eliminating project ELF and reordering our military priorities.

Mr. NUNN. Mr. President, I hope we will be able to accept this amendment.

Mr. President, this amendment has been worked out. The Senator from Wisconsin has been very cooperative in working with us on the working of this amendment. It is now a study as I understand it, and it would take an objective look at this system and determine whether it is still relevant and needed. Is my understanding correct?

Mr. FEINGOLD. That is correct.

Mr. NUNN. I recommend adoption of the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Wisconsin.

The amendment (No. 826) was agreed to.

Mr. LEAHY addressed the Chair.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Mr. President, with the tremendous cooperation and help from the distinguished Senator from Georgia [Mr. NUNN], I have an amendment.

The PRESIDING OFFICER. The Senator is advised that the Brown amendment has reoccurred.

Mr. LEAHY. I understand. I want to do this for the edification of the Senator from Colorado. I have an amendment which has been agreed to. I wonder if he would object if I ask unanimous consent to set it aside. I guarantee it will not take more than a minute.

I ask unanimous consent that the Brown amendment be momentarily set aside so that I can send to the desk an amendment in behalf of myself and Mr. SASSER.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

AMENDMENT NO 827

(Purpose: To impose certain limits on the B-2 bomber aircraft program)

Mr. LEAHY. Mr. President, I send an amendment to the desk on behalf of myself and Mr. SASSER, and I ask for its immediate consideration.

The legislative clerk read as follows:

The Senator from Vermont [Mr. LEAHY], for himself and Mr. SASSER, proposes an amendment numbered 827.

Mr. LEAHY. 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 20, between lines 4 and 5, insert the following:

(c) TOTAL PROGRAM LIMITATIONS.—(1) Notwithstanding any other provision of law, funds available for the Department of Defense pursuant to authorizations of appropriations in this or any other Act may not be expended for acquisition of more than 20 fully operational B-2 bomber aircraft that meet the Block 30 requirements (as defined by the Secretary of the Air Force as of August 1, 1993), plus one test aircraft.

(2) The total amount obligated on or after the date of the enactment of this Act for research, development, test, and evaluation for, and acquisition, modification and retrofitting of, the 20 B-2 bomber aircraft (and the one test aircraft) referred to in paragraph (1) and for paying the costs associated with termination of the B-2 bomber aircraft program upon completion of the acquisition of such 20 aircraft (and the one test aircraft) may not exceed $28,968,000,000 (in fiscal year 1981 constant dollars).

(3) The Congress declares that it will consider enacting legislation to increase the amount of the limitation specified in paragraph (2) if—

(A) for any fiscal year beginning after September 30, 1994, the Secretary of Defense has requested funds for the B-2 bomber aircraft program in the documents submitted to Congress by the Secretary in connection with the budget submitted to Congress pursuant to section 1105 of title 31, United States Code, for that fiscal year;

(B) obligation of the total amount of the funds so requested would not have violated the limitation; and

(C) the requested funds—

(i) have not been made available for such fiscal year as requested; or

(ii) have been made available for such fiscal year but have not been obligated in such fiscal year by reason of any limitation or restriction on the obligation of such funds that is contained in an Act enacted after the date of the enactment of this Act.

Mr. LEAHY. Mr. President, this is an amendment on the B-2 that would not have been worked out now except for the tremendous help of chairman of the committee and other Senators, Senator SASSER, and myself. I think we have an agreeable amendment.

Mr. President, this is a simple amendment: I am seeking to cap the B-2 bomber program at 20 planes, with a total program cost of $44.4 billion.

This is identical to the proposal put forward by then President Bush and Secretary of Defense Richard Cheney in January 1992.

As a long time opponent of the B-2 bomber, I was hoping this amendment would not be necessary.

I had thought the issue was settled once and for all last year.

The Senate tacitly endorsed the 20-plane proposal of the Bush administration, by barely rejecting an amendment I offered with Senators SASSER and COHEN to stop the program after 15 planes.

But 1 year later, 1 year after receiving its last rites, the heart of the B-2 program continues to beat. One prominent Senator, my good friend from Hawaii Senator INOUYE, recently sent a letter to the Secretary of Defense suggesting 60 B-2 bombers may be needed to handle future contingencies.

And, the report to this Defense authorization bill suggests that if the United States wants to retain the capability to fight two wars at once, the Air Force would need 60-100 B-2 equivalents.

The beat goes on.

Mr. President, enough is enough. We just voted to cut the budget deficit by $500 billion over the next 5 years. The American people say we still have not cut enough.

My amendment is about accountability and affordability. The Senate needs to ensure that the B-2 bomber program is finally going to cost what it is advertised to cost.

And if there are attempts to overturn the decision to build 20 B-2 bombers, a vigorous public debate is called for.

This amendment will guarantee just that.

Let me give you a few facts about the B-2 program and you can decide if we are at a point where we can even consider spending another dime on this program.

Congress has appropriated over $30 billion for the B-2 program over the past decade and the first plane is not yet operational.

The last five B-2's are more than one third complete but the Air Force has still not yet negotiated a contract with Northrop—the prime contractor.

The Secretary of Defense has not yet issued a required report that provides the final cost to build 20 planes.

Despite touting the conventional capability of the B-2, the Secretary of Defense asked Congress this year to begin a new $200 million program that improves the plane's bombing capability.

Under the most optimistic Air Force scenario, the B-2 will not reach its full potential for performing the most demanding conventional missions until after the turn of the century.

Mr. President, the chairman of the Senate Armed Services Committee will correctly inform the Members of this body that the Defense authorization bill includes no funding for more than 20 B-2 bombers.

There is not one penny to build an additional plane in the bill. But the door has been left open at the Treasury Department to spend billions more on additional planes.

The Defense Authorization Act report provides several pages of skepticism that the B-1 can be the backbone of our future bomber fleet as called for in Air Force planning documents.

I opposed the B-1—a plane which the American taxpayers spent over $30 billion to build in record time under no pretense of workmanship. I am not going to stand here on the Senate floor defending what I once referred to as the flying Edsel until Chairman NUNN pointed out to me that the plane does not fly half of the time. Now I just call it the grounded Edsel.

My patience on the B-1 is exhausted. The rubric of claims and counterclaims made about the plane is impossible to decipher. Here is an example: In April, the Air Force Chief of Staff testified that:

> This aircraft continues to perform magnificently in the field. The B-1 is becoming the work horse of the conventional bomber force.

But the Defense Authorization Committee came to quite a different conclusion in its report:

> The committee is also concerned about the ability of the B-1 to become a reliable conventional bombing workhorse.

The American taxpayer spent over $30 billion on either an incredible bomber or an incredible flying heap of junk.

Mr. President, I want to make sure that Congress does not end up throwing good money after bad. The debate over the current capabilities of the B-1 will continue this year. But that alone is not reason to start purchasing more B-2's—the only plane more expensive than the B-1.

While Chairman NUNN has not included any additional funding for B-2 bombers, the bill also does not impose a spending cap on the program at 20 planes.

The B-2 is not an entitlement program.

The amendment I am offering today simply ensures that the American taxpayer gets B-2's as advertised for the cost promised by the Air Force. Here is an insurance plan for accountability. If there is a cost overrun, the Air Force will need to ask for relief from the cap and why should the American people not deserve explanations after committing billions to the program.

I fully acknowledge that the debate over the future of the U.S. bomber force is ongoing. But, my amendment does nothing to preclude the President and Congress from deciding at a future date to turn the spicket back on for the B-2.

I am against purchasing any planes beyond the 20 authorized but if the Secretary of Defense at a future date determines we need additional bombers, he can seek to overturn the cap.

Accountability and affordability. The President and Vice President are fighting to bring that to the Federal Government. We need to reinforce those values on the Senate floor.

Mr. President, over the past several days, I have worked with Chairman NUNN on a modification that will accommodate his concerns about future funding fences that might be imposed by the Congress on this program.

I am pleased that we have come to an agreement on this issue that strikes a proper balance between accountability and common sense.

The modification I have made to my amendment states that Congress will consider lifting the cap in the future.

Let me put the Department of Defense on notice, however, that I will vigorously oppose attempts to lift the cap for sloppy cost overruns or defects.

Finally, Mr. President, I would like to thank several individuals who made important contributions to the negotiation of this compromise: J.P. Dowd of my staff, Bill Hoehn from the Senate Armed Services Committee, Ken Luongo from the Union of Concerned Scientists, and John Issacs from the Council for a Livable World.

Mr. SASSER. Mr. President, I rise today in support of an amendment to limit our Nation's fleet of B-2, Stealth bombers to 20. I commend Senator LEAHY for his strong leadership on this issue. I am glad to join him yet again in this continuing effort to restrain spending for the B-2 program.

Early last year we were told that the program would be stopped at 20 bombers. Indeed, in 1992 President Bush and Secretary of Defense Cheney declared that 20 would be adequate to meet the Nation's security needs.

But now we are hearing murmurs out of the Pentagon, and even here in the Senate, about the possibility of buying more B-2's. This amendment will nip that effort in the bud and write the already agreed upon cap of 20 bombers into law.

Otherwise, I believe there could be an attempt to reincarnate the B-2. I say reincarnate because some advocates of the B-2 are planning a second life for the so-called Stealth bomber.

In its first life the Stealth bomber was rationalized as a nuclear deterrent to the Soviet Union. But now that the Soviet Union is dead and gone, we can expect to see an effort to reincarnate this cold war relic as a conventional bomber. We will be told that all the B-2 needs is a new reason to live and it will be as good as new.

But in a February 1993 report, the General Accounting Office found that "Given the early stage of B-2 development, we believe it is premature to confirm its operational capabilities in a conventional role."

The Soviet threat is dead and gone and it is not coming back to life. But there are those who would like to bring the Stealth bomber back to life. I do not think we can afford to let that happen. I do not think we can afford any more $2 billion airplanes.

I hope we are going to be engaged in a great debate on the roles and missions of our Armed Forces. Providing for the common defense is one of this body's most fundamental responsibilities. As a Senator I feel a sense of urgency to well and faithfully discharge that duty.

I do not believe we can best serve the national security if we let the deliberations about our Nation's military needs be distorted by an effort to fabricate a new mission for a plane that belongs to the cold war era. We can only meet our real security needs with the resources available if we turn our backs on the past.

In 1986 advocates of the B-2 claimed that it would cost only a few percent more than the equivalent cost of the earlier B-1 Program. The record is now settled. We built the B-1's at a cost of, of about $280 million a copy. In anyone's book that's a lot of money.

But what is the actual cost of the B-2? A few percent more than the B-1? The taxpayer should be so lucky. The stealth bomber costs far more than its own weight in gold. The B-2's price today is over $2 billion a copy, almost 10 times the cost of the B-1. And I say today because if history is any guide, the B-2 will cost even more in the future.

As for performance, we heard that the B-2's payload would exceed anything we have in inventory. But now, according to the Air Force, if and when the B-2 becomes operational, its payload will be smaller than the two bombers in the inventory today. The B-2's payload will be far less than half that of the B-1—even less than the old B-52.

We are told we still need the B-2 to give our military global reach. I find that a surprising argument since, according to the Air Force, it also has less range than either the B-1 or B-52.

And the B-2 has failed radar tests. The Air Force is confident that the

stealth problem can be addressed with a redesign—but it will cost money and time. This should remind us that the B-2 is still a long way from deployment, and no one knows what the next problem will be or when it will crop up.

Now the B-2 proponents' response to this dismal record is—and this is hard to believe—the answer is to change the standards. Despite the end of the cold war, and the numerous shortcomings of the B-2, there are those who will try to persuade us that we need more than 20 stealth bombers, even at a cost of $2 billion each, and even with the problems I have outlined.

These B-2 advocates would seek additional B-2's even after the Air Force has admitted that 20 is enough. In a study last year by the Department of the Air Force, known as the bomber roadmap, the Air Force declared that:

> The Total Aircraft Inventory force structure of 95 B-52Hs, 96 B-1Bs, and 20 B-2s meets future requirements. With that force structure, our analysis shows that we will be able to strike the priority target set under the harshest wartime conditions * * *

The B-2 belongs to the past, Mr. President. It is time that we put a definite end to this mistake and move on to the important business of providing for the real defense needs of this Nation in a post-cold-war world. Already defense priorities such as tactical aircraft modernization, strategic lift, and fair compensation for our outstanding service members are coming under heavy budgetary pressure. If the sluice gates were reopened to pay for more B-2's, then real defense needs such as these would go wanting.

Mr. President, the economic problems this country faces are the real national security issue here. We passed the largest deficit reduction plan in history. The American people are being asked to make sacrifices to put our economic house in order. They expect their Government to do the same. They expect meaningful change in the way we do business. They expect us to watch every penny of spending.

For 40 years we confronted a ruthless, implacable foe bent on world domination. Extraordinary measures were undertaken whenever the just cause of the cold war required. The United States never blinked, and the world will long remember the unshakable resolve of the American people.

But now the days of unbridled defense spending are over. They came to an end with the fall of the Berlin Wall and a soaring budget deficit. Each program within the Department of Defense must now make a legitimate and compelling case for its continued funding.

And, Mr. President, there is not one legitimate reason for expanding the B-2 bomber program beyond the currently planned level. I trust we will recognize that fact and exercise some spending restraint. To do less would fail the American people and our commitment to fiscal responsibility.

Mr. NUNN. Mr. President, this amendment limits the number of B-2's to 20, and limits the amount of funding on the B-2 to the amount that the Air Force has basically presented to the Congress as the total program.

Mr. President, it is no secret that I do not believe that limiting the B-2 to 20 was a wise decision. I have said that before. I will say it again. But if we are going to have more than 20 B-2's, it would have to only be done after very thorough deliberation and debate. In my view it should only be done if there are tradeoffs of the largest savings that the B-2 renders us as opposed to the alternative means of delivering long-range striking power.

The B-2 is a stealth aircraft. Many people still have not grasped what a stealth aircraft does. It allows you to have a long-range bombing mission from the United States in emergency situations without having to fly in F-16's and F-15's to protect the bomber. So it means that you can respond much quicker from bases in the United States than any other weapons system we have.

If for instance the Iraqis had continued to go into Saudi Arabia rather than stopping in Kuwait, we would have had no other way until we got all of our air power in the region. It would have taken days, if not weeks, to make these kind of missions because bombers would have had to be protected. The stealth does not have to be protected.

But the Senator has an amendment which is now the official position of this administration. It was the official position of the previous administration. It is not my own view but if we are going to have a different view on it, it should be fully debated and at that stage we would deal with this matter as we would have to deal with it. So I do not want the Senator to think that I agree with the substantive position. But I do not think there is any difference between this amendment and what the administration's position is at this point in time.

Mr. LEAHY. Mr. President, the Senator from Georgia and I are in total agreement on the point that if we are going to go further, if there is reason for it for national security, it should be debated at that point. We are in agreement on that.

The PRESIDING OFFICER. Is there further debate on the amendment? If not, the question is on agreeing to the amendment of the Senator from Vermont.

The amendment (No. 827) was agreed to.

Mr. LEAHY. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

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

The motion to lay on the table was agreed to.

Mr. EXON addressed the Chair.

The PRESIDING OFFICER. The Senator from Nebraska.

Mr. EXON. This is an inquiry by the Senator from Nebraska. Have we now returned to the regular order?

The PRESIDING OFFICER. The Senator is advised we are now on the Brown amendment.

Mr. EXON. Mr. President, the amendment offered by the Senator from Colorado was one that he had discussed with me briefly earlier in the day, and we should have a thorough understanding and a thorough debate on this matter. If the amendment remains before the body, then certainly I would insist on a rollcall vote on this matter at the appropriate time in the schedule.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. CONRAD). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. KEMPTHORNE. 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. KEMPTHORNE. I ask unanimous consent that it be in order to move to reconsider and table, en bloc, the actions taken on amendments 823 and 824.

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

Mr. KEMPTHORNE. Mr. President, I move to reconsider the vote on amendments No. 823 and No. 824.

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

The motion to lay on the table was agreed to.

AMENDMENT NO. 828

(Purpose: To revise the provision of assistance to communities affected by base closures)

Mr. PRYOR. Mr. President, I have conferred with the managers of the bill, and they have given me the opportunity, for which I am very grateful, to proceed with this amendment which is going to be sponsored by some 15 Members of the Senate.

This amendment deals with those communities that have been subjected to base closings, and those communities which will be adversely affected by base closings in the future.

Mr. President, this amendment is very simple. It represents a lot of work and a lot of cooperation with various committees of the Senate. It states, as a purpose, that community economic redevelopment will be the primary goal of the military base closure process. This amendment implements provisions of President Clinton's previtalizing base closure communities plan, as well as the recommendations of the 1993 Senate Democratic Defense Reinvestment Task Force report entitled "Reinventing Government to Help Defense-Impacted Communities."

There are several main features of this community economic redevelopment plan as it relates to base closures, Mr. President. I am going to suggest two or three of them. It is late in the afternoon, Friday, at 6:15. But because of its importance and because of the message we now must get out to the communities—and it is good news, I might add—let me hit just two or three of these basic points.

For most military bases, this amendment is going to require that the military itself maintain the condition of these bases and leave all but mission-essential property on the base for a period of 2 years—2 years after the closure is announced—and this will give the communities more time to organize and plan for base redevelopment.

The second thing it is going to do, Mr. President, is make base properties available for reuse much earlier than before, make them cheaper for communities to obtain and to afford, will leave them fully equipped, all in the name of creating jobs and restoring communities to economic health.

Mr. President, within the Department of Defense, it is further going to decentralize the authority to grant leases for base properties in order to speed up this very vital process.

Right now, each town, each community in which a base has been closed, has to send every proposed lease to Washington, DC, for review by the Deputy Secretary of Defense and some 20 lawyers in order to obtain approval for the lease. It adds time, and it takes money. Communities and their representatives have to hire attorneys to go through this laborious and complicated and bureaucratic process. We are going to eliminate that and decentralize this authority.

The third area, Mr. President, is, it is going to implement the Fast Track Cleanup process the President recommended for removing needless delays to redevelopment, while protecting human health and safety. This deals, of course, with the environmental concerns on those bases.

The fourth thing that this amendment does is, it is going to empower base closure communities across America. It gives the communities the attention, the information, and the technical assistance they are all going to need to succeed at redevelopment. It creates transition coordinator positions proposed by the President to cut through Federal redtape and assist communities with redevelopment. It also requires each Federal agency involved in base closure or redevelopment to designate a contact person to provide information and assistance for each base.

It creates a Community Response Board composed of Federal decisionmakers that communities can come before annually to air their concerns, grievances, or suggestions.

The fifth area, among others, is it speeds the planning and redevelopment grants, and it does this considerably. It gets the money for redevelopment planning in the hands of the communities much sooner. It makes planning grants available to base closure communities within 7 days of the receipt of a completed application. Finally, it ensures the Economic Development Administration has adequate administrative funds to make redevelopment grants to the communities.

Mr. President, once again, we think this is good news for communities across America, those that have been affected, and those that will be affected by the military Base Closure Commission's decisions. I have had the unpleasant opportunity, I might say to my colleagues, to experience the pain of a base closing firsthand, when, in 1991, the Base Closure Commission decided to shut down the Eaker Air Force Base, which was some three decades old. It was a B-52 SAC base in Blytheville, AR. Without question, it was the largest employer in northeast Arkansas. Today, that base is totally closed.

In our State, our efforts, with Senator BUMPERS and other members of our delegation, with members of the State delegation in Little Rock and then-Governor Clinton, our efforts to create new jobs on the old base have been not constantly helped, but actually hindered, by our own Government, in barriers and endless bureaucratic redtape.

Until very recently, the Department of Defense and other Federal agencies have done little more than stand in the way of progress, as the local communities out there found themselves on their own, working hard but sometimes working diligently without any results and without any assistance to redevelop the base property. It is still unclear to me why our Government has not been extending a helping hand to these communities before now.

But we think that help is on the way. We think that help is on the way because we have a President who listens to these concerns and an administration that cares about these matters. We believe that we are going to, with the adoption of this amendment, cut out a lot of redtape. We are going to show the communities that we are sensitive to their concerns, and that we are going to make economic redevelopment the No. 1 priority in the base closure process.

Fortunately, President Clinton has provided magnificent leadership on this issue. On July 2 of this year, just moments after the Base Closure Commission submitted its list, President Clinton unveiled his bold plan to help base closure communities.

The President's plan recognizes that former military bases can be fertile grounds for future economic activity, and that we should help communities create new jobs on closed bases. I am pleased to say that the amendment we are offering today will implement the key elements of the President's plan and complement it by incorporating numerous recommendations contained in the 1993 report of the Senate Democratic Task Force on Defense Reinvestment.

This year the Senate majority leader asked me to reconvene our task force to study and report on ways to make base closure and redevelopment easier on communities. During the deliberations of our task force, it quickly became apparent that base closure communities all across America were experiencing similar problems, and they needed help immediately. Earlier this summer our task force issued its report recommending specific ways to help base closure communities, and as I said earlier, I am pleased that this amendment we are offering today incorporates a majority of the recommendations in our task force report.

Our amendment will make economic development the top priority at closing bases and will minimize the bureaucratic problems that plagued redevelopment for years. It will help put base property to work creating new jobs. The amendment takes a commonsense approach toward the difficult environmental cleanup process and it will provide needed relief to the interim leasing process that has been so disruptive and cumbersome in the past.

Our amendment will speed up the delivery of grants for economic planning, and finally, it will empower communities to obtain the critical information and assistance they need to attract businesses and generate economic activity on a closing base.

Mr. President, perhaps the most amazing aspect of our amendment is that it does not cost the taxpayers one single penny of new money. Let me restate this point. This amendment will provide a tremendous amount of relief and assistance to base closure communities without costing the taxpayers a single penny. That, Mr. President, is what I call good government reinventing a spirit of common sense.

Base closure communities have clearly stated that money is not the problem in their efforts to redevelop closed bases. The government's attitude has been the problem, and this amendment is an attitude adjustment.

Base closure communities have been crying out for help, Mr. President, and in the past our government was not listening. I am very proud to say that our President is listening to base closure communities.

President Clinton truly understands that we cannot turn a cold shoulder to those who helped us win the cold war. Communities and workers who faithfully supported military installations for years deserve much more than a handshake when the time comes to shut down their hometown bases.

Let me emphasize that of the 71 major installations targeted for closure since 1988, only 8 have actually closed their doors. We are only beginning to feel the painful effects of base closings. We must act now and help these communities.

I would like to thank the distinguished chairman and ranking member of the Senate Armed Services Committee for their help and assistance in bringing this amendment to the floor. I would like to express my gratitude to Madelyn Creedon and Bob Bayer of the Armed Services Committee staff for their work. I would also like to express my gratitude to Mr. Charley Armstrong of the Senate Legislative Counsel's office for his help drafting the amendment. Most importantly, I want to thank and commend each of the 24 members of the Senate Democratic Task Force on Defense Reinvestment for their commitment to easing this difficult transition from swords to plowshares.

I urge my colleagues to support the Base Closure Community Empowerment Act.

Mr. President, I ask unanimous consent that a summary of the amendment stating the five points that this amendment attempts to accomplish be printed in the RECORD.

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

SUMMARY OF THE PRYOR BASE CLOSURE AMENDMENT

The Pryor amendment will make community economic redevelopment a primary goal of the military base closure process. The amendment implements provisions of President Clinton's "Revitalizing Base Closure Communities" plan, as well as recommendations of the 1993 Senate Democratic Defense Reinvestment Task Force report, "Reinventing Government to Help Defense Impacted Communities." The main features of the amendment are as follows:

First, protect community interests in closing bases. For most bases, the amendment will require the military to maintain the condition of the base and leave all but mission essential property on base for two years after the closure is announced to give communities time to get organized and plan for base redevelopment.

Second, put property to work creating new jobs. Make base properties available for reuse much earlier than before, make them cheaper for communities to obtain, and leave them fully equipped—all in the name of creating jobs and restoring communities to economic health.

Conduct the review of base properties for reuse by other federal agencies and homeless providers within six months after the closure is finalized to allow communities to move forward with redevelopment plans earlier.

Allows the Secretary of Defense to lease or transfer the land and buildings on base to the local community at a reduced price or for free.

Within the DOD, decentralize the authority to grant leases for base properties in order to speed this vital process.

Requires the military to sit down with the local communities, find out what equipment and fixtures on base are needed for redevelopment, and transfer all these items with the land and buildings.

Third, fast-track cleanup. Implements the President's recommendations for removing needless delays to redevelopment while protecting human health and safety.

Identify clean base parcels and make them available for reuse within 18 months of the closure announcement, or 9 months for parcels with an already identified reuse.

Complete the documentation required by the National Environmental Protection Act within twelve months, and with the community reuse plan in mind.

Fourth, empowering communities. Give communities the attention, the information, and the technical assistance they need to succeed at redevelopment.

Creates the transition coordinators position proposed by the President, to cut through federal red tape and assist communities with redevelopment.

Requires each federal agency involved in a base closure or redevelopment to designate a contact person to provide information and assistance for each base.

Creates a Community Response Board composed of federal decision makers that communities could come before annually to air grievances and suggest improvements to the closure process.

Requires the Secretary of Defense to conduct seminars to educate communities on federal programs of assistance for redeveloping closed bases.

Fifth, speed planning and redevelopment grants. Get money for redevelopment planning and projects in the hands of communities sooner.

Makes planning grants available to base closure communities within seven days of receipt of a completed application.

Ensures the Economic Development Administration has adequate administrative funds to make redevelopment grants to communities.

Mr. PRYOR. Mr. President, I send the amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER (Mr. CONRAD). If there is no objection, amendment No. 825 is set aside.

The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from Arkansas [Mr. PRYOR], for himself, Mrs. BOXER, Mr. BINGAMAN, Mr. PELL, Mr. RIEGLE, Mr. DODD, Mr. ROBB, Mr. WOFFORD, Mr. HOLLINGS, Mr. KENNEDY, Mr. JOHNSTON, Mrs. FEINSTEIN, Mr. ROCKEFELLER, Mr. SASSER, Mr. CONRAD, and Mr. SHELBY, proposes an amendment numbered 828.

Mr. PRYOR. 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 358, strike out line 13 and all that follows through page 374, line 15, and insert in lieu thereof the following:

SEC. 2903. PROHIBITION ON TRANSFER OF CERTAIN PROPERTY LOCATED AT MILITARY INSTALLATIONS TO BE CLOSED.

Section 2905(b)(2) of the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101-510; 10 U.S.C. 2687 note) is amended—

(1) in subparagraph (A), by striking out "Subject to subparagraph (C)," and inserting in lieu thereof "Subject to subparagraphs (C), (F), and (G),"; and

(2) by adding at the end the following:

"(F)(i) Not later than 6 months after the date of approval of closure of an installation, the Secretary of Defense shall, in consultation with the local reuse authority recognized and funded by the Secretary, identify the items (or categories of items) of personal property related to real property on that installation that is anticipated to be included in a reutilization and redevelopment plan with respect to such installation. Such items may include common use items.

"(ii) If no local reuse authority recognized and funded by the Secretary exists with respect to a military installation referred to in clause (i), the Secretary shall consult with—

"(I) the local government in whose jurisdiction the installation is wholly located; or

"(II) a local government agency or State government agency designated for the purpose of such consultation by the chief executive office of that State.

"(iii) Except as provided in clauses (vi) and (vii), the Secretary of Defense may not carry out any of the activities referred to in clause (iv), until the earlier of—

"(I) one week after the date on which the reutilization and redevelopment plan, if any, for the installation is submitted to the Secretary by the local reuse authority;

"(II) the date on which the local reuse authority notifies the Secretary that it will not submit a plan referred to in subclause (I);

"(III) twenty-four months after the date of approval of closure or realignment of the installation; or

"(IV) ninety days before the closure of the installation.

"(iv) The activities referred to in clause (iii) are activities relating to the closure of a military installation as follows:

"(I) The transfer from the installation of items of personal property identified in accordance with clause (i).

"(II) The reduction in maintenance and repair of facilities or equipment of the installation below levels required to support the use of such facilities or equipment for nonmilitary purposes.

"(v) The Secretary may not transfer items of personal property on an installation to be closed or realigned under this part to another installation, or dispose of such items, if they are identified in a reutilization and redevelopment plan for the installation submitted to the Secretary by a local reuse authority as items essential to the reuse of the installation.

"(vi) This subparagraph shall not apply to any personal property—

"(I) that is required for the operation of a unit or weapons system being transferred to another installation;

"(II) that is uniquely military in character, and has no civilian use (other than use for its material content or as a source of commonly used components); or

"(III) that the local reuse authority agrees is not required in connection with the reutilization or redevelopment of an installation to be closed.

"(vii) Notwithstanding clauses (iii) and (v), the Secretary may carry out any of the activities referred to in clause (iv) and (v) if the Secretary determines that such activities are in the national security interest of the United States.".

SEC. 2904. AUTHORITY TO TRANSFER PROPERTY AT CLOSED OR REALIGNED INSTALLATIONS TO AFFECTED COMMUNITIES AND STATES.

Section 2905(b)(2) of the Defense Base Closure and Realignment Act of 1990 (part A of

title XXIX of Public Law 101-510; 10 U.S.C. 2687 note), as amended by section 2903, is further amended by adding at the end the following:

"(G)(i) The Secretary of Defense may, under regulations prescribed by the Secretary that set forth guidelines for determining consideration, transfer real property or facilities and any personal property related thereto (including common use items of personal property) located at a military installation to be closed or realigned under this part to—

"(I) the redevelopment authority of a community that is located near the installation, if such redevelopment authority is authorized to accept the transfer;

"(II) the redevelopment authority of the State in which the installation is located, if such redevelopment authority is authorized to accept the transfer; or

"(III) any other public entity selected for such transfer by the Secretary.

"(ii) The transfer under this subparagraph may be for consideration, without consideration, for consideration in kind, or for consideration at or below the fair market value of the real property, facilities, or personal property transferred.

"(iii) The transfer under clause (i) may not take place until the redevelopment authority or other public entity selected by the Secretary for the transfer has taken into consideration in the reutilization and redevelopment plan for the military installation to be closed or realigned the needs of the homeless in the community or communities affected by such closure and has reasonably provided for such needs in such plan. All transfers shall be in accord with section 120(h) of CERCLA".

SEC. 2905. AUTHORITY TO LEASE CERTAIN PROPERTY AT INSTALLATIONS TO BE CLOSED.

(a) LEASE AUTHORITY.—(1) Section 2667(f) of title 10, United States Code, is amended by inserting "or local reuse authorities recognized by the Secretary of Defense" after "governments".

(2) Section 2667 of such title is amended by adding at the end the following:

"(g)(1) Notwithstanding paragraph (3) of subsection (a) and title II of the Federal Property and Administrative Service Act of 1949 (40 U.S.C. 481 et seq.), whenever the Secretary of a military department concerned considers it advantageous to the United States, the Secretary concerned may lease to any lessee, upon any terms that the Secretary concerned considers appropriate, any real and related personal property (including common use items of personal property) that is located at a military installation that has been selected for closure under the following provisions of law:

"(A) The provisions of title II of the Defense Authorization Amendments and Base Closure and Realignment Act (Public Law 100-526; 10 U.S.C. 2687 note).

"(B) The Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101-510; 10 U.S.C. 2687 note).

"(2)(A) The Secretary concerned may provide, in the case of the lease of property referred to in paragraph (1), for the payment (in cash or kind) by the lessee of consideration in an amount that is less than the fair market rental of the leasehold interest. Services relating to the protection and maintenance of the property leased may constitute all or part of such consideration.

"(B) The term of a lease under this paragraph may be for such number of years as the Secretary concerned determines appropriate.

"(C) A lease under this paragraph may include an option to purchase the property subject to the lease. Such option shall be exercisable upon the termination of the lease and shall be for a price, fixed in the lease, that the Secretary concerned considers likely to represent fair market value of the property subject to the option at the anticipated date of termination of the lease. The exercise of such option shall be in accordance with section 120(b) of CERCLA.

"(3) Before entering into any lease under this subsection, the Secretary shall consult with the Administrator of the Environmental Protection Agency in order to determine whether the environmental conditions at the property proposed for leasing permit the lease of the property. The Secretary and the Administrator shall enter into a memorandum of understanding setting forth procedures for carrying out the determinations under this paragraph.

"(4)(A) The Secretary of Defense shall, in regulations prescribed by the Secretary, permit the payment by the Secretary concerned of the administrative costs (including any administrative costs of the Department of Defense or of contractors of the department) relating to the entry of a lessee described in subparagraph (B) into a lease under this subsection.

"(B) A lessee referred to in subparagraph (A) is any lessee whose financial circumstances are such that the payment of costs under this paragraph is necessary to facilitate the entry of the lessee into the lease.

"(C) The regulations prescribed under this paragraph shall provide for determining whether a lessee is entitled to the payment of costs under this paragraph.".

(b) CONFORMING AMENDMENTS.—(1) The section heading of section 2667 of title 10, United States Code, is amended to read as follows:

"§ 2667. Leases: non-excess property; property at installations to be closed".

(2) The table of sections at the beginning of chapter 159 of such title is amended by striking out the item relating to section 2667 and inserting in lieu thereof the following:

"2667. Leases: non-excess property; property at installations to be closed.".

(c) REGULATIONS.—The Secretary of Defense shall prescribe the regulations referred to in section 2667(g)(3)(A) of title 10, United States Code (as added by subsection (a)), not later than 30 days after the date of the enactment of this Act.

SEC. 2906. DELEGATION OF AUTHORITY TO ENTER INTO LEASES OF CERTAIN PROPERTY.

The Secretary of Defense shall, in regulations prescribed by the Secretary, provide for the delegation of the authority of the Secretary to enter in leases under section 2667(g) of title 10, United States Code (as amended by section 2905(a)). The regulations shall specify one or more officials to whom such authority shall be delegated. The Secretary shall prescribe such regulations not later than 30 days after the date of the enactment of this Act.

SEC. 2907. EXPEDITED DETERMINATION OF TRANSFERABILITY OF EXCESS PROPERTY OF INSTALLATIONS TO BE CLOSED.

(a) EXPEDITED DETERMINATION OF TRANSFERABILITY.—Section 2905(b)(2) of the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101-510; 10 U.S.C. 2687 note), as amended by section 2904, is further amended by adding at the end the following:

"(H)(i) Except as provided in clause (ii), the Secretary of Defense shall take such actions as the Secretary determines necessary to ensure that final determinations under subsection (b)(1) regarding whether another department or agency of the Federal Government has identified a use for any portion of an installation to be closed under this part, or will accept transfer of any portion of such installation, are made not later than 6 months after the date of approval of closure of that installation.

"(ii) The Secretary may, in consultation with the local reuse authority with respect to an installation, postpone the making of the final determinations referred to in clause (i) with respect to the installation for such period as the Secretary determines appropriate if the Secretary determines that such postponement is in the best interests of the communities affected by the closure of the installation.".

(b) APPLICABILITY.—The Secretary of Defense shall make the determination required under section 2905(b)(2)(H) of such Act, as amended by subsection (a), in the case of installations whose date of approval of closure occurred more than 6 months before the date of the enactment of this Act, and which are not closed within 6 months of such date, not later than 6 months after such date.

SEC. 2908. AVAILABILITY OF PROPERTY AND SERVICES FOR ASSISTING THE HOMELESS.

(a) AVAILABILITY OF PROPERTY.—Section 2905(b) of the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101-510; 10 U.S.C. 2667 note) is amended by adding at the end the following:

"(3)(A) Except as provided in subparagraph (B), nothing in this section shall limit or otherwise affect the application of the provisions of the Stewart B. McKinney Homeless Assistance Act (42 U.S.C. 11301 et seq.) to installations closed or realigned under this part.

"(B)(i) Not later than 30 days after the date of approval of closure or realignment of an installation under this part, the Secretary of Defense shall submit to the Secretary of Housing and Urban Development information with respect to the buildings and other real property located at the installation that satisfies the requirements for quarterly requests for information of the Secretary of Housing and Urban Development under subsection (a) of section 501 of such Act (42 U.S.C. 11411).

"(ii) Not later than 60 days after the date referred to in clause (i), the Secretary of Housing and Urban Development shall identify the buildings and other real property at the installation that meet the requirement of the third sentence of such subsection (a) and notify the Secretary of Defense of such identification.

"(iii) Not later than 15 days after the date referred to in clause (ii), the Secretary of Housing and Urban Development shall publish in accordance with subsection (c) of such section a list of the buildings and other real property identified under clause (ii).

"(iv)(I) Buildings and other real property included in the list published under clause (iii) shall remain available to assist the homeless in accordance with subsection (d) of such section 501.

"(II) If, at the end of the period referred to in paragraph (1) of such subsection (d), no notice of intent to use the buildings or other property, or any portion thereof, to assist the homeless is received by the Secretary of Health and Human Services under paragraph (2) of such subsection, the Secretary of Defense may make such buildings or other

property, or portion thereof, available to the local redevelopment authority, if any, that has submitted a reutilization or redevelopment plan with respect to such installation for use of such buildings or other property, or portion, thereof, in accordance with such plan.''.

(b) APPLICABILITY.—The Secretary of Defense shall carry out the requirements of section 2905(b)(3)(B) of such Act, as amended by subsection (a), with respect to installations whose date of approval of closure is more than 90 days before the date of the enactment of this Act, and which are not closed on such date, not later than 30 days after such date.

SEC. 2909. TRANSITION COORDINATORS FOR ASSISTANCE TO COMMUNITIES AFFECTED BY THE CLOSURE OF INSTALLATIONS.

(a) IN GENERAL.—The Secretary of Defense shall designate a transition coordinator for each military installation to be closed under a base closure law. The transition coordinator shall carry out the activities for such coordinator set forth in subsection (c).

(b) TIMING OF DESIGNATION.—A transition coordinator shall be designated for a military installation under subsection (a) as follows:

(1) Not later than 15 days after the date of approval of closure of that the installation.

(2) In the case of installations approved for closure under a base closure law before the date of the enactment of this Act, not later than 15 days after such date of enactment.

(c) RESPONSIBILITIES.—A transition coordinator designated with respect to an installation shall—

(1) encourage, after consultation with officials of Federal and State departments and agencies concerned, the development of strategies for the expeditious environmental cleanup and restoration of the installation by the Department of Defense;

(2) assist the Secretary of the military department concerned in designating real property at the installation that has the potential for rapid and beneficial reuse or redevelopment in accordance with the reutilization and redevelopment plan for the installation;

(3) assist such Secretary in identifying strategies for accelerating completion of environmental cleanup and restoration of the real property designated under paragraph (2);

(4) assist such Secretary in developing plans for ensuring that, to the maximum extent practicable, the Department of Defense carries out any activities at the installation after the closure of the installation in a manner that takes into account, and supports, the reutilization and redevelopment plan for the installation;

(5) assist such Secretary in developing plans for the closure of the installation that take into account the goals set forth in the reutilization and redevelopment plan for the installation;

(6) assist the Secretary of Defense in making determinations with respect to requirements for, or the transfer of property at, the installation under section 2905(b)(2)(H) of the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101-510; 10 U.S.C. 2687 note), as added by section 2907;

(7) assist a local economic redevelopment authority concerned with reuse of the installation in identifying real or personal property located at the installation that may have significant potential for reuse in accordance with the reutilization and redevelopment plan for the installation;

(8) assist the Office of Economic Adjustment of the Department of Defense and other departments and agencies of the Federal Government in coordinating the provision of assistance under transition assistance and transition mitigation programs with community redevelopment activities with respect to the installation;

(9) assist the Secretary of the military department concerned in identifying leases of property located at the installation that are consistent with the reutilization and redevelopment plan for the installation; and

(10) assist the Secretary of Defense in identifying real or personal property located at the installation that may be utilized to meet the needs of the homeless by consulting with the Interagency Council on the Homeless or the local lead agency of the homeless, if any, referred to in section 210(b) of the Stewart B. McKinney Homeless Assistance Act (42 U.S.C. 11320(b)) for the State in which the installation is located.

SEC. 2910. COORDINATION OF ACTIVITIES OF OTHER FEDERAL DEPARTMENTS AND AGENCIES RELATING TO INSTALLATIONS TO BE CLOSED.

Not later than 30 days after the date of the enactment of this Act, the head of each department or agency of the Federal Government having jurisdiction over a matter arising out of the closure of a military installation under a base closure law, or the reutilization of such an installation, shall designate for each such installation an individual in such department or agency who shall provide information and assistance to the transition coordinator for such installation designated under section 2907 on the assistance, programs, or other activities of such department or agency with respect to the closure or redevelopment of such installation.

SEC. 2911. COMMUNITY RESPONSE BOARD.

(a) REQUIREMENT.—The Secretary of Defense shall establish a community response board with respect to the closure of military installations under base closure laws. The community response board shall have the responsibilities set forth in subsection (c).

(b) COMPOSITION; CHAIRMAN.—(1) The community response board shall be composed of the following members:

(A) The Secretary of each military department concerned or a representative or representatives of such military department who has an expertise in environmental matters or property disposal matters and who shall be appointed by that Secretary.

(B) One representative of the Department of Defense having an expertise in environmental matters, to be appointed by the Secretary of Defense.

(C) One representative of the Department of Defense having an expertise in the disposal of property, to be appointed by the Secretary of Defense.

(D) One representative of the Office of Economic Adjustment of the Department of Defense, to be appointed by the Secretary of Defense.

(E) On representative of the Department of Labor, to be appointed by the Secretary of Labor.

(F) One representative of the Environmental Protection Agency, to be appointed by the Administrator of the Environmental Protection Agency.

(G) One representative of the General Services Administration, to be appointed by the Administrator of General Services.

(H) One representative of the National Economic Council, to be appointed by the Director of the National Economic Council.

(I) The Executive Director of the Interagency Council on the Homeless pursuant to section 201 of the Stewart B. McKinney Homeless Assistance Act (42 U.S.C. 11311).

(J) One representative of the Department of Housing and Urban Development, to be appointed by the Secretary of Housing and Urban Development.

(K) Such other representatives as the Secretary of Defense, in consultation with the Director of the National Economic Council, determines appropriate.

(2) The Secretary of a military department may serve as a representative of such department under paragraph (1)(A).

(3) The Secretary of Defense, in consultation with the Director of the National Economic Council, shall designate the chairman of the board.

(c) RESPONSIBILITIES.—(1) The community response board shall—

(A) receive comments from appropriate representatives of the redevelopment authorities, if any, established with respect to installations to be closed or realigned under a base closure law on the progress, if any, made by such authorities toward the reutilization or redevelopment of such installations, and any impediments to such progress;

(B) to the maximum extent practicable, propose and develop solutions to such impediments; and

(C) submit a report to the President on such comments and solutions.

(2) In proposing and developing solutions to impediments to the reutilization or redevelopment under paragraph (1)(B), each member of the board shall, to the maximum extent practicable, solicit comments and proposals on such solutions from the Federal department or agency of which such member is a representative and utilize the resources and expertise of the Federal department or agency of which such member is a representative.

(3)(A) The community response board shall receive comments under paragraph (1)(A) by public hearing and by any other means determined appropriate by the board.

(B) The community response board shall offer to hold, and upon the approval of a redevelopment authority shall hold, not less than one such hearing each year with respect to each major installation approved for closure under a base closure law until that installation has been closed for more than 5 years. When holding a hearing with respect to an installation, the board shall ensure that the member or members of the board from the military department having jurisdiction over the installation is present.

(C) At each hearing with respect to an installation, the transition coordinator designated for such installation, or the designee of the coordinator, shall appear before the board with representatives of the redevelopment authority.

(D) The community response board shall meet at least three times each year to carry out the activities referred to in paragraph (1)(B).

(E) The community response board shall submit a report referred to in paragraph (1)(C) at least once each year.

(d) TERMINATION.—The authority of the community response board to carry out activities under this section shall terminate on December 31, 2006.

SEC. 2912. ASSISTANCE TO AFFECTED STATES AND COMMUNITIES THROUGH THE OFFICE OF ECONOMIC ADJUSTMENT.

(a) IN GENERAL.—From the funds authorized to be appropriated to the Department of Defense for the activities of the Office of Economic Adjustment of the Department of Defense, the Secretary of Defense may make

grants to not more than one redevelopment authority of each community adversely affected by the closure of a military installation, to redevelopment authorities of States so affected, and to communities so affected in order to assist such authorities and communities, as the case may be, in developing and implementing reutilization and redevelopment plans for property located at military installations closed under base closure laws.

(b) PROCESSING REQUIREMENT.—The Secretary shall determine whether to make a grant under this section to a redevelopment authority or community, as the case may be, not later than 7 days after receiving a complete application for a grant from such authority or community.

SEC. 2913. IDENTIFICATION OF UNCONTAMINATED PROPERTY AT INSTALLATIONS TO BE CLOSED.

The Secretary of Defense shall identify the real property located at each military installation selected in 1993 or 1995 for closure under the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101-510; 10 U.S.C. 2687 note) pursuant to the provisions of section 120(h)(4) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9620(h)(4)). The Secretary shall identify such real property at an installation not later than the earlier of—

(1) the date that is 9 months after the date of the submittal, if any, to the transition coordinator for the installation of a specific use proposed for all or a portion of the real property of the installation; or

(2) the date that is 18 months after the date of approval of closure of that installation.

SEC. 2914. SEMINARS ON REUSE OR REDEVELOPMENT OF PROPERTY AT INSTALLATIONS TO BE CLOSED.

The Secretary of Defense shall conduct seminars for communities in which a military installation to be closed or realigned under a base closure law is located. Such seminars shall be conducted within 6 months after the date of approval of closure of that installation, shall present the various Federal programs for the reutilization and redevelopment of installations to be closed under such law, and shall provide information about employment assistance, including employment assistance under Federal programs, available to members of such communities.

SEC. 2915. COMPLIANCE WITH CERTAIN ENVIRONMENTAL REQUIREMENTS RELATING TO CLOSURE OF INSTALLATIONS.

The Secretary of Defense shall, with respect to each military installation approved for closure or realignment under a base closure law—

(1) complete any environmental impact analyses required with respect to the installation pursuant to the base closure law under which the installation is closed, and pursuant to the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), not later than 12 months, to the extent possible, after the date of the submittal, if any, to the Secretary of the military department concerned of an acceptable (as determined by the Secretary) reutilization and redevelopment plan for the installation by the community (as determined by the Secretary); and

(2) ensure that the environmental impact statement addresses environmental matters arising out of such plan.

SEC. 2916. AUTHORITY TO CONTRACT FOR CERTAIN SERVICES AT INSTALLATIONS BEING CLOSED OR REALIGNED.

(a) BASE CLOSURES UNDER 1988 ACT.—Section 204(b) of the Defense Authorization Amendments and Base Closure and Realignment Act (title II of Public Law 100-526; 10 U.S.C. 2687 note) is amended by adding at the end the following:

"(5) The Secretary may contract with local governments for the provision of police services, fire protection services, airfield operation services, or other community services by such governments at military installations to be closed under this title if the Secretary determines that the provision of such services under such contracts is in the best interests of the Department of Defense. The Secretary may exercise the authority provided under this paragraph without regard to the provisions of chapter 146 of title 10, United States Code.".

(b) BASE CLOSURES UNDER 1990 ACT.—Section 2905(b) of the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101-510; 10 U.S.C. 2687 note), as amended by section 2906(b) is further amended by adding at the end the following:

"(4) The Secretary may contract with local governments for the provision of police services, fire protection services, airfield operation services, or other community services by such governments at military installations to be closed under this title if the Secretary determines that the provision of such services under such contracts is in the best interests of the Department of Defense. The Secretary may exercise the authority provided under this paragraph without regard to the provisions of chapter 146 of title 10, United States Code.".

SEC. 2917. CLARIFICATION OF UTILIZATION OF FUNDS FOR COMMUNITY ECONOMIC ADJUSTMENT ASSISTANCE.

(a) UTILIZATION OF FUNDS.—Subject to subsection (b), funds made available to the Economic Development Administration for economic adjustment assistance under section 4305 of the National Defense Authorization Act for Fiscal Year 1993 (Public Law 102-484; 106 Stat. 2700) may by utilized by the administration for administrative activities in support of the provision of such assistance.

(b) LIMITATION.—Not more than three percent of the funds referred to in subsection (a) may be utilized by the administration for the administrative activities referred to in such subsection.

SEC. 2918. DEFINITIONS.

(a) BASE CLOSURE COMMUNITIES ACT.—In this title:

(1) The term "base closure law" means the following:

(A) The provisions of title II of the Defense Authorization Amendments and Base Closure and Realignment Act (Public Law 100-526; 10 U.S.C. 2687 note).

(B) The Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101-510; 10 U.S.C. 2687 note).

(2) The term "reutilization and redevelopment plan", in the case of an installation to be closed under a base closure law, means a plan that—

(A) is agreed to by the local redevelopment authority concerned or other entity recognized by the Secretary of Defense as the authority to direct the reutilization and redevelopment of the installation; and

(B) provides for the reuse of the real property and related personal property of the installation that is available as a result of the closure of the installation.

(3) The term "date of approval", with respect to a closure or realignment of an installation, means the date on which the authority of Congress to disapprove a recommendation of closure or realignment, as the case may be, of such installation under the applicable base closure law expires.

(b) BASE CLOSURE ACT 1990.—Section 2910 of the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101-510; 10 U.S.C. 2687 note) is amended by adding at the end the following new paragraph:

"(8) The term 'date of approval of closure', with respect to a closure or realignment of an installation, means the date on which the authority of Congress to disapprove a recommendation of closure or realignment, as the case may be, of such installation under this part expires.".

Mr. PRYOR. Mr. President, I stated earlier that I was going to name the sponsors of this amendment. Let me at this time name those particular sponsors.

In addition to myself, we have Senators BOXER, BINGAMAN, PELL, RIEGLE, DODD, ROBB, WOFFORD, HOLLINGS, KENNEDY, JOHNSTON, FEINSTEIN, ROCKEFELLER, SASSER, CONRAD, and SHELBY.

Mr. President, also, Senator PELL from Rhode Island has been most instrumental in developing this amendment and most creative, I might say, in working in this field of base closures, and defense conversion issues across our country. He has been a loyal supporter in the field.

Mr. PELL. Mr. President, I am pleased to cosponsor this amendment offered by my able and esteemed colleague, Senator PRYOR. This amendment includes the provisions from the 1993 Senate Democratic task force on defense reinvestment and would supplement the 1993 Base Closure Communities Act already in the bill.

The recommendations included in this amendment are a result of numerous meetings between the 25-member task force and various local and Federal officials as well as experts from academia and the private sector.

Mr. President, as we move into the post-cold-war era, we will have to face complex economic problems that were heretofore overshadowed by the threat of global conflict. The economic effects of military downsizing are pinching many communities. Much of the debate surrounding some of the amendments that have been offered deal precisely with the economic impact on communities—from the BRAC process to drastic downsizing of defense-dependent firms.

These complex economic problems, though formidable, can be overcome with an imaginative, creative, and cooperative effort to help bring about a positive resolution. Coming on the heels of the 1993 base closure process, this amendment will make community economic redevelopment a primary goal of the military base closure process and implements provisions of President Clinton's "Revitalizing Base Closure Communities" plan. Among the

main features of the amendment are provisions which would make base properties available for reuse much earlier than before as well as making them cheaper for communities to acquire. It would also quicken the cleanup process at the closed bases, and speed planning and redevelopment grants to get money in the hands of communities sooner.

Mr. President, the overall recommendations set forth in this amendment are positive and creative and, for the most part, will use existing Government structures wherever possible and leverage minimum public expenditures into maximum public benefits. After being briefed by officials from communities affected by the defense downsizing and base closures, the task force was convinced that the Federal Government's response to these defense impacted communities must be to eliminate bureaucratic barriers to economic redevelopment.

I commend Senator PRYOR for his tireless efforts as chairman of the task force and urge my colleagues to support this amendment.

Mr. RIEGLE. Mr. President, I rise in support of the amendment by Senator PRYOR, of which I am a cosponsor. This amendment embodies the recommendations of the Senate Democratic defense reinvestment task force. I commend Senator PRYOR for his leadership as chairman of the task force.

The overriding theme of the task force's report is "giving communities a voice". I heartily endorse that call. Too often in the base closing process, the community has been treated as a secondary, or even irrelevant, party. The emphasis within the system has been on shutting the base down, closing up, and getting out. We need to change that emphasis and put economic conversion and base reuse first.

One of the keys to putting economic conversion and base reuse first is early reuse planning. In that regard, I am especially pleased that this amendment contains a provision derived from my legislation on base reuse planning. The provision requires the military to continue to maintain the base and leave nonmission essential property on base for a period of 2 years after the closure announcement or until a reuse plan is developed. This ban on shutting down the base's essential systems and transferring the assets will give communities time to plan for reuse and economic development.

The amendment makes a number of other changes to the base reuse process. For example, the amendment provides for reform of the interim leasing process so that users can get on base as quickly as possible—even before the base is transferred to local control. These changes will give communities earlier and easier control of the base land and buildings and leave the base in a more development-ready state.

The changes to the base reuse process incorporated in this amendment are an attempt to learn from the mistakes of the past. In Michigan, we have twice gone through the painful process of closing an Air Force base. In the late 1970's, Kincheloe Air Force Base near Sault Ste. Marie was closed. At that time, this was almost a unique event and we needed to create the reuse process as we went along.

Earlier this year, the Wurtsmith Air Force Base near Oscoda was closed. In that case, it was part of a larger set of base closures. Yet, many of the laws and regulations dealing with base reuse were the same as when base closings were a unique event—not as part of the routine operations of the military in the wake of the end of the cold war.

Now, we face the closure of K.I. Sawyer Air Force Base in Michigan's Upper Peninsula. The changes to the process proposed in this amendment will be especially important as we go forward with the conversion and reuse of that base. They constitute a much needed updating and reform of the process to learn from our past experience.

Mr. President, this amendment will put the redevelopment needs of the communities first and prevent many of the problems that occurred in the past. The changes should help buffer some of the devastating impacts of a base closing on a community—and clearly prevent the process from becoming a bureaucratic nightmare for those already the hardest hit.

I urge its swift adoption.

Mr. RIEGLE. Mr. President, my colleague from Michigan, Senator LEVIN, and I would like to seek some clarification from the author of this amendment, Senator PRYOR, because of the impact that it may have on base closures in our home State. I am specifically concerned about the possibility of a Job Corps training center at K.I. Sawyer Air Force Base in Michigan's Upper Peninsula, which my colleague will describe.

Mr. LEVIN. Mr. President, I was recently in the Upper Peninsula of Michigan, and I was impressed with the determination of the citizens in the communities surrounding K.I. Sawyer AFB. The local economy faces potential devastation as a result of the impending closure of that Air Force base. But there is already extensive activity to try to develop reuse around that base.

Among the very real opportunities for reuse of K.I. Sawyer's facilities is the proposal being developed to place a Job Corps training center on the base, to be run by the Forest Service. This training center proposal is being developed in consultation with key community leaders, and it is the intention of everyone concerned to also consult with the local conversion authority as soon as it is constituted by the Michigan State Legislature.

Full development of this proposal by the Forest Service and other departments of the Federal Government may take more than the 6 months proposed to be allowed for Federal agencies to identify alternative uses for a closing base. That 6-month limitation is being established to protect local communities from long delays while Federal agencies consider whether to make use of such facilities, delays which could interfere with community efforts to attract private businesses and other reusers. But in this case, a 6-month limitation could, ironically, hurt the community, if it precludes complete preparation of a training center proposal that the community supports. Am I correct that it is just this kind of bad result that this amendment seeks to avoid?

Mr. PRYOR. The Senator is correct.

Mr. RIEGLE. Mr. President, I share my colleague's concern over the closure of K.I. Sawyer AFB and the possible economic devastation that may result. I too am impressed with the determination of the local communities to maintain and expand their economic base. The Job Corps proposal is one example of their efforts.

We must ensure that we do not inadvertently hinder these efforts. The amendment before the Senate does address the way Federal agencies can make use of facilities at bases being closed. I would like to inquire of Senator PRYOR, does the amendment in any way limit the possible use of facilities at K.I. Sawyer AFB by other Federal departments or agencies, and specifically, would the amendment foreclose the Job Corps training center proposal Senator LEVIN and I have described?

Mr. PRYOR. Mr. President, let me answer my colleagues' questions by stating that the legislation would permit the Secretary of Defense to leave open the opportunity for another Federal agency to obtain base property for an alternative use, beyond the normal 6-month Federal screening period that will be established by this amendment. The Secretary would determine whether to leave open this opportunity after consulting with the local redevelopment authority about what it wants done with the base property.

Thus, in the case raised by my colleagues from Michigan, the Secretary would be able to hold open the option for the Forest Service to use part of the base beyond the 6-month limit if so requested by the local community.

It is not our intent to completely preclude reuse by other Federal entities after the 6-month period. The language of this amendment is simply intended to limit to 6 months the ability of other agencies to exercise their current right to first priority for closed installations. For example, the redevelopment authority might recruit a Federal prison to the installation as part

of their reuse plan. This amendment would not limit the ability of the Secretary to transfer property to the Justice Department when requested by the redevelopment authority, even after the final determinations have been made by the other agencies as to their claims on the site.

Mr. RIEGLE. Mr. President, I have one additional question. Am I correct in noting that this amendment, particularly the language in section 2903 which restricts the DOD from removing property from the base during the first 24 months after the closure has been finalized, does not require a complete halt in conversion and reuse activities at an installation while the local community is developing its reuse plan?

Mr. PRYOR. I agree with the Senator's interpretation. The 24-month ban on the transfer of personal property from a base is intended to protect the local community from the DOD stripping the nonmilitary assets of a base and transferring those assets to another facility. Nowhere in this amendment do we preclude the Secretary from taking actions to lease or sell real property on a base to a legitimate user at the request of the redevelopment authority and transfer the related personal property to that user, even before the submission of a reuse plan by the redevelopment authority. This amendment is intended to maximize the flexibility of the Secretary and the redevelopment authority to get alternative uses started as quickly as possible at the installation, not create more roadblocks to the process.

Mr. RIEGLE. I thank the Senator for his clarifications.

Mr. LEVIN. I thank the Senator and urge adoption of the amendment.

The PRESIDING OFFICER. Is there further discussion or debate on the amendment?

Mr. NUNN. Mr. President, this amendment to the Base Closure Act will help local communities that have been impacted by the loss of a military facility or the substantial realignment of the facility.

The amendment differs from the provisions reported by the Armed Services Committee in some key aspects, while maintaining its important provisions dealing with the lease and transfer of real property.

This amendment would allow the Defense Department to transfer or lease the base property that has been closed for less than full market value where appropriate as determined by regulations issued by DOD.

It will allow the lease and transfer of personal property related to the real property at reduced or no cost. It will expedite other parts of the overall base conversion process to try to help, to the maximum extent possible, local communities.

This is a good amendment. I want to congratulate Senator PRYOR. He has not only done a good job on this amendment, which has taken a considerable amount of work and a considerable amount of thought, but he has done a superb job as head of the task force on defense conversion. He has worked long and hard.

He has been faithful in the hearings and in the procedures and in the follow through. He did not have a press conference or two, and then rest on his laurels. He has followed through on this important subject, and I know he is going to continue to do so.

We do not call the names of staff very often around here, not nearly enough, because they work so long and hard. But I know from both observation and from what my staff tells me that Desten Broach, who is seated by Senator PRYOR, has done a superb job. And Steve Ronnel, who, I believe, is sitting in the back of the room, has done a superb job.

My staff has praised both of you over and over and over again. I know Senator PRYOR is very proud of the work you have done.

No matter what community it may be in this country, no matter how hard they have been hit, the problems are going to be eased somewhat by the work that this task force has done.

I also want to thank George Lauffer and Ron Kelly. Ron is no longer with the minority on the Armed Services side. George is here and working every hour on this bill. They have done a terrific job in helping in this respect, and in coordinating.

And, finally, on my staff Madelyn Creedon, seated here, and Bob Bayer, have been working with Senator PRYOR's staff and with the minority. They have done a superb job and, of course, I am very proud of both of them.

So to these fine people, we want to say thank you. There are many more staff people that should be thanked here on other aspects of this bill, but I particularly wanted to note this because it has been an unusual effort and an unusual degree of cooperation thanks to the leadership of the Senator from Arkansas.

Mr. PRYOR addressed the Chair.

The PRESIDING OFFICER. The Senator from Arkansas.

Mr. PRYOR. Mr. President, I thank the Senator from Georgia, the chairman of the Armed Services Committee, for cooperating 100 percent with us and with our respective staffs throughout the Senate in crafting this amendment.

This was not an easy amendment to craft, Mr. President. It worked through a lot of issues, a lot of agencies, a lot of various departments. It took into consideration a lot of different types of military installations.

But I want to thank the distinguished chairman and the ranking member of the Armed Services Committee for their cooperation.

I was about to, Mr. President, express my gratitude to Madelyn Creedon and Bob Bayer, who, as the chairman has mentioned, are seated on the floor at this time. We owe them a great deal of gratitude. They are fine staff people, along with Desten Broach and Steve Ronnel on our staff.

And special mention, Mr. President—sometimes we do not really take time to mention some of the people who probably work late at night after we close up in the legislative counsel's office drafting some of these amendments.

Like I said, this was a tough amendment to draft. It was, I believe, some 15 or so pages long, or maybe longer.

But Charles Armstrong of the Senate legislative counsel's office, was superb in his cooperation, knowledge, and commitment in making this amendment become a reality.

Mr. President, there are one or two further points that the chairman wanted me to bring out about this amendment that he felt that our colleagues at this point might like to be made aware of.

Before I close, let me, if I might, Mr. President, just mention one or two of these points. I think the most amazing aspects of this amendment that has now been sent to the desk is that this amendment, unlike some of the other amendments that we have seen in the last several days on this bill, does not cost one penny.

It does not add one penny. It does not take away one penny. It is, let us say, revenue neutral.

I would like to restate that point. It is going to provide a tremendous amount of relief and assistance to the base closure communities without costing the taxpayers a penny.

I think that is not only good government, I think that is sort of reinventing a spirit of common sense. We are, lately, in the business of reinventing government. I hope at the same time we reinvent the spirit of common sense.

Base closure communities have clearly stated without question that money is not the problem in their efforts to redevelop closed bases. The problem that we have found is our own Government—that is the problem—and the Government's attitude has been the problem. This has been the concern faced by the communities. This has been the obstacle in the way of progress by the communities in redeveloping these bases.

This amendment is, in fact, an attitude adjustment, and we think it is certainly timely. Base closure communities have been crying out for help. In the past, our Government, I am afraid, has not been listening. We have not had a keen ear to their concerns.

I am very proud to say we are turning the corner here, that we are doing a lot better, and we do have a President who is listening to these communities and one who truly understands

that we could not turn a cold shoulder to those who helped us win the cold war. Communities and workers who have faithfully supported military installations for years deserve much more than a handshake or a gold watch when the time comes to shut down their hometown bases and, in most cases, their major source of economic activity and payroll in those communities.

I will emphasize that of the 71 major installations targeted for closure since 1988, only 8 have actually closed their doors. We are only beginning to feel the real impact of the painful effects of these base closings across America. And now we must stand ready to assist our communities in their time of need.

I think those are the points the chairman wanted me to make in the closing moments. I thank the chairman once again. I thank the ranking member on the other side of the aisle.

Mrs. BOXER. Mr. President, I support the Pryor amendment because it protects the interests of communities where bases are closing.

It requires the military to maintain the condition of the base and leave nonmission essential property on-base for 2 years.

It puts property to work creating new jobs by allowing the Secretary of Defense to transfer land to a local community or authorized public entity.

This provision will help facilitate the redevelopment plan for Fort Ord, located near Monterey, CA. The local community hopes to transform this base into a State university and research center. This amendment will allow the Secretary to convey the land directly to the university system. Mr. President I believe that Fort Ord redevelopment plan is a model for base reuse. This amendment will help move the plan along and encourage other communities to adopt similarly ambitious strategies.

This amendment speeds up the base cleanup process, making bases available for re-use sooner. It implements the President's recommendations for removing needless delays to redevelopment while fully protecting public health and safety.

The amendment empowers communities by giving them a voice in the base re-use process. It creates the position of transition coordinator to cut through the redtape that can slow redevelopment, and it creates a Federal community response board, where communities can air grievances and suggest improvements in the base re-use process.

Finally, Mr. President, I wish to publicly thank the Senator from Arkansas for his leadership on this issue and congratulate him and his staff on this amendment. I am pleased to serve with him on the Task Force on Defense Reinvestment, and I am proud to cosponsor this amendment.

Mr. NUNN. I will yield to my colleague from Idaho for his comments in just a moment. I again want to thank Bob Bayer and Madelyn. Bob Bayer happens to be selected by the Department of Defense and the President to be the Deputy Assistant Secretary of Defense for Economic Development and Base Closure. So Bob will be one of the primary people who will be administering all of this and helping make these key decisions on adjustment. We hate to lose him very much. He has been a tremendous member of our Armed Services Committee staff. He has handled military construction as well as readiness matters, and many other matters, and has done a superb job. He is retired Air Force, and he has had a second career of great distinction here in the Senate, and he is now going to be in a key position. I thought the author of this amendment, Senator PRYOR, might like to know that.

Mr. PRYOR. Mr. President, I am very proud to know that Mr. Bayer has certainly been an active participant in developing this amendment. He has shown a deep concern for reinvestment in this field.

I must add, Mr. President, had I known Mr. Bayer was getting ready to get this high appointment, I might have been a lot nicer to him in the past. But he is going to be a splendid appointee for this position, and is someone who cares, and who is going to be working with those communities. We congratulate him.

The PRESIDING OFFICER. The Senator from Idaho.

Mr. KEMPTHORNE. I also wish to thank the chairman for this courtesy. Our side does agree to this amendment. This is an amendment concerning assistance to communities affected by base closures.

There are also communities that are impaired by the defense downsizing that are not currently the result of the base closure process itself. I am concerned about how we assist these communities, and I will be revisiting this issue in conference.

To give a specific example, we were notified this week—and today we met with Admiral DeMars of the U.S. Navy—that because of the downsizing of the Navy in the State of Idaho where we have had a prototype and training center for officers in nuclear submarines and nuclear aircraft carriers, they will no longer in 1994 and 1995 require those prototypes to be used. They, instead, will be using prototypes in upstate New York, which are newer, and also submarines that are surplus now.

As a result of this, it has the same impact as a base closure and it has a real negative impact to the communities in eastern Idaho. So that is why we will be revisiting this, so the application of this amendment can also apply to communities affected as in eastern Idaho.

The PRESIDING OFFICER. Is there further debate? The Senator from Arkansas.

Mr. PRYOR. Mr. President, I have a unanimous-consent request that the Senator from Florida, Senator GRAHAM, and the distinguished Senator from Georgia, the chairman of the Armed Services Committee, Senator NUNN, be added as original cosponsors of the pending amendment.

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

The Senator from Nebraska.

Mr. EXON. Mr. President, are we now in a position to return to the regular order once again, the Brown amendment?

The PRESIDING OFFICER. We are still on the Pryor amendment.

Mr. NUNN. Mr. President, I urge consideration of the Pryor amendment.

The PRESIDING OFFICER. Is there further debate on the Pryor amendment?

If there be no further debate, the question is on agreeing to the amendment.

The amendment (No. 828) was agreed to.

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

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

The motion to lay on the table was agreed to.

AMENDMENT NO. 825

The PRESIDING OFFICER. The question recurs on the Brown amendment.

The Senator from Nebraska.

Mr. EXON. Mr. President, I am compelled to bring to the attention of the Senate what I think the Brown amendment is attempting to do and explain to the Members of the Senate what the situation is with regard to the Brown amendment.

I have been trying to find out for the last few minutes what the vote was on the base closure proposition. The Senate spoke loud and clear, I believe, on a vote of 79 to 18. We overwhelmed, we smashed, a concept that was attempted earlier today with regard to the interference with or the extension of the matter of base closures.

The amendment offered by the Senator from Colorado is one small but very specific matter that is being attempted, to subvert the normal process for base closures and/or consolidation of bases. That is amendment that has been offered by the Senator from Colorado.

The staff, unbeknownst, evidently, of my objections to this, were trying to work out some kind of concept of the—oftentimes, when we try to speed things up by working out something that satisfies everyone so we do not have to have a vote, we get ourselves into all kinds of difficulties. In my view, we would get ourselves into all kinds of difficulties on this particular

amendment. I simply say, if this amendment is going to come to a vote, as has been requested and properly so by the Senator from Colorado, then I intend to offer a tabling motion when this is voted on, under the present schedule, on Tuesday next. If that tabling motion does not prevail, then we may indeed have extended debate on this because I think this is such a serious matter that maybe the staff of the Armed Services Committee does not fully understand.

If we start down the road that is being suggested by the Senator from Colorado, then we are going to be violating the principle of the vote of 79 to 18 earlier today.

This controversy started out on a role and mission report by the Chairman of the Joint Chiefs of Staff, General Powell, sometime last spring as a part of pointing to how we could operate more efficiently in the future and reduce costs. The Chairman of the Joint Chiefs said that he felt it would be worthwhile for us to consider the movement of the space command, which is now located in Colorado Springs, CO—at least the leadership of the space command—into the STRATCOM command located at Offutt Air Force Base in Omaha.

This is something this Senator had not pushed. This is something that this Senator, nor none of the other Members of the delegation from Nebraska, had been working on. It was a very legitimate recommendation, at least, from the Chairman of the Joint Chiefs in his responsibilities to carry out roles and missions and try to consolidate the activities of the Government as we begin our downsizing.

But as we all know, and sometimes so painfully, when it comes to the closure of bases or the consolidation of bases, there is a lot of parochialism, there is a lot of pork barrel, there is a lot of moaning at the bar at the local level.

What happened then, so that the Senate fully understands, without the suggestion of this Senator or the other Senator or House Members from Nebraska, the Chairman of the Joint Chiefs said this is something that should be considered.

Shortly thereafter, there was great cause, as understandably so, in Colorado Springs, CO. My position was that this is something for the military through their usual procedures. I took no action at that time to try and encourage this or discourage it.

The next thing I know, two of the House Members from the State of Colorado, who happen to be members of the House Armed Services Committee, inserted in the House version of the Department of Defense authorization bill a measure that would prevent any movement of any of the space command facilities from its present location in Colorado Springs to STRATCOM or anywhere else until a lengthy study was made. It was obviously a protective pork barrel procedure that the local home folk were led to believe that their people really were on the ball out there and they were going to do something to stop this move.

When I heard about that, I was asked about it: "Are you concerned about it?" And I said, "No, I am not concerned about it because it is strictly pork barrel politics. It is a violation of the spirit of the whole base closure and consolidation proposition that we have been going through."

When the Strategic Air Command was eliminated at Offutt Air Force Base in Omaha, NE, there was no moaning at the bar by this Senator. I recognized that the Strategic Air Command no longer had a mission that it once had with the end of the cold war. I had nothing whatsoever to do with the new location of STRATCOM there. But in the process, we lost 25 to 30 percent of that base, and there was a great deal of concern in the Omaha and Bellevue, NE, area, as there obviously was in Colorado Springs when that took place.

My position was that we all had to make some sacrifices, we all had to make some changes. The good people of Omaha and Bellevue, NE, like the good people of Colorado Springs and all other communities similarly located and blessed with some kind of a military facility around the country are, by and large, the same people who are demanding that we cut down the cost of the Government and particularly the military, except, of course, those facilities located right there close to home.

It seems to me that we should take the position on this particular suggestion that I have taken before; and that is, we should not have anything, nor should we allow any Member of the House or the Senate to play pork barrel politics with the defense authorization bill or other measures.

Again I cite the overwhelming statement and expression of feeling by the Senate on this matter earlier today. The proposal offered by the House Members from Colorado and now presented in a somewhat different form, but the same general thrust by the Senator from Colorado, is simply that nothing can be done until this happens and until that happens.

I will simply cite to the chairman of the committee on this side of the aisle and the ranking people on that side of the aisle that if we set a precedent by not having the wisdom, regardless of which side of the aisle we sit on now, of allowing Colorado and the Senator from Colorado, a House Member from Colorado to be successful in calling for a delay, in calling for a study for the obvious reason to delay or stop something that may be planned but may never work out, then I think we are going to open up ourselves to the wrath of every Member of the Senate and every Member of the House of Representatives any time they hear or think or somebody dreams up something about either consolidating their local base or their local military facility somewhere else. They will rush to the floor of the House, they will rush to the floor of the U.S. Senate and, by golly, they will protect their people. They will put something in legislation to get it corrected.

I hope that the Senate and the House would recognize that this is a terrible precedent. It would be directly opposite the overwhelming vote that we expressed earlier today to not be delaying, but encouraging the military to do consolidation and closure of bases under the procedure prescribed. The procedure prescribed by the Base Closure Commission did not entail, nor was it anticipated, in my opinion—and I was there the first day that this was discussed by then Secretary Frank Carlucci—that individual Members would try in advance to preclude any consideration of any change in the military base or facility in their area.

Certainly, it is entirely proper before a decision has been made for Members of Congress to appear before the Base Closure Commission, go to the military and argue against the closure of their facility or the merger of their facility because it does not make sense militarily or from the standpoint of saving money. I think that is very proper.

I think it is highly improper, I would say we would be traveling down a very, very difficult and rocky road if we set the precedent that evidently is being attempted by Members of the Colorado delegation, both on the House and Senate side, to come forth in bills of major importance and try to protect their flanks or their base.

Therefore, I say that this Senator is not in a position, Mr. President, to work out any kind of a compromise on this because any kind of a compromise would set a precedent that I suggest would come home to haunt us in the future.

If this measure is adopted by the Senate—it is already over on the House side and we are going to have to deal with it over there in conference with the House on the Department of Defense budget—if this is allowed to happen, Katie, bar the door, because it would be almost malfeasance in office for any other Member of the Senate or any other Member of the House of Representatives to not try and do the same for their facility as the House Members and the Senate Member from Colorado have done for themselves.

Therefore, I hope that all would recognize and realize that notwithstanding the legitimate concerns of what might happen in the future—and there is no assurance that it will—I think it would be a terribly bad precedent that

the leadership and the individual Members of the House and Senate would say, "Wait a minute. Let's not open up that kind of a Pandora's box or we are going to find ourselves in great, great difficulty on a whole series of matters on down the road as we have further mergers and further base closures."

This Senator is not suggesting that we take any move whatsoever, nor do I think we should at this juncture, Mr. President, with regard to any possible movement from the facility at Colorado Springs to STRATCOM or from STRATCOM to Colorado Springs, which is also a possibility. I think that we should let the usual process work its course and, therefore, I strongly oppose the amendment offered by the Senator from Colorado and will have to make a request that this be scheduled in due fashion for a vote on Tuesday.

Evidently, we probably will not have a chance to debate this any further, although the Senator from Nebraska will be on the floor in this chair on Monday and I may have additional things to say about this proposition at that time.

Mr. NUNN and Mr. HARKIN addressed the Chair.

The PRESIDING OFFICER. The Senator from Georgia.

Mr. NUNN. Mr. President, I ask unanimous consent this amendment be set aside to be voted on as per the unanimous-consent order on Tuesday and there be no second-degree amendments.

The PRESIDING OFFICER. Is there objection?

Mr. KEMPTHORNE. Mr. President, reserving the right to object, may I inquire, in light of the fact that the sponsor of this amendment, the Senator from Colorado, is absent, will there be an opportunity on Monday where he could perhaps engage in debate with the Senator from Nebraska?

Mr. NUNN. I say to my friend from Idaho, the floor is going to be open on Monday and any Senator will be able to offer observations on the amendments.

Mr. HARKIN addressed the Chair.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. HARKIN. Mr. President, might I inquire as to the parliamentary situation.

Mr. NUNN. Mr. President, we have a pending unanimous-consent request.

Mr. KEMPTHORNE addressed the Chair.

The PRESIDING OFFICER. Is there objection?

The Senator from Idaho.

Mr. KEMPTHORNE. One final inquiry. Have the yeas and nays been requested for that?

Mr. NUNN. No. 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. Is there objection to the request? If not, the unanimous-consent request is agreed to.

Mr. HARKIN addressed the Chair.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. HARKIN. Mr. President, might I again inquire, what is the parliamentary situation right now?

The PRESIDING OFFICER. The bill is open for amendment.

Mr. HARKIN. Mr. President, I am introducing an amendment to eliminate funding for the Army's kinetic energy antisatellite weapon program. The Army itself has tried to cancel this cold war weapon for several years but the Bush administration continued the program even though the military did not want it.

The Clinton administration has zeroed the program as has the House of Representatives, but the Senate Armed Services Committee included an amendment in its bill that provides $10 million for this ASAT program to keep it alive. My amendment would eliminate this $10 million cold war relic.

Proponents of ASAT weapons will argue that we build weapons to shoot down airplanes, tanks, and ships. Why not build weapons to shoot down satellites in space?

Mr. President, there is a major difference between battles on land, air, or sea and battles in outer space. The debris from a battle on land or air or sea sinks to the ground or the ocean bottom immediately after a battle. Commercial planes can fly and commercial ships can sail soon after hostilities end here on Earth but not so in outer space. The collision of one ASAT weapon with one enemy satellite would create thousands of pieces of junk. And this debris from a single battle in space continues to orbit the Earth at speeds of 17,000 miles per hour. At lower altitudes from 200 to 400 kilometers air molecules will gradually slow this debris until it reenters the atmosphere and burns up in a few months. Above 600 kilometers debris will remain in orbit for many years and may continue to orbit the Earth for decades or even centuries. Every piece of orbiting debris is a lethal weapon traveling, as I said, at speeds up to 17,000 miles per hour. This debris could damage any satellite or any astronaut intersecting its orbit. Thus, vast orbital bands of space could be rendered unusable for years, decades or even centuries by one single battle in space.

Indeed, we have examples of such debris creation from old Soviet ASAT space tests. Several Soviet ASAT tests did create thousands of detectable pieces of junk that are still in orbit after 20 to 25 years.

For example, the Soviet Union launched Cosmos 249 and detonated it as an ASAT weapons test on October 20, 1968. This explosion in space created 109 identifiable objects at the intercept altitude of 525 kilometers. Now, because Cosmos 249 ASAT was in a highly elliptical orbit, this lethal debris spends most of its time at higher altitudes. As a result this debris has survived longer than expected. Today, at least 55 detectable pieces of debris from this ASAT explosion are still orbiting the Earth 25 years later.

In total, 371 pieces of orbiting junk still survive from various Soviet ASAT weapons tests out of 736 pieces created originally.

Similarly, the F-15 direct ascent ASAT test of 1985 created 285 pieces of orbiting junk detectable at an altitude of 540 kilometers when that ASAT collided with the Solwind satellite. Today, at least nine of those orbiting objects that are detectable still threaten satellites in space.

From time to time, the space shuttle, probably little known to most people, and other U.S. space assets have had to be moved in order to avoid collision with known trackable space debris.

Mr. President, I keep using the words detectable, identifiable, trackable. These are particles that are big enough to be seen even through optical measures or through radar or other detection devices. But beyond these pieces of junk, there are probably thousands, perhaps tens of thousands of smaller, yet still very lethal, pieces of junk orbiting the Earth that we just simply cannot detect.

The development of effective ASAT weapons would exacerbate this situation, creating the possibility of poisoning vast orbital bands of space in some future star wars space battle.

Some military experts will argue that they must have ASAT's to shoot down enemy satellites. They often assume that we will maintain technological superiority, that we alone will have ASAT weapons if we develop them. But history proves otherwise. We assume that we alone would have MIRV'd missiles and went ahead MIRVing our missiles only to find our own security degraded when the Soviets copied our lead. Our land-based missiles became vulnerable to a surprise attack by Soviet MIRV'd missiles and our national security suffered. The same would undoubtedly happen with ASAT weapons. If we develop them, some future adversary will, too, be pitting our crucial satellites at risk in the future.

Mr. President, the military indeed has a legitimate need. To protect troops in the future, the U.S. military should have the capability to deny some future enemy the use of spy satellites in space. But ASAT weapons are not the only way. We can deny the use of space assets without destroying satellites. That is, all satellites are merely conduits of information. If we can disrupt or lock the communication

channels from the satellites to the enemy military command structure, the utility of the satellite is negated just as surely as if that satellite were destroyed.

But blocking satellite communications by jamming or spoofing or otherwise disrupting the flow of information has definite advantages over ASAT weapons.

Electronic countermeasures may be less expensive. ECM may be more effective since ASAT weapons may fail or have low intercept probabilities. By spoofing or generating false or misleading information, active ECM systems may be able to confuse the enemy. And, most importantly, ECM electronic countermeasures will not create orbital debris that could threaten our own satellites—both peaceful and military.

Mr. President, again to sum it up, a lot of people say we have to develop ASAT to deny the enemy the use of satellites in the future. But surely, if we develop that, others will develop it, too.

Second, the use of an ASAT weapon against any satellites in space will create vast junkyards orbiting the Earth and denying us the use of space for peaceful purposes for decades and maybe even centuries to come.

Third, there is another way of denying the enemy the use of their spy satellites in days of a future battlefield situation; that is, through electronic countermeasures. As I said, a satellite is only a conduit of information. It is not passive. It is active. It has to actually send information down to some receiver. We could intercept that. We can spoof it. We know we can do that now. We can take satellite information and the enemy may think a tank is here. We can send our a false signal and put the tank 3 or 4 miles away. We know that we can jam. We have years and years of experience effectively jamming these types of communications.

Last, I believe this would be more effective and less costly than an ASAT developed weapon.

So, again, it is not a big item, I suppose, when you talk about billions of dollars in the military spending. It is a $10 million item to kept ASAT alive. No one really says we want to move ahead with it anyway.

So I think in keeping with the spirit of again trying to cut wasteful spending and old cold war relic programs that have no use any longer, Mr. President, I offer this amendment.

Mr. President, again, a parliamentary inquiry. I guess there is no amendment pending, is there?

The PRESIDING OFFICER. The Senator is correct.

AMENDMENT NO. 829

(Purpose: To strike the provision requiring the conversion of the Kinetic Energy Antisatellite [KE-ASAT] Program)

Mr. HARKIN. 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 Iowa [Mr. HARKIN] proposes an amendment numbered 829.

On page 37, strike out line 4 and all that follows through page 37, line 15.

Mr. HARKIN. Again, all this does, Mr. President, is cut that line item to $10 million to keep the ASAT program alive.

I understand that we will have no votes tonight.

Mr. NUNN. The Senator is correct. It is my understanding the chairman of the Strategic Subcommittee, Senator EXON, would oppose the amendment. He will be here momentarily giving his views on it, and we would then, when the Senator completes his remarks, set it aside but have it on the schedule to be voted on on Tuesday.

Mr. HARKIN. I appreciate that.

Do we have to reserve time? I know Senator KERRY from Massachusetts wanted to speak on this perhaps on Monday.

Mr. NUNN. He could speak on this Monday. We will be in business tonight as late as people are interested in presenting amendments and arguments. We will be in business most of the day Monday. So he would be able to speak on it Monday.

Mr. HARKIN. Is this an appropriate time to ask for the yeas and nays on the amendment at this time?

The PRESIDING OFFICER. Is there a sufficient second?

Mr. HARKIN. Let me inquire of the chairman.

Mr. NUNN. Mr. President, I ask unanimous consent that this amendment be set aside and be scheduled to be voted on Monday or Tuesday without any second-degree amendment.

Let me withdraw that and check with the Senator from Nebraska. I withdraw the request.

Mr. President, since the Senator from Nebraska is not immediately here and may not be able——

The PRESIDING OFFICER. The Senator from Iowa has the floor.

Mr. HARKIN. I yield.

Mr. NUNN. If the Senator will yield, the Senator from Nebraska will be handling this. He will be here most of the day Monday. He is not here now. I suggest we temporarily set the amendment aside. Mr. KERRY will be here to talk about it on Monday, Senator EXON will be here on Monday, and the amendment will still then be able at that time to be put over until Tuesday for a vote.

Mr. HARKIN. I did not want to use my right to ask for the yeas and nays at some point on this.

Mr. NUNN. The Senator will not lose that right.

AMENDMENT NO. 830

(Purpose: To authorize funding for defense nuclear waste disposal)

Mr. JOHNSTON. 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 Louisiana (Mr. JOHNSTON) proposes an amendment numbered 830.

Mr. JOHNSTON. 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 391, line 6, strike "$100,000,000" and insert "$120,000,000".

Mr. JOHNSTON. Mr. President——

Mr. KEMPTHORNE. Mr. President, we are not familiar with this amendment.

Mr. JOHNSTON. I will explain it. It is very simple.

Mr. President, this amendment simply restores the authorization for the nuclear waste fund to the requested amount of $120 million. The bill started off at $120 million. I think the Armed Services Committee needed to save more money. So they cut that to $100 million. This restores it to $120 million in accordance with the budget request.

Mr. President, I ask unanimous consent that a copy of the budget request that came over from the Department of Energy be printed in the RECORD at this point.

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

III. ACTIVITY DESCRIPTIONS

[New budget authority in thousands of dollars]

Program activity	Fiscal year 1992	Fiscal year 1993	Fiscal year 1994
Defense Nuclear Waste Disposal	Defense Nuclear Waste Disposal Appropriation not established in fiscal year 1992. $0.	Provide funds for Yucca Mountain site characterization activities, including Exploratory Studies Facility (ESF) construction, site investigations, systems engineering, waste package and repository design, and regulatory, institutional, quality assurance, and information management activities. $100,000.	Provide funds for Yucca Mountain site characterization activities, including ESF construction, site investigations, systems engineering, waste package and repository design, and regulatory, institutional, quality assurance, and information management activities. $120,000

III. ACTIVITY DESCRIPTIONS—Continued

[New budget authority in thousands of dollars]

Program activity	Fiscal year 1992	Fiscal year 1993	Fiscal year 1994
Total Defense Nuclear Waste Disposal	$0	$100,000	$120,000

Mr. JOHNSTON. Mr. President, they need the funds. The Federal Government now owes $700 million to the nuclear waste fund, and we need this money this year for the ongoing characterization of the site.

I think it is a very simple amendment.

Mr. NUNN. Mr. President, I do not have any personal objection to this amendment. I do think we have a member on the Armed Services Committee that needs to be notified of the amendment. I am waiting to hear back from him.

Mr. President, 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. NUNN. 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. NUNN. Mr. President, this amount of money was cut out for strictly budgetary purposes because we were under very severe constraints. This amendment would restore approximately $20 million in funds that were cut when we were squeezed on outlays in the committee. A motion was not made by any Member on a substantive basis but on an exercise to try to find funds that could be cut.

The Senator has made a strong case that the funds should be restored. We do not have the same kind of budgetary restraint now because we made certain changes in the bill.

I urge that the amendment be adopted.

The PRESIDING OFFICER. Is there further debate?

The question is on agreeing to the amendment.

The amendment (No. 830) was agreed to.

The PRESIDING OFFICER. The Chair alerts the Senator from Georgia that no reconsideration motion was made on the previous amendment.

Mr. NUNN. I thank the Chair.

AMENDMENT NO. 831

(Purpose: To strike out or modify various provisions of subtitles E and F of title X, title XI, and title XII, and related authorizations of appropriations)

Mr. NUNN. Mr. President, I send an amendment to the desk on behalf of myself and Mr. PELL and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Georgia [Mr. NUNN], for himself and Mr. PELL, proposes an amendment numbered 831.

Mr. NUNN. 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 74, strike out lines 12 through 15, and insert in lieu thereof the following:

(1) For the Army, $15,194,036,000.

(2) For the Navy, $19,081,792,000.

(3) For the Marine Corps, $1,790,489,000.

(4) For the Air Force, $18,932,246,000.

On page 75, strike out lines 15 through 20 and insert in lieu thereof the following:

(18) For Humanitarian Assistance, $48,000,000.

On page 208, line 10, insert "the second sentence of" after "Notwithstanding".

On page 208, strike out line 15 and all that follows through the matter between lines 20 and 21 on page 210 and insert in lieu thereof the following:

(b) EXTENSION OF AUTHORITY.—Section 403(h) of title 10, United States Code, is amended by striking out "September 30, 1993" and inserting in lieu thereof "September 30, 1994".

On page 211, line 2, strike out "shall transmit to Congress" and insert in lieu thereof ", after consultation with the Secretary of State and the Secretary of Defense, shall submit to the Committees on Armed Services of the Senate and the House of Representatives, the Committee on Foreign Relations of the Senate, and the Committee on Foreign Affairs of the House of Representatives".

On page 215, strike out line 3 and all that follows through the end of page 221.

On page 222, strike out line 3 and all that follows through the matter between line 13 and 14 on page 224.

On page 224, line 14, strike out "SEC. 1052." and insert in lieu thereof "SEC. 1051.".

On page 224, line 23, insert ", in consultation with the Secretary of State," after "Defense".

On page 225, line 9, strike out "costs:" and insert in lieu thereof "costs associated with facilities used by the armed forces:".

On page 227, strike out line 15 and all that follows through page 229, line 3.

On page 229, line 4, strike out "SEC. 1054." and insert in lieu thereof "SEC 1052.".

On page 231, strike out line 15 and all that follows through the end of page 233.

On page 243, strike out line 1 and all that follows through the end of page 259.

On page 266, line 7, strike out "1208" and insert in lieu thereof "1207".

On page 268, strike out lines 11 through 17, and insert in lieu thereof the following:

SEC. 1207. APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.

In this title, the term "appropriate congressional committees" means—

(1) the Committee on Foreign Relations of the Senate, the Committee on Foreign Affairs of the House of Representatives, and the Committees on Appropriations of the House and the Senate, wherever the account, budget activity, or program is funded from appropriations made under the international affairs budget function (150);

(2) the Committees on Armed Services and the Committees on Appropriations of the Senate and the House of Representatives, wherever the account, budget activity, or program is funded from appropriations made under the national defense budget function (050); and

(3) the committee to which the specified activities of section 1203, if the subject of separate legislation, would be referred under the rules of the respective House of Congress.

Mr. NUNN. Mr. President, I have consulted with the minority, and we have had deliberations for about 6 weeks on this amendment. The Armed Services Committee included in our bill a number of provisions requested in the Department of Defense legislative proposal. After we reported our bill out of committee, it was learned that the legislative proposal had not been cleared by the executive branch in accordance with the normal administrative processes. In other words, the Department of Defense sent it as part of their legislative proposal, but the administration itself had not fully aired the issue within the administration.

The committee received objections after we incorporated this legislative proposal which was requested by DOD. We received objections from both the Foreign Relations Committee, and also certain elements of the administration, to a number of these provisions.

Despite the intervening Senate recess, at which time this issue was worked on very hard within the executive branch and also in the committee, between Foreign Relations and Armed Services, Senator PELL and I have basically informed the administration that unless they were able to get together on exactly what it was they wanted to do, and unless that was satisfactory to both our committees, we were going to move to take these provisions out of the bill.

Despite the intervening recess, the agreement within the executive branch proved to be very difficult. These provisions primarily relate to funding and authorities for conduct of peacekeeping, peace enforcement, disaster and famine relief, and promotion of democracy. The committee staffs on Armed Services and Foreign Relations have worked together and have reached agreement on an amendment to remove several of these provisions and to modify several others.

It is my view that these provisions are not essential to the conduct of these types of activities by the Department of Defense. They fall more in the category of facilitating the conduct of these activities. In other words, this was to give legislative framework to the activities that will probably have to take place anyway from the Department of Defense relating to peacekeeping.

As members are aware, the administration is conducting a comprehensive review of the policies relating to U.S. approval and participation in international peacekeeping and peace enforcement. That review by President Clinton and his administration is not yet complete, and several issues relating to the Department of Defense's legislative proposal will be affected by the outcome of that review. We on the Armed Services Committee and the Foreign Relations Committee both look forward to the completion of the review and the submission of a comprehensive legislative package by the administration in the coming months.

I anticipate that legislative proposals will include matters within the jurisdiction of both the Armed Services and Foreign Relations Committees. I look forward to working with Senator PELL and members of his committee on both sides of the aisle on comprehensive legislation relating to these matters. The amendment I am offering tonight along with Senator PELL thus defers legislative action on these matters until a later date. I regret that it is not possible to go forward with these proposals at this time, and I assure all Members of the Armed Services Committee and the Senate that we will be addressing these matters at the earliest possible date once the Clinton administration submits a comprehensive legislative proposal.

Mr. President, Senator LEVIN from Michigan has worked long and hard on this subcommittee on the subject of peacekeeping. He has been very much involved in the negotiations in the last 5 or 6 weeks between the Armed Services and the Foreign Relations Committee.

Mr. LEVIN. Mr. President, the amendment before us strikes several provisions of the bill as passed by the Armed Services Committee owing to jurisdictional concerns. After discussions with the chairmen of the Foreign Relations Committee and the Armed Services Committee, I am pleased that this amendment leaves some important provisions intact, in particular two provisions regarding multinational peacekeeping and peace enforcement.

First, I would like to note that the elimination of several provisions regarding the way the Department of Defense handles the contributions it makes to peacekeeping and peace enforcement missions should in no way be interpreted as a lack of congressional support for those contributions.

On the contrary, most of the members of the Armed Services Committee and, to the best of my knowledge, the Foreign Relations Committee understand that multinational efforts are the wave of the future in terms of creating a more secure world.

There is lots of work to be done to create systems that work, and figure out how to pay for them. The institutions we will use, including NATO and the United Nations, need major improvements in the way they are organized and funded. Our own Government agencies and officials within the administration need to get their act together and develop a common approach.

The committee and its Subcommittee on Coalition Defense and Reinforcing Forces have begun an extensive investigation into the international organizations with which the United States has and may conduct multinational peacekeeping and peace enforcement operations, and that effort will continue. The committee bill made an attempt to address several of these issues, specifically establishing dedicated accounts for these activities within the Department of Defense. Apparently, that approach has met with some jurisdictional objections.

But the Secretary of Defense has made this clear in a letter dated September 10, 1993:

> The Department currently is supporting a range of peacekeeping and peace enforcement activities and is financing those activities through the respective operation and maintenance accounts of the respective Services. The Department will be able, under the legal authorities that permit the current operations, to continue to sustain those activities, and meet such new responsibilities as the President assigns.

I ask unanimous consent that the entire letter be printed in the RECORD at the conclusion of my remarks.

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

(See exhibit 1.)

Mr. LEVIN. One important provision that will remain in the bill with a minor modification is section 1043, a report on multinational peacekeeping and peace enforcement.

The fiscal year 1993 Department of Defense Authorization Act contained a requirement requiring a comprehensive report by the President on proposals of the Secretary General of the United Nations with respect to peacekeeping, peace enforcement, and preventive diplomacy.

President Bush did submit a report in accordance with that section, but it failed to address substantively many of the most pressing policy questions on this subject. In addition, a number of additional proposals have been made on the subject since President Bush's report was prepared. NATO has had under consideration changes to its charter, mission, doctrine, and priorities, and other international organizations and regional alliances have plans or explorations regarding these subjects.

President Clinton and key administration officials have indicated their intention to make additional proposals for U.S. policy on these subjects, beyond those presented to the committee for consideration as part of the fiscal year 1994 Department of Defense Authorization Act.

The comprehensive report required in section 1043 will inform future congressional considerations on this subject.

A second important provision that remains in the bill is section 1041, a 1-year extension of the existing $300 million authority for peacekeeping activities.

Mr. President, we urgently need a long-term, comprehensive plan for developing peacekeeping and peace enforcement capabilities, and I look forward to working with the chairman of the Armed Services Committee, other Senators, and the administration to assist in that development.

I urge adoption of the amendment.

EXHIBIT 1

THE SECRETARY OF DEFENSE,
Washington, DC, September 10, 1993.

Hon. CARL LEVIN,
U.S. Senate
Washington, DC.

DEAR CARL: I am writing in response to your letter of September 9, 1993. It is my understanding that Section 1044 might be dropped from the bill during floor action. In anticipation of that action, you wrote to ask whether or not the Department of Defense has the ability to provide support for peacekeeping and peace enforcement activities through the operation and maintenance accounts of the individual Services.

As you know, the Department currently is supporting a range of peacekeeping and peace enforcement activities and is financing those activities through the respective operation and maintenance accounts of the respective Services. The Department will be able, under the legal authorities that permit the current operations, to continue to sustain those activities, and meet such new responsibilities as the President assigns. However, we are concerned that funding these costs in this manner will be detrimental to readiness.

The Department urges the Senate to enact the coordinated position that has been provided to the Committee. In addition to peacekeeping, it contains other authorities in support of Global Cooperative Initiatives that are critical to achieving the President's objectives.

With warm regards,

LES ASPIN.

Mr. NUNN. Mr. President, just a further word of explanation. Specifically, this would strike out provisions relating to the $448 million global cooperative initiative, which is peacekeeping, peace endorsement, disaster and famine relief, and promotion of democracy, leaving the original $48 million for humanitarian assistance. The remaining $400 million is distributed among the various service and operation and maintenance budgets, where it can be used for, but not specifically dedicated to, these activities.

In other words, this money is still in O&M. We still have tremendous pressures on operation and maintenance. That is what we call the readiness accounts. This money will still be in those categories, and if urgent needs arise in these areas, it could be reprogrammed in accordance with the normal procedures.

This also extends for 1 year the Levin-Simon provision that authorizes

the Secretary of Defense to provide up to $300 million to pay for our U.N. assessments for peacekeeping. This was money that was in the budget last year that has not yet been expended, but it would extend for 1 year that provision.

Finally, it strikes out several minor provisions relating to the prevention and control of proliferation of weapons of mass destruction.

Mr. President, I ask if the Senator from Idaho has any comments or questions on this amendment.

Mr. KEMPTHORNE. Mr. President, I would like to lend my full support to this amendment as proposed by the chairman. This amendment, as the chairman pointed out, would increase O&M funding, in the aggregate, $400 million, while preserving $300 million in peacekeeping funds and $48 million for humanitarian assistance. These funds are now appropriately controlled, and I believe we have a better understanding of how they will be managed in the future.

The PRESIDING OFFICER. Is there further discussion?

If not, the question is on agreeing to the amendment.

The amendment (No. 831) was agreed to.

Mr. NUNN. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

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

The motion to lay on the table was agreed to.

Mr. NUNN. Mr. President, I think we have several other amendments that have been agreed to that we can now present.

AMENDMENT NO. 832

(Purpose: To extend teacher placement assistance to noncommissioned officers who first become educationally qualified for such assistance within 5 years after discharge or release from active duty)

Mr. NUNN. Mr. President, on behalf of Senator DANFORTH, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report the amendment.

The assistant legislative clerk read as follows:

The Senator from Georgia [Mr. NUNN], for Mr. DANFORTH, for himself, and Mr. KENNEDY, proposes an amendment numbered 832.

Mr. NUNN. 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 reads as follows:

On page 128, between lines 8 and 9, insert the following:

(c) ELIGIBILITY OF MEMBERS NOT EDUCATIONALLY QUALIFIED FOR TEACHER PLACEMENT ASSISTANCE.—Section 1151 of title 10, United States Code, is amended—

(1) in subsection (c)—

(A) by redesignating paragraphs (2) and (3) as paragraphs (3) and (4), respectively; and

(B) by inserting after paragraph (1) the following new paragraph (2):

"(2) For purposes of this section, a former member of the armed forces who did not meet the minimum educational qualification criterion set forth in paragraph (1)(B)(i) for teacher placement assistance before discharge or release from active duty shall be considered to be a member satisfying such educational qualification criterion upon satisfying that criterion within 5 years after discharge or release from active duty.";

(2) in subsection (e)(1), as amended by subsection (a), by inserting before the period at the end of the first sentence the following: "or, in the case of an applicant becoming educationally qualified for teacher placement assistance in accordance with subsection (c)(2), not later than one year after the applicant becomes educationally qualified.";

(3) by redesignating subsection (k) as subsection (l); and

(4) by inserting after subsection (j) the following new subsection (k):

"(k) IDENTIFICATION OF NCOS WITHOUT DEGREES AS CANDIDATES FOR ASSISTANCE.—The Secretary shall provide under the program or—

"(1) identifying, during each fiscal year in the period referred to in subsection (c)(1)(A), non-commissioned officers who, on or before the end of such fiscal year, will have completed 10 or more years of continuous active duty, who have the potential to perform competently as elementary or secondary school teachers, but who do not satisfy the minimum educational qualification criterion under subsection (c)(1)(B)(i) for teacher placement assistance; and

"(2) informing the noncommissioned officers so identified of the opportunity to qualify in accordance with subsection (c)(2) for teacher placement assistance under the program.".

Mr. NUNN. Mr. President, this is an amendment Senator DANFORTH offered, and I ask unanimous consent to be added as a cosponsor. Senator KENNEDY is a cosponsor.

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

Mr. NUNN. We took a major initiative in the bill last year giving the administration broad authority to greatly increase the likelihood that a number of our retired military people would be able to participate in the educational system of our State and local governments and to become teachers or teachers' aides.

We did this with some very strong incentives relating to military retirement. So that if individuals who were early-out candidates in surplus categories and served 15 years in the military, they would be able to take early retirement and then, if they went into teaching or law enforcement or some other designated critical public type service, they would be able to earn the other 5 years of their retirement.

Mr. President, there are certain technical impediments, particularly relating to enlisted personnel, because they are not put on the DOD list in the same form, since they do not normally have college degrees.

As I understand the Danforth amendment—and I think it is an excellent amendment—it would allow enlisted personnel who want to be placed on the teacher list of DOD, enhancing their likelihood of becoming teachers, not to simply be placed on the teachers' aides list, but be placed in the full category of eligibility if they have gone back and gotten their college degree within 5 years of the time they leave military service.

That is my understanding of the amendment. I think it is a very good amendment.

I have said this many times—and this is not part of this amendment—but with the discipline problems we have in our schools in this country and with the number of school teachers who have told me that they have a hard time doing their job because of the discipline problems and that they could think of nothing more effective than having increased discipline, in terms of their own productivity and the education of the students.

I cannot think of anything better than having school systems around this country take advantage of the men and women who enlisted in the military who have been training young people, who have been disciplining young people and having them participate in the educational process. I think it would add a great dimension, not only to the discipline but also to the role modeling, which is so badly needed in certainly many of our urban school districts.

I wholeheartedly support the Danforth amendment. It is an encouragement of our enlisted people to be involved more in education once they leave the military service.

The PRESIDING OFFICER. Is there further debate?

Mr. DANFORTH. Mr. President, I rise to offer an amendment to the Troops to Teachers Program. Troops to Teachers was signed into law last October as part of the National Defense Authorization Act of 1993. Its purpose is to encourage separating servicemembers to begin a second career as schoolteachers and teacher's aides in elementary and secondary schools where qualified and committed teachers and role models are sorely needed.

I understand that the Department of Defense is now beginning to implement Troops to Teachers. Before it is set in motion, however, I offer this amendment to correct a deficiency which was, I am certain, an oversight.

Troops to Teachers requires participants who want to be teachers rather than teacher's aides to have a bachelor's degree before they separate from the military. Unlike commissioned officers, 96 percent of noncommissioned officers—NCO's—do not earn a college degree while in the service. For practical purposes, therefore, the overwhelming majority of NCO's are excluded from participating.

This is a terrible waste of teaching talent. In many ways, NCO's are the premier educators of the military.

Their job is to transform young recruits into skilled and dedicated professionals and leaders.

By freezing out NCO's, we are also ignoring the unique contributions minority NCO's can make in inner-city schools as strong and capable role models. This amendment dramatically increases the pool of such role models. In fact, there are seven times as many minority NCO's as minority officers.

In short, NCO's, of whatever ethnicities, are experienced, performance-oriented mentors who should be included. My amendment does this in two ways.

First, it calls for a program to identify and recruit likely teacher candidates from among NCO's who have been in the services for 10 or more years. Statistically, most NCO's who reenlist after 10 years of active duty will remain until retirement or separation due to downsizing. We cannot continue to wait until their last 6 months to provide servicemembers with transition assistance and guidance.

Second, it opens Troops to Teachers to NCO's who do not have a degree at the time of separation if they earn one within 5 years after separation. NCO's could use their GI bill benefits to earn a degree and then have 1 year from the time they earn the degree to apply for the program.

As participants, these former NCO's would be eligible for the two benefits under Troops to Teachers: up to $5,000 for teacher certification expenses and 2 years of federally subsidized employment as classroom teachers in eligible school systems. An eligible school system is one which receives chapter 1 Federal funding for disadvantaged students and can demonstrate a shortage of qualified teachers.

Mr. President, I am gratified to be joined by my distinguished colleague Senator KENNEDY in introducing this amendment. I also want to thank both Chairman NUNN and Senator THURMOND for their support. But the final acknowledgement for this amendment must go to a distinguished and learned constituent of mine, Dr. J.H. Hexter. Dr. Hexter, who has held professorships at both Washington and Yale Universities, has for several years championed the idea of turning ex-NCO's into teachers in needy school districts. He has argued his case elegantly and compellingly to me and to many policymakers across the country. This summer, the St. Louis Post-Dispatch printed one of his essays on the subject. I ask unanimous consent that it be printed in the RECORD.

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

[From the St. Louis Post-Dispatch, June 18, 1993]

THE RIGHT SIGNAL AT THE RIGHT TIME

(By J.H. Hexter)

In the world of the 21st century, the armed forces of the United States will be assigned new long-term missions. It can find such a mission at home by turning the solution of one problem into an opportunity to attack another—by retraining military personnel re-entering civilian life as teachers uniquely qualified to teach in public schools beset by truancy and disruptive behavior.

The armed forces of the United States are the most effective in the world. The collapse of world communism requires them to redefine their mission. This is a task not of days but of years, as the contours of a new world order gradually emerge. A new mission for the military is to prepare those it trains to continue their service to their country when they return to civilian life. Before their separation from the defense force, some members of the military can be prepared to teach in public schools.

By the year 2000, the United States' place in an increasingly competitive world will depend on the quality of our public education. In recent years we have allowed that education to deteriorate to where its quality now puts the nation at risk. These new times demand that we restore our schools to a level competitive with the schools of other industrial societies. This has become hard to do because we have allowed poverty in too many of our school districts to deprive students of the means to achieve the ends of education.

The most serious symptoms of that deprivation are truancy and chronic intrusive misbehavior. Teachers cannot teach those who are not present, and they cannot teach those who are present if their classes are kept in chaos by disruptive student behavior. Truancy and class disruption are companions of poverty in school districts. So is school failure.

An opportunity is at hand for a bold, unexpected and mutually beneficial partnership between teachers and soldiers: educators retraining soldiers to come back into civilian life as new teachers especially qualified to relieve beleaguered classrooms.

Career non-commissioned officers are uniquely qualified to bring such relief. They are the primary teachers in the armed forces. Their career advancement is earned through servicewide competition and depends on how well they mold raw recruits into seasoned soldiers. Along the way they become experts in dealing with absence without leave (truancy) and disruptive behavior. When they separate from service after 20 years or more, all of them will have taught successfully for at least 15 years. They understand that discipline is not an end in itself, but a prerequisite of effective performance.

Black career non-commissioned officers are present in the volunteer active duty force in numbers disproportionate to their numbers in the civilian population. From now on, recruiting men and women of a like quality in like proportion into military careers will be easier if, early on, recruits see the possibility of two careers open to those who earn them. Action now will favor blacks not by favoring black career non-commissioned officers, but by giving them their due. They have earned the rank that prepares them to earn a second career in public-school teaching. They have made good in the military, where achievement—not color—is what counts.

The non-commissioned officers now teaching in the armed forces can become excellent candidates for teaching in our schools, especially grades 4–9. They are models of achievement. And their very presence, along with their ability and experience, will help nip truancy and disruption in the bud.

By the laws of 50 states, prospective teachers must have a bachelor's degree before they can be certified as primary- and middle-school teachers. At present, fewer than 5 percent of the 15,000–20,000 career non-commissioned officers annually retiring have such a degree.

Service Education Centers, in which all service members can in the future earn the degree or degrees leading to certification, are already in place. Courses to provide 24 hours in education credits toward a degree and toward teachers' certification have been prepared by Sara Victoria Harding, a manager at Servicemembers' Opportunity Colleges.

No such curriculum was in place a year ago. Through Harding's initiative, it is about to be available at more than 50 of the 200-plus service education centers. The counselors at the centers can now call to the attention of servicemembers the long second career that certification as public school teachers would afford them. The secretary of defense can coordinate his effort with that of the secretary for veterans' affairs to shape a package of benefits for career non-commissioned officers that, on retirement, will attract them to teaching in the poorer school districts.

The time to act is now. To guide retiring non-commissioned officers toward new careers in public school teaching would give the right signal at the right time. Educational lag is now devastating the ill-educated poor, and, by rapid transfer of costs, the whole nation. The plan outlined above treats the problem of race for what it primarily is—a problem of undereducated poverty.

Mr. KENNEDY. It is a privilege to be a sponsor of this Troops-to-Teachers amendment proposed by Senator DANFORTH to give noncommissioned officers the opportunity to participate in this program to help former members of the Armed Forces become elementary and secondary school teachers.

Troops-to-Teachers provides impressive opportunities for retiring military personnel. It holds great promise for developing a well-qualified supply of new teachers for large numbers of American schools. Those who have served the country in the military can bring a worthwhile background of discipline and experience to teacher-training programs, and they can become an important addition to the Nation's classrooms.

Current law already enables former officers in the Armed Forces to participate in the Troops-to-Teachers Program. This amendment enables noncommissioned officers to participate as well. It also addresses the vital need to make more opportunities available for minorities in the ranks of American teachers.

We know that in the years ahead, the school population will increase substantially, and there will be an urgent need for additional teachers. This amendment will help to meet that need, and I urge the Senate to approve it.

The PRESIDING OFFICER. Is there further debate? If not, the question is on agreeing to the amendment.

The amendment (No. 832) was agreed to.

Mr. NUNN. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

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

The motion to lay on the table was agreed to.

AMENDMENT NO. 833

(Purpose: Relative to the importance of Naval Oceanography Survey and research in the post-cold-war period)

Mr. KEMPTHORNE. Mr. President, on behalf of Senator LOTT, I offer an amendment to express the sense of the Senate relative to the importance of the Naval Oceanographic Survey and research in the post-cold-war period. It would state how important the Congress believes these activities are and that additional reductions in this mission should be avoided.

I urge the Senate to adopt this amendment.

Mr. NUNN. I urge the adoption of the amendment.

The PRESIDING OFFICER. Without objection, the clerk will report.

The legislative clerk read as follows:

The Senator from Idaho [Mr. KEMPTHORNE], for Mr. LOTT, proposes an amendment numbered 833.

Mr. KEMPTHORNE. 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:

Purpose: Relative to the Importance of Naval Oceanography Survey and Research in the Post-Cold War Period.

The Senate finds that:

The Oceanographer of the Navy is responsible for all the Navy oceanographic research and survey efforts;

Oceanographic research and surveys are critical investments in the Navy's ability to operate in littoral waters of the world with an increased confidence of operational success;

Oceanographic surveys enable the Navy to conduct naval operations in greater safety, particularly in littoral waters;

The survey of littoral waters is most safely conducted during periods of peace when conflict is not imminent and the risk to lives and ships are diminished;

The Navy has reduced their oceanographic research and survey effort by almost 50 percent over the last five years;

This reduction in effort is the result of undistributed budget reductions required by the Comptroller of the Navy to meet overall Navy budget targets;

The number of naval ships dedicated to oceanographic survey and research has been reduced from 12 to 7 over the last five years, significantly reducing the Navy's oceanographic survey capability;

Therefore, it is the sense of Congress that

(1) Additional reductions to the Office of the Oceanographer of the Navy which will further reduce the level of oceanographic surveys and research efforts of the Navy should be avoided;

(2) A window of opportunity exists which allows near unencumbered access to littoral waters which are now available for surveying and research;

(3) Committing limited resources to the Navy's oceanographic research and survey effort should be considered a force multiplier to U.S. combat forces in future conflicts, particularly in littoral waters;

(4) The Navy should exploit this opportunity to survey and research these critical littoral waters and maintain funding levels for oceanographic surveying and research.

Mr. LOTT. Mr. President, for the last 5 years the Oceanographer of the Navy has experienced a substantial reduction in operation and maintenance funding as a result of undistributed marks by the Navy Comptroller. While I am very sensitive to the challenges facing the Navy Comptroller to parcel out budget reductions, I am very concerned that our oceanographic survey and research effort is not the place to seek additional cuts.

The United States enjoys a critical window of opportunity which allows us almost total, unchallenged access to the littoral water on every continent. We should exploit this opportunity to research and survey these littoral waters now—while hostilities are diminished and the missiles are not flying. We may not have another opportunity like this for some time.

Mr. President, it is my understanding that the Oceanographer of the Navy has cut five of the Navy's oceanographic ships over the last 5 years. We cannot afford to decommission any more oceanographic survey ships from the Navy's fleet. Now is the time we should be doing more oceanographic research not less. Continued reductions in oceanographic survey and research has profound and significant impacts on the future Navy's ability to operate in littoral areas of the world.

This is a critical time for the U.S. Navy to exploit the peace which has gripped the world. More cuts should not be made which further reduce the Navy's ability to chart the survey littoral waters where our future Navy may be required to operate with confidence. If we learned anything from Desert Storm, we learned that brown water operations require planning and research. Oceanographic research is one part of this critical planning process, and now is the time for this research to continue with diligence.

This amendment will send a strong signal of support for the future of Navy brown water operations. We can't afford to continue squeezing this survey and research effort. Our Navy's ability to operate in hostile waters and place missiles on target require that this survey and research effort continue.

The PRESIDING OFFICER. If there be no further debate, the question is on agreeing to the amendment.

The amendment (No. 833) was agreed to.

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

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

The motion to lay on the table was agreed to.

AMENDMENT NO. 834

Mr. NUNN. Mr. President, on behalf of Senator LEVIN 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 Georgia [Mr. NUNN], for Mr. LEVIN, proposes an amendment number 834.

Mr. NUNN. 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:

SEC. . Of the funds authorized to be appropriated pursuant to section 201(1), $24,000,000 may be obligated and expended for the purposes of demonstrating in field maneuvers the integration of digital electronic devices for purposes of command, control, battle management and combat identification for all major weapon systems contained in a combined arms brigade.

Mr. NUNN. Mr. President, the Army has discovered the revolutionary potential for improving the combat effectiveness of existing weapon systems by integrating the command and control systems of those competition systems. The Army calls this concept "horizontal integration of the battle field."

In order to demonstrate this promising concept, this amendment would provide $24 million for a field demonstration. I think this is an excellent amendment. I urge its adoption.

The PRESIDING OFFICER. If there be no further debate, the question is on agreeing to the amendment.

The amendment (No. 834) was agreed to.

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

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

The motion to lay on the table was agreed to.

AMENDMENT NO. 835

(Purpose: To state the sense of the Senate on ensuring the provision of adequate medical care to military retirees)

Mr. NUNN. Mr. President, on behalf of Senator COVERDELL I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Georgia [Mr. NUNN], for Mr. COVERDELL, proposes an amendment numbered 835.

Mr. KEMPTHORNE. 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 175, below line 20, add the following:

SEC. 707. SENSE OF SENATE ON THE PROVISION OF ADEQUATE MEDICAL CARE TO MILITARY RETIREES.

(a) SENSE OF THE SENATE.—It is the sense of the Senate that the Secretary of Defense

should encourage increased use of physicians, dentists, and other health care professionals in the reserve components of the Armed Forces of the United States in order to provide retired military personnel with care under section 1074(b) of title 10, United States Code, while such members of the reserve components are performing active duty, full-time National Guard duty, or inactive-duty training consistent with other military training requirements.

(b) DEFINITIONS.—In this section:

(1) The term "retired military personnel" means persons who are eligible for medical and dental care under section 1074(b) of title 10, United States Code.

(2) The terms "active duty", "full-time National Guard training", and "inactive-duty training" have the meaning given such terms in section 101(d) of such title.

Mr. KEMPTHORNE. The amendment that is coming from Senator COVERDELL would express the sense of the Senate that the Secretary of Defense should encourage increased use of military personnel to provide care to retired military personnel in the course of their training, consistent with their military mission and training requirements.

Mr. NUNN. Mr. President, this is an excellent amendment. I have felt for a long time we needed to do everything we could to more fully utilize our personnel in reserves. This goes to a particularly important need. We are running into serious problems, particularly with base closures, with the problems in the Veterans Administration's squeeze on the budget and taking care of our retired military personnel and their medical needs.

This would encourage a more comprehensive and effective and efficient use of reserve medical personnel in helping take care of the medical needs of the retired military community. I urge the adoption of the amendment offered by the Senator from Georgia, the junior Senator from Georgia [Mr. COVERDELL].

Mr. COVERDELL. Mr. President, I hereby submit to the Senate an amendment encouraging the Secretary of Defense to make increased use of health care professionals in the reserve components of the Armed Forces of the United States—as part of their service—to provide military retirees with health care.

As a veteran myself, I am concerned that those men and women who served in uniform in defense of this country not be forgotten. Their sacrifices comprise the foundation on which the security of the United States is maintained. How many times have we as a nation turned to them in times of need? How many times have they met that call to arms with grit and determination? They have earned our trust and gratitude a thousand times over.

Just as their service to the United States does not end as they enter civilian life, our obligations to these patriots continue into their retirement. Nowhere in this obligation more pronounced than in the arena of health care.

Disturbingly, many veterans have contacted me to report problems receiving access to adequate medical care. As we enter a period of downsizing the armed services, I believe that extensive reductions in personnel levels will significantly increase the population of military retirees. It is likely that these events will further compound the existing access problems.

The Senate is about to consider the reform of our Nation's health care delivery system. I believe we must target those aspects of health care that need reforming. We must look to reform those pieces that can bring others into the system without destroying what is working so well. Increased utilization of reservists such as I have proposed will help to address those weaknesses as we embark on a course of targeted reform of the health care system.

We owe it to these patriots to meet their efforts on America's behalf with our efforts on their behalf. It is my hope that this amendment will move us closer to that goal.

The PRESIDING OFFICER. If there be no further debate, the question is on agreeing to the amendment.

The amendment (No. 835) was agreed to.

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

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

The motion to lay on the table was agreed to.

AMENDMENT NO. 836

(Purpose: To enhance the prevention and control of proliferation of weapons of mass destruction)

Mr. KEMPTHORNE. Mr. President, I send an amendment from Senator WARNER and Senator BYRD 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 Idaho [Mr. KEMPTHORNE], for Mr. WARNER, for himself and Mr. BYRD, proposes an amendment numbered 836.

Mr. KEMPTHORNE. 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 74, between lines 2 and 3, insert the following:

Subtitle E—Programs in Support of the Prevention and Control of Proliferation of Weapons of Mass Destruction

SEC. 241. SHORT TITLE.

This subtitle may be cited as the "Prevention and Control of the Proliferation of Weapons of Mass Destruction Act of 1993".

SEC. 242. SENSE OF CONGRESS.

It is the sense of Congress that—

(1) the United States should have the ability to counter effectively potential threats to United States interests that arise from the proliferation of such weapons;

(2) the Department of Defense, the Department of Energy, and the Intelligence Community have an important role in preventing the proliferation of weapons of mass destruction and dealing with the consequences of any proliferation of such weapons;

(3) the Department of Defense, the Department of Energy, and the Intelligence Community have unique capabilities and expertise that can enhance the effectiveness of United States and international nonproliferation efforts, including capabilities and expertise regarding—

(A) detection and monitoring of proliferation of weapons of mass destruction;

(B) development of effective export control regimes;

(C) interdiction and destruction of weapons of mass destruction and related weapons material; and

(D) carrying out international monitoring and inspection regimes that relate to proliferation of such weapons and material;

(4) the Department of Defense, the Department of Energy, and the Intelligence Community have unique capabilities and expertise that directly contribute to the ability of the United States to implement United States policy to counter effectively the threats that arise from the proliferation of weapons of mass destruction, including capabilities and expertise regarding—

(A) responses to terrorism, theft, or accidents involving weapons of mass destruction;

(B) conduct of intrusive international inspections for verification of arms control treaties;

(C) direct and discrete counterproliferation actions that require use of force; and

(D) development and deployment of active military countermeasures and protective measures against threats resulting from arms proliferation, including defense against ballistic missile attacks; and

(5) in a manner consistent with the nonproliferation policy of the United States, the Department of Defense, the Department of Energy, and the Intelligence Community should continue to maintain and improve their capabilities to identify, monitor, and respond to the proliferation of weapons of mass destruction and delivery systems for such weapons.

SEC. 243. JOINT COMMITTEE FOR REVIEW OF NON-PROLIFERATION PROGRAMS OF THE UNITED STATES.

(a) ESTABLISHMENT.—(1) In support of the non-proliferation policy of the United States, there is hereby established a Non-Proliferation Program Review Committee composed of the following members:

(A) The Secretary of Defense.

(B) The Secretary of Energy.

(C) The Director of Central Intelligence.

(D) The Director of the United States Arms Control Disarmament Agency.

(E) The Chairman of the Joint Chiefs of Staff.

(2) The Secretary of Defense shall chair the committee.

(3) A member of the committee may designate a representative to perform routinely the duties of the member. A representative shall be in a position of Deputy Assistant Secretary or a position equivalent to or above the level of Deputy Assistant Secretary. A representative of the Chairman of the Joint Chiefs of Staff shall be a person in a grade equivalent to that of Deputy Assistant Secretary of Defense.

(4) The Secretary of Defense may delegate to the Under Secretary of Defense for Acquisition the performance of the duties of the Chairman of the Committee.

(5) The members of the committee shall first meet not later than 30 days after the date of the enactment of this Act. Upon designation of working level officials and representatives, the members of the committee shall jointly notify the appropriate committees of Congress that the committee has been constituted. The notification shall identify the representatives designated pursuant to paragraph (3) and the working level officials of the committee.

(b) PURPOSES OF THE COMMITTEE.—The purposes of the committee are as follows:

(1) To optimize funding for, and ensure the development and deployment of—

(A) highly effective technologies and capabilities for the detection, monitoring, collection, processing, analysis, and dissemination of information in support of United States nonproliferation policy; and

(B) disabling technologies in support of such policy.

(2) To identify and eliminate undesirable redundancies or uncoordinated efforts in the development and deployment of such technologies and capabilities.

(c) DUTIES.—The committee shall—

(1) identify and review existing and proposed capabilities (including counterproliferation capabilities) and technologies for support of United States nonproliferation policy with regard to—

(A) intelligence;

(B) battlefield surveillance;

(C) passive defenses;

(D) active defenses;

(E) counterforce capabilities;

(F) inspection support; and

(G) support of export control programs;

(2) as part of the review pursuant to paragraph (1), review all directed energy and laser programs for detecting, characterizing, or interdicting weapons of mass destruction, their delivery platforms, or other orbiting platforms with a view to the elimination of redundancy and the optimization of funding for the systems not eliminated;

(3) prescribe requirements and priorities for the development and deployment of highly effective capabilities and technologies to support fully the nonproliferation policy of the United States;

(4) identify deficiencies in existing capabilities and technologies;

(5) formulate near-term, mid-term, and long-term programmatic options for meeting requirements established by the committee and eliminating deficiencies identified by the committee; and

(6) in carrying out the other duties of the committee, ensure that all types of counterproliferation actions are considered.

(d) ACCESS TO INFORMATION.—The committee shall have access to information on all programs, projects, and activities of the Department of Defense, Department of Energy, and the intelligence community that are pertinent to the purposes and duties of the committee.

(e) BUDGET RECOMMENDATIONS.—The committee may submit to the officials referred to in subsection (a) any recommendations regarding existing or planned budgets as the committee considers appropriate to encourage funding for capabilities and technologies at the level necessary to support United States nonproliferation policy.

SEC. 244. REPORT ON NONPROLIFERATION AND COUNTERPROLIFERATION ACTIVITIES AND PROGRAMS.

(a) REPORT REQUIRED.—Not later than May 1, 1994, the Secretary of Defense shall submit to Congress a report on the findings of the committee on nonproliferation activities established pursuant to section 243.

(b) CONTENT OF REPORT.—The report shall include the following matters:

(1) A complete list, by program, of the existing, planned, and proposed capabilities and technologies reviewed by the committee, including all directed energy and laser programs reviewed pursuant to section 243(c)(2).

(2) A complete description of the requirements and priorities established by the committee.

(3) A comprehensive discussion of the near-term, mid-term, and long-term programmatic options formulated by the committee for meeting requirements prescribed by the committee and eliminating deficiencies identified by the committee, including the annual funding requirements and completion dates established for each such option.

(4) An explanation of the recommendations made pursuant section 243(e) and a full discussion of the actions taken on such recommendations, including the actions taken to implement the recommendations.

(5) A discussion of the existing and planned capabilities of the Armed Forces of the United States—

(A) to detect and monitor clandestine programs for the acquisition or production of weapons of mass destruction;

(B) to respond to terrorism or accidents involving such weapons and thefts of materials related to any weapon of mass destruction; and

(C) to assist in the interdiction and destruction of weapons of mass destruction, related weapons materials, and advanced conventional weapons.

(6) A description of—

(A) the extent to which the Secretary of Defense has incorporated nonproliferation and counterproliferation missions into the overall missions of the unified combatant commands; and

(B) how the special operations command established pursuant to section 167(a) of title 10, United States Code, might support the commanders of the other unified combatant commands and the commanders of the specified combatant commands in the performance of such overall missions.

(c) FORMS OF REPORT.—The report shall be submitted in both unclassified and classified forms, as appropriate.

SEC. 245. DEFINITIONS.

In this subtitle:

(1) The term "appropriate congressional committees" means the following:

(A) The Committee on Armed Services, the Committee on Appropriations, and the Select Committee on Intelligence of the Senate.

(B) The Committee on Armed Services, the Committee on Appropriations, and the Permanent Select Committee on Intelligence of the House of Representatives.

(2) The term "intelligence community" has the meaning given such term in section 3 of the National Security Act of 1947 (50 U.S.C. 401a).

Mr. KEMPTHORNE. The effect of this is to strengthen the nonproliferation and counterproliferation programs of the U.S. Government.

Mr. NUNN. Mr. President, this is, I think, an excellent amendment by the Senator from West Virginia, Senator BYRD, and the Senator from Virginia, Senator WARNER. This establishes a joint review committee in the Department of Defense to review the development of technologies to improve the capabilities to detect and monitor proliferation activities. This would also require a report to the Congress on these activities.

This underscores the Senate's continued commitment in cooperating with President Clinton in carrying out effective policy to control proliferation of weapons of mass destruction. I urge adoption of the amendment.

Mr. WARNER. Mr. President, I rise to offer an amendment, cosponsored by Senator BYRD, to strengthen the nonproliferation and counterproliferation programs of the U.S. Government. Simply put, this is a good Government amendment.

As many of us have stated time and again, the proliferation of weapons of mass destruction, along with ballistic and cruise missiles, is currently the greatest threat posed by the security of American, allied, and friendly interests. Many of the regional powers who seek these capabilities are controlled by some of the most ruthless regimes in existence: To wit—Iran, Iraq, Libya, North Korea, and Syria. We have witnessed one of these regimes—just a little over 2 years ago—launch Scud missiles at our troops and at Israel. Imagine the consequences if the Patriot missile had not been deployed and if the missiles had carried chemical, biological, or nuclear warheads.

Because of the gravity of this threat, it is incumbent upon the U.S. Government to develop the most capable program to collect, monitor, analyze, and disseminate information on the proliferation of such weapons systems. It is also incumbent upon the U.S. Government to develop an effective program to counter the spread of these weapons.

The three primary organizations charged by the U.S. Government to develop the capabilities described above are the Department of Defense, the Department of Energy, and the Central Intelligence Agency. Reviews of the nonproliferation and counterproliferation programs of these three organizations conducted by the staff of the Armed Services, Intelligence, and Appropriations Committees indicate that all three of them have increased funding and activities to stem or counter the tide of the proliferation of such weapon systems.

Unfortunately, Mr. President, the programs developed by these agencies are not well coordinated. We have found instances in which all three organizations are seeking to develop similar collection capabilities, but each program is underfunded. In many of these instances, by combining resources and efforts, we could develop and procure collection systems that will not be underdesigned, but rather will have the capabilities to provide the information required by policymakers.

Another problem with each organization developing nonproliferation and

counterproliferation programs in a vacuum is that we fail to prioritize individual programs. In one recent instance, the Director of Central Intelligence recommended cancellation of a major collection program, which has been very useful to our nonproliferation efforts, because there was not sufficient funds available within his budget. But if this program were to have been traded off within the context of all three budgets, it might have survived.

Mr. President, the problem I have just described is no reflection on the capabilities or the attitudes of the hard working officials in our Government who develop our acquisition programs. Nor is it a new problem. Whenever an issue transcends the jurisdiction of one department or agency, there are inevitable coordination problems. Similar problems have occurred with our counternarcotic efforts, space programs, and science programs.

The amendment offered by myself and Senator BYRD would create a high-level review committee composed of senior officials from all relevant organizations. These officials would have complete access to all programs. They would jointly review current and proposed programs, prioritize them, and insure that the most promising capabilities are adequately funded. At the end of this effort, they would submit a report to Congress. In short, Mr. President, this is a good Government amendment—one that will bolster our nonproliferation effort. Given the threat posed by the proliferation of weapons of mass destruction, we can do no less than to support it with enthusiasm.

Mr. BYRD. Mr. President, I join with the distinguished Senator from Virginia in offering an amendment that will, if adopted, help the United States to more rapidly and effectively develop the means to detect, characterize, and defeat a nuclear, chemical, or biological weapon. The proliferation of these weapons of mass destruction is a subject of great concern to this Congress and this administration. The bombing of the World Trade Center and the plot to bomb other sites in and around New York City brought home to all of us the fragility of our security. In the future, that bomb could just as easily be a nuclear device. Trucking a bomb into a city is certainly easier than developing a ballistic missile, and a lot more cost effective, although ballistic missiles, advanced cruise missiles, and advanced conventional weapons also continue to pose serious and growing threats to U.S. national security interests.

The United States must deal with the spread of these lethal capabilities not only as a diplomatic and export control problem, but also as a military problem. If we fail to prevent the spread of technology and technical knowledge, we must be prepared to actively counter the use of those weapons. This poses a considerable challenge, demanding the development of the appropriate policy, detection technology, intelligence and analytical capability, inspection support, export controls, and defenses. I know that the administration is already at work on defining a counterproliferation policy. But much confusion continues to exist throughout the many Government agencies working on counterproliferation technology development programs that support that policy. It is essential to eliminate the unnecessary duplication of efforts on such programs, and to ensure that no critical gaps are unmet. We must achieve the maximum efficiency in the use of our reduced resources.

The current informal mechanisms established by the defense and intelligence community are not, I believe, adequate as a permanent solution to the difficult task of consolidating and coordinating the counterproliferation research and development program throughout the Government. The intentions of those involved in these informal networks are admirable, and their efforts are impressive, but their enforcement mechanism is lacking.

This amendment creates a Joint Review Committee, chaired by the Secretary of Defense, and including the Secretaries of Energy and the Directors of the Joint Chiefs of Staff and the intelligence agencies. This committee is charged with reviewing and rationalizing priorities across the range of research programs, including intelligence, battlefield detection, passive and active defenses, counterforce capabilities, inspection and on-site support, export control programs, and the critical but expensive sensor programs designed to detect and characterize nuclear, chemical, and biological weapons. Additionally, the committee, composed as it is of senior-level members, can actively influence all relevant agency budget decisions in order to maximize the effective use of resources.

Mr. President, the threat of nuclear diversion, terrorism and blackmail is serious enough to focus the attention of this Government as a matter of the most urgent priority. It is, in reality, an emergency situation begging our best efforts to minimize the potentials and dangers. This amendment is a needed step in focusing the resources and efforts of the Executive branch on the requirements, programs and planning needed to address it on an urgent basis.

The PRESIDING OFFICER. If there be no further debate, the question is on agreeing to the amendment.

The amendment (No. 836) was agreed to.

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

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

The motion to lay on the table was agreed to.

AMENDMENT NO. 837

(Purpose: To provide for research on the possible exposure of members of the Armed Forces to chemical, biological, radiological, and other hazardous agents and materials as a result of service in Southwest Asia during the Persian Gulf war)

Mr. NUNN. Mr. President, on behalf of Senator RIEGLE I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Georgia [Mr. NUNN], for Mr. RIEGLE, for himself, and Mr. SHELBY, proposes an amendment numbered 837.

Mr. NUNN. 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 242, below line 19, add the following:

SEC. 1067. RESEARCH ON EXPOSURE TO HAZARDOUS AGENTS AND MATERIALS OF ARMED SERVICES PERSONNEL WHO SERVED IN THE PERSIAN GULF WAR.

(a) FINDINGS.—Congress makes the following findings:

(1) A number of veterans of the Persian Gulf War have reported unexplained illnesses and claim that such illnesses are a consequence of exposure to chemical, biological, radiological, or other hazardous agents or materials as a result of service in Southwest Asia during the Persian Gulf War.

(2) Members of the Armed Forces of the former Czechoslovakian Federative Republic who served on a chemical decontamination team in Southwest Asia during the period of the Persian Gulf War have claimed exposure to chemical agents during such service, and the Czech Minister of Defense has confirmed that members of that chemical decontamination team detected low levels of nerve gas in that region during that period.

(3) Reports indicate that members of the United States Armed Forces who served in Southwest Asia during the Persian Gulf War may have been exposed to combined chemical warfare agents and other hazardous agents and substances during such service.

(4) Such exposure may have occurred directly as a result of attack on such members by Iraqi forces or indirectly as a result of prolonged "downwind" exposure to airborne chemical warfare agents or other hazardous substances that were dispersed as a consequence of the bombing of Iraqi chemical weapons facilities, nuclear facilities, and other facilities containing hazardous substances.

(5) It is in the interest of the United States that medical professionals providing care to members of the Armed Forces and to veterans understand the nature of the illnesses that such members and veterans may contract in order to ensure that such professionals have sufficient information to provide proper care to such members and veterans.

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

(1) one of the threats to international peace and to the interests of the United

States in the post-Cold War era is the proliferation of weapons utilizing chemical, biological, radiological, or other hazardous agents or materials;

(2) the readiness of the United States to engage in future military conflicts will be directly related to the capability of the United States—

(A) to identify the threat to members of the Armed Forces posed by the utilization of such weapons and the agents and materials utilized in such weapons;

(B) to protect such members from the adverse effects of exposure to such agents and materials; and

(C) to treat the casualties that result from the utilization of such weapons and from exposure to such agents and materials; and

(3) the Department of Defense is uniquely capable of conducting research into the sources and effects of exposure of members of the Armed Forces during military conflicts to chemical, biological, radiological, and other hazardous agents and materials.

(c) CONTRACT FOR RESEARCH FACILITY AND ACTIVITIES.—(1) Subject to paragraph (2), the Secretary of the Army shall enter into a contract with a hospital or other existing health care or health care research facility in order to ensure that the research referred to in paragraph (3) is carried out.

(2)(A) The Secretary shall enter into the contract under paragraph (1) using full and open competition.

(B) The facility referred to in such paragraph shall be affiliated with a medical facility of the Department of Veterans Affairs.

(3) The research referred to in paragraph (1) is research into the effects upon humans of exposure to hazardous agents and materials, including chemical and biological warfare agents, toxins, and materials to which members of the Armed Forces may have been exposed as a result of service in Southwest Asia during the Persian Gulf War.

(4) Humans may not be exposed to hazardous agents or materials as a result of the carrying out of research under this subsection.

(d) STUDY ON REPORTS OF EXPOSURE TO HAZARDOUS AGENTS AND MATERIALS.—(1) Subject to paragraph (2), the Secretary of Defense shall carry out a study in order to determine the validity and accuracy of claims that members of the Armed Forces who served in Southwest Asia during the Persian Gulf War were exposed to combined chemical warfare agents, biological warfare agents, biological toxins, and other unconventional warfare agents or other environmental conditions hazardous to the health of such members as a result of such service. The study shall identify the locations at which such exposure, if any, occurred and the extent, if any, of such exposure.

(2) The study under paragraph (1) shall include an investigation of such exposure directly as a result of attack on such members by Iraqi forces and indirectly as a result of prolonged downwind exposure to such agents and toxins dispersed in consequence of the bombing of Iraqi chemical weapons facilities, nuclear facilities, and other facilities containing hazardous substances.

(e) STUDY ON EXPOSURE TO DEPLETED URANIUM.—The Secretary of the Army shall carry out a study of the effects upon humans of exposure to fragments of depleted uranium from weapons rounds that have been fired.

(f) PARTICIPATION BY THE DEPARTMENT OF DEFENSE.—(1) The Secretary of Defense shall ensure that all elements of the Departments of the Defense, including all chemical and biological warfare defense programs, provide to the facility with which the Secretary of the Army contracts under subsection (c) any information possessed by such elements on the identity and quantity of the chemical, biological, radiological, and other hazardous agents and materials to which members of the Armed Forces may have been exposed as a result of service in Southwest Asia during the Persian Gulf War and on the effects upon humans of such exposure.

(2) The Secretary of Defense shall ensure that the elements of the Department of Defense referred to in paragraph (1) provide to the persons or entities carrying out the study referred to in subsection (e) information possessed by such elements on the sources and effects of exposure to depleted uranium on the members referred to in paragraph (1).

(g) REPORTS TO CONGRESS.—(1) Not later than each of March 1, 1994, and October 1, 1994, the Secretary shall submit to the congressional defense committees an interim report on the results during the year preceding the report of the research and studies, as the case may be, carried out under subsections (c), (d), and (e).

(2) The reports submitted under this subsection shall be submitted in an unclassified form but may have a classified annex.

(h) BUDGET INFORMATION.—The Secretary of Defense shall ensure that each budget submitted to the Congress under section 1105 of title 31, United States Code, for a fiscal year in which the contract referred to in subsection (c) is in force, the Secretary carries out the study referred to in subsection (d), or the Secretary carries out the study referred to in subsection (e), as the case may be, contains a request for such funds as the Secretary determines necessary in order to carry out the contract or such studies, as the case may be, during that fiscal year.

(i) FUNDING.—Funds for programs authorized in this section shall be derived from amounts to be appropriated for the Department of Defense.

(j) LIMITATION ON EXPENDITURES.—The total amount that may be expended in fiscal year 1994 with respect to activities under this section is as follows:

(1) For research activities carried out under subsection (c), $2,000,000.

(2) For the study carried out under subsection (d), $2,000,000.

(3) For the study carried out under subsection (e), $1,700,000.

(k) DEFINITION.—In this section, the term "Persian Gulf War" has the meaning given such term in section 101(33) of title 38, United States Code.

Mr. NUNN. Mr. President, this amendment provides $5.7 million for three studies. The first is to determine if there were any exposures to chemical or toxic agents during Desert Storm; the second is to determine the effects upon humans of the exposure to chemicals and other hazardous materials; the third is a study of the effects upon humans to the exposure of fragments of depleted uranium from weapon rounds that have been fired.

This amendment is a combination of two similar amendments that are also being offered in the House.

The proposed studies would be helpful to the Department of Defense if there was any exposure to nerve gas or other toxic agents. The study of the effects of exposure to depleted uranium from fired rounds is acceptable to all concerned and I believe this is an important amendment.

There was considerable debate and discussion on this amendment by Senator RIEGLE earlier in the consideration of this bill. The amendment, I think, is very important. I think most of us who have Desert Storm veterans in our States have received complaints from them about certain medical problems they are having that are of great concern to our committee in the Senate and all who value the service of the men and women of the American Armed Forces in that conflict. So I urge the adoption of the amendment.

Mr. President, I believe I have already noted Senator SHELBY from Alabama is a cosponsor of this amendment.

Mr. SHELBY. Mr. President, I am pleased to join Senator RIEGLE in this effort to get to the heart of the unexplained illnesses that have beset veterans of the Persian Gulf war. I have been in the forefront of this effort and believe that this amendment will provide additional assistance in determining the extent of veterans exposure to chemical, biological, or other hazardous agents.

On June 30, 1993, I chaired a hearing of the Armed Services Committee Subcommittee on Force Requirements and Personnel on military health care. Dramatic testimony was provided to the subcommittee during the hearing by gulf war veterans that on January 17, 1991, and January 20, 1991, U.S. forces were hit by chemical attacks. The most telling testimony centered on events of the early morning hours of January 20 at Jubayl, Saudi Arabia.

I would like to quote from Petty Officer Sterling Sims, who was a member of the 24th Naval Reserve Construction Battalion out of Huntsville, AL and an eyewitness to the events of January 20, 1991.

On that night around 2:00 or 3:00 in the morning there was a real bad explosion overhead. The alarms went off. Everybody started hitting their bunkers. There was a high odor of ammonia in the air that burned your eyes. * * * We went to full chemical gear, and were in that situation for about two hours before it was passed down that there was an all clear. We were told that it was a sonic boom. To my knowledge you do not get a fireball from a sonic boom.

I would also like to quote from statements made to the Birmingham News by Chief Larry Perry from Gold Hill, NC, a member of the construction battalion, who was stationed at Jubayl.

The Scud alert ended about 1 a.m., and men had gone to sleep in their tents when they were awakened by tremendous explosions. I stood straight up in bed almost. We just grabbed our gas masks and headed for the bunker.

Perry said,

Shortly after the all clear signal had sounded the men emerged from their bunkers and around a dozen gathered at a latrine area about 20 feet away.

Chief Perry then states,

That's when the mist came. It was more like you felt it. It was somewhere between fog and a light drizzle. It was like a real light rain, real fine.

Roy Butler, a first class petty officer from Columbus, GA, who was among this group stated, "All of my exposed skin was like it was on fire. It burned like crazy. I couldn't breathe. I had to take my mask off and clear my nose. I immediately thought we got gassed."

Mr. President, I ask unanimous consent that the article by Dave Parks of the Birmingham News which contains the accounts of Larry Perry and Roy Butler as well as my letter of July 29, 1993, to Secretary Aspin requesting the inspector general to investigate this issue appear in their entirety in the CONGRESSIONAL RECORD directly following my statement.

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

(See exhibit 1.)

Mr. SHELBY. Mr. President, these men were given a direct order to stop talking about the incident. They were told that nothing happened—that the explosion was caused by jets breaking the sound barrier. But, Mr. President something did happen that night and on the night of January 17. The Czech Defense Ministry has confirmed that members of its decontamination team detected low levels of gas in that region. Sterling Sims, Larry Perry, and Roy Butler and perhaps thousands of other gulf war veterans are suffering because of their experience in Southwest Asia.

As I stated earlier, I have asked the Secretary of Defense to authorize the DOD inspector general to investigate these reports of chemical attack. The legislation before us directs the Department of Defense to establish a formal program of cooperation with the Department of Veterans Affairs to research the cause of the symptoms and develop treatments for any veteran of Operation Desert Shield/Storm who requests treatment from a military medical facility or veterans hospital. The cooperative program will include shared research, examinations, treatments and out-reach activities.

The amendment offered by Senator RIEGLE coherently lays out these issues. It provides $2 million for studies to identify those affected by gulf war illnesses and an additional $3.7 million to conduct research into the sources and effects of exposure of members of the Armed Forces to chemical, biological, radiological, and other hazardous agents and materials during the gulf war and exposure to depleted uranium. The Department of Defense will then report its findings back to the congressional defense committees on a timely basis.

Mr. President, I commend Senator RIEGLE for his efforts on behalf of gulf war veterans who suffer from unexplained illnesses. This amendment will give the Department of Defense the direction it needs to get to the bottom of this issue. I am proud to join the Senator from Michigan on this effort and urge my colleagues to support the amendment.

EXHIBIT 1

[From the Birmingham News, June 27, 1993]

ILL VETS SUSPECT CHEMICAL WEAPONS—SEABEES TELL OF ATTACK, GAS WARNINGS

(By Dave Parks)

Several veterans of a Navy Reserve Seabee unit say it is probable that their camp was hit by a chemical weapon at the beginning of the Persian Gulf War, and then they were ordered to keep quiet about the incident.

"It scared us to death," said Larry Perry of Gold Hill, N.C., a former chief petty officer.

"I know I got hit," said Mike Haynes, a former second-class petty officer who is now a preacher in Galivants Ferry, S.C.

"It just happened. It damm sure did," said Thomas Harper of Shiloh, Ga., a former second-class petty officer.

Military officials expressed immediate skepticism over the allegation, saying it was contrary to accepted facts about the Persian Gulf War. They said there was no evidence that chemical weapons were used in the conflict.

The use of chemical and biological weapons by Iraq was a threat throughout the Persian Gulf War. The international coalition aligned against Iraq warned of "terrible escalation" if the weapons were used, and analysts interpreted that as an implied nuclear threat.

Many of the Seabees said they were speaking openly about the possible chemical warfare incident because many members of their unit are suffering serious health problems possibly caused by exposure to chemical warfare agents. Some of the Seabees said health problems forced them from the Naval Reserve and they are having difficulty getting proper medical care and disability benefits.

The Seabees served with the 24th Naval Reserve Construction Battalion of Huntsville. The unit, with members in Alabama, Georgia, Tennessee, North Carolina and South Carolina, suffered high casualties from mysterious illnesses linked to the war, and those maladies have been the subject of an ongoing investigation by *The Birmingham News*.

Perry, who spent 23 years in the Navy and Reserves, was the first Seabee to tell the *News* about suspicions of a chemical weapons attack, and he supplied names of 10 other Seabees who hold similar beliefs.

The *News* spoke with those Seabees and then contacted four more at random, in addition to the detachment's commanding officer. All the Seabees recalled the incident on Jan. 20, 1991, when the unit was taken to the highest level of readiness for chemical warfare. Two of the Seabees chosen at random said it was very possible the men were exposed to chemical weapons, one Seabee said it was impossible to tell and the fourth dismissed the allegations.

The detachment's commander expressed doubt that any of his men were exposed to a chemical weapon and said it would have been an "isolated instance."

The Seabees were part of a 106-member air-support detachment stationed near an air strip south of the port of Al Jubayl on the Persian Gulf. They were at a base occupied by thousands of Marines and British military personnel.

U.S. Navy officials in Washington denied any knowledge of the use of chemical weapons in the Persian Gulf War.

I've not heard any discussion about any CB (chemical-biological) warfare that actually went on," said Capt. Perry Bishop, a spokesman on medical affairs for the Navy. "There were a lot of fears, but I've never seen anything that indicates that anything was ever used."

He expressed skepticism about the Seabees' story because many of them seemed to agree on the main point of it; he said it could be a product of medical desperation.

"If that's their story, I can't change their opinion, but I don't think it's correct," he said. "I think they're struggling to try to figure out what it is that they've got, and nobody can give them an answer.

"People with AIDS have the same kind of desperation," he said. "That doesn't mean there's a cure or an answer or even a reason."

A spokesman for Navy Reserve headquarters in New Orleans said every effort had been made shortly after the 1991 incident to determine if an attack had occurred, and tests showed that there had been no chemical attack.

COLD NIGHT OF TERROR

The Seabees say the incident occurred during a cold night of terror on Sunday, Jan 20, 1991. That was just a few days after the air war started and about the time that allied bombers hit production facilities for Iraqi chemical and biological weapons.

Perry, a chief who retired because of health problems, said the incident occurred about 3:30 a.m., after the detachment had been under attack by Scud missiles.

The Scud alerts ended about 1 a.m., and the men had gone to sleep in their tents when they were awakened by tremendous explosions, he said.

"I stood straight up in bed almost," Perry said. "We just grabbed our gas masks and headed for the bunker."

The Seabees scrambled into eight-foot-deep, bomb-proof shelters they had constructed outside their tents, he said. Soon, the all-clear sounded, Perry said. The men emerged from the bunkers, and about a dozen of them gathered at a latrine area about 20 feet away.

"That's when the mist came," Perry recalled, adding that he was unable to see the substance. "It was more like you felt it. It was somewhere between fog and a light drizzle . . . It was like a real light rain, real fine."

Pandemonium ensued for the next few moments as chemical alarms sounded and men struggled to put on gas masks while running back to bunkers where their chemical suits were stored, Perry said.

Once back in his bunker, Perry noticed his face burning around his mask.

Two other Seabees said they were struggling to breathe because their noses, mouths and eyes were watering.

Roy Butler, 49, a first-class petty officer from Columbus, Ga., was one of those Seabees.

"All of my exposed skin was like it was on fire," he said. "It was burning like crazy. I couldn't breathe. I had to take my mask off and clear my nose. I immediately thought we got * * * gassed."

Haynes said his lips went numb.

"I got hit in the face with it," He said. "My lips were numb—like I had been to the dentist with Novocaine—for about seven days. In fact, I still have a touch of it right in the center of both lips."

He added. "We were on fire, burning all around our face masks. It was a blistering agent."

Harper, a radioman in the Seabee detachment's command post bunker, said he heard over the radio that a gas attack had been confirmed.

"I was down in that hole," he said. "I heard everything—everything."

Dale Milsap of Soddy Daisy, Tenn., a second-class petty officer at the time, was in a command post bunker, too, and listened to radio traffic.

"It was a confirmed blister agent," he said.

The men stayed in their chemical warfare suits until they were told it was safe to come out of their bunkers, they said. Then, they learned the gas attack had been "unconfirmed" by military officials.

"When we started asking questions about it the next morning, we were told nothing happened," Perry said. "We thought that was kind of strange."

He said many servicemen on the base were discussing aerial combat that had supposedly occurred over their tents between British Tornado jets and an Iraqi Mig 23.

About 6:30 a.m., the Seabee detachment's commander, Lt. Lewis Harrison, called the chief petty officers in for a meeting, Perry said.

"We were called together and given a direct order to stop the talk about it," Perry said "It was nothing. There was no Iraqi jet, no bomb. Nothing happened. We figured it was for national security reasons and stopped talking about it."

An Air Force official said there were no records of a Mig 23 being shot down at the camp on or around the date of the incident.

Harrison, who lives in Newnan, Ga., acknowledged that he might have told the men to stop talking about the incident, but that would have been because he discouraged rumors.

He was told that the chemical warfare alert Jan. 20 was caused by a false alarm from a British detector set off by diesel fumes. Gas was never confirmed, he said.

He was unable to explain the burns suffered by some people.

"I know there were some isolated instances of some people getting burns and some other things, and I'm not sure from exactly what," Harrison said. "I can't say anything about it because I don't know."

Asked if there was a possibility that some of his men were gassed, Harrison said: "Well, it would have been an isolated instance, and I know that there would have been other people out on the airfield and probably even closer to a possible—if I were just thinking about the terrain—a possible strike who showed no problems."

But he was told that there wasn't a strike, he said, and that the explosions were caused by jets breaking the sound barrier.

"I know the guys still have some problems with it," Harrison said. "If I had something that I couldn't explain, I'd probably be looking for reasons, too. I sympathize with them and I don't dismiss the fact that something could have happened, but I don't know what it is. They're good guys."

Despite Harrison's order not to discuss the incident, Seabees said they made entries in diaries and collected information. And many of the Seabees said they began getting ill a few days later and have never recovered.

Perry, who developed pneumonia a short time after the incident, later gathered testimony and information from other Seabees about what happened. Among other documents, he has access to what he said is an original note from a radioman who wrote down the following message:

"Grid 652 832
South of Port
Liquid contamination
on test kit.
Confirmed blister agent!"

Perry also made notes in his diary and listed the men who were badly affected by the mist. Other Seabees said they documented the event in a similar fashion.

And one Seabee, Paul Moyers of Covington, Ga., a first-class petty officer who was the detachment's safety officer, said he further confirmed details of the incident.

Moyers said three teams of military personnel trained in chemical and biological warfare defense arrived at the base and began testing and decontamination. He said British decontamination personnel told him all three teams found traces of "dusty mustard gas."

"It's a real dusty powder," he said. "That's what they told me."

Iraq is known to have used mustard gas during its border war with Iran in the early 1980s, and by the end of that conflict it was mixing in nerve gas. A few years later, Iraqis used gas within their own borders against Kurds.

SEABEES DISABLED

One thing is for sure. Some members of the Seabee detachment are seriously ill.

Perry was interviewed while being treated at Tonro Infirmary in New Orleans for a severe infection. Perry said he had been disabled by severe psychiatric problems and other medical disorders since returning from the Persian Gulf War.

Haynes, like many men in the detachment, suffers from severe memory loss and other problems. "I have soreness in the bottom of my feet. I can't hardly walk. All my joints ache."

He was unable to complete his tour in the Middle East because of heart problems, he said. His son, who also served with the detachment, is in worse shape. "He's having a little more serious problem," Haynes said. "There's a rectal bleeding this has caused."

Harper said he suffers from aching joints, headaches and fatigue.

Like most of the Seabees interviewed, he expressed frustration over trying to get medical care for problems that haven't been designated as service-connected.

"I don't understand all this denial," Harper said.

The denial has created many problems for the Seabees, several said.

For instance, Butler said VA doctors don't want to take it seriously when he mentions the possibility that he was gassed.

"When you mention that, folks don't want to hear it," he said. "They turn off on you real quick."

Before being forced out of the Reserves because of health problems, Butler attended drills in Columbus, Ga. Health problems were so severe among Reservists there that a special team of military and VA doctors was sent to investigate. They didn't want to listen when some of the men tried to explain their illnesses and how they might be linked to a chemical weapons attack, Butler said.

"They wouldn't hear no part of it," he said. "They said you could get those things from overreacting."

Nicholas Roberts of Phenix City said he doesn't believe his cancer of the lymph nodes was caused by "overreacting." The former second class petty officer said he thinks it was caused by whatever hit him on Jan. 20, 1991, but he also believes some health problems among veterans were caused by vaccinations they received when activated.

DISGUSTED BY VA

Like many of the other former Seabees, he expressed disgust with medical care from the military and VA. The Navy refused to treat the ailments he brought back from the Persian Gulf, and he was referred to the VA Medical Center in Tuskegee, he said. There, he underwent tests and doctors told him they could find nothing wrong, he said.

Then, he went to a private physician who diagnosed his cancer, Roberts said.

Perry said he is angry and hurt.

"We were willing to go to war," he said. "Now we have to fight our own government. We did our commitment. All we're asking is for the U.S. government to uphold its commitment to us."

"There are people who know what's wrong with us," he said. "They need to come forward. We won a star in 45 days, and 2½ years later, we still can't get medical treatment."

U.S. SENATE,
Washington, DC, July 29, 1993.

Hon. LES ASPIN,
Secretary of Defense, Department of Defense, The Pentagon, Washington, DC.

DEAR SECRETARY ASPIN: Recent testimony before the Senate Armed Services Subcommittee on Force Requirements and Personnel by veterans of the war in the Persian Gulf has left me deeply concerned that U.S. troops may have been exposed to chemical warfare agents.

On June 30, 1993, I chaired a Subcommittee hearing concerning military medical health care. The Subcommittee received testimony from Rear Admiral Edward Martin, the Acting Assistant Secretary of Defense for Health Affairs and the Surgeons General of the military services. Four veterans, including Representative Stephen Buyer of Indiana, testified about the medical problems that have affected Gulf War veterans since coming home.

I was astonished to learn during the testimony of two veterans of the Gulf conflict that they believe they were subject to a chemical attack. Articles in the *Birmingham News*, my personal conversations with other servicemen who served in the Persian Gulf, and reports that Czech soldiers detected increased concentrations of mustard gas and nerve agents in the atmosphere have all raised the speculation that American troops may have been subject to chemical exposure during their Gulf service. It is my understanding that the Czechs sent samples of the chemicals to military laboratories in the United States.

I do not know whether or not members of our armed forces were subject to a chemical attack. However, I do believe that there is sufficient evidence to warrant an investigation by the Department of Defense Inspector General.

I would appreciate hearing from you on this issue as soon as possible.

Sincerely,

RICHARD SHELBY.

The PRESIDING OFFICER. If there be no further debate, the question is on agreeing to the amendment.

The amendment (No. 837) was agreed to.

AMENDMENT NO. 838

(Purpose: To require the Secretary of Defense to carry out or support an independent study of the conduct of a series of medical studies carried out during or prior to 1957 by the Air Force Arctic Aeromedical Laboratory, Ladd Air Force Base, AK)

Mr. KEMPTHORNE. Mr. President, I send an amendment by the Senator from Alaska, Senator MURKOWSKI, 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 Idaho [Mr. KEMPTHORNE] for Mr. MURKOWSKI, for himself and Mr. STEVENS, proposes an amendment numbered 838.

Mr. KEMPTHORNE. 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 175, after line 20, insert the following:

SEC. 707. INDEPENDENT STUDY OF CONDUCT OF MEDICAL STUDY BY ARCTIC AEROMEDICAL LABORATORY, LADD AIR FORCE BASE, ALASKA.

(a) REQUIREMENT FOR STUDY.—The Secretary of Defense shall provide, in accordance with this section, for an independent study of the conduct of a series of medical studies performed during or prior to 1957 by the Air Force Arctic Aeromedical Laboratory in Alaska. The series of medical studies referred to in the preceding sentence was designed to study thyroid activity in men exposed to cold, and involved the administration of a radioactive isotope (Iodine 131) to certain Alaska Natives.

(b) CONDUCT OF REQUIRED STUDY.—The study referred to in subsection (a) shall be conducted by the Institute of Medicine of the National Academy of Sciences or a similar organization.

(c) DIRECT OR INDIRECT DOD INVOLVEMENT.—The Secretary may provide for the study either—

(1) by entering into an agreement with an independent organization referred to in subsection (b) to conduct the study; or

(2) by transferring to the Secretary of the Interior, the Secretary of Health and Human Services, or the head of another department or agency of the Federal Government funds to carry out the study in accordance with subsection (b).

(d) REPORT.—The Secretary of Defense or the head of the department or agency of the Federal Government carrying out the study shall submit to Congress a report on the results of the study. The report shall, at a minimum, include the following matters:

(1) Whether the series of studies referred to in subsection (a) was conducted in accordance with generally accepted guidelines for the use of human participants in medical experimentation.

(2) Whether Iodine 131 dosages were administered in accordance with radiation exposure standards generally accepted as of 1957 and with radiation exposure standards generally accepted as of 1993.

(3) The guidelines that should have been followed in the conduct of the series of studies, including guidelines regarding notification of participants about any possible risks.

(4) Whether subsequent studies of the participants should have been provided for and conducted to determine whether any participants suffered long term ill effects of the administration of Iodine 131 and, in the case of such ill effects, needed medical care for such effects.

(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated for the Department of Defense for fiscal year 1994, $150,000 for carrying out the study referred to in subsection (a).

Mr. KEMPTHORNE. The purpose of this bill is to require the Secretary of Defense to carry out or support an independent study of the conduct of a series of medical studies carried out during or prior to 1957 by the Air Force Arctic Aeromedical Laboratory, Ladd Air Force Base, AK.

Mr. MURKOWSKI. Mr. President, today I rise on behalf of myself and my colleague, Mr. STEVENS, to offer an amendment directing the Secretary of Defense to support an independent review of the conduct of medical studies involving Alaska Natives and military personnel serving in Alaska at the height of the cold war.

In 1957, the Arctic Aeromedical Laboratory at what was then Ladd Air Force Base, AK, conducted a series of medical studies using Alaska Natives from the villages of Wainwright, Point Lay, Anaktuvuk Pass, Arctic Village, Fort Yukon, and Point Hope. In the course of these studies, dosages of a radioactive isotope, iodine 131, were administered to approximately 100 Eskimos and Athabascan Indians in Alaska. Similar dosages were also given to control groups of nonnative airmen serving at Ladd Air Force Base.

These studies were intended to study thyroid activity in persons exposed to cold, and to understand why Alaska Natives performed so well in bitter cold, presumably in an attempt to better train and equip the cold weather soldier.

Discusions with those involved with the studies and the readily available literature and technical papers available from the now defunct Arctic Aeromedical Laboratory has led us to several preliminary conclusions.

First, while the individual dosages administered in the studies—up to 65 microcuries per dose—would not be expected to create adverse medical effects, the literature is unclear about whether or not individuals were given repeated dosages.

Second, it appears that participants did not provide informed consent. The participants did not know they were being given a radioactive isotope.

Third, there was no followup to evaluate the impacts of the studies, if any, on the participants.

When I learned of these studies, I asked the National Academy of Sciences to help us determine the answer to a number of important questions:

Were these studies using iodine 131 conducted in accordance with generally accepted guidelines governing the use of human participants in medical experimentation?

Was the administration of iodine-131 dosages in accordance with radiation exposure standards of the time? Were they in accordance with the radiation exposure standards of today?

What guidelines should have been followed with respect to the notification of participants about the possible risks, if any, that were involved with the experiments? What followup studies should have been performed to assure that the participants suffer no long-term ill effects?

We have had some discussions with the National Academy of Sciences and the staff of its Polar Research Board and Institute of Medicine. Preliminary indications are that a rigorous effort to review the literature, search the archives, contact the surviving participants and answer the above questions will cost up to $150,000.

The purpose of my amendment, therefore, is to direct the Department of Defense to fund such an effort by an independent entity such as the Institute of Medicine or the Polar Research Board of the National Academy of Sciences, on behalf of the Department of Defense or another agency such as the Bureau of Indian Affairs, the National Institutes of Health, or the National Science Foundation, and to authorize sums up to $150,000 for the same.

It is my understanding that this amendment has been reviewed and is acceptable by both sides. Therefore, Mr. President, I move the amendment and ask for its adoption.

I thank the chairman, the ranking member, and my colleagues.

Mr. NUNN. Mr. President, I urge the adoption of the amendment.

The PRESIDING OFFICER. If there be no further debate, the question is on agreeing to the amendment.

The amendment (No. 838) was agreed to.

AMENDMENT NO. 839

(Purpose: To state the sense of the Congress with respect to the proliferation of space launch vehicle technologies)

Mr. NUNN. Mr. President, I send an amendment to the desk on behalf of Senator BINGAMAN and Senator MCCAIN and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Georgia [Mr. NUNN], for Mr. BINGAMAN, for himself, Mr. MCCAIN and Mr. GLENN, proposes an amendment numbered 839.

Mr. NUNN. 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 242, below line 19, add the following:

SEC. 1067. SENSE OF CONGRESS RELATING TO THE PROLIFERATION OF SPACE LAUNCH VEHICLE TECHNOLOGIES.

(a) FINDINGS.—The Congress finds the following:

(1) The United States has joined with other nations in the Missile Technology Control Regime (MTCR) which restricts the transfer of missiles or equipment or technology that could contribute to the design, development or production of missiles capable of delivering weapons of mass destruction.

(2) Missile technology is indistinguishable from and interchangeable with space launch vehicle technology.

(3) Transfers of missile technology or space launch vehicle technology cannot be safeguarded in a manner that would provide timely warning of diversion for military purposes.

(4) It has been United States policy since agreeing to the guidelines of the Missile Technology Control Regime to treat the sale or transfer of space launch vehicle technology as restrictively as the sale or transfer of missile technology.

(5) Previous congressional action on missile proliferation, notably title XVII of the National Defense Authorization Act for Fiscal Year 1991 (Public Law 101-510; 104 Stat. 1738), has explicitly supported this policy through such actions as the statutory definition of the term "missile" to mean "a category I system as defined in the MTCR Annex, and any other unmanned delivery system of similar capability, as well as the specially designed production facilities for these systems".

(6) There is strong evidence that emerging national space launch programs in the Third World are not economically viable.

(7) The United States has successfully dissuaded countries from pursuing space launch vehicle programs in part by offering to cooperate with them in other areas of space science and technology.

(8) The United States has successfully dissuaded other MTCR adherents, and countries who have agreed to abide by MTCR guidelines, from providing assistance to emerging national space launch programs in the Third World.

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

(1) the Congress supports the strict interpretation by the United States of the Missile Technology Control Regime concerning—

(A) the inability to distinguish space launch vehicle technology from missile technology under the regime; and

(B) the inability to safeguard space launch vehicle technology in a manner that would provide timely warning of its diversion to military purposes; and

(2) the United States and the governments of other nations adhering to the Missile Technology Control Regime should be recognized for—

(A) the success of such governments in restricting the export of space launch vehicle technology and of missile technology; and

(B) the significant contribution made by the imposition of such restrictions to reducing the proliferation of missile technology capable of being used to deliver weapons of mass destruction.

(c) DEFINITIONS.—In this section:

(1) The term "Missile Technology Control Regime" or "MTCR" means the policy statement, between the United States, the United Kingdom, the Federal Republic of Germany, France, Italy, Canada, and Japan, announced on April 16, 1987, to restrict sensitive missile-relevant transfers based on the MTCR Annex, and any amendments thereto.

(2) The term "MTCR Annex" means the Guidelines and Equipment and Technology Annex of the Missile Technology Control Regime, and any amendments thereto.

Mr. NUNN. Mr. President, this is an amendment by Senator BINGAMAN and Senator MCCAIN which expresses the sense of the Congress that transfers of space launch vehicle technology continue to be treated as restrictively as transfers of other missile technology.

This is a proliferation amendment that is concerned about the proliferation of our sensitive technology.

I urge the adoption of the amendment.

Mr. BINGAMAN. Mr. President, over the past 3 months the efforts of the Clinton administration to control the spread of missile technology have clearly made significant progress. These efforts, of course, build on those of the Bush administration, which also enjoyed important successes last year.

I have in mind the announcement made by the government of South Africa on June 30, 1993, that it was abandoning its space launch vehicle [SLV] program, which the United States had sanctioned in the fall of 1991 for having imported foreign missile technology that exceeded the guidelines of the missile technology control regime [MTCR]. I also have in mind the announcement on July 17, 1993, by the State Department that Russia had agreed to freeze its sale of SLV technology to India and would henceforth adhere to the guidelines of the MTCR in all of its missile technology export activities.

These two announcements follow similar actions last year by the governments of Argentina and Taiwan. Last year Argentina terminated its Condor II program, which had been intended for use both as a missile and as a space launch vehicle, and Taiwan announced that it would forego development of a space launch vehicle as well.

This encouraging trend is not an accident. In each case, the United States and other key MTCR members made the case that development of space launch vehicles would raise serious security concerns, would entail the violation of MTCR guidelines covering the transfer of missile and space launch vehicle technology, and would be very unprofitable financially.

These points were recently driven home in a study released by the Rand Corp. entitled "Emerging National Space Launch Programs: Economics and Safeguards." Authored by Brian Chow, this study concluded that emerging national space launch vehicle programs in the Third World are not economically viable and that "it is not possible to safeguard such space launch vehicle programs against technical transfers to ballistic missile development." The study also concludes that "if the United States and other nations wish to slow the proliferation of ballistic missiles, they should not assist these emerging launch programs" and that "the United States and other major launch-providing nations should make a commitment to launch any country's payloads at a reasonable price and in a timely manner."

Obviously this study's conclusions are consistent with the policy which our country has been pursuing for some time through three different administrations. The study's conclusions are consistent with the statutes governing United States policy toward missile proliferation, notably title XVII of the fiscal year 1991 Defense Authorization Act, on which I worked with then-Senator GORE, Senator MCCAIN, Senator PELL, Senator HELMS, Senator SARBANES, and then-Senator Garn.

Those provisions embody the notion that space launch vehicle technology is indistinguishable from missile technology and can not be safeguarded in a manner that would provide timely warning of diversion to military uses. Indeed, the definition of "missile" in both the Arms Export Control Act and the Export Administration Act reads as follows: "the term 'missile' means a category I system as defined in the MTCR Annex, and any other unmanned delivery system of similar capability, as well as the specially designed production facilities for these systems." The reference to "any other unmanned delivery system of similar capability" was, among other things, a reference to space launch vehicle technology.

My colleagues and I had sought to make this point very clear because a 1989 State Department report to Congress had suggested the possibility of aiding emerging space launch programs in the Third World, and we wanted to make our opposition to such an approach crystal clear. In my statement describing our amendment on August 3, 1990, I told the Senate:

> However, we should not, and I wish to emphasize this, we should not be providing space launch vehicles or related technology as an incentive not to proliferate, as suggested in a State Department report submitted to Congress last year. It is simply too difficult to prevent such technology from being used for missile purposes. Timely warning of diversion to military uses would be lost.

The sense-of-the-Congress resolution Senator MCCAIN and I are offering today as an amendment to this bill is intended both to congratulate the administration for its recent successes in controlling missile proliferation and to restate Congress' support for treating transfers of space launch vehicle technology as restrictively as transfers of other missile technology. We should not be providing space launch technology even to most adherents of the MTCR. We have many other means available to cooperate with nations which are foregoing development of missiles and space launch vehicles.

My sense is that the Clinton administration, in no small measure due to the

efforts of the Vice President, has been doing an excellent job of making missile nonproliferation a real priority in its national security policy. As Senator McCAIN and I wrote to the Vice President on June 25:

We know that maintaining nonproliferation as a priority in our national security policy is often difficult. In the past actions by both the executive branch and the Congress have too frequently contradicted their rhetoric on nonproliferation. We are sure from our past collaboration that you are playing the key role in this administration in insuring that actions and rhetoric coincide.

Mr. President, our insistence on a strict interpretation of the missile technology control regime both in law and policy over the last few years is now clearly paying dividends that deserve to be recognized. Our resolution does that. Our resolution is also intended to signal to those in the career State Department bureaucracy, who first proposed in 1989 that our policy on transfers of space launch vehicle technology be relaxed and who apparently continue to do so, that we intend to stay the course and we hope they will desist from their efforts to undermine the Clinton administration's nonproliferation policy. Particularly in light of the string of recent successes I cited earlier, it would make no sense to change course now. I repeat, it would make no sense to change course now.

Let me conclude by reading the closing paragraph of the Rand report I cited earlier:

Space launch suppliers need not maintain the view that proliferation of space launch capabilities is irreversible. The miserable economics and the difficulties in obtaining technical assistance might kill many of them. That all the major launch suppliers are either members or abiders of MTCR provides an unprecedented opportunity to form a unified position and refrain from providing space launch and ballistic missile assistance to others. The United States and other MTCR members should not give up prematurely. They should discourage emerging national space launch development instead of hoping that it can be safeguarded. Otherwise, the MTCR members might end up promoting missile proliferation instead of slowing it.

Mr. McCAIN. Mr. President, the sense-of-the-Senate resolution that Senator BINGAMAN and I are introducing today is intended as a message to every official in the U.S. Government that deals with the issue of proliferation.

It is a constant temptation to give priority to the diplomatic issue of the moment, to compromise and avoid controversy, and to put trade before national security. Proliferation, however, is not an area where we can give way to that temptation. Proliferation is simply too dangerous. It risks replacing the structured nuclear confrontation of the cold war with unstructured chaos. It threatens our national interest, that of our allies, and that of humanity.

President Bush and President Clinton have both publicly supported this policy. At the same time, it is not always clear that Presidential policy is being supported with the necessary energy and force at the working level within the bureaucracy and the key departments charged with enforcing this policy and the law.

This is why I wrote Secretary Christopher in early June about our possible failure to firmly enforce our policy and law regarding the missile technology control regime in the case of China. It is why I recently joined Senator BINGAMAN in calling upon the inspector general of the State Department to investigate the quality of enforcement in that Department.

More is involved, however, than the missile technology control regime. While our bill reinforces the need to firmly enforce the missile technology control regime, its spirit is equally applicable to controls affecting chemical, biological, and nuclear weapons. These controls must be enforced even when the case is difficult, and even when they conflict with other priorities.

If they are not so applied, the future is all too predictable. More missiles will fall on defenseless cities, more chemical weapons will be used on helpless civilians, biological weapons will leave the laboratory and join in the killing, and we will again see hellfire from nuclear weapons.

International arms control regimes are vital. They are symbols of international consensus and international law. They are important steps toward a new world order, and they provide the framework for rolling back proliferation as well as preventing it.

International arms control regimes, however, will never be adequate or effective unless nations individually enforce the letter and spirit of that regime, and all of today's arms control regimes lack adequate inspection and enforcement provisions. This makes U.S. leadership, and our example, absolutely critical. If we falter the world falters, and slides toward a new form of Armageddon.

This is why Senator BINGAMAN and I urge our colleagues to join us in supporting this bill, and in a continuing effort to ensure there is no ambiguity anywhere in the executive branch regarding our firm bipartisan support for enforcement of the missile technology control regime.

No aspect of politics, trade, or diplomatic convenience can ever be an excuse for threatening the future of our children, the Nation, and the world.

Mr. President, I ask unanimous consent that the text of my letter to Secretary Christopher and of the letter that Senator BINGAMAN and I sent to the inspector general of the State Department be printed in the RECORD.

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

U.S. SENATE,
June 10, 1993.

Hon. WARREN M. CHRISTOPHER,
Secretary of State, U.S. Department of State, Washington, DC.

DEAR SECRETARY CHRISTOPHER: The announcement by Winston Lord that the People's Republic of China (PRC or China) was continuing missile sales to Pakistan on June 9, 1993, raises issues about China's role in proliferation that go far beyond the case in point. I am deeply concerned that we may face a broad pattern of Chinese activity in selling the technology for weapons of mass destruction that continues in spite of China's accession to agreements like the Missile Technology Control Regime (MTCR) and Nuclear Non-Proliferation Treaty (NPT).

I am also concerned that in our efforts to maintain friendly relations with China, and to avoid disturbing the flow of trade, we may be placing too much reliance on informal diplomacy, failing to properly inform the Congress and the public of China's action, and failing to properly enforce legislation that I cosponsored with Vice President Gore to enforce the MTCR and block sales to Iran and Iraq.

To be specific, I am concerned that the PRC may be systematically violating the MTCR in sales and technology transfers that affect Iran, Pakistan, and Syria, and where some form of de facto cooperation or technology transfer is taking place between China and North Korea. I am also concerned that in contravention of various agreements and assurances, China may be selling technology to these countries that can be used for the production of nuclear, chemical, and biological weapons.

I realize that Senator Pell and Senator Helms have written you regarding some specific instances where China may have violated its agreements, but I am concerned with both the broader pattern of Chinese actions and the need for formal and unclassified assurances as to our knowledge of Chinese actions, our policy towards, and our enforcement of all relevant U.S. law and sanctions.* * *

We understand it is standard practice at the Commerce Department not to refer any MTCR related cases for interagency review if the export is intended for a MTCR nation. Apparently, other agencies have protested this practice for years, fearing that without such interagency referral Commerce would automatically approve exports that could result in illicit retransfers (e.g., from such nations as Germany to countries of concern). If this is Commerce Department practice, State Department tolerance of such a practice, in its role as chair of MTAG and MTEC, is most troubling since the MTCR itself requires review of export cases on a case-by-case basis. Such review is supposed to be U.S. policy.

This raises several questions. Has U.S. policy been consistent concerning the review of MTCR exports to MTCR nations? Does the State Department, in its role as chair of MTAG and MTEC, oppose the Commerce Department's current practice? Does Commerce refer such dual use MTCR cases to the MTAG and MTEC for decision? How many of these cases has Commerce approved and how many has Commerce denied without referral to the interagency process?

CONCLUSION

We believe receiving a case by case review of the answers to these questions is critical for the Congress to carry out its constitutional responsibilities, and essential to assure that officials in the new administration

responsible for implementing the law get off to a statutorily sound start. Given the sensitive nature of the answers to some of the more specific questions asked, it may be necessary to produce both a classified and unclassified report. We look forward working with you. If you have any questions please feel free to contact Tony Cordesman (Senator McCain, 224-2235) or Ed McGaffigan (Senator Bingaman, 224-5521), of our staffs.

JOHN MCCAIN,
U.S. Senator.
JEFF BINGAMAN,
U.S. Senator.

Mr. THURMOND. Mr. President, I am pleased to support the amendment proposed by the Senator from New Mexico. I agree with the restrictions included in the 1991 authorization act that have come to be known as the MTCR, the missile technology control regime. The problem of missile proliferation may be our greatest national security worry sometime in the near future. There are countries that hate us, and they want to get missiles, long range strategic missiles, missiles that can hit Washington from Asia or Africa. That is why so many of us support a national missile defense system.

The Senator's amendment aims at a problem: the State Department does not like trade restrictions that anger our friends. Our relations with India are very strained because the United States insisted that the Russian booster engine that they wanted to buy was restricted under the MTCR. But we have to have these restrictions, so we need a strong statement that the State Department will heed.

Mr. President, I recommend that my colleagues support the amendment.

The PRESIDING OFFICER. Is there further discussion on the amendment? The question is on agreeing to the amendment.

The amendment (No. 839) was agreed to.

Mr. NUNN. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

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

The motion to lay on the table was agreed to.

Mr. NUNN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. NUNN. 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. NUNN. Mr. President, that completes the amendments that we have anyone presenting here tonight and completes the amendments that we have been able to get agreement to on both sides.

We now have the situation as earlier described by the majority leader. We will have managers on the bill Monday morning and we will have managers on the bill most of the day in the afternoon and evening on Monday. So we will be here to receive amendments and proposals from people in the form of amendments that can be debated at that time.

I had informed the Senator from Iowa earlier this evening there was a strong possibility there would be a second-degree amendment proposed to the Harkin amendment. The Harkin amendment will recur on Monday. I know the Senator from Iowa is not here personally, but I would like to make it clear to his staff—and we will also try to notify him—there is a strong probability there will be a second-degree amendment offered to his amendment. That would, of course, be presented for a vote on Tuesday unless there is some agreement in the meantime, which I do not foresee. So I would want to make that clear since he has had to leave the floor this evening.

CREDIT UNION PROVISION

Mr. RIEGLE. Mr. President, I rise today to record my support for a provision concerning credit unions in the defense authorization bill that passed the Senate on September 9, 1993. That provision ensures the continued allotment of space in Federal buildings and military bases for credit unions.

Military downsizing is currently forcing military credit unions to expand their operations to members beyond military bases. This extension could cause military credit unions to lose their current on-base privileges.

The provision, however, allows credit unions to continue to have offices on military bases if 95 percent of the members using such offices are military or Federal employees or their family members. Off-base facilities, on the other hand, continue to be subject to all the normal expenses, including rent, that non-Federal credit unions incur.

The Department of Defense supports military credit unions' continued access to on-base offices and had earlier approved the Defense Credit Union Council's requests for a moratorium on the application of the 95-percent rule to allow time for congressional action to amend the Federal Credit Union Act.

I want to thank Senator D'AMATO, ranking Republican member of the Banking Committee, and Senators NUNN, THURMOND, and BRYAN for their assistance in expediting action on this amendment.

Mr. President, I ask unanimous consent that a letter of support for this provision from myself and Senator D'AMATO to Senators NUNN and THURMOND be placed in the CONGRESSIONAL RECORD.

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

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS,
Washington, DC, July 27, 1993.

Hon. SAM NUNN,
Chairman, Armed Services Committee, U.S. Senate, Washington, DC.

Hon. STROM THURMOND,
Ranking Republican Member, Armed Services Committee, U.S. Senate, Washington, DC.

DEAR SENATORS NUNN AND THURMOND: We are writing to ask you to incorporate an amendment into the defense authorization bill dealing with the allotment of space in federal buildings for credit unions.

This amendment is technical in nature and it would merely clarify current law. The amendment would continue to allow credit unions to occupy offices on military bases if 95% of the members using the office located of federal property are military or federal employees and family members of these employees—even if they were forced to expand their field of membership to individuals outside the military base. Off-base facilities, however, would not receive special treatment and would be subject to all the normal expenses of credit unions in similar areas, including the payment of rent and logistic expenses.

The Department of Defense supports this change and had approved the Defense Credit Union Council's request for a moratorium on the application of the "95%" rule to allow time for congressional action to amend the Federal Credit Union Act.

This is not a controversial amendment. This is an issue which needs immediate attention since the Banking Committee presently has no legislation which will move in a timely fashion. The need for the amendment results from the impending base closings and military downsizing, and it would be appropriate to attach this amendment to the FY 94 defense authorization bill.

We respect your desire to keep the defense authorization bill clean. However, we feel this issue is within the scope of the Armed Services Committee and the bill is the most appropriate vehicle to get this provision enacted into law.

Thank you for your consideration on this matter. If you have questions, have your staff contact Shellie Berlin or Gillian Garcia on the Banking Committee at 224-7391.

Sincerely,

ALFONSE M. D'AMATO,
Ranking Member.
DONALD W. RIEGLE, JR.,
Chairman.

Mr. CAMPBELL. Mr. President, thank you for allowing me the opportunity to speak on this amendment. Mr. President, as much as anybody here, I want to eliminate unnecessary Government spending. I realize the tough choices that our commitment to deficit reduction means. It means that the Federal Government can't fund every single project that helps our constituents. It means that committees have to choose carefully among many different spending proposals, and try to pick those which are the most needed and cost-effective.

I know the Armed Services Committee had a particularly difficult time this year in meeting budget targets, and I commend the committee members for toiling diligently until they met their goals.

Nobody is perfect, though, and in one specific case I believe the committee

made a mistake by not funding a military construction project for Fitzsimons Army Medical Center in Denver, CO. The amendment I propose here would authorize $4.4 million for a dial office central facility at Fitzsimons.

Mr. President, I would not stand up here in support of this small project if it did not make good business sense for the Army. But the fact is, Mr. President, Fitzsimons is an integral part of the Army's medical treatment and training system, and it badly needs to modernize its telephone facilities. The Army already set aside funding in other accounts to pay for necessary improvements to accommodate this new dial office facility, money which will disappear if this project is not authorized this year.

There is apparently some question about whether Fitzsimons is going to be around in the next few years, which is why the Armed Services Committee wants to hedge its bets on spending money there. I think that concern is misplaced:

Year after year, evaluations and reviews show that Fitzsimons is an essential component of the Army's health care delivery system.

Fitzsimons provides all levels of health care to a million beneficiaries from 12 States in the Midwest.

Fitzsimons is a critical component of the U.S. Army's medical training mission.

Congress has always shown its support for Fitzsimons. In fact, last year Congress voted not only to support the current facility, but to authorize $390 million for a replacement hospital at Fitzsimons. The Army strongly supports this proposal. Congress also appropriated $30 million last year to complete designs for this new hospital.

But in order for Fitzsimons to fulfill its mission, at a minimum it needs $4.4 million in authorization for the dial central office facility. I urge my fellow Senators to recognize the importance of this facility to the Department of the Army, and to active and retired military personnel from throughout the Midwest.

Mr. HOLLINGS. Mr. President, few of my colleagues have expended more effort than this Senator grappling with the Federal deficit and working to cage the Government spending monster. From those budget battles, I have come to recognize that adequate planning and time schedules are essential to successfully implement Government reforms. For that reason, I rise today to express concerns regarding the provisions of the defense authorization bill and committee report dealing with the Defense Meteorological Satellite Program [DMSP].

The bill before the Senate and the committee report propose a $47.4 million reduction in the DMSP Program, a cut of almost 50 percent, as well as a deferral of the launch of the next military weather satellite. the rationale for the provision is that civilian and military weather satellite systems should be integrated or merged.

At this point, I think it is important to take note of the information these satellites provide—they collect temperature, moisture, and other weather and environmental information that is vital for both weather forecasting and global climate research. At present, the Federal Government supports two different systems, one run by the Department of Defense [DOD] and the other by the National Oceanic and Atmospheric Administration [NOAA] within the Department of Commerce. In addition, the National Aeronautics and Space Administration is planning a third system. According to current Government estimates, these three systems will cost the American taxpayer about $6 billion over the next 10 years.

Currently, NOAA's National Weather Service uses the data from the NOAA and DID satellites for long-term forecasting, severe storm tracking, and search and rescue services. In areas like Alaska, the polar-orbiters are the principal weather satellites. And, since we have only one geostationary or GOES satellite remaining in orbit, they provide critical back-up for hurricane tracking and monitoring.

Creation of a single operational U.S. weather satellite system may well be a sensible and cost-effective goal. The NOAA and DOD satellites are produced by the same contractor, at the same location, and carry similar instruments. Convergence of the two systems was proposed as a cost-cutting idea during the Reagan Administration. However, the civilian policy of allowing open access to civilian weather information could not be reconciled with the military's operational and national security needs. With current shifts in military requirements, interest in a single joint program has reemerged. Indeed, the President's National Performance Review calls for establishment of a single civilian operational environmental polar satellite program. The Review states that "to reduce duplication and save taxpayers a billion dollars over the next decade, various current and proposed polar satellite programs should be consolidated under NOAA." In the Senate, my colleague from Nebraska and a senior member of both the Armed Services and the Commerce Committees, Senator EXON, has provided important focus and leadership on this issue.

While the goal of converging military and civilian satellite programs may make sense, dismantling existing polar satellite systems before plans for a new joint system are completed does not make sense. As NOAA Deputy Administrator Doug Hall stated in a recent letter:

> The Clinton administration is committed to convergence of the civilian and defense polar satellite programs. However, the process of convergence requires significant lead time, and this reduction would adversely affect the ability of the nation to maintain polar coverage.

As Senator EXON has written:

> Merging the two satellite programs will take time—time to design a common system, to determine management arrangements between DOD and NOAA, to build new satellites, and to launch them. Both DOD and NOAA will obviously have to continue to launch and operate their own systems until the new system can be deployed.

The administration currently is conducting an interagency assessment of polar-orbiting weather satellite programs. However, I question whether slashing the DMSP budget and deferring launch of new satellites provides adequate time to develop and implement the results of that study.

The need to maintain flexibility in the budget and schedule for operational satellite programs was reinforced in August, when NOAA satellite controllers lost contact with a $67 million polar-orbiting satellite launched earlier in the month. While the implications of the loss have not yet been fully analyzed, program managers anticipate significant increases in long-term NOAA program costs, as well as immediate changes in budget and schedule requirements. Efforts by the past administration to short-cut planning and development stages for NOAA's geostationary weather satellites contributed to budget overruns of more than $1 billion, 5-year launch delays, and reliance on satellites borrowed from other nations to maintain essential coverage. As a nation, we cannot afford the luxury of redundancy in Federal programs, but the cost of shortsighted budget cuts may well be higher.

Mr. GLENN. Mr. President, I am pleased to support S. 1298, the National Defense Authorization Act for fiscal year 1994.

At the beginning of this year, I took over as chairman of the Subcommittee on Military Readiness and Defense Infrastructure on the Armed Services Committee.

I want to take a few moments today to summarize for my colleagues the portions of the bill dealing with issues under the jurisdiction of this subcommittee, and then offer my observations and comments on other portions of this important bill.

The Subcommittee on Military Readiness and Defense Infrastructure has a broad charter to oversee two critical elements of our military capability—the ability of our military forces to carry out their assigned missions, and the ability to sustain those forces in combat.

Mr. President, our military forces exist for one reason: To protect our national security. As we reduce the size of the military services, it is absolutely essential that our forces remain fully capable of carrying out the full

range of their assigned missions at all times.

The primary focus of our subcommittee is on the combat readiness and combat capability of our military forces. We have other very important areas under our jurisdiction—such as base closings, environmental cleanup, and military construction—but combat readiness remains the bottomline for our work on this subcommittee.

Mr. President, I am becoming more and more concerned that we may be cutting the defense budget too much, too fast.

This year the full committee heard testimony from the service chiefs and from the unified combatant commanders on readiness issues.

The Subcommittee on Military Readiness and Defense Infrastructure followed up these full committee hearings with five hearings that focused on maintaining the readiness and combat capability of our military forces as we reduce the defense budget and draw down the size of our defense establishment.

We heard testimony from the representatives of four unified combatant commanders; from the senior logistics commanders in each service; and from the Operations and Maintenance—or O&M—Directors in each service.

In addition, the subcommittee had special hearings on military construction programs; on environmental programs; on base closure implementation; and on the defense business operations fund.

Mr. President, the funding in the O&M accounts has an immediate and direct impact on the combat readiness of our military forces, second only to the quality of the people we recruit and retain in the military services.

The O&M accounts pay the costs of:

Day-to-day operations of our military forces in the United States and around the world;

All individual and unit training for military members, including joint exercises;

Maintenance and support of the weapons and equipment in the military services;

Purchase and distribution of spare parts and supplies to support military members and their equipment wherever they are stationed or deployed; and

Support, maintenance, and repair of buildings and bases throughout the Department of Defense.

Witnesses from the Office of the Secretary of Defense and the military services testified before the committee this year that, in their view, approximately 70 percent of the funds in the O&M accounts are directly related to combat readiness and effectiveness.

In both full committee and subcommittee hearings this year, DOD witnesses expressed the view that the overall level of O&M funding requested for fiscal year 1994 was the minimum level adequate to maintain current readiness levels.

They also raised concerns that funding shortfalls in some O&M areas could lead to readiness problems in the near future.

Admiral Larson, the Commander in Chief of Pacific Command, testified before the full committee that "We are standing on the brink of a degradation of readiness."

The committee heard the same concerns from the service chiefs. General Sullivan, the Army Chief of Staff, testified that as far as readiness and O&M funding are concerned, "in the case of the Army, we are at the razor's edge." General Mundy, the Commandant of the Marine Corps, said, "I think we are on the same razor's edge."

We heard the same concerns in our subcommittee hearings. For fiscal year 1994, operating and training tempos in all of the services remain at the high levels of the last several years, but the growing backlogs of equipment waiting for regular depot maintenance in each service could put these operating and training tempos in jeopardy if not corrected.

In fiscal year 1994, for example, the Army is funding only 58 percent of its annual depot maintenance requirement; the Navy is funding only 72 percent; and the Air Force is funding only 80 percent.

These large backlogs will have an impact on equipment readiness and availability in operational units very soon.

Another area of concern is real property maintenance—the repair and maintenance of facilities and bases.

DOD's own figures show that the backlog of real property maintenance and repair reaches $14.2 billion in fiscal year 1994, a 20-percent increase over the fiscal year 1993 level and almost a 60-percent increase over the fiscal year 1992 level.

Unless reversed, this growing backlog of real property maintenance will have an impact on readiness and on the quality of life on military bases.

There are other critical programs within the O&M accounts that we need to watch carefully.

Recruiting high quality young people to join the military services remains essential even as we reduce the size of the military services, and there are some indications that the recruiting environment is becoming more difficult.

Timely environmental cleanup and restoration of military installations, particularly those scheduled for closure, is also a priority.

Secretary Aspin and Deputy Secretary Perry have pledged to avoid the "hollow force" programs of the past, and I share this commitment.

Members will find that this Defense Authorization bill actually increases the overall level of O&M funding requested for fiscal year 1994 and realigns funds to high priority readiness areas, including depot maintenance and real property maintenance, from lower priority programs.

For example, the bill increases funding for depot maintenance activities by $300 million in an effort to bring down the growing backlogs in this area; adds $100 million to the budget request for maintenance and repair of real property; and provides $31.4 million for repair and refurbishment of supplies on 3 of the Marine Corps' maritime prepositioning force ships.

In addition, we have increased funding for the civilian personnel transition incentives that Congress authorized last year so that the services can use these incentives to minimize involuntary reductions in force during fiscal year 1994.

The subcommittee has spent a fair amount of time this year on the implementation problems with the defense business operation fund or DBOF.

This fund was created in October, 1991 by consolidating 9 separate revolving funds into a single fund to operate DOD industrial activities—shipyards, depots and supply centers—on a more businesslike basis.

Everyone agrees that this concept has merit, but the DBOF has been plagued from its inception with persistent problems. As GAO and the Governmental Affairs Committee has been pointing out for a number of years, many of these problems have been endemic to DOD financial management systems for a long time.

Deputy Secretary of Defense Bill Perry established a special DBOF review group to make recommendations for correcting the problems facing the DBOF.

Our legislative provisions in this area direct the Secretary of Defense to establish milestones to address these problems, particularly in the financial management area; require a progress report next year on how they are meeting these milestones; and direct GAO to monitor DOD's work and report to Congress on the results.

Another provision I want to mention in the bill would authorize the Secretary of Defense to increase the threshold on purchases made with O&M funds from $15,000 to $100,000. Currently, purchases of items with a unit cost of over $15,000 must be budgeted and centrally managed through the procurement accounts.

This sounds like a small item, but I believe it will give local commanders more flexibility to manage their programs and achieve efficiencies, particularly in making tradeoffs between leasing and buying items at local bases.

The subcommittee had a particular problem this year in the fiscal year 1994 costs of the 1993 base closure round.

The budget assumed $1.2 billion in fiscal year 1994 costs in this area, offset

by savings of $1.0 billion, most of which DOD assumed would be in the O&M accounts.

Working with DOD, we have been able to identify $955 million of the projected $1.0 billion in savings, largely from canceling military construction projects that are no longer needed.

In addition, the package contains an increase of $300 million to the fiscal year 1994 request for base closing costs to expedite the cleanup at closing bases.

Finally, Mr. President, the bill contains an important initiative to assist communities facing significant realignments or base closures.

The provisions in this initiative will help the Defense Department and other executive branch agencies implement the President's five point program announced on July 2 to assist local communities affected by base closures.

For example, these provisions will allow DOD to convey or lease property at closing bases to communities at little or no cost for economic development purposes.

I want to thank my friend and colleague, the ranking minority member of the subcommittee, Senator JOHN MCCAIN, for his cooperation and assistance on the subcommittee this year.

Senator MCCAIN and I served together for 6 years on the Manpower and Personnel Subcommittee before moving over to the readiness area, and it is always a pleasure to work with him on national security issues.

Mr. President, in addition to my comments on readiness issue, I would like to make a few comments on the committee's action with respect to the B-1 Bomber.

B-1B BOMBER

I offer these comments because I feel that the B-1 is fully capable of realizing its operational potential if we follow through properly on the modernization program on which we have already embarked.

Mr. President, the B-1B Lancer heavy bomber has been designated by the Air Force—rightly in my view—to be the "backbone" of its conventional bomber force, however, the B-1's weapons delivery capability currently is severely limited, and its operationally ready status is unacceptably low. This needs to be corrected on a priority basis if we are to realize any significant mission capability for the 95 B-1's in the operational inventory. If the Congress fails to adequately fund this program, we stand in danger of squandering the approximately $30 billion—fiscal year 1994 dollars—already invested in the B-1 program.

The committee recommended a cut of $50 million in RDT&E and $36 million in procurement from the budget request, as shown below. These cuts, in my view, would critically alter the modernization and operations program that the Air Force has undertaken for the B-1. I succeeded in getting the $86 million in cuts restored to full funding in the Nuclear Deterrence Subcommittee, however, the full committee did not accept the offset funding that I identified. This was doubly unfortunate, since the Senate Armed Services Committee reported the fiscal year 1994 Defense Authorization bill to the Senate well below the committee's funding bogie in budget authority.

In my view, the Air Force concept of operations for the B-1 is on course to make the best use of this aircraft. In a June 2, 1993 letter response to my request for updated information, General Mike Loh, U.S. Air Force, Commander, Air Combat Command, provided a coherent overview of the B-1 conventional modernization program.

In the letter General Loh says, in part:

The B-1's are being re-roled to become our primary conventional warfighting bombers with both a penetration and standoff capability. The B-1 has the highest speed and greatest payload of our current bombers. Its speed makes the B-1 ideal for working as a part of multi-aircraft force package operations.

Additionally, the B-1 has an automatic terrain following system, allowing the crew to fly at very low altitudes in bad weather and at night over extremely long-range with heavy payloads avoiding enemy defenses and penetrating to attack targets in a medium to high threat environment.

While the B-2 has unmatched penetration capabilities, its numbers are too small to be used except for extremely high-value targets. Therefore, we have to rely on B-1's in operationally significant numbers for routine force package operations; and, modifying all the aircraft—95—gives reach, mass, and immediacy for worldwide missions.

I strongly agree with General Loh's assessment and intend to continue to pursue the B-1 modernization effort through legislative means.

It is important to recognize that the backbone of any long-range bomber fleet must be the B-1. By 1997, our heavy bombers will number only 210 aircraft: 95 B-52H's; 95 B-1B's; and 20B-2's.

The B-52's will be almost 40 years old, and are suitable only for stand-off missions. The B-2's are capped at 20 aircraft, and any attempt to increase this number is certain, in my view, to run into a buzz saw of congressional opposition because of the extraordinary cost of the aircraft; the Nation just cannot afford the astronomical amounts of money that would have to be plowed into the B-2 program to increase the buy, particularly in this era of severely constrained defense budgets.

General Loh closed his June 2, 1993 letter with this comment:

I consider the B-1 conventional upgrade program essential to carry out our responsibilities for rapid power projection worldwide as we become more of a home-based force. We simply don't have enough range-payload capability in our aircraft without the B-1 to do our projected mission.

That, I feel, is an entirely appropriate summary of the status of the B-1B program, and provides a very strong justification for full funding of $306.8 million contained in the budget request.

Mr. President, I ask that the chart describing fiscal year 1994 funding for the B-1 program, and also the June 2, 1993 letter from General Loh to me be included in the RECORD.

Mr. President, I yield the floor.

FUNDING FOR B-1B FISCAL YEAR 1994

[In millions of dollars]

	Budget request	Committee recommendation	Reduction
RDT&E	$93.5	43.5	−50.0
Risk reduction for electronic countermeasures replacement	7.2		
Conventional weapons upgrade cluster bomb unit (CBU) integration	86.3		
Procurement	213.3	177.3	−36.0
Support equipment, deferred	46.5		
Contractor maintenance depot	116.0		
Special antenna 1122 (3d year)	8.6		
Engine safety improvements	13.4		
Begin conventional weapon integration	1.7		
Simulator mods to match A/C mods	8.2		
Aft DC battery, safety mod	14.4		
Reliability/maintain ability mods	4.5		
Total	306.8	220.8	−86.0

EFFECT OF REDUCTIONS IN FUNDING

RDT&E: Defers CBU integration and substantially slows conventional weapons system modernization;

Delays MIL STD 1760 data bus development such that it will not be ready for JDAM-1 or GAM (GPS aided munitions).

Procurement: Reduces Interim Contractor Support at maintenance depot which will result in fewer flight hours, less testing, and slower development of conventional capabilities.

Summary: 96 modern B-1B heavy bombers, procured at a cost of approximately $30 billion (FY-94 dollars) (95 assigned to operational squadrons), will continue to be limited in their mission capability to the delivery of MK82 500# (gravity) bombs. Scheduled qualifications of the aircraft for additional conventional weapons (scheduled next: CBU integration) will be delayed for lack of funding if the committee recommended reductions prevail.

The overall operational readiness (OR) status of the B-1 fleet, which now averages 58%, well below desirable and acceptable levels, will continue to degrade for lack of adequate logistics support.

HEADQUARTERS AIR COMBAT COMMAND,
Langley Air Force Base, VA, June 2, 1993.

Hon. JOHN GLENN,
U.S. Senate, Hart Senate Office Building, Washington, DC.

DEAR SENATOR GLENN: I am pleased to report to you that we in ACC are firmly on course to upgrade the B-1 bomber as you have so forcefully advocated for the last decade. We have committed to an integrated, deliberate, improvement program of approximately $2.5 billion phased over ten years. In the near term, CBU capability is being integrated onto the aircraft. The program will

also integrate accurate and precise weapons including JDAM I and III, JSOE, and TSSAM, but will not ignore improvements to the defensive system and other aircraft subsystems.

Our concept of operations is to use the B-52 force for the nuclear deterrence mission for launch of standoff weapons outside target defenses, and to penetrate to target depth when defenses have been suppressed to ensure the B-52's survivability. The B-2 will be used to penetrate and attack high value, heavily defended targets where attack in mass is not warranted. The B-1s are being reroled to become our primary conventional warfighting bombers with both a penetration and standoff capability. The B-1 has the highest speed and greatest payload of our current bombers. Its speed makes the B-1 ideal for working as a part of multi-aircraft force package operations. Additionally, the B-1 has an automatic terrain following system, allowing the crew to fly at very low altitudes in bad weather and at night over extremely long-range with heavy payloads avoiding enemy defenses and penetrating to attack targets in a medium to high threat environment. While the B-2 has unmatched penetration capabilities, its numbers are too small to be used expect for extremely high-value targets. Therefore, we have to rely on B-1s in operationally significant numbers for routine force package operations; and, modifying all the aircraft (95) gives reach, mass, and immediacy for worldwide missions. Upgrades to electronic countermeasures are justified so the B-1 will be able to penetrate more modern Blue-Gray threat environments. I believe these investments are prudent, are done within dollars available in the POM, and are integrated with other bomber and fighter investments to implement our CONUS-based force projection strategy so necessary as we retrench. Without the B-1, this strategy would be extremely difficult to implement.

Although the B-52 is available and qualified to deliver a variety of conventional weapons, it will be increasingly unable to survive and operate on the modern battlefield as we focus more and more in integrated strike packages. Since the B-1 will become the workhorse of our conventional bomber force, we need to upgrade its capabilities to hold a large percentage of the CINC's most important targets at risk. The B-52H currently carries a variety of unguided munitions and an extremely limited number of conventional ALCM, but "smart" weapon carriage is no less costly in the B-52 and must be delayed pending completion of the heavy stores adapter beam conversion as the B-52C retires. Moreover, no matter how much we upgrade the B-52H lethality, its inability to penetrate and survive potential target defenses makes it unusable in integrated force packages. Therefore, the B-52H will be primarily a standoff platform and will remain the primary SIOP contributor where its speed incompatibility is not a liability.

After careful review of all the options, I am convinced it makes good fiscal sense to upgrade the B-1. At the Joint Requirements Oversight Council meeting on 20 May, all four services agreed with our priorities for the long-range conventional bomber roadmap. As you know, we have never received all the initial funds promised by Congress for the B-1 supportability. So, the Air Force has not had the opportunity to obtain full organic maintenance capability at the depot level. Consequently, this has tied my hands to expensive Interim Contractor Support (ICS) for maintaining certain parts at the depot. I have been able to transition to 100 percent organic capability at the operational level of maintenance, however our goal is now to achieve a stable mission capable rate of 75 percent. But I cannot do that without your support to ensure all our long-term supportability efforts, such as the purchase of deferred support equipment, full funding for ICS, and reliability and maintainability upgrades, receive all the requested funding to make the B-1 fully supportable as we normally do for other systems.

The B-1 will be able to employ the JDAM family of weapons if the planned upgrades for increased computer capacity and smart weapons multiple data buses are supported. We plan to carry eight JDAMs on the rotary launcher in each of the three bomb bays. Coupled with the large, high altitude footprint expected from the JDAM, this will allow the B-1 strike to target containing multiple points of impact (such as an airfield with several aircraft shelters) on a single pass effectively.

We simply could not afford to include a FLIR or low-light TV for the B-1 in the Bomber Roadmap because it was not central to our operational concept for mission accomplishment and was very costly. The excellent, existing automatic terrain following system will be adequate without these upgrades.

I consider the B-1 conventional upgrade program essential to carry out our responsibilities for rapid power projection worldwide as we become more of a home-based force. We simply don't have enough range-payload capability in our aircraft without the B-1 to do our projected mission. The B-1 promises to provide that capability at an affordable price in the time required to make a significant contribution to the war fighting needs of our CINCs worldwide. I appreciate your support for the B-1 Conventional Mission Upgrade Program.

Sincerely,

JOHN M. LOH,
General, USAF Commander.

MORNING BUSINESS

Mr. NUNN. Mr. President, I ask unanimous consent there be a period for morning business with Senators permitted to speak therein.

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

NATIONAL POW/MIA RECOGNITION DAY

Mr. RIEGLE. Mr. President, I rise today in honor of those American service personnel who remain unaccounted for in the wake of the war in Southeast Asia. It is unacceptable that more than 2,200 American soldiers are still missing even though two decades have passed since the Vietnam war ended. On this day of national recognition of POW/MIA's, my heart goes out to the families and friends of missing Americans, who have endured these years of pain and frustration awaiting information about the fate of loved ones.

On this important day, America must clearly recall that the acronym POW/MIA stands for prisoner of war and missing in action. These words describe the lives, suspended in uncertainty, of brave Americans who answered their country's calling. In the past, the executive branch manifested little initiative in resolving the POW/MIA issue. At best, families of missing Americans were offered hope for a future solution accompanied with minimal action; at worst, the evidence of the existence of live soldiers missing in Vietnam was recklessly discarded and ignored.

The need to reach a final resolution to the POW/MIA issue has been a priority of mine and I will continue vigorously to seek answers to this ongoing tragedy until the fate of all American soldiers is determined. In 1991, I cosponsored legislation that created the Senate Select Committee on POW/MIA Affairs and fought the Department of Veterans Affairs to allow Michigan's only national cemetery to fly the POW/MIA flag on a daily basis. I will soon propose legislation to create a postage stamp commemorating POW/MIA's.

I strongly believe that our relationship with Vietnam must be linked with progress on the POW/MIA issue. America must be firm in demanding that the Hanoi government be honest and forthcoming with any and all information relating to missing Americans before relations with Vietnam are normalized. Our cooperation with the Russian Government on POW/MIA issues has brought to light valuable Soviet intelligence files containing pertinent information on the fate of missing Americans and should continue.

On this day of POW/MIA recognition, let us recognize the contributions to this country of those still missing and unaccounted for. This country must not rest until every avenue is explored and the fate of every missing American soldier is determined. Until that momentous day, the cause of POW/MIA's must remain at the forefront of our national consciousness—it must be clear that: "They are not forgotten!"

TRIBUTE TO MEN AND WOMEN OF THE U.S. COAST GUARD

Mr. METZENBAUM. Mr. President, I rise today to pay tribute to the men and women of the U.S. Coast Guard.

As the smallest of our military services, the Coast Guard often operates within the shadow of the larger services—often in obscurity—certainly never receiving the degree of recognition deserved.

The fact is, for over 200 years, the Coast Guard has performed one of the most important services of Government. It has endeavored to protect the safety of people on the water—whether at sea, on the Great Lakes, or on our Nation's many rivers.

Year in and year out, Coast Guard members place their own lives in jeopardy—often in high seas search and rescue operations—in order to save the lives of people in danger.

They are heroes and they deserve our special recognition.

Specifically, Mr. President, I want to commend the men and women of the Coast Guard First District for their bravery in conducting one of the largest rescue operations ever in Rockaway, NY, on June 6.

On that night, the Coast Guard, with help from the police and fire units of New York City—and I do not want to understate their magnificent and heroic contribution to this rescue effort as well—rescued hundreds of Chinese migrants from the ship *Golden Venture*, which had run aground in the breaking surf.

In a rescue operation that went on throughout the night and morning, and in which several Coast Guard boats capsized in the 6 foot, 54 degree breaking surf, 280 Chinese migrants were brought to safety.

It was an incredible operation.

Several servicemembers were injured, but none were killed.

It was an event that was well covered by the national media. But I do not recall any of the stories focusing on the dangerous and heroic performance of the Coast Guard and the New York police and fire departments—and that is why I wanted to bring it to the attention of the Senate today.

They did a fantastic job.

So I would say to my colleagues that the next time any of us find ourselves in a boat somewhere—we might remember that if the engine cuts out, or a storm blows up—chances are, the Coast Guard will be there to help.

It's entire cadre of Government workers have dedicated their lives and their careers to protecting people on the water.

They deserve our recognition and our admiration and over gratitude.

I yield the floor.

IRRESPONSIBLE CONGRESS? HERE IS TODAY'S BOXSCORE

Mr. HELMS. Mr. President, as of the close of business on Thursday, September 9, the Federal debt stood at $4,389,196,193,736.30, meaning that on a per capita basis, every man, woman, and child in America owes $17,087.96 as his or her share of that debt.

COMMEMORATING THE JEANNETTE RANKIN PEACE AWARD TODAY TO SENATOR MIKE MANSFIELD

Mr. BURNS. Mr. President, it is my honor to inform my fellow colleagues that the Institute of Peace Studies located at Rocky Mountain College in Billings, MT, is presenting its first Jeannette Rankin Peace Award today to former Senate majority leader and Ambassador to Japan Mike Mansfield.

The Jeannette Rankin Peace Award was established to honor one whose life was a steadfast witness to the practice and promotion of peace in human affairs. Many will remember Jeannette Rankin as the first Congresswoman ever elected. Others will recall her votes against war in 1917 and 1941. Montana has seen fit to honor her with one of our States's two statues in Statuary Hall in our Nation's capitol.

The purpose of the award is to honor people who have devoted their lives to peace-making efforts and to encourage others to follow in the footsteps of Jeannette Rankin and the recipients of the award. Senator Mansfield clearly fits that bill.

Senator Mansfield is considered by those of us from the Big Sky Country of Montana to be the most distinguished political figure in our State's history. This award is once again a recognition of that fact.

In my home State of Montana, the name Mike Mansfield is an institution in and of itself. Raised in Butte, Mike went on to teach history at the University of Montana in Missoula. He dove into politics in the 1940s, and won a House seat for the western Congressional district in 1942. Ten years later he won a Senate seat. In 1961, he ran for majority leader, a position he did not seek out but one that was pressed upon him by his colleagues.

He continues to be one of the most respected Members of the United States Senate. A man who served as majority leader from 1961 until 1977—the longest period of service in this post—who went on to serve as the Ambassador to Japan for 12 years, and who is today considered one of the Nation's foremost experts on Far Eastern Affairs.

A veteran of three branches of the Armed Services, Senator Mansfield has sought in his public life to promote the arts and works of peace. In the aftermath of war, he labored to heal relations with former enemies and to avert future hostilities.

As you look back on the history of this great body, you realize that the halls of Congress have seen many great men and women. Each one of my colleagues will leave a mark on this institution, as those who have come before us have in one way or another. But there are those whose fingerprints will never fade, like the fingerprints of Mike Mansfield.

As majority leader, Senator Mansfield was a team player, a consensus builder. He understood that the rules of American politics were changing. He reached across party lines, encouraged equality among Members and gave Senators the opportunity to express their voices on key issues of importance.

In his own right, Senator Mansfield became an expert in foreign affairs, particularly concerning Far Eastern Affairs. His many awards include the Presidential Medal of Freedom, awarded by President Reagan, and the Grand Cordon of the Order of the Rising Sun presented by Japanese Prime Minister Takeshita.

Senator Mansfield is a man whom I admire and respect deeply. I am honored to know him and am honored to have the opportunity to serve Montana in the best Montana tradition as he did before me.

Mr. President, I ask my colleagues to join me in congratulating Senator Mike Mansfield as the first recipient of the Jeanette Rankin Peace Award.

Mr. President, I would also ask to include in the RECORD the following editorial from the Billings Gazette which was published on Tuesday, September 7.

I yield the floor.

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

[The Billings Gazette, Sept. 7, 1993]

MAGNIFICENT MONTANANS RECOGNIZED

Time is a shaky line, sprawling across the heavens.

The beginning is tied to the end, and the end to the future.

This week in Billings, time will loop around and touch present to past and past to future.

The Institute for Peace Studies at Rocky Mountain College will present Mike Mansfield the Jeannette Rankin Peace Award Friday night. Mike Mansfield is not likely to be there. Someone else will stand in his place, but he will stand there in spirit.

It is appropriate that the Peace Institute has named their award after Jeannette Rankin.

Rankin worked to bring the vote to women early on in this century. She helped push suffrage through the Legislature in 1913 and was part of a drive in 1914 that gave women the right to vote by a narrow 41,302 to 37,588 margin.

The suffragettes met in Helena in January and formed the Montana League of Women Voters to better wield their newfound power. The next year, Jeannette Rankin was elected to Congress, the first woman ever to sit in that august body.

She proved the strength of her convictions in 1917 when she voted against the United States' entry into WWI. In 1918, she ran for the Senate—and failed. In 1940, Rankin ran for Congress on an antiwar platform and was elected again. Once more, she voted against American entry into the war.

Jeannette Rankin, spokesman for the common man and a woman who put her convictions ahead of her political future, is a remarkable bit of Montana history.

It is fitting that the first Jeannette Rankin Peace Award should be passed to another remarkable Montanan. Mike Mansfield, too, is a seeker of peace and a servant of his fellow man.

Mike, may he always be known as that in his home state, served in the Congress and the Senate. He was elected Senate Majority Leader and in his soft-spoken way guided this nation's destiny. After leaving the Senate, Mansfield was appointed U.S. Ambassador to Japan.

In Japan, Mike was a healing force, seeking always to strengthen the ties between the two countries, seeking always to rub out any rancor left over from WWII.

Two truly remarkable people from a loosely populated state in the West. Two truly remarkable people reaching figuratively across

the web of time to pass the wand. Two seekers of peace in a troubled world.

What a spark those two have struck.

CORRECTING THE RECORD

Mr. DOLE. Mr. President, on behalf of Senator MITCHELL and myself, I ask unanimous consent to place in the RECORD a recently released document entitled "Correcting the Record: Response of the Office of the U.S. Trade Representative to the Perot/Choate NAFTA Book."

We want this document to be available to Americans around the country and are placing it in the RECORD to make it easier for people to have access to the information it contains.

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

CORRECTING THE RECORD: RESPONSE OF THE U.S. TRADE REPRESENTATIVE'S OFFICE TO THE PEROT/CHOATE NAFTA BOOK

Page	Book says	Statement
3	"* * * NAFTA jeopardizes the safety of American travelers . . . by opening U.S. roads to trucks and drivers who do not meet U.S. minimum safety standards." "* * * Under NAFTA, Americans can expect to see overloaded Mexican trucks that will crush our highways.".	These statements are dead wrong. No provision of the NAFTA exempts Mexican or Canadian vehicles or drivers from U.S. environmental or safety standards. The United States made it clear from the beginning of the NAFTA negotiations that Mexican and Canadian trucks will have to comply with all applicable safety and environmental standards when they are operating in our country and that these standards will be enforced with the same stringency applicable to U.S. operators. This is true for regulations regarding trucks (such as size and weight, brakes and out of service criteria), drivers (including language, and hours of service) and the environment (fuel and emissions standards). Mexican drivers are tested for licensing according to a standard fully comparable to that used in the United States. Mexican drivers and equipment must comply with U.S. regulations today, and they will have to comply subsequent to implementation of the NAFTA.
3	"NAFTA gives Mexican investors a distinct competitive advantage in the U.S.-Mexican trucking industry in that it does not allow U.S.-owned trucks to cross into Mexico for three years, even though Mexican trucks already are allowed to move goods into U.S. border areas."	This book misses the fundamental point. Mexico's trucking market is now closed to the United States. NAFTA will open that market by phasing out Mexico's restrictions. This will eliminate rather than create the competitive advantage for Mexican trucks that the authors describe. NAFTA is the solution; the status quo is the problem.
4, 5	"Despite the fact that Federal and state agencies are supposed to enforce U.S. trucking regulations, they are so understaffed that they will not be able to adequately enforce the increased traffic volumes associated with NAFTA."	We do want to improve enforcement of U.S. trucking regulation everywhere, but this is not a NAFTA problem. Trucking revenues associated with Mexican trade in 1991 were about $4 billion or about 1.5 percent of the U.S. total,[1] and increased truck-access will not begin until December 1995. That is ample time to assure effective enforcement, as is our right under NAFTA.
6, 7	"Under NAFTA, smuggling drugs into the United States will become much easier."	Drug-smuggling is a problem now. Rejecting NAFTA won't help us solve that problem in any way. In fact, the opposite is true. Closer economic relations will help us work with Mexico to solve problems like illegal drugs. Nothing in NAFTA limits our ability to stop illegal drugs.
9	"Clearly, the Mexican negotiators out traded the U.S. negotiating team in the areas of land ownership, communications, shipping and banking. But it didn't stop there. The U.S. negotiators stuck to their strategy and gave away more U.S. jobs."	Virtually the entire U.S. services industry disagrees with the Perot book's conclusion about services. Why? Because under NAFTA we, for the first time, open Mexico's market for our larger, more efficient services companies from banking to insurance companies to telecommunications. NAFTA is the solution, not the problem. Mexico currently has many more restrictions in services than we do. NAFTA phases out most of those restrictions. Rejecting NAFTA will only enable Mexico to keep those restrictions.
10	"(T)he U.S. team had agreed to let Canada continue to require U.S. automakers who sell in Canada to manufacture most of their vehicles there."	NAFTA does not create this problem; NAFTA helps solve the problem. Since 1965, Canada has offered manufacturers the benefit of duty-free treatment if they made enough cars in Canada. Under NAFTA (as with the U.S.-Canadian Free Trade Agreement), all duties between the United States and Canada will be gone in four years, eliminating the need for U.S. companies to meet performance requirements in Canada in order to receive duty-free treatment on products imported from the United States.
10–11	When the Perot book states that "U.S. negotiators stuck to their strategy and gave away more U.S. jobs," its reference is to the auto sector. The book goes on to state that "NAFTA will allow U.S. automakers to replace American workers with Mexican workers. At the same time, European and Japanese manufacturers will gain easy access to the U.S. markets. Northern Mexico will replace Detroit as the car production center of North America."	This characterization totally misrepresents the agreement and its effect (as described in entries further on). It is inconsistent with a large body of economic literature suggesting that U.S. auto workers will benefit, not be harmed, by NAFTA. Another quotation from the Congressional Budget Office's study of NAFTA is both balanced and broadly representative of what sector analysis has shown concerning NAFTA and the U.S. auto sector: "in the short and medium term, U.S. firms and autoworkers should both benefit. The current Mexican trade surpluses in motor vehicles and motor vehicle parts are largely a result of export incentives and the required minimum trade balance imposed by the Mexican government, which NAFTA would phase out. The low U.S. tariff on automotive imports mean that eliminating these tariffs would not significantly increase the competitiveness of Mexican products in the U.S. market, whereas eliminating the much more substantial Mexican barriers would markedly improve the competitiveness of U.S. products in Mexico. Further, most Mexican assembly plants are not very efficient . . ."
10, 31–33	"The United States agreed to immediately drop its tariffs on automobiles imported from Mexico * * * while allowing Mexico to keep half its tariffs on vehicles produced in the United States. The remaining Mexican tariffs would be phased out over a ten-year period.".	This statement is misleading and completely fails to explain why NAFTA will increase U.S. auto production. They fail to state that the current U.S. tariff on automobiles is only 2.5 percent; In contrast, Mexico's tariff is 20 percent, or eight times larger than the U.S. duty. Under the NAFTA, this tariff is cut in half immediately to ten percent and then eliminated over the next nine years. The NAFTA also phases out Mexico's current laws that require U.S. auto companies to manufacture in Mexico in order to sell there. Without NAFTA, Mexico could maintain its high duties and non-tariff barriers. The fact is that the United States is already open to Mexican-produced automobiles, whereas a variety of factors leave the Mexican market closed to U.S. autos. NAFTA will open the Mexican market. That is why the Big Three auto producers estimate that NAFTA will increase annual U.S. autos exports from their current level of only 1,000 vehicles to over 60,000 vehicles in the first year of NAFTA.
10	"(T)he NAFTA deal on agricultural trade is just as bad."	U.S. agriculture and the American farmer are big winners under the NAFTA. Conservative estimates show an expected increase of $2.0 billion to $2.5 billion in U.S. agricultural exports annually by the end of the transition period because of the NAFTA.[2] Importantly, NAFTA eliminates Mexico's import licensing system which has been a major barrier to U.S. agricultural exports to Mexico. Tariffs will also be eliminated, giving the United States preferential access to the rapidly growing Mexican market.
10	"* * * only Mexicans can own land that is used for agricultural production in Mexico."	Right now, Mexico restricts foreign ownership of Mexican farmland (though not to the degree suggested by the book). NAFTA does not change those restrictions, just as our states can maintain their restrictions. But the book misses the point. Our major objective is to boost sales of American farm products to Mexico, not American ownership of Mexican farms.
10	"* * * NAFTA allows Canadian wheat producers to keep the price and marketing advantages over U.S. producers that were negotiated in the 1988 Canadian Free Trade Agreement.".	The book tells a very misleading story on wheat. We would like Canada to cease its wheat subsidies, but neither we nor Canada were willing to give up this right. NAFTA does not change that situation, nor would rejecting NAFTA help. The agreement does not provide for this. Accordingly, we maintain our right to subsidize our wheat exports to enable us to compete with subsidized Canadian sales. More significantly, what the NAFTA does do is open opportunities to U.S. wheat farmers to sell in Mexico. U.S. wheat exports to Mexico will not be subject to Mexico's import licensing requirements, which are by far the greatest obstacle to trade in Mexico. Instead, the import license will be replaced by a tariff, which will be reduced to zero over a ten year period. As a result, U.S. wheat exports to Mexico are expected to rise about 20% because of the NAFTA.[3]
10	"The U.S. citrus industry will also suffer under NAFTA. The United States must immediately cut its tariffs on the import of frozen concentrated citrus from Mexico in half. In contrast, Mexico only has to phase out its 20 percent duty on imports of U.S. citrus over an extended period of time.".	U.S. negotiators recognized the sensitivity of the citrus sector, and the NAFTA contains unique transitional arrangements for frozen concentrated orange juice (FCOJ) to provide the maximum transition period for U.S. producers. Currently, Mexico's duty on frozen concentrated citrus is 20 percent ad valorem while the U.S. duty is 9.25 cents per liter (equal to about 30% on an ad valorem basis). Both the U.S. and Mexican duties are reduced over a fifteen year period. A portion of Mexico's FCOJ exports are given immediate access at 50 percent of the existing tariff rate. However, the quantity which benefits from this duty reduction is capped for 13 years. In recent years (1990–91), the United States imported one-quarter of its FCOJ consumption from Brazil. It is, therefore, likely that increased Mexican imports will displace sales of Brazilian orange juice, not sales of U.S. orange juice. Although U.S. citrus producers will face increased competition, this fifteen year transition period will help the citrus industry to adjust.

CORRECTING THE RECORD: RESPONSE OF THE U.S. TRADE REPRESENTATIVE'S OFFICE TO THE PEROT/CHOATE NAFTA BOOK—Continued

Page	Book says	Statement
10	"NAFTA also exempts Mexico from the U.S. Meat Import Act, which limits the amount of imported beef that can enter U.S. markets. At the same time, the agreement will give Mexico unrestricted access to U.S. and Canadian feed grains, which it needs to develop a large scale cattle-feeding and beef-processing industry. The result will be a massive shift of the U.S. beef industry from the United States to Mexico as investors rush to take advantage of cheap wages, low safety standards, and lax sanitation practices."	This statement completely misrepresents the benefits of NAFTA for U.S. beef producers. The American beef industry is one of the biggest winners of all under the NAFTA. Mexican tariffs of 15 percent on live cattle, 20 percent on fresh beef, and 25 percent on frozen beef will immediately be eliminated under the NAFTA. As a result, U.S. beef exports to Mexico are expected to double under the NAFTA. That is why U.S. cattlemen are among the strongest supporters of this Agreement. The scenario imagined by Mr. Perot is simply not realistic. Mexico imports millions of tons of grain and oilseeds for feed purposes, not to mention beef, pork, and poultry, from the U.S. Neither its policies nor its resources are appropriate for a rational, efficient large-scale, livestock feeding sector. While the U.S. Meat Import Act does permit us to restrict beef imports from Mexico and other supplying countries, Mexico has not been subject to any limitations for more than a decade because Mexico has posed no threat. NAFTA is no danger to U.S. beef producers. The fact is, the U.S. cattle and beef industry is too large, too competitive and too efficient to be threatened by growth in Mexico which is likely to be limited.
12	"The eventual elimination of Mexican tariffs on U.S. goods going to Mexico, which average only about ten percent, will mean little to most U.S. companies and workers. The reason is simple: Mexico's market is small—less than five percent of the size of the U.S. market—and Mexican consumers are poor.".	The Perot books dismissal of Mexico as an important market shows a lack of understanding of international trade. While Mexico is currently a small economy, it is a big market for U.S. exports. It is our third largest—and fastest growing—major export market, after Canada and Japan. Mexican per capita imports from the U.S. total $450 per year, more than that of Japan or Europe, even though Mexico's per capita income is far lower.[4] Moreover, Mexico is growing, and in the future will represent an even bigger opportunity. Those who dismiss Mexico as a market represent the same mentality that 30 years ago said, "Japan isn't an important market." We should learn from history and secure an open market in Mexico. The book is also wrong in minimizing the importance of Mexico's current trade barriers. The fact is that Mexican tariffs are 2.5 times as high as U.S. tariffs, and Mexico also relies on non-tariff barriers to restrict U.S. access to their markets. NAFTA will level the playing field.
14	"Mexico reduced the wages of its workers to attract foreign-owned factories."	This statement is false and misleading. In the mid 1980s Mexico froze wages to fight the high levels of inflation and recession the country was experiencing. Moreover, real wages for Mexican workers fell as the Mexican government moved to balance the federal deficit and correct its trade imbalance. Since 1989, Mexican wages have been rising. Indeed, Mexico made many of the tough decisions to reduce its federal deficit as Ross Perot calls on the U.S. to do.
14	"President Salinas asked President Bush for a Free Trade Agreement to open investment in the same manner as the Maquiladora program.".	This statement is dead wrong. A major benefit of the NAFTA for the United States is that it reverses the Maquiladora program. That program gave products assembled in Mexico preferential access to our market while maintaining all of Mexico's trade and investment barriers. In effect, the Maquiladora program established an export platform in Mexico and encouraged U.S. companies to move there. NAFTA produces the exact opposite effect by opening entirely Mexico's market and eliminating the distortions created under the Maquiladora program.
14–16	"The most bitter congressional fight of 1991 was over an obscure little piece of legislation called the "Fast Track." It gave President George Bush the authority to negotiate the North American Free Trade Agreement in complete secrecy and without the participation of either Congress or the U.S. public. * * *. The term "Fast Track" refers to a process whereby Congress turns over to the President its authority to regulate foreign commerce. * * *.	These mischaracterizations are an attempt to discredit the major mechanism by which Congress and the President share the authority for concluding and implementing trade agreements. Fast Track has existed since 1974. Fast Track procedures were used to implement the results of the Tokyo Round, in 1979 when Jimmy Carter was President, and the Free Trade Agreements with Israel in 1985 and Canada in 1988, with Republican presidents in the White House. All of those agreements were approved by overwhelming margins in Congress, in part because the fast track mechanism preserves Congress' role during the negotiation, approval and implementation of trade agreements through extensive notification and consultation requirements. Throughout the negotiating process, there are extensive consultations with members and committees of Congress. After the agreement is reached, Congress and the Administration work in close consultation to formulate implementing legislation, with all committees of jurisdiction involved. They are hardly "secretive" and they clearly do not exclude Congress or the public. The 1991 extension of Fast Track was debated for seven weeks and passed by both Houses of Congress in an open, democratic process. This authority merely gives the President the same powers all of his counterparts around the world have. Without it, the United States could not open markets around the world through multilateral and bilateral agreements.
14–16	"Congress gave President Bush "Fast Track" authority for NAFTA in late May of 1991. But there was a catch—these extraordinary powers would expire at the end of 24 months, contrary to expectations, the pact was not sent to Congress within that time period. Thus, the "Fast Tract" powers expired on June 1, 1993. * * *. This was a problem to which there was only one answer—Congress had to pass another "Fast Track" bill. Rather than replay the bitter legislative fight of 1991, congressional allies of the Clinton Administration quietly slipped legislation into the one thousand page budget reconciliation package that was rushed to a House vote late in the evening on May 27, 1993. Not a word was said about "Fast Track" during abbreviated debate on the budget bill. Days later, House members learned that while they were passing the budget bill they were also reauthorizing "Fast Track" status for NAFTA.".	This passage of the book is pure fiction. In fact, because of the 1991 legislation, Fast Track procedures were available for trade agreements entered into by the President prior to May 31, 1993. President Bush signed NAFTA on December 17, 1992; consequently, the fast track procedures were available for NAFTA; no new legislation was needed. President Clinton sought additional fast track authority only for his effort to complete the Uruguay Round of multilateral trade negotiations. This fast track legislation was not a part of the reconciliation debate; it did not sneak through in the dead of night; it was a separate piece of legislation dealing only with the fast track. It was debated by the House on June 22, and passed by an overwhelming vote of 295–126. It was debated by the Senate on June 30 and passed, as the authors note, by the vote of 76–16. After it passed both Houses separately, it was later included in the Omnibus Reconciliation bill.
14–16	"Congress also agreed to make the agreement a top priority and vote on it within 90 days after receiving it from the President. Congress agreed, moreover, to limit any debate to 20 hours in the House and 20 hours in the Senate * * * [without] filibuster.".	There is a requirement to vote within 90 legislative days after the implementing legislation is submitted to Congress. "Legislative days" refers to days that one or the other House of Congress is in session, and 90 legislative days is far longer than calendar days; it could be a period of many months. Twenty hours of debate is far longer than the period of floor debate provided for most major legislation. Moreover, while debate in the full House and Senate is limited, there is extensive debate and hearing in committees on the implementing bill, which is painstakingly fashioned over a period of months by all the committees of jurisdiction. the overwhelming votes on past fast track trade agreements confirms the degree to which Congress and the President have used the implementation process to develop wide-ranging consensus.
17	"Some of the bureaucrats on the U.S. negotiating team were experienced, but many were not. One participant reports that when the trade talks began not a single person in the U.S. Department of Commerce's Office of Mexico spoke Spanish. He says that during one inter-agency session, only two of the 14 members of the U.S. negotiating team knew that key sectors of the Mexican economy, such as petroleum, had once been American owned before they were nationalized by the Mexican government. He also reports that only five percent of the Mexican documents, such as copies of proposed regulations and administrative procedures, received by the U.S. negotiating team were ever translated for review.".	Misleading. These statements are based on a paper that was repudiated shortly after it was produced by both the author and by the Commerce Department's Chief Counsel for International Commerce. The retraction stated that the paper quoted in Perot's book "should not be relied on as a source of information on the NAFTA because it is replete with factual and legal errors." This memo was published in Inside U.S. Trade on February 26, 1993 (p. 16). At the time the NAFTA negotiations commenced, virtually every member of the Department of Commerce's Office of Mexico had some knowledge of Spanish, and several members were fluent speakers of Spanish whose language expertise was often relied upon by their respective negotiating groups. All necessary documents were translated for the benefit of negotiators. The author of the statement, however, was not one of the negotiators.
18	"Under the 1974 Trade Act, Congress directed the Office of the U.S. Trade Representative to seek advice and counsel from private advisory panels during any treaty negotiations, including NAFTA. For the most part, it never happened.".	Totally untrue. The U.S. Trade Representative consulted with its 39 advisory committees and other members of the private sector to the fullest extent. During the NAFTA negotiating process, NAFTA negotiators held over 350 meetings with private sector advisory committees, and an additional 350 briefings for trade associations and private sector organizations throughout the country. Each of the advisory committees later wrote reports on the final agreement reflecting their extensive knowledge of the agreement.
18	"The Bush White House * * * announced the completion of the agreement on August 12, 1992, but refused to give its own Labor Advisory Committee the text to review until September 8.".	This statement is misleading. Throughout the entire negotiating process, the Labor Advisory Committee (LAC), as well as all other advisory committees, were allowed to view all portions of the NAFTA text as they were negotiated. Upon completion of the agreement, all advisory committees, including those representing labor, industry, agriculture, environmental groups and other private sector interests, were given all completed portions of the final version of the text. In fact, the first available sections of the text were given to the advisory committees on August 20, and by August 27, all sections of the text had been distributed. September 8, 1992 was the date the entire combined text was distributed to the committees in its final form.
18	"The 29 official U.S. trade advisory committees, involving more than 825 industry representatives, were created by Congress to ensure that U.S. goals and bargaining positions in trade talks, such as the NAFTA, would be guided by advisers who represent the broad interests of the United States. This balanced review did not occur during the NAFTA negotiations.".	The Office of the United States Trade Representative has 39 advisory committees, which are composed of over 1000 representatives of not only U.S. industry, but also U.S. agriculture, labor and environmental groups as well as a committee of state and local government officials. Furthermore, the Labor Advisory Committee (LAC), which consists of approximately 100 representatives of a broad range of organized labor throughout the United States, had more interaction with NAFTA negotiators than most other individual committees. During the NAFTA negotiating process, representatives of the LAC met with negotiators 42 times to discuss the details of the agreement.

CORRECTING THE RECORD: RESPONSE OF THE U.S. TRADE REPRESENTATIVE'S OFFICE TO THE PEROT/CHOATE NAFTA BOOK—Continued

Page	Book says	Statement
18	"The most important of these advisory committees was the Advisory Committee on trade policy and Negotiations (ACTPN). Its 45 members were appointed by the president. None were confirmed by Congress * * * Each member was prohibited from sharing information outside the group. The ACTPN meetings were exempt from the sunshine provisions of the Federal Advisory Committee Act, which require that the public's business be conducted in public."	Here, Mr. Perot incorrectly claims that Congress has no say in the structure of the advisory committees. However, as Mr. Perot, himself, states in the paragraph preceding this, it was Congress that drafted the legislation creating the advisory committee system in its current form. In accordance with this legislation, the President is required to select advisory committee members. Also, with regard to public disclosure, the statutes governing the ACTPN and other committees state that information discussed in meetings is to remain confidential to "the extent to which public disclosure of such information can reasonably be expected to prejudice the development of trade policy, priorities, or the United States negotiating objectives." Since the information discussed in advisory committee meetings during the NAFTA negotiations revolved around U.S. negotiating objectives, public disclosure of this information would have undermined the U.S. negotiating position. Mr. Perot, of all people, should understand how important it is not to give our trading partners access to sensitive information about our negotiating position. Congress certainly does, and has insisted that we maintain such confidentiality.
20	"After the trade pact was completed, one of the U.S. negotiators explained to an audience of federal regulators that although changes in most domestic regulations normally require notice and public comment, secret trade negotiations (such as NAFTA) could alter these same regulations without the need for notice and public comment. The negotiator said, 'I have seen specific instances where USTR staff denied copies of U.S. negotiating positions which would require overturning Federal regulations from the staff of the agency issuing those regulations'."	False. This is another quote from the same paper later repudiated by its author. As noted in the Department of Commerce's retraction: "Contrary to the assertion in the [paper], the NAFTA is not a treaty that is self-executing and it will not automatically supersede any Federal laws or regulations. Rather, the NAFTA is an executive agreement that will supersede existing laws only to the extent provided by the Congress in implementing legislation." Congress has the final say as to whether to change our laws. NAFTA doesn't change that. Extensive consultations with every regulatory agency ensured that they were informed of NAFTA developments, and regulators from many agencies, including the Department of Agriculture, the Food and Drug Administration, the Environmental Protection Agency, the Federal Communications Commission, and the Department of Energy were integral members of the NAFTA negotiating team.
20–22	Perot makes a variety of claims regarding the treatment of the broom industry	The U.S. broom industry was accorded one of the longest transition periods of any industry under the NAFTA—a longer adjustment period than given any Mexican manufacturing industry. Contrary to the allegations of Mr. Perot, it is not true that the U.S. industry was promised an even longer period; it is not true that U.S. negotiators sought to encourage the broom industry or any other to move production to Mexico; and it is not true that the Mexican industry was allowed to participate in the negotiations with the United States and Mexico. What is true is that broomcorn brooms have been one of the most highly protected products in the United States (although the United States, by Act of Congress, already gives duty free treatment to imports of Caribbean and Andean brooms.) In extensive consultations with Mr. Libman and other U.S. broom producers during the course of negotiations, the industry made clear its major goal was to maintain the U.S. tariff at half its current rate for as long as possible. The agreed-upon 12-year phase out accomplishes this. Mexico is permitted to ship 100,000 dozen brooms without duties (which Mr. Libman approved, on behalf of the U.S. broom industry). For all exports above this level, duties reduced are by 30 percent in year one, an additional 20 percent in year seven, with no further reductions until year 12. Thus, the duty will remain at or above 50 percent of its current level for 12 years. Under the 15 year phase-out provided to other sensitive industrial products, the tariff would have fallen below this mark in 7 years.
23	"When the agreement was initialled on October 18, 1992—two weeks before the U.S. Presidential election—the American public was handed a short, marked up version of the agreement.".	All these statements are false. The NAFTA was initialled October 7, 1992, not October 18, 1992. The text of the tariff reduction schedules had previously been released on August 27, and the full text of the agreement had been provided to the public on September 18. In the period from August 12 on, the text was complete, but subject to technical corrections in a process of legal review. The texts were at all times available to members of Congress, and from September 18 were available to the public as the text went through technical verification.
23	"When the Agreement was officially signed on December 18, 1992, no additional information was provided to the American people. The complete text of NAFTA was finally released to the American people on the afternoon of January 20, 1993.".	The agreement was signed on December 17 (not 18), 1992, and the completed text was publicly available at that time. No new text was issued January 20, 1993, which was inauguration day in the United States.
23	"Only a handful of people * * * know what is actually in the agreement * * *."	NAFTA is the most broadly received trade agreement in history. It has been publicly available for a year, and has been the subject of numerous economic studies (almost all of which are positive). This statement is irresponsible in implying that NAFTA has somehow been kept a secret.
28–29	"NAFTA will accelerate the loss of manufacturing jobs in the United States."	False. U.S. exports of manufactures to Mexico have grown rapidly since Mexico lowered its trade barriers after 1986, and are projected to grow more under NAFTA. This has actually added more than 400,000 new jobs to the American economy. The Clinton Administration agrees that "manufacturing matters" and is concerned about the structure shifts in manufacturing employment during the last decade. However, NAFTA is not part of the problem. It is, instead, part of the solution. NAFTA will create the largest market in the world. By increasing our export opportunities, NAFTA will enable us to take advantage of U.S. economic strengths, which include high-wage, high-tech manufacturing, and to increase further the number of jobs associated with exports to Mexico.
31	"Mexico provides automakers an easy escape hatch from the high cost of operating in the United States, and they are taking advantage of it.".	False. NAFTA immediately reduces and eliminates Mexican local content and local production requirements that have encouraged U.S. automobile and parts manufacturers to move production, and jobs, to Mexico. With NAFTA, the United States will be able to export automobiles and parts to Mexico, the fastest growing market for these products in North America. NAFTA reduces and eliminates Mexican trade balancing rules that require the export of automotive products produced in Mexico to the United States in order to import parts needed for assembly to serve the Mexican market. In other words, NAFTA phases out current Mexican measures which force investment in Mexico and exports from Mexico in order for a company to sell in Mexico.
33	"High-wage, skilled electrical workers are also on the NAFTA-endangered U.S. jobs list."	NAFTA will benefit, not hurt, U.S. electrical workers. The demand for electrical equipment in both countries is skyrocketing, as technological change increases demand. While U.S. imports of Mexican electrical equipment more than doubled, so have exports of American products to Mexico, even though Mexico's average tariff barrier on these products is six times as high as U.S. tariffs on Mexican products. Under NAFTA, the removal of the average 14.2 percent Mexican tariff on imports of U.S. electrical equipment is bound to help U.S. exports much more than the removal of the U.S. 2.3 percent tariff on Mexican products will help Mexican exports.
33	"Industries that produce products that metalworking machinery, partitions, fixtures, metal forgings, clay products, office furniture, fabricated metal products, aircraft, aircraft parts, aircraft repairs, concrete products, lighting equipment, electrical wiring equipment, and luggage, among many others, are on the NAFTA-endangered U.S. job list.".	Most of the industries on Perot's list have already benefitted, not lost, from increased trade with Mexico despite existing Mexican trade barriers, and will further benefit under NAFTA. Since 1986, when Mexico began to reduce its barriers to imports from the United States, our exports have grown faster than imports for metalworking machinery, metal products, clay products, office equipment, and aircraft equipment—even though remaining Mexican tariffs are generally several times higher than the corresponding U.S. tariffs in each of these categories. These remaining Mexican tariffs will be eliminated under NAFTA.
34	"The University of Illinois at Chicago, for instance, has identified 67,088 jobs and 42 factories that moved from Illinois to Mexico between 1980 and 1990.".	False. The study cited by Perot-Choate did not actually show that jobs had moved from Illinois to Mexico. It examined plant closings in Illinois and broadly assumed that, if the company was a multinational, jobs must be shifting abroad. As the author of the University of Illinois report states on pages 4 and 5 "* * * we did not attempt in our analysis to specify the causation between plant closings/layoffs and transnational investment." This study has been criticized as flawed by other academic experts and by the Illinois state government. Perhaps more important is the fact that Illinois has 28,600 jobs dependent on exports to Mexico.[6] Illinois has increased exports to Mexico by $1 billion since 1986, thus adding an estimated 19,000 new jobs. Illinois has gained far more than it has lost from trade with Mexico.
34–37	Perot and Choate claim that various states will be particularly harmed by the liberalization of trade with Mexico. They mention, in particular, the mid-Western auto producing states and the key textile and apparel states, including New York, New Jersey, California, Texas, Tennessee, the Carolinas, and Georgia. They also point out (p. 35) that while South Carolina experienced a net loss of 58,000 manufacturing jobs between 1978 and 1990, it had a net gain of 72,000 service jobs that paid only half as much wages. They further single out (pp. 36–37) young people, low-skilled workers, racial and ethnic minorities, and women as particularly threatened by the NAFTA..	USTR analysis of information gathered by the Department of Commerce shows that from 1987 to 1992, each of the states singled out by Perot experienced a rise in employment directly related to increased exports to Mexico. As Mexican tariffs are eliminated and other barriers to U.S. imports are reduced, we expect that all of the states will experience additional gains in jobs. The discussion of South Carolina has nothing to do with NAFTA, but relates to structural changes in the U.S. over the past decade that have hurt manufacturing employment. NAFTA, on the other hand, will lead to increased manufacturing exports and increases in high-wage, export-related jobs in the U.S. Jobs supported by U.S. exports to Mexico pay, on average, 12 percent more than the U.S. national average.

CORRECTING THE RECORD: RESPONSE OF THE U.S. TRADE REPRESENTATIVE'S OFFICE TO THE PEROT/CHOATE NAFTA BOOK—Continued

Page	Book says	Statement
41	"Mexico's national development strategy is reminiscent of strategies used by Japan, Korea, and Taiwan a generation ago. Like the strategies used by those countries, Mexico's strategy depends on taking jobs from the United States.".	Once again, the book misses the point completely. The authors focus on how a trade relationship can have problems, but ignore the fact that NAFTA will remedy and prevent problems. Rejecting NAFTA will leave the problems and allow them to worsen. Perot and Choate also suggest that a job gained in another country implies that a job will be lost in the U.S. In fact, growth in those countries, and elsewhere in the world, has lead to increased growth and employment in the U.S. Experience indicates that increased trade benefits all participating countries. A richer Mexico will be a better customer for our products and services.
45, 68	"In terms of absolute purchasing power, Mexican workers are now making less than half of what they made a decade ago, according to The Economic Policy Institute, a Washington, D.C.-based research organization.". ". * * * real wages in Mexico have dropped by more than 50 percent over the past decade."	False. As reported in the Wall Street Journal (8/27/93), Thea Lee, an economist at the Economic Policy Institute, says, "That's not correct." Mexico has gone through a decade of major economic crisis, inflation, deep recession, and gradual recovery. Due primarily to its debt crisis, Mexico experienced a substantial decline in real wages (but less than 50 percent) for 1983–88, Ms. Lee is reported as stating. In the past five years, however, as Mexico has opened and liberalized its economy, real wages have grown rapidly—much more rapidly than in the U.S.
31, 44–45, 69	A recurring argument in the book is that low wages will lead American companies to relocate to Mexico. Page 69: "The arithmetic of relocation is awesome." Page 31: "On this endangered U.S. jobs list, the auto industry ranks close to the top. Mexican autoworkers make one-seventh the pay of their U.S. counterparts. * * *" Page 44 again cites very low hourly wages in Mexican auto factories and say that quality is comparable to that in the U.S. Page 45: "Cheap labor can offset all of the areas where Mexico is still deficient." Page 69: "* * * labor costs are the principal cost of production for most U.S. manufacturers.".	The argument is simplistic and greatly overstates the advantages of low labor costs and underestimates the importance of other factors. For example, a study of NAFTA by the Office of Technology Assessment (OTA) analyzes the costs of automobiles in Mexico and the U.S. Mexican labor costs are certainly lower. However, the study finds that the total cost of delivering a car to the U.S. market is higher for a plant in Mexico than for one located in the United States ($9,180 compared to $8,770). U.S. auto companies and workers will both gain under the NAFTA.[7]
31, 48–50	The book argues that Mexico "* * * is a large and growing manufacturing platform for companies that want cheap labor and easy access to the U.S. market." (p. 50) The study cites as a particular example of this trend the Maquiladora program. "Most of these U.S. and foreign companies already in Mexico are operating under Mexico's Maquiladora Program. * * * Not surprisingly, the finished and semi-finished goods made in these factories are exported primarily to the United States. * * * The Mexican government closely watches the finished products to ensure that they do not enter the Mexican market, where they might compete with similar goods produced by Mexican companies. * * * Production in such Mexican factories will expand 400 percent by the end of the 1990s.".	Under NAFTA, the Maquiladora program will effectively end, since all imported inputs from the U.S. will enter Mexico without duty or conditions. Under NAFTA, there will be no Maquiladora-type restrictions requiring goods produced by such factories to be sold back in the U.S., and Maquiladoras can freely sell into the Mexican market. Moreover, in the last seven years, most U.S. exports have not gone to the Maquiladoras only to be reexported to the United States, as the book claims. Indeed, an estimated 83% of U.S. export growth since 1987 has been for Mexican consumption and not for re-export.[8]
48	"To encourage U.S. companies to operate in Mexico, the U.S. government subsidizes companies in Mexico that ship products to the U.S. by removing import fees (taxes). These factories are known as 'Maquiladoras.'".	The U.S. levies tariffs (import fees) on the value added to goods produced in Maquiladoras using components produced in the U.S. The U.S. does not charge tariffs on the value of the components produced in the U.S. There is no U.S. subsidy to Maquiladoras. This encourages the use of U.S. components over European or Japanese. But the most important point, as stated earlier, is that the Maquiladora program will be phased out under NAFTA.
53–54	The study discusses companies "at risk" for relocation to Mexico. It draws on a study by Pat Choate that argues that those at risk are: "companies with moderate to good growth, low to mid-technology operations, and a labor component of 20 percent or more of the costs of goods sold." It then states that: "75 U.S. manufacturing industries fit these criteria. They employ more than 5.9 million U.S. production workers. Their payrolls to U.S. workers exceed $138 billion a year.".	The Choate study is not an economic analysis of the effects of NAFTA. It simply identifies, from Census data, U.S. industries where wages account for more than 20 percent of the value of output; and then declares, without analysis, that these industries are all "at risk" to move to Mexico. Nowhere in the book do the authors suggest that 5.9 million jobs will be lost. The figure is utilized simply so the press will report it as a job-loss figure. The resulting list of "at risk" sectors is absurd. It includes high-wage, high-skill sectors such as sonar equipment, aerospace, medical equipment, and telecommunications. These are the very sectors in which credible economic studies show future U.S. job growth due to NAFTA. It also includes sectors producing non-traded goods such as bakeries and wood-pulp millers. The study really has nothing to do with NAFTA. U.S. barriers are already low compared to Mexico's. If these jobs were really "at risk," they would already have been lost.
59	"[F]oreign interests can buy the knowledge, contacts, and advice of 'both famous and not-so-famous former government officials and Members of Congress—Washington's so-called revolving door, as well as lawyers, public relations specialists, coalition builders, marketing experts, communicators, consultants, and many others who have experience in government or on Capitol Hill.'".	Mr. Perot's criticism of the "revolving door" is focused on the acts of prior administrations. It completely ignores the fact that on his first day in office, President Clinton signed Executive Order 12834, requiring his senior appointees and trade negotiators to sign pledges governing their post-employment activities before the federal government. These pledges, which are enforceable through injunctions, debarment, and recoupment, reflect the most stringent post-employment restrictions ever imposed on senior noncareer officials.
63	"Multinational corporations have had their eye on Mexico for years—not as a market of real consequence, but as a locale for an unlimited supply of cheap, high-quality labor.".	This statement is demeaning to Mexico and American businesses. Mexico is our third largest trading partner and the second largest purchaser of American manufactured goods (Canada is the largest). It ranks ahead of every European country. Moreover, Mexican consumers have a strong preference for U.S. goods. Indeed they buy more per capita from the U.S. than the much wealthier Europeans or Japanese.
64	"USA*NAFTA companies will profit greatly if Congress ratifies NAFTA."	This statement is misleading because it implies that companies profiting from the NAFTA is either negative or sinister. Indeed, Ross Perot is so successful because his businesses have profited so much. Moreover, only with profits can companies continue to invest in workers, plant, equipment. Only with profits can the U.S. job base expand and businesses invest or save for our future.
64	"Most of the sponsoring companies (of USA*NAFTA) also maintain full-time lobbying offices in Washington.".	This statement ignores the fact that most of the organizations opposed to NAFTA also maintain full-time lobbying offices in Washington. Indeed, Ross Perot's companies have lobbying offices in Washington D.C.
65	"It is illegal for the executive branch to lobby Congress, but the White House and the dozens of agencies under its control employ hundreds of people in a category called 'congressional relations.' It's the same thing as lobbying, but it doesn't pay as well.".	This is false. The Anti-Lobbying Act, 18 U.S.C. § 1913, is intended to prohibit the use of appropriated funds to promote grass-roots lobbying efforts, such as letter-writing campaigns by private citizens. Members of the executive branch are entitled to express their opinions to Congress, and there is nothing illegal about it.
66	"When NAFTA negotiations began in 1991, advocates claimed NAFTA would create more jobs for Americans. In 1992, during the middle of the negotiations, the U.S. Secretary of Labor testified before Congress that NAFTA would cost 150,000 American jobs. In July 1993, the Congressional Budget Office reported that the total number of lost American jobs would be 'well under half a million.'".	The statement misleads by a half truth because it overlooks the fact that when then-Secretary of Labor Lynn Martin testified before Congress she also noted that NAFTA would create 100,000 to 180,000 MORE U.S. jobs than would be lost—that is, NAFTA would result in a net increase in U.S. employment of 100,000 to 180,000 jobs. Perot/Choate confuse net job creation and gross job turnover. Similarly, the July 1993 report by the Congressional Budget Office (CBO) noted that net increases in U.S. employment of 35,000 to 170,000 due to NAFTA have been forecast, which is "negligible" compared to total U.S. employment of almost 120 million. With regard to the number of U.S. workers that might be displaced by NAFTA, the CBO study concluded that 100,000 to 200,000 U.S. workers might face job losses from NAFTA. This conclusion was summarized at the beginning of the study as: "Even though NAFTA would increase total employment in the United States, some workers could lose their jobs. The total number of jobs lost would probably be well under half a million, spread over at least a decade. Viewed as part of a larger, dynamic labor market in which nearly 20 million workers were displaced during the 1980s, the effects of NAFTA appear very small."[9]
66		Increased U.S. merchandise exports to Mexico since 1986 have already generated over 400,000 jobs, and are projected to generate another 200,000 jobs under NAFTA by 1995. These are good which pay, on average, 12 percent more than the national average.[10] Perot/Choate simply ignore the export side. When asked by the Wall Street Journal (8/27/93) about their selective quotations, Choate responded: "I believe the displacement. I don't believe the gain."
66–67	"Myth 2": The reason that most U.S. policymakers are so blind to the job shifting that will occur if NAFTA is ratified is that they rely on the dozens of "reputable" academic studies that say it won't happen. Yet, these studies are based on unrealistic assumptions and flawed mathematical models. Most of these models assume, for instance, that the United States is operating at full employment * * * [and] * * * that Mexico will not become an export platform into the United States for Asian and European manufacturers. * * *. Specifically, * * * the NAFTA studies * * * are based on mathematical models that are unable to "capture" the effects of key elements of the agreement[,] * * * unable to satisfactorily calculate the effects of NAFTA on key agricultural sectors[,] * * * cannot calculate whether NAFTA will result in U.S. companies moving to Mexico[,] * * * [and] assume that U.S. companies will not relocate. These mathematical model studies are worthless. Let's be clear about this: These studies certainly do not provide a basis on which Congress can make an informed decision about NAFTA.	Several comments are in order. First, NAFTA supporters do not simply rely on economic studies. We rely also on the experience and advice of American producers who export American products to Mexico. Second, it is curious for the authors to fault methodology in other studies, given the methodology employed in the Choate study, which has been widely criticized by virtually all independent economists. Third, no one economic study should be the only guide for any public policy. * * * Each study has had individual weaknesses, but it is remarkable that, despite varying assumptions, these studies reach such similar conclusions: NAFTA will promote economic growth in Mexico and the United States, and will benefit workers of both countries. An impressive array of academic, government, and business analyses of the eocnomic impact of NAFTA have been done. NAFTA is probably the most thoroughly studied trade agreement in history. These studies have been surveyed by impartial researchers at, for example, the International Trade Commission (ITC), the Congressional Budget Office (CBO), and the Brookings Institution.

CORRECTING THE RECORD: RESPONSE OF THE U.S. TRADE REPRESENTATIVE'S OFFICE TO THE PEROT/CHOATE NAFTA BOOK—Continued

Page	Book says	Statement
		The ITC concludes: "Despite the different approaches taken in these studies, there is a surprising degree of unanimity in their results regarding the aggregate effects of a NAFTA. All three countries are expected to gain from a NAFTA. The greatest impact will be on the Mexican economy, with less impact on the Canadian and U.S. economies." The CBO concludes: "A thorough review of the myriad changes brought about by NAFTA, and of their interactions, leads to the single resounding conclusion that the net effect on the U.S. economy would be positive and very small. * * * Contrary to some commonly expressed concerns, the reallocation of resources would not be massive. Americans should not fear that NAFTA would cause a wholesale relocation of U.S. manufacturing plants and jobs to Mexico to take advantage of the lower average wage." The Brookings Institution survey concludes: "A consensus emerged * * * that the direct economic effects of NAFTA will be small for both Mexico and the United States. * * * [M]any of the changes in commercial relations that are often associated with NAFTA in public discussions have already occurred, and others will be spread over future years. * * * The general consensus of the studies * * * is that NAFTA will raise the average wage of U.S. workers and that the effect on low-wage workers will be negligible."
67	In what he calls, "Myth 3," Perot argues that "NAFTA is the ticket" for companies considering moving their operations to Mexico.	Misleading. NAFTA will eliminate the distortions and restrictions faced by companies attempting to sell in Mexico. In many cases, U.S. companies have only been able to sell in Mexico by locating there. High Mexican barriers to U.S. made products or provisions require U.S. firms to manufacture in Mexico. NAFTA will eliminate these distortions.
68	In attacking "Myth 4," Perot argues that lower Mexican wages are what matter most to potential investors.	The truth is that in most industries low Mexican wages are insufficient to attract investment to Mexico. Other factors such as the availability of raw materials, intermediate goods, support services, reliable infrastructure (including transportation, telecommunications and other business services), skilled labor and proximity to markets are important as well. Production in Mexico is usually disadvantaged compared to production in the U.S. with respect to most of these other factors.
11, 68	"Ultimately, NAFTA is not a trade agreement but an investment agreement. NAFTA's principal goal is to protect the investment of U.S. companies that build factories in Mexico." (p. 11).	The book misstates the purpose and effect of the NAFTA. While NAFTA does have rules that prohibit unfair treatment of each country's investors, (for example, arbitrary seizure or expropriation), the major purpose of the NAFTA is to remove the distortions in Mexican law that prevent U.S.—and often Mexican—investors from making the most productive and beneficial trade and investment decisions. Under NAFTA the Mexican government will eliminate an array of policies that required U.S. companies to locate in Mexico in order to sell in the Mexican market. U.S. firms can then sell goods produced in the U.S. to Mexico without restriction. With respect to the maquiladoras, NAFTA effectively removes requirements that the goods they produce be exported to the U.S. Under NAFTA, they can sell products made with U.S. components and equipment in Mexico.
68	"Mexican workers are very good * * * Dozens of articles in leading publications * * * document that * * * the productivity of the new Mexican plants operated by U.S. corporations is fully competitive with plants located anywhere in the world.". "If a U.S. company has been sitting on the fence trying to decide whether to move its manufacturing operations to Mexico, then NAFTA removes most of the remaining impediments and doubts.". "The real reason U.S. manufacturers don't go to Haiti or Bangladesh is that these countries don't have the political stability or investment guarantees of NAFTA.".	The analysis is simplistic. Mexican workers in some sectors are very good. However, not all sectors share in the high productivity reported in the articles cited. Certainly, on average, American workers are still the most productive in the world—much more productive than Mexican labor. However, labor productivity is only part of the story. If economic development could be achieved by simply locating modern factories in developing countries, then it would be easy for poor countries to catch up with the developed world; and it would have happened long ago. The analysis is faulty in suggesting that producers will bet against U.S. workers—located in a rich country with great resources and infrastructure—in head-to-head competition with workers in Mexico.
68	"The vital link of workers getting more pay for greater productivity has been broken by the Mexican government's wage controls. This is why real wages in Mexico have dropped by more than 50 percent over the past decade even as Mexican workers in export industries have dramatically increased their productivity.".	See our comment on page 45 of the Perot book for a denial of the claim that wages fell 50 percent (by a representative of the organization to which the figure is attributed in the Perot/Choate book). Mexico did impose wage and price controls in the mid-1980s as a response to extremely rapid inflation. Real wages declined sharply in the first half of the 1980s as a response to extremely rapid inflation. Real wages declined sharply in the first half of the 1980s as Mexico entered a period of crisis over foreign debt, and deep recession. More recently, however, the Mexican economy has revived and wages have been growing.
69	"[L]abor costs are the principal cost of production for most U.S. manufacturers * * * Other manufacturers are moving to Mexico in search of cheap labor.".	False. Labor costs are not the principal costs of production for most U.S. manufacturers. Even a figure for labor at 20 percent of production costs—the figure used by Choate claim that 5.9 million U.S. workers are at risk from NAFTA—does not represent "the principal cost of production" reported in the book. While important, labor costs are far from the most important consideration in making decisions about plant location.
69	"They [U.S. manufacturers] have few means to cut the costs of interest, taxes, supplies, components, energy, and other factors of production. But management can cut labor costs.".	This argument overlooks the principal way in which the United States has cut labor costs for decades while expanding jobs and increasing wages: by increasing productivity. That is what the great American tradition of innovation is all about. Investment in innovation lowers labor costs and ultimately creates higher paying jobs. NAFTA, far from being a threat to U.S. wages, will encourage innovation in the United States, raise average labor productivity and help lay the foundation of increasing real wages.
69	In what he calls "Myth 5," Perot argues that the statistics of U.S.-Mexican trade give the mistaken impression that Mexico is a vast and growing market for American exports..	This is not a myth. Mexico is a large market for U.S. exports—our third largest after Canada and Japan. On a per capita basis, Mexico imports more from the United States than does either much wealthier EC or Japan.
69–70	"Of the $40.6 billion of U.S. exports to Mexico in 1992, $15.5 billion was in capital goods—that is, factories * * * At this rate the U.S. will go bankrupt running up trade surpluses.".	The Perot/Choate book does not understand what capital goods are. Capital goods are everything from drilling equipment to electric generators, machine tools, and construction equipment and machinery. Any healthy economy or company constantly needs to replace and expand capital goods—a fact every business person should know. We are among the world's most efficient producers of all kinds of capital goods—mostly for the U.S. market. Exports of these products, however, provide hundreds of thousands of jobs. If we did not export to these countries, other countries, like Japan and Germany would eagerly sell instead, have been growing fast. The United States will not go bankrupt with exports of capital goods to Mexico. Most capital equipment exported to Mexico is used to produce goods and services for the Mexican market which, with NAFTA, is now set on a healthy growth path. If U.S. capital goods exports to Mexico were being used to flood the U.S. market with imports, one would expect our trade balance with Mexico to have moved into larger deficit over the last 6 years. In fact, our trade balance has moved from substantial deficits in the mid-1980s to substantial surpluses today. According to U.S. government statistics, the proportion of American exports of capital goods to Mexico have fallen from 40 percent of total exports in 1986 to 33 percent in 1992. The reason for this relative decline of U.S. capital goods exports to Mexico has been that exports of capital goods to Mexico have been rising, but American exports of all other major end-use categories of exports to Mexico have been growing even faster. The book is correct in stating that capital goods was the largest category of U.S. exports in 1992, but is wrong in implying that such exports serve to the detriment of U.S. workers and economic interests. The U.S. has the world's most competitive goods industry. Capital goods include not just factories, but electric generators, oil-drilling equipment, construction equipment, machine tools and an array of high tech goods. Capital goods accounted for 39 percent of U.S. exports to the world in 1992.[12] Such exports—whether to Mexico or to the rest of the world—support hundreds of thousands of U.S. jobs. The book's authors should not disparage such exports; it is certain that Japan, Germany and our other main trade competitors would be eager to supply Mexico and the world with capital goods if we did not wish to export such products.
70	In what he calls "Myth 6", Perot argues that, rather than NAFTA creating a market of $7 trillion for 362 million people as advocates claim, the United States is the market, within the U.S. economy constituting more than 85 percent of the North American market while Mexico offers only a plentiful supply of low-wage workers..	The authors call this a myth because "[t]he U.S. economy constitutes more than 85 percent of the North American market, while Mexico's economy is 4 percent of the market." The United States may dominate North America's economy, but Mexico and Canada loom large in U.S. trade, accounting for almost 30 percent of U.S. exports. Because Mexico currently has such lower per capita income, its growth potential (given the continuance of domestic economic reforms) is large. With 90 million people, Mexico has the potential to be a rapidly expanding market for U.S. exports and a source of benefits to U.S. production and U.S. workers. For the U.S. to benefit, however, NAFTA is critical in legally binding Mexico to the removal of its substantial barriers against the export of U.S. goods and services. Under NAFTA, our exports of capital goods will have a leg up on our main competitors in Mexico's market, because we and Canada will have preference over foreign products that still will have to pay tariffs in Mexico.

CORRECTING THE RECORD: RESPONSE OF THE U.S. TRADE REPRESENTATIVE'S OFFICE TO THE PEROT/CHOATE NAFTA BOOK—Continued

Page	Book says	Statement
70	"Another $9.4 billion of U.S. exports were for industrial supplies that were used in the manufacturing of products—a large proportion of which were shipped back to the United States.	All countries—the United States included—need to import industrial supplies, equipment and components which enhance its domestic production. That we have significant exports of such products to Mexico benefits us by supporting thousands and thousands of high-paid jobs in the United States. It is far better that Mexico purchases these parts from U.S. sources than from other countries such as in Asia or Europe. The Perot book also ignores the fact that U.S. exports of finished goods to Mexico have grown far faster than exports of parts and components. Moreover, the impression, created by this statement and others in "Myth 5" that U.S. export growth has not been real is completely refuted by the facts. The U.S. International Trade Commission has calculated that U.S. exports of inputs for production-sharing arrangements in Mexico (i.e., Maquiladoras) comprised an estimated 22 percent of all U.S. exports to Mexico in 1992, down from 32 percent in 1987. An estimated 83 percent of the growth in U.S. exports to Mexico in the last 5 years was for use in Mexico, not reexport to the United States.[13]
72	In what he calls "Myth 7," Perot argues that as manufacturing in northern Mexico expands, "Hundreds of thousands of Mexican workers will be drawn north. They will quickly find that wages in the Mexican maquiladora plants cannot compete with wages anywhere in the United States. Out of economic necessity, many of these mobile workers will consider illegally migrating into the United States. In short, NAFTA has the potential to increase illegal immigration, not decrease it.	NAFTA will help generate more economic activity in Mexico thus expanding jobs and opportunities throughout the entire nation, decreasing the need for Mexicans to migrate northward. As President Salinas of Mexico has said, Mexico is interested in exporting goods, not people. Others who have made a strong case for economic development in Mexico as a long term solution to the immigration problem include a high level Commission (the Commission for the Study of International Migration and Cooperative Economic Development) created by the 1986 Immigration Reform and Control Act. Its July 1990 report listed as its first recommendation that, "the United States should expedite development of a U.S.–Mexico free trade area and encourage its incorporation with Canada into a North American free trade area." In a July 24, 1990 statement, the Commission Chairman said, "[t]he basic conclusion that we came to was that the only thing that could possibly work would be the development and promotion of international trade." Interestingly, the Economic Policy Institute, so heavily (and favorably) cited in the Perot/Choate book concluded that Mexican immigration will decrease with free trade. Congressional testimony by William E. Spriggs of the Institute on May 15, 1991 presented mathematical economic research which concluded that NAFTA would reduce U.S. immigration from Mexico from what it would otherwise have been in the year 2000 by 1.4 million persons in one scenario and 1.6 million in the * * *
72	In what he calls "Myth 8," Perot questions the Administration's estimate that 400,000 jobs will be lost if NAFTA is defeated.	This figure has been correctly used by U.S. government officials as an illustrative example of the job loss potential arising from a failure to implement NAFTA. The "Administration Statement on the North American Free Trade Agreement," states the following: "Without NAFTA, we anticipate a reduction in U.S. exports and related jobs. Mexico could suffer capital flight, disinvestment, and a loss of confidence in its economy. A less healthy Mexico would be less able to afford imports produced in the United States. "The precise impact is difficult to measure. However, in the first two years of the Mexico debt crisis (1981–1983), U.S. exports to Mexico dropped by almost half. "If even a quarter of U.S. exports to Mexico were lost by 1995, U.S. export-related jobs would fall from their current level [1992] of 700,000 to 500,000—a loss of 200,000 high wage-jobs (and a sharp contrast with the 900,000 projected jobs with NAFTA)."[14] The Administration stands behind this statement, which is consistent with known facts. By contrast, the Perot book assumes that U.S. job growth will not continue as a result of exports to Mexico. Since Mexico began liberalizing its economy in 1986, U.S. exports have exploded and U.S. jobs supported by these exports have risen from 274,000 to an estimated 700,000 in 1992.
74	In what he calls "Myth 9," Perot argues that NAFTA should not be used as a foreign policy device to take sides in the upcoming Mexican elections.	This is a red herring. Two American Presidents have actively negotiated these agreements and concluded that NAFTA with its supplemental accords is a good trade agreement which will benefit America and American workers. NAFTA stands on its own merits for the U.S. and should be approved first and foremost because of the benefits it will bring here. Moreover, as Mexico grows, it will be able to deal more effectively with shared problems from the environment to narcotics and our interests are more likely to coincide than conflict. NAFTA proves to Europe and to Asia that the United States wants level playing fields wherever we compete. And it shows the rest of the countries of the hemisphere that open markets and economic reform are in their interests. Rejection of NAFTA, on the other hand, would leave Mexico to pursue development strategies that cut us out of the Mexican market.
79	"NAFTA chapter Three tariff provisions will quickly open the U.S. market to goods shipped from Mexico".	Fifty percent of goods entering the United States from Mexico currently enter free of duty, and have been doing so for years. Chapter Three merely codifies current treatment for such products.
		For those tariffs that have not been reduced previously, NAFTA provides sufficient time (up to 15 years for some highly import-sensitive goods) for U.S. industries to adjust to the elimination of those tariffs.
80	"U.S. textile manufactures are disadvantaged by the NAFTA."	U.S. exports to Mexico of textiles, fibers and apparel have grown 25 percent on average each year since 1986, reaching $1.5 billion in 1992, and creating a trade surplus in the sector of $81 million, in spite of Mexico's current 10–20 percent tariffs. NAFTA will continue and accelerate this export growth because it will phase out remaining tariffs and barriers to trade in this sector.
80	"Mexican restrictions on used equipment will ensure that only Mexican construction equipment will be used in the post-NAFTA building boom".	NAFTA ensures that U.S. construction firms will be able to bring whatever equipment—new or used—into Mexico as necessary to perform work there under contract.
80	"Chapter Four establishes rules that deny preferential treatment for goods produced outside of North America. The way for a Japanese or European company to get preferential treatment, of course, is to build a factory in Mexico".	The rules of original will ensure that products made outside the NAFTA do not benefit from NAFTA tariff treatment. Jobs created in Canada or Mexico are more likely to create markets for U.S. goods than jobs created elsewhere.
81	"Limited numbers of Customs agents at the U.S.-Mexico border will not enable Customs to cope with increased imports from Mexico".	Customs is already increasing manpower and expanding its facilities on the border. More importantly, NAFTA provides that Mexican or Canadian exporters that violate U.S. customs laws will be subject to criminal and/or civil penalties within their own countries, a deterrent to fraud that does not now exist. Moreover, enforcement of NAFTA preference will not be done exclusively at the border. In fact, it will be done primarily by Customs personnel going directly to the factories in Mexico and Canada to confirm that the goods are manufactured there, rather than transshipped from other countries. Finally, customs agents, through laboratory analysis and tracing of shipments can differentiate between shirts made in China and those made in Mexico.
81	"Mexico kept energy off the NAFTA negotiating table "for the most part."	The book fails to mention that Mexico agreed to: subject its energy and petrochemical sector to disciplines on import and export restrictions; —allow U.S. firms to negotiate contracts directly with Mexican end-users; and —apply the guarantees of the NAFTA investment chapter to private investment it allows in basic energy activities in Mexico.
10, 82	"Two of the most important provisions [of NAFTA], however, concern the export of wheat and corn to Mexico. Under NAFTA, Mexico's market will be opened to U.S. and Canadian exports of both commodities. But U.S. wheat farmers will be at a price disadvantage because the 1988 Canada Free Trade Agreement already permits Canada to subsidize the wheat production of its farmers.".	The book tells a very misleading story on wheat. We would like Canada to cease its wheat subsidies, but Canada was not willing to give up this practice. Accordingly, we maintained our right to subsidize our wheat exports to enable us to compete with subsidized Canadian wheat. NAFTA does not change this situation, nor would rejecting NAFTA help. More significantly, NAFTA opens opportunities for U.S. wheat, corn and barley producers. According to USDA, by the end of the NAFTA transition period, annual U.S. corn exports are expected to be 60 percent higher than otherwise and industry revenues for corn and grain sorghum will likely increase by about $400 to $500 million due to NAFTA. Similarly, USDA anticipates that by the end of the transition period, U.S. wheat exports are expected to be about 1.5 million metric tons, about 20 percent above the level that would be expected without NAFTA.
82, 83	"Perhaps the greatest dangers from NAFTA are contained in the food hygiene standards undermine existing U.S. health and environmental standards. Rather than adopt the highest possible food hygiene levels, NAFTA adopts standards developed by something called the Codex Alimentarius Commission, plus those of the International Office of epizootics, the International Plant Protection Convention, and the North American Plan Protection Organization.* * * NAFTA is backdoor deregulation of U.S. health and environmental standards.".	False. Perot's assertions regarding food safety and standards are completely wrong and amount to nothing more than scare tactics. Perot's book is dead wrong in claiming that NAFTA, in any sense, requires us to reduce our standards or to adopt the standards recommended by international bodies such as the Codex Alimentarius. Article 713.3 specifically provides that "nothing . . . shall be construed to prevent a party from adopting, maintaining or applying, in accordance with the other provisions of the Section, a sanitary or phytosanitary measure that is more stringent than the relevant international standard, guideline or recommendation."

CORRECTING THE RECORD: RESPONSE OF THE U.S. TRADE REPRESENTATIVE'S OFFICE TO THE PEROT/CHOATE NAFTA BOOK—Continued

Page	Book says	Statement
		The supplemental agreements include a commitment for the three countries to work to harmonize standards upward. No provision of NAFTA creates an obligation that states adopt the same measures as the federal government. Accordingly, there is no basis under the NAFTA for challenging a state measure simply because it is more stringent than a relevant federal measure. The NAFTA does not require that the United States change any particular standard and the provisions were specifically negotiated to be clear that there would be no "downward harmonization" of health and safety standards. Instead, the NAFTA creates a process by which the three countries can try to reach greater compatibility of standards, but that does not require us to agree to any particular change in standards. No "harmonization" process can ever force us to agree to standards we find unacceptable, nor could Congress be bound by any result it found unacceptable. Congress would need to pass specific legislation to effect any change.
84	"The NAFTA will nullify the federal Buy America Act."	Misleading. The NAFTA requires minimal changes at the Federal level and no change at the state level. The procurement provisions offer significantly expanded opportunities for U.S. firms to do business in Mexico and Canada. The NAFTA Government Procurement Chapter will permit access to government tenders in the three countries on a competitive basis by companies from those countries. For Mexico, this is the first time that it has opened its government procurement in an international agreement. The NAFTA explicitly allows in Annex 1001.2b for the continuation of U.S. small and minority business programs, which reserve certain contracts for qualified U.S. suppliers. NAFTA also preserves other sensitive procurement for U.S. suppliers including the "Berry Amendment" Defense Department purchases of textiles, shoes, other goods and specialty metals. (Annex 1001.1b, Section A).
85	NAFTA will also undermine the Buy America laws of 35 states and hundreds of cities.	False. The NAFTA procurement provisions do not apply to state and sub-central level government procurement. Therefore, NAFTA cannot possibly undermine state "Buy America" laws. The NAFTA government procurement chapter, Article 1024 provides only that within five years after implementation of the agreement, the United States, Canadian and Mexican governments will consult with their state and provincial governments about voluntarily including their procurement under the NAFTA. This will be an entirely voluntary decision by the U.S. states, and would only proceed if Canadian provinces and Mexican states also agreed to participate.
85	"NAFTA allows Mexico and Canada to challenge Buy America laws as illegal trade barriers."	This is incorrect. In Articles 1001 and 1003 of the NAFTA, all three countries agreed to open their government procurement above specified levels to suppliers from the other two countries. In the United States case, the Buy America laws will be suspended for Canada and Mexico above a specified contract value. Similarly, Canada and Mexico will suspend their buy national legislation for the other NAFTA parties.
86	"Canada * * * is allowed to review the direct acquisition by foreigners of all Canadian business assets over $5 million * * *".	False. The screening level of $5 million applies to non-NAFTA investors. For investors from Canada and Mexico, the screening level is C$150 million, which is adjusted for inflation and economic growth. This high level assures that only a limited amount of transactions are reviewed by Investment in Canada.
87	"NAFTA allows Mexico and Canada to protect certain industries and to exclude U.S. investors (both individuals and corporations) at their discretion".	While all three countries retained some investment limitations, NAFTA does not create restrictions, but rather works to remove a wide array of restrictions and distortions. The book fails to note for example, that under NAFTA, Mexico must eliminate "performance requirements" that force foreign investors to export their production (usually to the United States) or use locally made inputs in their production. The elimination of performance requirements in Mexico is very beneficial in the United States, as it will increase demand for U.S.-made inputs (thereby increasing employment in the United States) and allow increased sales in Mexico of goods produced by United States investors.
87	"Mexico and Canada reserve the right to limit or prohibit foreign investors. The United States does not have this same right under NAFTA".	The United States currently restricts foreign investment only in sensitive areas of our economy. Under NAFTA, the United States preserves this right, and the rights of individual states to do so as well. These restrictions can be found in Annexes I–VII of the Agreement.
87	"Mexico and Canada's entertainment industry (movie and television production, for example) have important exclusions under NAFTA. Similar exclusions are not available to the United States."	This statement is wrong. The statement implies that the United States has no reservations under NAFTA. In fact, the United States has taken reservations affecting investment in cable television (II–U–2) and television and radio broadcasting (II–U–3). In addition, the United States has the same rights as Canada respecting "cultural industries." NAFTA liberalizes certain Mexican restrictions.
88	"NAFTA is a threat to more than blue-collar jobs. Today, more than 15 million Americans work in professional occupations. All professionals have a major stake in ensuring the standards of their profession. Under NAFTA, those standards will be subject to a challenge which will be heard by an international panel. U.S. professionals will soon be competing with lower wage Mexican professionals in the United States services market."	False. The statement implies that Mexican professionals can enter the United States and practice their profession without being licensed in the U.S. In reality, under NAFTA Mexican professionals must be licensed in whatever state they seek to practice in. A Mexican doctor may not practice in Texas until he or she has been licensed to do so by the state of Texas. In addition, Mexican professionals must obtain the appropriate U.S. visa before they enter the United States. U.S.-licensed professionals will not be competing with Mexican-licensed professionals in the United States market. This statement also implies that all professional standards are subject to dispute settlement for any reason. This is incorrect. Licensing and certification criteria may be challenged if they discriminate against citizens of another NAFTA country. Tough licensing and certification requirements that are equally applied to all applicants do not violate NAFTA, and may be established at any level deemed necessary by the appropriate regulatory body. Finally, the book seems to assume American professionals can compete with Mexican counterparts. In fact, we have the world's finest professionals who earn more because they are the best.
90, 91	"Today, foreign professional workers can enter the U.S. labor market, but only 'temporarily' and if an employer gets a certification that a qualified U.S. worker cannot be found."	This statement is false. Under current U.S. law, Business Visitors, Traders and Investors, Intra-Company Transferees, and certain Professionals temporarily admitted into the U.S. are not held to the requirement that qualified U.S. workers must be unavailable. Current U.S. immigration law is the basis for our Temporary Entry Admission Commitments in the NAFTA. The Perot statement overlooks the benefit that NAFTA requires Canada and Mexico to provide reciprocal access for United States personnel who will be admitted in these same categories into all NAFTA countries.
90, 91	"Also, the existing U.S. immigration laws place a numerical limit on the number of temporary workers.".	This statement is untrue. With the exception of "Specialty Occupation" personnel existing U.S. immigration law does not apply numerical limits to persons admitted under NAFTA. Business Visitors, Traders and Investors, are admitted without limitation.
90, 91	"Under NAFTA, Mexican and Canadian workers in 63 designated categories may be hired in the United States, even if qualified American workers are available."	The statement is misleading. Admission of 60-plus categories of Professionals is already allowed under U.S. law if these workers are paid prevailing wages and several other criteria are met.
90, 91	"NAFTA also eliminates, by stages, any numerical limits on the number of these professionals who can work in the United States. In year one of the agreement, only 5,500 professional 'temporary' workers from Mexico and Canada can enter the United States. After the first year, NAFTA obligates the United States to consider raising the ceiling. But in any case, another 5,500 can enter in the second year, and another 5,500 in the third year. If any ceiling remains at the end of three years, the United States must enter into negotiations with Canada and Mexico."	The numerical ceiling affects only admission of Professionals from Mexico, not from Canada, where admission of professionals will continue to be unrestricted for agreed categories as is the case under the United States-Canada Free Trade Agreement. No commitments to lift the ceiling on admissions from Mexico after three years have been made. It will be raised only if it is in the interest of the United States. Under the NAFTA, Mexico imposes no numerical ceiling on its admission of U.S. Professionals.
90, 91	"At the end of ten years, NAFTA allows an unlimited number of Mexican and Canadian professionals to enter the United States labor market on a "temporary" status".	Professionals entering from Canada and Mexico must meet very specific requirements to enter the United States as stated in Annex 1603(D). These requirements completely discredit the myth that individuals entering under NAFTA Chapter 16 will be a source of cheap labor. First, the professional must have a four year post-secondary baccalaureate or equivalent experience in professions set forth in Appendix 1603.D.1. This means the individual must present before entering the United States documents that prove the professional status required for temporary admission. Second, the professional must also have a letter or contract from an employer. An employer seeking admission of a professional from Mexico must attest that the individual will receive the prevailing wage and that working conditions meet safety and health standards. Third, the employer will have filed with the Department of Labor an attestation stating that this individual is not entering to adversely affect a strike or lockout.
90, 91	"There is more. Once 'Temporary' workers from Canada and Mexico begin to work in the United States, their 'temporary' status can be extended for an unlimited number of years.".	This is the case under existing U.S. law. In addition, Business Persons admitted under the terms of the Agreement hold citizenship in another Party country. Most Business Persons do not want to stay in the United States for a long period of time.

CORRECTING THE RECORD: RESPONSE OF THE U.S. TRADE REPRESENTATIVE'S OFFICE TO THE PEROT/CHOATE NAFTA BOOK—Continued

Page	Book says	Statement
		The terms of admission prevailing under existing U.S. law and regulation are the basis for NAFTA commitments and do not offer an unlimited term of stay. In the case of Professionals, the Immigration and Naturalization Service can deny annual renewals for individuals who are indefinitely staying in the United States.
90, 91	"NAFTA also expands the concept of 'business worker', which previously meant the owner or executive-level employer of a company doing international business. The expanded concept includes business visitors who are paid from a non-U.S. source. Mexican and Canadian professionals, whether or not they have anything to do with international trade, can work in the United States so long as they are paid from a company in either Mexico or Canada.".	False. NAFTA does not expand the definition of Business Visitor. It uses the existing definition in U.S. law and regulation. Annex 1603, Section A.1.c. of the agreement requires a Business Visitor to present: "evidence demonstrating that the proposed business activity is international in scope and that the business person is not seeking to enter the local labor market."
90, 91	"As a result, hundreds of thousands of professional and semi-professional American workers are going to be put under intense pressure to cut their wages and benefits. Tens of thousands of other American workers are not going to be so lucky. They're going to lose their jobs to low-paid foreign contract workers from Mexico and Canada".	Misleading. The temporary entry provisions of the NAFTA do not admit "semi-professionals." The maximum number of professionals that would enter from Mexico is 5,500 in the first three years. The U.S. is not obligated to increase this number for 10 years. During this 10-year transition, employers must attest that they are paying prevailing wages to professionals entering from Mexico. U.S. wages and benefits will not be driven down.
90, 91	"While no one was watching, U.S. NAFTA negotiators radically revised the nation's immigration laws".	False. U.S. immigration laws were not "radically" revised. The commitments made to streamline admission procedures for NAFTA business visitors, traders and investors, intra-company transferees and professionals all correspond to current immigration laws. Moreover, there is nothing radical or extremely different in the U.S.-Canada Free Trade Agreement's Chapter 15 and the current proposed Chapter 16 of the NAFTA.
93	* * * NAFTA takes away the constitutional right of American citizens to seek redress in U.S. courts if they are harmed by * * * dumping.	Mr. Perot's statement erroneously assumes that U.S. courts are the forum for redressing unfair trade practices. In reality, the U.S. Department of Commerce and the U.S. International Trade Commission ("ITC") investigate the existence and effect of unfair trade practices, such as dumped and subsidized imports, on American industries. Chapter 19 of the NAFTA, "Review and Dispute Settlement in Antidumping and Countervailing Duty Matters," recognizes and reinforces the right of American industries to redress unfair trade practices such as dumped and subsidized imports through existing administrative proceedings. NAFTA Art. 1902. Existing law permits appeals from the administrative proceedings to the U.S. Court of International Trade. Chapter 19 of the NAFTA adds the option of appeals to a binational panel. NAFTA Art. 1904.11–12.
94	Over the past several decades, the United States has often been target of dumping and subsidized exports. . . . Subsequently, protections have been built into U.S. laws and victims have access to expedited methods to deal with these predators in U.S. courts. NAFTA would wipe out these rights and procedures.	NAFTA does not "wipe out" their rights and procedures. The protections built into U.S. law to deal with dumped and subsidized imports provide expedited methods for the U.S. Department of Commerce and the ITC—not U.S. courts—to investigate unfair trade practices. Chapter 19 of NAFTA recognizes and reinforces the right of American industries to petition the Department of Commerce and ITC to launch unfair trade investigations. NAFTA Art. 1902. NAFTA further improves the expedited nature of these proceedings by reducing the time an agency's ruling can be held on appeal. NAFTA Art. 1904.8.
		If U.S. judicial procedures find that Mexican or Canadian firms are either dumping goods in the U.S. market or are being subsidized by their governments, the Mexican and Canadian governments can appeal the ruling by requesting the formation of a binational panel. (p. 94).
94	If U.S. judicial procedures find that Mexican or Canadian firms are either dumping goods in the U.S. market or are being subsidized by their governments, the Mexican and Canadian governments can appeal the ruling by requesting the formation of a binational panel.	This is misleading because it erroneously assumes that U.S. courts investigate unfair trade practices such as dumped and subsidized imports. Only the Department of Commerce and the ITC can find that Mexican or Canadian goods are dumped into the U.S. market or subsidized by their governments. Existing law permits appeals to the U.S. Court of International Trade. Chapter 19 of the NAFTA adds the option of appeals to a binational panel. NAFTA Art. 1904.11–12.
94	The rulings of the international panel are final	This is false because the United States may request review of binational decisions through the "extraordinary challenge procedure" under NAFTA Art. 1904.13.
94	Ultimately, U.S. citizens and corporations are denied the protection of American laws within the United States.	This statement erroneously assumes that binational panels do not apply U.S. laws. U.S. citizens are afforded the protection of American laws in a binational panel proceeding because the panel must apply U.S. law just as a U.S. court would apply U.S. law. NAFTA Art. 1904.2–3.
95	"A panel is comprised of five people. The two nations each identify two panelists, and the four panelists then pick the fifth from a list.".	This is inaccurate. Each country selects two panelists, and the countries then jointly select the fifth panelist. NAFTA Annex 1901.2.3.
95	"Of the 25 potential panelists [initially selected by the White House in 1989], 14 were either registered foreign agents or senior partners in Washington law firms that serve as lawyer/lobbyists for foreign interests, including those from Canada".	NAFTA will correct the perception that panelist lack neutrality by requiring that the roster include judges and former judges "to the fullest extent practicable." NAFTA Annex 1901.2.1. In addition, Chapter 19 of the NAFTA built in a series of safeguards to prevent panel proceedings from being tainted by even the appearance of impropriety. First, the panelists selected must be "of good character, high standing and repute, and shall be chosen strictly on the basis of objectivity." NAFTA Annex 1901.2.1. Second, each country may exercise peremptory challenges to disqualify panelists selected by another country. NAFTA Annex 1901.2.2. Third, panelists are to avoid even the appearance of impropriety and partiality. If a participant believes that a panelist is violating the code, the panelist may be removed. Fourth, a country may use the "extraordinary challenge procedure" to vacate any panel proceeding where a member of the panel was guilty of gross misconduct, bias, or serious conflict of interest. NAFTA Art. 1904.13.
95	"The list of panelists is now kept secret. These panelists, who in effect serve as international judges, are not confirmed by the Senate. Indeed, like the American public, the Senate does not even know who is on this list".	This is false. The roster of panelists is notified to Congress each year and published annually in the Federal Register. The American public, or member of Congress, may obtain the list of panelists by calling the United States/Canada Free Trade Agreement Binational Secretariat in Washington, D.C.
95	"The work of the panel is done in secret, and the proceedings are not released to the public. * * * These are modern-day Star Chambers—secret courts empowered to decide matters of enormous consequence to Americans".	This is false. Binational panel proceedings concerning dumping and subsidies investigations are open to the public to the same extent as other U.S. court proceedings. Notice of all binational panel proceedings are published in the Federal Register. All documents submitted to the panel and all panel decisions are available for review and copying at the FTA Binational Panel Secretariat. All hearings are conducted in public. Business proprietary information will be kept under seal and deleted from public documents at the request of the parties submitting the documents. This is a routine procedure in all U.S. courts.
96	"Canadian interests have appealed the decision of 16 rulings of the U.S. International Trade Commission (ITC). Binational panels were created, and ten of the 16 times they reversed the ITC ruling in favor of the Canadians".	This is inaccurate. As of August 1993, Canadian interest had appealed 27 U.S. decisions under Chapter 19 of the NAFTA—nine of which are still pending before binational panels and seven of which terminated without a panel decision. Of the 11 completed panel proceedings, the panel upheld the agency's decision in all respects in four appeals, partially upheld the agency's decision in five appeals, and reversed the agency's decision in all respects in only one appeal. Therefore, even though there have been several remands in binational panel proceedings, these remands have affected only one or two of the issues presented in each appeal. Furthermore, binational panels only may uphold a determination or remand it to the agency for further action; this power is less than U.S. courts possess in reviewing agency decisions. NAFTA Art. 1904.8.
96	"U.S. industry has appealed three dumping decisions made by the Canadian government. Panels were formed, and three out of the three times they ruled in favor of the Canadians".	This is inaccurate. As of August 1993, American interests had appealed 11 Canadian decisions under Chapter 19 of the CFTA—six of which are still pending before binational panels and two of which terminated without a panel decision. Of the three completed panel proceedings, the panel upheld the agency's decision in all respects in one appeal, and partially upheld the agency's decision in two appeals.
96	"Of the 16 panels that reviewed ITC decisions, ten had one or more U.S. panelists who was either a registered foreign agent or from a law firm that represents foreign interests".	NAFTA will correct the perception that panelists lack neutrality by requiring that the roster include judges and former judges "to the fullest extent practicable." NAFTA Annex 1901.2.1. Use of judges will reinforce the importance of according appropriate deference to the Department of Commerce and ITC, and of adhering to U.S. law.
96	"No one should be surprised to learn that these panels reversed 67 percent of the U.S. dumping and countervailing duty rulings brought before them. In the process, these lawyer/lobbyists established legal precedent that will favorably affect their clients in other cases".	This is misleading because it fails to recognize that panel decisions are not binding precedent on subsequent panels or courts except with respect to the "particular matter" decided by the panel. NAFTA Art. 1904.9. Moreover, the Binational Panel Code of Conduct prohibits panelists from serving where to do so would benefit their clients in other cases.
96	"By contrast, the Court of International Trade, which is an independent judiciary and handles all other trade appeals in the United States other than those in the CFTA, has a reversal rate of only seven percent".	This is misleading because it compares the Court of International Trade's "reversal rate" with the binational panel's "remand rate." This is a comparison of apples and oranges. The Court of International Trade very rarely reverses agency decisions completely. In contrast, the Court of International Trade, like binational panels, frequently remands agency decisions for further explanation or revision.

CORRECTING THE RECORD: RESPONSE OF THE U.S. TRADE REPRESENTATIVE'S OFFICE TO THE PEROT/CHOATE NAFTA BOOK—Continued

Page	Book says	Statement
96	"The dispute settlement mechanism imposed in the United States is sufficient reason to reject NAFTA * * *"	The book totally ignores the benefit for U.S. exporters from these provisions. Mexican procedures have previously been secretive with frequent U.S. complaints that taxes were imposed arbitrarily. NAFTA's Chapter 19 dispute settlement mechanism will afford greater protection to U.S. industries that are subject to dumping and subsidies investigations in either Canada or Mexico. U.S. companies have long complained that Mexico's antidumping and countervailing duty laws are unfair because the provide inadequate notice of the proceedings, deny meaningful participation in the investigation, and do not base determinations on sufficient evidence or a consistent interpretation of the law. NAFTA's dispute settlement mechanism requires Mexico to institute far-reaching changes to its antidumping and countervailing duty laws, and to provide U.S. exporters with fair procedures and due process in the administration of an investigation. NAFTA also gives U.S. industries an opportunity to appeal adverse rulings to neutral binational panels. Currently, U.S. exporters do not have a right to judicial review of Mexican rulings.
97	"Mexico, Canada, and the United States also agreed to form a new trade bureaucracy that would assist in the administration of NAFTA. This is just what the U.S. taxpayers need—another international agency to support".	The NAFTA won't require a new, costly "international agency." Nothing of the sort has been required under nearly identical provisions of the U.S.-Canada FTA. What the NAFTA will provide is a comprehensive forum for the countries involved to consult on and resolve trade and investment issues before they turn into costly disputes that could threaten U.S. jobs.
97	"The Free Trade Commission, its staff, and its mandate are the undefined features of NAFTA, yet this Commission will wield substantial power over U.S., Canadian, and Mexican trade".	The Free Trade Commission set up under the NAFTA will not be an independent, international agency. NAFTA Article 2001 defines the Commission as a decision-making body comprising the designated trade officials of the countries involved—in our case, the U.S. Trade Representative. These same officials currently meet to discuss issues, so the NAFTA neither increases nor decreases the "power" that such officials have over trade relations. The mandate of the group is also defined in the NAFTA Article 2001.
97	"If the panel rules against the United States, the United States would be required to pay some form of compensation to either Mexico, Canada, or both countries. The net effect of this new supranational commission is to shift the judicial power over vital jobs-related issues from the hands of the U.S. Government and U.S. courts into the hands of international bureaucrats".	The book mis-states the dispute settlement provisions and completely fails to note the value of these provisions for the United States. Congress and the American people have called for effective dispute settlement provisions to enforce the rights we have negotiated. Under NAFTA, if we believe Mexico or Canada is not honoring the terms of the agreement, an independent panel of experts from the private sector (not "international bureaucrats") will hear the arguments and issue a report. Mexico and Canada have access to the same process. If a country is found not to meet its obligations, it has three choices: agree on some remedy with the complaining country, offer compensation, or do nothing. Contrary to the book's assertion, neither the United States nor Canada or Mexico can be forced to change its practices or give compensation. Panel decisions cannot override U.S. law or U.S. courts unless the Congress so provides. However, if a country that has been found to breach its obligations declines to make any changes, then it is the right of the injured country to retaliate. That is a right we insist on, because we want to be able to act if our trading partners fail to keep their commitments.
97	"What's worse, the rules of procedure for this new bureaucracy will not even be available until January 1, 1994. Congress and the American people are being asked to accept this powerful new quasi-judicial bureaucracy before they are told its rules and procedures. As with the trade negotiations, the American people are being kept in the dark about something that will have a profound impact on their jobs and future".	Chapter Twenty of the NAFTA sets out in significant detail the deadlines for dispute settlement panels, the qualifications required for panelists, and the manner in which outside experts may participate in the panel process. The "model rules of procedure" that will be established by January 1, 1994, relate to the mechanics of the panel process and will not alter the essential nature of the process.
99	"No one knows precisely how much the environmental clean up of Mexico will cost, but some estimates have run as high as $20 billion.". "The further industrialization of Mexico will require additional billions of dollars to be spent modernizing its environmental infrastructure such as the water and waste water treatment facilities, utility emissions, and solid waste disposal systems, among others."	NAFTA, of course, did not cause any of the environmental problems at the U.S.-Mexican border. Rather, NAFTA, the supplemental agreements, and the additional measures we are pursuing at the border are vital to address these problems and improve the environment. That will help us in two ways: our border communities will benefit, and U.S. companies, who lead the world in environmental technology, will have the opportunity to provide many of the goods and services needed for these purposes. NAFTA will help generate resources for this purpose. The environmental agreement which has just been completed has good mechanisms to expose problems of lax enforcement, with sanctions for failure to remedy those problems. Finally, the impact on U.S. citizens of inadequate environmental infrastructure (on the border) is being addressed through the creation of a binational infrastructure financing mechanism which will leverage small amounts of capital by attracting private sector investment and will require that those causing pollution and those benefitting from clean-up pay. In short, the environment will clearly be better off with the NAFTA than without it.
99	"NAFTA does not address these necessary and costly environmental issues. It merely suggests that no nation should use weak enforcement of its environmental laws as a means of attracting foreign investment. Yet, Mexico has consistently done this for many years, and continues to do so".	This allegation is groundless. Weak enforcement has many causes and it would be very hard to prove that Mexico's enforcement efforts are designed to attract investment. What is easier to prove is that effective enforcement is expensive. The stringency of many of Mexico's environmental laws indicates their intentions. Why have strong laws if attracting investment through lax enforcement is your goal? Once again, the economic growth derived from NAFTA will give Mexico the resources to beef up its enforcement.
102	"Any trade agreement that can't stand full public scrutiny by Congress before, during, and after the negotiations is not worth having".	It is not possible to negotiate in public, but it is absolutely true that any trade agreement must be able to stand full scrutiny by Congress and the public. NAFTA has been, and will be, the subject of exhaustive public discussion and Congressional debate: —The issues raised by NAFTA were subject to an extraordinarily extensive public and Congressional debate before the fast track authority was granted in 1991. Concerns raised by Congress and the public about environmental and labor issues prompted the Bush Administration to engage in an extensive environmental review and propose a significant worker retraining program not previously contemplated. Fast track authority was granted only after the Bush Administration responded to those issues in a way that addressed Congressional concerns. —The agreement being negotiated was one of the major issues of the 1992 presidential campaign. As a candidate, Bill Clinton had to decide whether to support or oppose NAFTA at the height of the campaign. —Throughout the negotiations, Administration officials briefed and consulted with many members of Congress, and hundreds of private sector advisers representing all sectors of the economy, labor unions, and environmental groups. The upcoming debate over NAFTA this fall promises to be one of the most intensive in memory. Congress will pass the implementing legislation for NAFTA only after full satisfying itself that the agreement is in the national interest. The Administration believes that it can and will make that case, but there is surely no danger of any rush to judgment.
102	"The first action that is required of Congress is to reject NAFTA. Congress' second action should be to reauthorize the president to negotiate a win-win trade deal with Mexico".	Virtually every serious study done has shown that the NAFTA, strengthened by the supplemental agreements recently completed, is a "win-win trade deal with Mexico." But if this agreement, negotiated by a Republican President and supplemented by a Democratic President, is rejected, there should be no illusions that the U.S. and Mexico will be back at the table, negotiating some better deal. There will be no further negotiations; trade relations between the countries will be set back significantly, for years to come.
103	"In recent years, the trade mandate from Congress to the President can be summarized as "do whatever you want and we will rubber stamp it".	It is simply absurd to contend that Congress has been a rubber stamp for the President in trade policy in recent years. Throughout the 1980's, an increasingly frustrated and restive Congress clashed repeatedly with Presidents Reagan and Bush over trade policy, most often with respect to Japan. The Omnibus Trade and Competitiveness Act of 1988 was a bipartisan Congressional initiative forced on the Reagan Administration and passed over the President's veto. By the authors' own admission, Congress subjected President Bush's request for fast track authority for NAFTA to a bitter debate, and it is certainly not going to "rubberstamp" NAFTA and the implementing legislation when they are submitted this fall.
106	The United States should "impose a 'social tariff' at a level that is equal to the difference between the wage paid in the developing nation and the wage paid in the United States for comparable work".	A 'social tariff' is a thinly disguised return to the protectionist, isolationist policies that resulted in the great depression. It would be a blatant violation of trade rules and inevitably result in retaliation against our exports by countries all over the world. This would increase U.S. unemployment and decrease U.S. wages, rather than raising wages elsewhere. In addition, Mr. Perot's proposal would require the creation of a huge bureaucracy to calculate and collect the 'social tariff' appropriate for each good from each country, and contrary to Perot's own position on page 97.

CORRECTING THE RECORD: RESPONSE OF THE U.S. TRADE REPRESENTATIVE'S OFFICE TO THE PEROT/CHOATE NAFTA BOOK—Continued

Page	Book says	Statement
107	"[T]he United States should require that exports from Mexico to the United States be produced by workers who:. —Possess the right to organize independent unions and bargain collectively; —Have working conditions—hours, minimum wages, work-place safety, and health care—that are equal to those found in the United States;. —Have the right of association; and —Are not exploited by age or sex"	Mr. Perot says nothing about the North American Agreement on Labor Cooperation that was concluded on August 13 to supplement the NAFTA. This is the first labor agreement negotiated specifically to accompany and build on a trade agreement. It will promote improved labor conditions and strong enforcement of national labor laws in all three countries, and addresses all the issues cited by Perot and Choate, and several more. To quote from the summary released last month: "Each party is committed, in accordance with domestic laws, to promote the following principles: the freedom of association, the right to bargain collectively, the right to strike, prohibition of forced labor, restrictions on labor by children and young people, minimum employment standards, elimination of employment discrimination, equal pay for men and women, prevention of occupation accidents and diseases, compensation in cases of worker accidents or occupational diseases, and protection of migrant workers."
107	"The imposition of worker rights standards is nothing new. Several existing U.S. laws contain worker rights provisions. Among them are the Caribbean Basin Economic Recovery Act of 1986, the Generalized System of Preferences Act of 1986, the Overseas Private Investment Corporation statute of 1986, and the 1988 Omnibus Trade and competitiveness Act. The problem is the worker rights provisions in these laws are not enforced."	Wrong. A large number of countries have had trade benefits suspended as a result of determinations that they did not meet the worker rights standards of U.S. law. This includes Nicaragua, Paraguay,* Romania, Chile,* Burma, The Central African Republic,* Liberia, Sudan, Syria and Mauritania. In addition, 8 countries currently have their trade preferences under review, and reviews of additional countries are expected to be initiated shortly. In addition, the Caribbean Basin Economic Recovery Act was passed in 1983, not 1986, and the Generalized System of Preferences Act was passed in 1975, not 1986 (with the worker rights provisions added in 1984). The Overseas Private Investment Corporation worker rights provision was included in the Foreign Assistance Act of 1985. *After taking action to improve worker rights protection, trade preferences were restored for these three countries.

[1] U.S. Department of Transportation estimate derived from relationship of transportation accounts to U.S. GNP.
[2] "Effects of the North American Free Trade Agreement on U.S. Agricultural Commodities," U.S. Department of Agriculture, March 1993.
[3] "Effects of the North American Free Trade Agreement on U.S. Agricultural Commodities," U.S. Department of Agriculture, March 1993.
[4] Calculated from data from the U.S. Department of Commerce.
[5] "U.S. Jobs Supported by U.S. Merchandise Exports to Mexico," Office of the Chief Economist, Economics and Statistics Administration, U.S. Department of Commerce, May 1992. Estimated for 1991 and 1992 to the Office of the U.S. Trade Representative based on data from the U.S. Department of Commerce.
[6] State export information furnished by Office of Mexico, U.S. Department of Commerce, job figures by U.S. Department of Commerce and Office of the U.S. Trade Representative.
[7] "U.S.-Mexico Trade: Pulling Together or Pulling Apart," Congress of the United States, Office of Technology Assessment, October 1992.
[8] Estimates furnished by U.S. International Trade Commission, based on U.S. Department of Commerce data.
[9] "A Budgeting and Economic Analysis of the North American Free Trade Agreement," Congress of the United States, Congressional Budget Office, July 1993.
[10] Office of the U.S. Trade Representative based on data from the U.S. Department of Commerce and the U.S. Department of Labor.
[11] "Economy-wide modeling of the Economic Implications of a FTA with Mexico and a NAFTA with Canada and Mexico," U.S. International Trade Commission Publication 2508 and 2516, May 1992. "A Budgetary and Economic Analysis of the North American Free Trade Agreement," Congress of the United States, Congressional Budget Office, July 1993. "North American Free Trade: Assessing the Impact." Nora Lustig, Barry P. Bosworth and Robert Z. Lawrence (editors), The Brookings Institution, Washington, D.C. 1992.
[12] Based on U.S. merchandise trade data from the U.S. Department of Commerce.
[13] Estimates provided by the U.S. International Trade Commission based on U.S. Department of Commerce trade data.
[14] "Administration statement on the North American Free Trade Agreement," July 1993 (Available from the Office of the U.S. Trade Representative, Washington, D.C.).

THE VERMONT TEDDY BEAR CO.

Mr. LEAHY. Mr. President, I am pleased to congratulate the Vermont Teddy Bear Co. on receiving the Best of America Award for being the top small business in America. On August 22, 1993, independent business leaders brought together by Dun & Bradstreet and the National Federation of Independent Business Foundation selected the Vermont Teddy Bear Co. from a field of 585 companies as the winner of this national award in recognition of the company's outstanding growth, innovation and community service.

The Best of America contest was open to companies with fewer than 250 employees that have been under the same management for 5 years. Entrants were judged on the ability to effectively manage growth, to build spirit and teamwork among employees, and to respond quickly to changing economic or competitive conditions.

The Vermont Teddy Bear Co. has risen from the ranks—starting in 1983 as a streetcart enterprise in downtown Burlington—to today occupying a booming factory in Shelburne. Throughout its history, the Vermont Teddy Bear Co. has held fast to its roots as a business committed to employees and the community as well as dedicated to quality teddy bears. This company has worked hard to be a success story in the competitive teddy bear field.

The Vermont Teddy Bear Co. represents the spirit of American entrepreneurial business and the dedication and productivity of American workers. A large part of their success can be attributed to its innovative business approach which is not limited to company interest in the bottom line on balance sheets. The Vermont Teddy Bear Co. is also involved in improving a community, encouraging workers to take control of their work and their work environment, and striving for the highest in customer satisfaction.

Again, the contribution Vermont Teddy Bear Co. has made to Vermont communities, workers and business is deeply appreciated. This company is an excellent choice for this award, and I am honored to take this opportunity to recognize its achievement on this momentous occasion. I am confident that this company will continue to grow while maintaining its important work with the same commitment and quality it has shown in the past.

TRIBUTE TO HON. H. KELLEY, CHIEF BANKRUPTCY JUDGE

Mr. SASSER. Mr. President, today I rise in recognition of Hon. H. Kelley, chief bankruptcy judge for the eastern district of Tennessee where he has provided 25 years of distinguished service. Judge Kelley's concern for both debtors and creditors as he tenaciously works out legal arrangements from his bench in the interest of all parties is unheralded. In the State of Tennessee, I have witnessed his legal and judicial creativity which has held together the economic livelihood of communities in the face of overwhelming financial and environmental challenges.

As a legislative resource to Congress, he has been very valuable, testifying numerous times regarding bankruptcy laws and relative budget issues in the capacity of President of the National Conference of Bankruptcy Judges. He has become a national expert on budget matters relative to the judiciary after his decade of service on the U.S. budget committee of the judicial conference, and he has been a mentor to hundreds he instructed at the Federal Judicial Center.

As a youngster, Ralph Kelley served as a page in the U.S. House of Representatives from 1941 to 1946. He served in the Army Air Corps from 1946 to 1949; after which, he completed his education at the University of Chattanooga in 1952 and secured his doctor of jurisprudence degree from Vanderbilt University in 1954. His career in public service provides the foundation for his sensitivity and responsiveness to the needs of people. After acting as assistant attorney general for Hamilton County from 1958 to 1959, he was elected to the Tennessee House of Representatives where he served from 1959 to 1961. Responding to the call for local service, Ralph returned home from Nashville to be elected mayor of the city of Chattanooga in 1963 where he served until appointed bankruptcy judge in 1969. While mayor, Ralph Kelley became intent on furthering race relations and started a listening process in a city where minorities had not been heard.

Contributing to this successful record of public service is Ralph's wife of 33 years, the former Barbara Ann Fahl, and his three daughters, Laura, Ellen, and Karen. Upon his retirement on October 1, 1993, I understand that

Ralph will take up his hobby of working when he will return to his bench the morning after to resume his judicial service to the people of Eastern Tennessee and I take this opportunity to stand in honor of his tireless efforts to improve the quality of the thousands of lives he has touched.

REMEMBERING THE MARCH ON WASHINGTON

Mr. PRESSLER. Mr. President, this year marks the 30th anniversary of the historic civil rights march on Washington. I was very fortunate to have been standing about seventy yards away from the Reverend Dr. Martin Luther King, Jr., when he gave his famous speech on the steps of the Lincoln Memorial. During that summer of 1963, I was serving as a summer intern in the Near Eastern and South Asian section of the State Department. I read about the march and also heard about it on the radio. I arranged to take some time away from the office so that I could go to hear the proceedings. I heard Dr. King's speech and was very inspired by it.

I had only to travel a few blocks from Foggy Bottom to the Lincoln Memorial. I was not one of the thousands who had traveled a great distance, and planned for a long time in advance, to make a dramatic statement for the cause of civil rights. However, I agreed strongly with the eloquent words I heard. I have seen recordings of that speech often. And each time I see Dr. King recite those stirring words, I feel very fortunate I was there to witness that landmark event in our Nation's history.

Mr. President, I ask unanimous consent that the text of Dr. King's speech be printed in the RECORD following the conclusion of my remarks. I consider it one of the great orations of our time. I would probably classify it as the greatest speech I have ever heard and seen in person.

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

THE REVEREND MARTIN LUTHER KING, JR., ENNOBLES THE CIVIL RIGHTS MOVEMENT AT THE LINCOLN MEMORIAL

I am happy to join with you today in what will go down in history as the greatest demonstration for freedom in the history of our nation.

Five score years ago, a great American, in whose symbolic shadow we stand, signed the Emancipation Proclamation. This momentous decree came as a great beacon light of hope to millions of Negro slaves who had been seated in the flames of withering injustice. It came as a joyous daybreak to end the long night of captivity.

But one hundred years later, we must face the tragic fact that the Negro is still not free. One hundred years later, the life of the Negro is still sadly crippled by the manacles of segregation and the chains of discrimination. One hundred years later, the Negro lives on a lonely island of poverty in the midst of a vast ocean of material prosperity. One hundred years later the Negro is still languishing in the corners of American society and finds himself an exile in his own land. So we have come here today to dramatize an appalling condition.

In a sense we have come to our nation's capital to cash a check. When the architects of our republic wrote the magnificent words of the Constitution and the Declaration of Independence, they were signing a promissory note to which every American was to fall heir. This note was a promise that all men would be guaranteed the unalienable rights of life, liberty, and the pursuit of happiness.

It is obvious today that America has defaulted on this promissory note insofar as her citizens of color are concerned. Instead of honoring this sacred obligation, America has given the Negro people a bad check; a check which has come back marked "insufficient funds." But we refuse to believe that the bank of justice is bankrupt. We refuse to believe that there are insufficient funds in the great vaults of opportunity of this nation. So we have come to cash this check—a check that will give us upon demand the riches of freedom and the security of justice. We have also come to this hallowed spot to remind America of the fierce urgency of now. This is no time to engage in the luxury of cooling off or to take the tranquilizing drug of gradualism. Now is the time to make real the promises of democracy. Now is the time to rise from the dark and desolate valley of segregation to the sunlit path of racial justice. Now is the time to open the doors of opportunity to all of God's children. Now is the time to lift our nation from the quicksands of racial injustice to the solid rock of brotherhood.

It would be fatal for the nation to overlook the urgency of the moment and to underestimate the determination of the Negro. This sweltering summer of the Negro's legitimate discontent will not pass until there is an invigorating autumn of freedom and equality. Nineteen sixty-three is not an end, but a beginning. Those who hope that the Negro needed to blow off steam and will now be content will have a rude awakening if the nation returns to business as usual. There will be neither rest nor tranquillity in America until the Negro is granted his citizenship rights. The whirlwinds of revolt will continue to shake the foundations of our nation until the bright day of justice emerges.

But there is something that I must say to my people who stand on the warm threshold which leads into the palace of justice. In the process of gaining our rightful place, we must not be guilty of wrongful deeds. Let us not seek to satisfy our thirst for freedom by drinking from the cup of bitterness and hatred. We must forever conduct our struggle on the high plane of dignity and discipline. We must not allow our creative protest to degenerate into physical violence. Again and again we must rise to the majestic heights of meeting physical force with soul force. The marvelous new militancy which has engulfed the Negro community must not lead us to a distrust of all white people, for many of our white brothers, as evidenced by their presence here today, have come to realize that their destiny is tied up with our destiny and their freedom is inextricably bound to our freedom. We cannot walk alone.

And as we walk, we must make the pledge that we shall march ahead. We cannot turn back. There are those who are asking the devotees of civil rights, "When will you be satisfied?" We can never be satisfied as long as the Negro is the victim of the unspeakable horrors of police brutality. We can never be satisfied as long as our bodies, heavy with the fatigue of travel, cannot gain lodging in the motels of the highways and the hotels of the cities. We cannot be satisfied as long as the Negro's basic mobility is from a smaller ghetto to a larger one. We can never be satisfied as long as a Negro in Mississippi cannot vote and a Negro in New York believes he has nothing for which to vote. No, no, we are not satisfied, and we will not be satisfied until justice rolls down like waters and righteousness like a mighty stream.

I am not unmindful that some of you have come here out of great trials and tribulations. Some of you have come fresh from narrow jail cells. Some of you have come from areas where your quest for freedom left you battered by the storms of persecution and staggered by the winds of police brutality. You have been the veterans of creative suffering. Continue to work with the faith that unearned suffering is redemptive.

Go back to Mississippi, go back to Alabama, go back to South Carolina, go back to Georgia, go back to Louisiana, go back to the slums and ghettos of our modern cities, knowing that somehow this situation can and will be changed. Let us not wallow in the valley of despair.

I say to you today, my friends, that in spite of the difficulties and frustrations of the moment I still have a dream. It is a dream deeply rooted in the American dream.

I have a dream that one day this nation will rise up and live out the true meaning of its creed: "We hold these truths to be self-evident; that all men are created equal."

I have a dream that one day on the red hills of Georgia the sons of former slaves and the sons of former slave owners will be able to sit down together at the table of brotherhood.

I have a dream that one day even the state of Mississippi, a desert state sweltering in the heat of injustice and oppression, will be transformed into an oasis of freedom and justice.

I have a dream that my four little children will one day live in a nation where they will not be judged by the color of their skin but by the content of their character.

I have a dream today.

I have a dream that one day the state of Alabama, whose governor's lips are presently dripping with the words of interposition and nullification, will be transformed into a situation where little black boys and black girls will be able to join hands with little white boys and white girls and walk together as sisters and brothers.

I have a dream today.

I have a dream that one day every valley shall be exalted, every hill and mountain shall be made low, the rough places will be made plains, and the crooked places will be made straight, and the glory of the Lord shall be revealed, and all flesh shall see it together.

This is our hope. This is the faith with which I return to the South. With this faith we will be able to hew out of the mountain of despair a stone of hope. With this faith we will be able to transform the jangling discords of our nation into a beautiful symphony of brotherhood. With this faith we will be able to work together, to pray together, to struggle together, to go to jail together, to stand up for freedom together, knowing that we will be free one day.

This will be the day when all of God's children will be able to sing with new meaning "My country 'tis of thee, sweet land of liberty, of thee I sing. Land where my fathers

died, land of the pilgrim's pride, from every mountainside, let freedom ring."

And if America is to be a great nation this must become true. So let freedom ring from the prodigious hilltops of New Hampshire. Let freedom ring from the mighty mountains of New York. Let freedom ring from the heightening Alleghenies of Pennsylvania!

Let freedom ring from the snowcapped Rockies of Colorado!

Let freedom ring from the curvaceous peaks of California!

But not only that; let freedom ring from Stone Mountain of Georgia!

Let freedom ring from Lookout Mountain of Tennessee!

Let freedom ring from every hill and molehill of Mississippi. From every mountainside, let freedom ring.

When we let freedom ring, when we let it ring from every village and every hamlet, from every state and every city, we will be able to speed up that day when all of God's children, black men and white men, Jews and Gentiles, Protestants and Catholics, will be able to join hands and sing in the words of the old Negro spiritual, "Free at last! Free at last! Thank God Almighty, we are free at last!"

PAINFUL ISSUE OF HONORABLE CONDUCT

Mr. MOYNIHAN. Mr. President, yesterday, in the course of the present debate, I rose to discuss a painful subject. Almost 1 year ago in the course of an official mission on behalf of the Committee on Foreign Relations, I was en route to Sarajevo in a C-130 when the plan was diverted to Zagreb with the reason given that the airport at Sarajevo had been closed. The American charge at Zagreb informed me on landing that this was not so. I felt I had been misled. The next day I made my way into the besieged city of Sarajevo aboard a Canadian C-130 and the following day made my way out aboard a British Hercules, as I recall. Upon returning to Zagreb, EUCOM informed me that there would be no further assistance to my Codel, as the term is. I was in consequence unable to visit Macedonia or Kosovo, or to get to Belgrade.

I protested this treatment, in particular the fact that uniformed officers were required to tell a U.S. Senator something that was not so. This would be in my view an intolerable order.

My protests received little attention and I was given no satisfaction whatever. On March 9, 1993 I wrote Chairman NUNN a detailed account of what, in my view, had happened, asking that this matter be cleared up before the next Secretary of the Air Force was confirmed.

The chairman passed my letter along to the Department of Defense. Six months went by. No answer of any kind was received. And so I went to the floor yesterday. Explaining, incidentally, that I had not held up the nomination of the Secretary of the Air Force, given that the United States had been considering air strikes in Bosnia. I said however that I now intended to do so with respect to future appointments. As it happened, the distinguished senior Senator from Virginia, a senior member of the Armed Services Committee, was on the Senate floor during my remarks. He understood the significance of these events. And stated: "It is most regrettable and embarrassing that the Senator had to bring this matter to the floor of the Senate. I feel that he is perfectly within his rights not only to bring this up but also to take his stance with respect to the nominations until this is resolved."

In the middle of yesterday evening, 6 months to the day I had written Senator NUNN, a response finally arrived from Secretary Aspin.

Mr. President, I regret to say that the account in his letter does not at all square with my understanding. If in fact Sarajevo airport had closed but then reopened before we arrived at Zagreb, why did not this urgent food shipment simply continue to Sarajevo with the Senator on board? The Pentagon must answer this question or raise the painful issue of honorable conduct.

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

THE SECRETARY OF DEFENSE,
Washington, September 9, 1993.

Hon. SAM NUNN,
Chairman, Committee on Armed Services, U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: I am pleased to respond to your letter of March 22, 1993, which asked that we review certain matters concerning the Department's support to Senator Moynihan's travels in November, 1992.

In the prior Administration, as in this one, decisions concerning support of congressional travel with DoD assets in the overseas theaters are made at the OSD level, not within the individual Services. Prior to Senator Moynihan's arrival in Frankfurt from India, the Department had advised his staff in Washington and had passed through State Department channels to India for relaying to the Senator, that it was the Secretary's policy that the Department was not supporting travel into Sarajevo due to safety concerns for both the VIP and the enhanced danger his presence might incur for the crew supporting him.

Senator Moynihan was to arrive in Frankfurt at 1000 on 23 November via Delta Flight 107. His actual Flight arrived nearly two hours early. The Commander of the 435 Airlift Wing at Rhein-Main relayed to the Senator that his VIP aircraft would not be available for two hours but offered to make available UN-19, a C-130 destined for Zagreb via Sarajevo. Enroute, the crew who now had a VIP onboard, went through a series of communications, trying to confirm its original flight plan, or the change to Zagreb, to conform to existing DoD policy. During this period, the crew also received information from an EC-135, which was confirmed by UNHCR Air Operations Cell in Geneva, that current weather conditions did not permit landing at Sarajevo and other aircraft had in fact been diverted. However, by the time the Senator's party landed in Zagreb, the weather had cleared and flights into Sarajevo had resumed. It was during this time that the Senator received perhaps contradictory and confusing messages. At no time was false information passed to UN-19 or directed to be passed to Senator Moynihan. After landing, the pilot told the Senator they could not continue to Sarajevo, in compliance with the Secretary of Defense policy. As if to underscore the point, it was learned that earlier that same afternoon a French C-160 took a small caliber round through its left wing.

At no time, did either the staff at EUCOM or the crew of the West Virginia Air National Guard C-130 have the authority to deviate from existing policy. The Department has a long-standing record of providing outstanding support of Congressional travel. The personnel who provide such support take rightful pride in the fact that in doing so they have adhered to the highest levels of safety standards and professionalism. In this new Administration we are committed to building on that record to develop greater rapport with the Congress on such issues as these and preclude any such misunderstandings as may have occurred in Senator Moynihan's situation. Within the constraints of safety and available assets we will support the Congress in the performance of its oversight functions wherever we may be called on to assist.

Sincerely,

LES ASPIN.

REPORT OF THE U.S. COMMISSION ON IMPROVING THE EFFECTIVENESS OF THE UNITED NATIONS

Mr. PELL. Mr. President, earlier today the U.S. Commission for Improving the Effectiveness of the United Nations released its final report entitled: "Defining Purpose: The U.N. and the Health of Nations." The Commission was established last year with two broad purposes: first, to examine the U.N. system as a whole and identify and evaluate its strengths and weaknesses; and second, to prepare and submit to the President and the Congress recommendations on ways to improve the effectiveness of the U.N. system and the role of the United States in the U.N. system. It was a great pleasure to serve as a member of the Commission. I particularly want to congratulate Congressman LEACH for his fine work as co-chairman of the Commission and my colleague Senator PRESSLER for his contributions to the Commission on U.N. Management Reform.

Since my participation in the San Francisco conference, I have maintained an abiding interest in and involvement with the United Nations. Only now are we beginning to realize our original hopes for the organization.

The recommendations of the Commission can help make those hopes a reality. They cover a range of topics, including: peacekeeping, nonproliferation and arms control, human rights, and environment. I urge my colleagues to examine the Commission's recommendations.

For my own part, I was particularly pleased with the Commission recommendations in the area of peacekeeping. These include negotiation of article 43 standby agreements and establishment of a standing U.N. force of

blue helmets. If implemented, these recommendations would substantially increase the United Nations' ability to perform its fundamental purpose "to maintain international peace and security * * *" I ask unanimous consent that the Commission's findings and recommendations on peacekeeping appear following my remarks in the RECORD.

Mr. President, this is a timely report. It addresses issues that are on the cutting edge of public and congressional debate about the United Nations and the U.S. participation in the United Nations. I urge my colleagues to examine the Commission's report. it will be time well spent.

KEEPING THE PEACE

Since the end of the Cold War, U.N. peacekeeping efforts have grown exponentially. The Security Council has authorized as many peacekeeping operations since 1988 as in the previous 40 years, and the number of active operations has doubled since January 1991 to 18. There are today some 80,000 troops under the U.N. flag, compared to about 10,000 three years ago. Peacekeeping costs have also risen dramatically. They were $700 million in 1991, and are projected to go over the $4 billion mark in 1993.

Up to this time, the act of peacekeeping has generally encompassed the interposing of forces as a buffer between parties who have agreed to a cease-fire, thus creating conditions conducive to the resolution of differences through negotiation. Recently, consensus has emerged for a more activist U.N. role in peacemaking and peace enforcement.

Article 99 of the Charter empowers the Secretary-General to "bring to the attention of the Security Council any matter which in his opinion may threaten the maintenance of international peace and security." By extension, this Charter provision implies that preventive diplomacy, peacemaking, should be invoked early and often as a deterrent to potential breaches of the peace.

Peace enforcement refers to forceful actions taken to compel the recalcitrant party in a conflict to abide by orders of the Security Council, as provided in Chapter VII of the Charter.

The lines that separate peacekeeping, peacemaking and peace enforcement are often blurred, in part because member states, and particularly the major powers, have not defined the mandate of missions they have authorized with precision. Peacekeeping forces have been sent into situations that contain the seeds of renewed conflict, or threaten to escalate into more widespread conflict, without a realistic appraisal of what they would need to do the job. This lack of precision in the mandate has had the effect of eroding the U.N.'s credibility in such places as Bosnia, Angola and Somalia, where U.N. forces have found it difficult to contain local combatants.

The perception of the U.N. as an effective organization, and an essential one, is in large measure a function of how well it performs as a constructive keeper of the peace. The pressure on the U.N. to move into conflicts will almost certainly increase in coming years, as long-repressed ethnic and nationalist tensions boil to the surface. The U.N.'s expanding peace mandate reflects profound civilizing precepts in world affairs, but there is a danger that this trend may lose momentum when and if ambitious mandates are not fulfilled. The challenge of balancing high expectations with realistic capabilities is likely to put U.N. statecraft to a unique test in coming decades.

The Commission believes that, if the U.N. is to discharge its peace mandate effectively, the Security Council should agree on a general pattern of priorities. First, the U.N. should work to strengthen its capabilities for settling disputes before conflicts turn violent. The Commission recommends the creation of a formal Mediation Service within the Secretariat, made up of specially trained conflict-resolution teams, which would be available to the Security Council, the Secretary-General or the parties to the dispute. The Commission also suggests establishing a fact-finding office to help the Security Council and the Secretary-General resolve factual disputes. These additions should be made by reassigning people from other activities, without increasing the overall number of Secretariat employees.

Secondly, the Commission believes that, when sending blue helmets into action is considered, the United Nations should be guided by clear standards. Only under the most extraordinary circumstances should operations be launched if these standards are not met. In addition, operations that do not have a high probability of success should not be sanctioned. The United Nations cannot afford to support missions that will fail because their mandate is politically weak or operationally unfeasible.

GUIDELINES

For traditional peacekeeping operations, the rules laid down by Dag Hammarskjold in 1956 provide valuable historical perspective:

The peacekeeping force should be temporary.

It should remain neutral, and be so perceived, as between the contending parties.

Its role is to maintain order, supervise compliance with the cease-fire, and "observe" the execution of the relevant U.N. resolutions establishing the force and defining the rules of engagement.

The force shall not include military contingents of the permanent members of the Security Council.

The contending parties must agree in advance to the deployment.

For peace enforcement operations, the standards should include the following:

A clear and unambiguous mandate must be expressed in the Security Council, and widely supported in the international community generally, that U.N. intervention is called for and that the U.N. is capable of making a constructive contribution to the preservation or restoration of peace and security.

The purpose of the action, its duration and conditions and rules of engagement must be carefully defined, with costs projected in advance by credible professional experts.

The mandate of the force should be broad enough to allow a full range of operations within a specified geographic area in pursuit of the force's objectives.

The intervention of the force should come at a critical juncture, where the prospect of stabilizing an area, politically and economically, for the long term exists.

The U.N., depending on the situation, should have the ability to respond with appropriate levels of armed force or threat of force. Massive peace enforcement actions, such as Desert Storm, should continue to be conducted on an ad hoc basis with coalitions assembled for deterring or redressing a specific act of aggression. For smaller-scale interventions, the Commission recommends strengthening the U.N.'s peacekeeping and peace enforcement capabilities in the following ways:

Establish a rapid-reaction force, now often referred to as a U.N. legion, that could be deployed within hours after Security Council action. It should be under the control of the Security Council and consist initially to 5,000 to 10,000 highly trained soldiers.

The Commission believes that a U.N. rapid-reaction force is necessary because no nation likes to send its soldiers into potential combat zones when its own interests may not be directly affected by the outcome. Security Council actions too often come after the conflict has escalated beyond the control of a small force. The rapid-reaction force should be composed of soldiers supplied by member states who have volunteered as individuals.

On its own, a 5,000- to 10,000-man force has limited value if a large-scale conflict breaks out, but a U.N. legion would strengthen the hand of the Secretary-General in preventive diplomacy and be a useful arm of the Security Council for deterring conflict or providing early on-site reconnaissance. It could also be used to give the U.N. an immediate presence in a troubled region, while a larger force is formed using units contributed by member nations.

Negotiate stand-by arrangements, either under Article 43 of the Charter or in agreements not requiring ratification, with member countries, including the U.S. to augment the size and capabilities of the rapid-reaction force so that the Council has the ability to respond to several small and medium-size crises at the same time. Forces pledged under these stand-by arrangements should be available for deployment within days of Security Council action.

The Commission believes that U.S. participation in peacekeeping and peace enforcement operations may promote U.S. influence at reduced cost to the taxpayer and with increased likelihood that authorized operations will be professionally carried out. Accordingly, the Commission recommends that the U.S. designate and earmark appropriate ground, sea and air units for U.N. deployment. Whenever feasible, these units should be made up of soldiers who have volunteered for possible U.N. duty. Deployment of U.S. forces under U.N. flag should explicitly conform with applicable legislation and existing constitutional requirements.

Activate the Military Staff Committee (MSC) to provide professional military advice to the Security Council, with the understanding that operational control of missions would rest with commanders in the field, who shall be designated by the Security Council. As provided in the Charter, the MSC would consist of the chiefs of staff or their representatives from the Council's permanent members. In addition, the MSC should include military representatives from the principal contributors of military units to a U.N. force. The MSC should have a permanent staff of professional officers seconded from the forces of member countries. They would be selected for competence and appointed by the Secretary-General with the approval of the Security Council. Under the supervision of the Security Council, the MSC would advise in the establishment of military standards and procedures for U.N. forces and assist in the training of these forces.

Speed up the process and broaden the basis for funding peacekeeping operations. The process now in effect was designed at a time when the U.N. ran very few peacekeeping operations simultaneously. Once an operation is approved by the Security Council, the Secretariat prepares a mission budget. The budget must then be approved by the Advisory Committee on Administrative and

Budgetary Questions. After that, the budget goes to the General Assembly's Fifth Committee and the General Assembly itself for approval. Only then can an assessment letter be sent to member states and the U.N. can begin spending up to the full cost of the mission. This cumbersome methodology demands streamlining.

Several countries, including the U.S., are currently in arrears on their share of the peacekeeping costs. The Commission finds that peacekeeping decisions increasingly are made without a realistic assessment of the costs involved. Countries that give political support to the launching of peacekeeping operations should be prepared to finance these commitments. The U.S. should be no exception. Once the U.S. votes for an operation, it should promptly pay its share of the costs.

The Commission endorses the recommendation of the Independent Advisory Group on U.N. Financing, chaired by Paul Volcker and Shijuro Ogata, to establish a $400-million revolving fund to finance the start-up costs of peacekeeping operations. The Secretary-General should be granted authority to obligate up to 20 percent of the estimated cost of an operation as soon as it has been approved by the Security Council. The Commission recognizes, however, that such a revolving fund may be inadequate to meet near-term contingencies and recommends that member states give higher priority to funding peacekeeping.

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by 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 treaty which was referred to the Committee on Foreign Relations.

(The treaty received today is printed at the end of the Senate proceedings.)

MESSAGES FROM THE HOUSE

ENROLLED BILLS SIGNED

At 5:20 p.m., a message from the House of Representatives, delivered by Gay Topper, a clerk to the parliamentarian, announced that the Speaker has signed the following enrolled joint resolution:

S.J. Res. 126. Joint Resolution designating September 10, 1993, as "National POW/MIA Recognition Day" and authorizing the display of the National League of Families POW/MIA flag.

The enrolled joint resolution was subsequently signed by the President pro tempore (Mr. BYRD).

ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that he had presented to the President of the United States, the following enrolled joint resolution:

S.J. Res. 126. Joint Resolution designating September 10, 1993, as "National POW/MIA Recognition Day" and authorizing the display of the National League of Families POW/MIA flag.

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-1405. A communication from the Director of the Office of Management and Budget, Executive Office of the President, transmitting, pursuant to law, the sequestration update report; referred jointly, pursuant to the order of January 30, 1975, as modified by the order of April 11, 1986, to the Committee on Appropriations, to the Committee on the Budget, to the Committee on Armed Services, to the Committee on Banking, Housing and Urban Affairs, to the Committee on Commerce, Science and Transportation, to the Committee on Energy and Natural Resources, to the Committee on Environment and Public Works, to the Committee on Finance, to the Committee on Foreign Relations, to the Committee on Governmental Affairs, to the Committee on the Judiciary, to the Committee on Labor and Human Resources, to the Committee on Rules and Administration, to the Committee on Small Business, to the Committee on Veterans' Affairs, to the Committee on Indian Affairs, and to the Select Committee on Intelligence.

PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM-273. A resolution adopted by the City Council of the City of Seattle, Washington relative to lesbians and gays in the Armed Services; to the Committee on Armed Services.

POM-274. A resolution adopted by the Common Council of the City of Buffalo, New York relative to the selling of names or credit information to agencies of companies for profit; to the Committee on Banking, Housing and Urban Affairs.

POM-275. A joint resolution adopted by the Legislature of the State of Nevada; to the Commission on Energy and Natural Resources.

"ASSEMBLY JOINT RESOLUTION NO. 37

"Whereas, Congress is currently considering proposed legislation that establishes a surcharge on water provided from federal reclamation projects; and

"Whereas, the proposed legislation would require individuals and nonfederal entities who are municipal, industrial or rural users of water provided from federal reclamation projects to pay to the United States a surcharge sufficient to generate at least $10,000,000 in each of the next 3 fiscal years and at least $15,000,000 in each fiscal year thereafter; and

"Whereas, the surcharge would be in addition to the annual operation and maintenance charges that are currently paid by users of water provided from federal reclamation projects and would also be in addition to any proposed energy tax that may be paid in the future by such users; and

"Whereas, estimates of the initial surcharge range from 50 cents to $12 for each acre-foot of water stored, transported or delivered; and

"Whereas, the proposed legislation that is currently being considered by Congress establishes a flat surcharge in which each user must pay the same rate on the water, without regard to the user's ability to pay or any other special circumstances; and

"Whereas, the proposed legislation contains no sunset provision and therefore essentially establishes a permanent tax; and

"Whereas, in a year of average precipitation, the Truckee Carson Irrigation District in Churchill County delivers an average of 210,000 acre-feet of water from the Newlands Reclamation Project and under the provisions of the proposed legislation the surcharge to be paid by users of this water would fall within the approximate range of $105,000 to $2,500,000, thereby having a detrimental effect on the economy and citizens of the State of Nevada: Now, therefore, be it

Resolved by the Assembly and Senate of the State of Nevada, Jointly, That the Nevada Legislature urges the members of the Congress of the United States to oppose the proposed legislation that establishes a surcharge on water provided reclamation projects; and be it further

Resolved, That the Chief Clerk of the Assembly prepare and transmit a copy of this resolution to the Vice President of the United States as presiding officer of the Senate, the Speaker of the House of Representatives and each member of the Nevada Congressional Delegation; and be it further

Resolved, That this resolution becomes effective upon passage and approval.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. BIDEN, from the Committee on the Judiciary, with an amendment in the nature of a substitute:

S. 11. A bill to combat violence and crimes against women on the streets and in homes (Rept. No. 103-138).

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. BRYAN (for himself and Mr. D'AMATO):

S. 1447. A bill to modify the disclosures required in radio advertisements for consumer leases, loans and savings accounts; to the Committee on Commerce, Science, and Transportation.

By Mr. SASSER (for himself, Mr. SPECTER, Mr. MITCHELL, Mr. KENNEDY, Mr. BOREN, Mr. DODD, Mr. KERRY, Mr. BRADLEY, Mr. BUMPERS, Mr. HEFLIN, Mr. LIEBERMAN, Mr. GRAHAM, Mr. REID, Mrs. FEINSTEIN, Mr. MATHEWS, Mr. ROBB, Mr. LEVIN, Mr. INOUYE, Mr. BRYAN, Mr. SIMON, Mr. WELLSTONE, and Mr. RIEGLE):

S. 1448. A bill to establish a Police Corps Program and a Law Enforcement Scholarship and Employment Program; to the Committee on the Judiciary.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. BRYAN (for himself and Mr. D'AMATO):

S. 1447. A bill to modify the disclosures required in radio advertisements for consumer leases, loans, and savings accounts; to the Committee on Commerce, Science, and Transportation.

RADIO CONSUMER INFORMATION ACT OF 1993

Mr. BRYAN. Mr. President, I rise today to introduce the Radio Consumer Information Act of 1993. This bill is designed to remedy the unintended consequences of advertising disclosure regulations imposed by three laws—the Truth in Lending Act, the Truth in Savings Act, and the Consumer Lease Act.

Under these laws, certain disclosures are triggered in advertisements whenever specified terms appear in an ad. For radio advertisements, these disclosures can be extremely unwieldy. While these disclosure requirements also apply to television or print advertising, they can be accommodated through the fine print that appears at the bottom of the ad. For radio, of course, these disclosures must be given orally.

Take the example of an ad for a car lease. If the ad mentions the amount of any downpayment, the number of payments required, or that no downpayment is required at the commencement of the lease, then the ad also must disclose the following: First, the fact that the ad is for a lease; second, the amount of any downpayment required at the inception of the lease or that no downpayment is required; third, the number, amounts, due dates or periods of scheduled payments and total of the payments; fourth, whether the lessee is responsible for the differential between the fair market value of the leased property and its actual value at the termination of the lease; and fifth, any other liabilities imposed on the lessee, and whether the lessee has the option to purchase the leased property and at what price.

As a result, advertisers simply do not place certain types of ads on radio, because these disclosures cannot be made within the standard 30-second spot. The public loses the consumer benefits of learning about many competitive products and services when they listen to radio. In addition, radio broadcasters must forgo significant advertising revenues. Returning to the example of car lease advertising, the radio industry estimates that it may lose more than $300 million in advertising revenue per year by the year 1995 because of the lease disclosure requirements alone.

This bill is designed to modify the disclosure requirements for loan, lease, and savings account advertisements on radio, while preserving the overall goal of providing important information to consumers for these goods and services. Under this bill, consumers still will be provided with all of the necessary disclosure information, either through toll-free numbers announced in the radio ads, through point-of-purchase information, or through other convenient means determined by the Federal Reserve.

Congress in the past has acted to simplify these consumer advertising disclosures in order to provide more useful and effective means of distributing important consumer information. This bill is consistent with that history. I look forward to working with my colleagues on the Banking Committee to ensure its swift passage.

Mr. President, I ask unanimous consent that the text of his bill be printed in the RECORD.

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

S. 1447

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 my be cited as the "Radio Consumer Information Act of 1993."

SEC. 2. CONSUMER LEASE DISCLOSURES.

Section 1667c of The Consumer Leasing Act of 1976 (15 U.S.C. Section 1601 et seq.) is amended—

(1) by redesignating Section 1667c(b) as Section 1667c(c); and

(2) by inserting immediately before it the following new subsection:

"(b) For advertisements, announcements or solicitations made through any radio broadcast, the disclosures required by this section may be made by providing consumers with access to the disclosure information through toll-free telephone numbers or by other means which provide consumers with the disclosure information prior to a lease."

SEC. 3. CONSUMER CREDIT DISCLOSURES.

The Truth in Lending Act of 1968 (15 U.S.C. Section 1601 et. seq.) is amended by inserting the following new Section 1639:

"CONSUMER CREDIT DISCLOSURES IN RADIO ADVERTISING.

"SEC. 1639. For advertisements, announcements or solicitations made through any radio broadcast, the disclosures required by Section 1637 and Section 1638 of this Title may be made by providing consumers with access to the disclosure information through toll-free telephone numbers or by other means which provide consumers with the disclosure information prior to the extension of credit."

SEC. 4. CONSUMER SAVINGS DISCLOSURES.

Section 4303(b) of The Truth in Savings Act of 1991 (12 U.S.C. Sections 4301 et. seq.) is amended to read as follows:

"(b)(1) For advertisements, announcements or solicitations made through any radio broadcast, the disclosures required by this section may be made by providing consumers with access to the disclosure information through toll-free telephone numbers or by other means which provide consumers with the disclosure information prior to the opening of an account.

(2) The Board may, by regulation, exempt advertisements, announcements, or solicitations made by any broadcast or electronic medium or outdoor advertising display not on the premises of the depository institution from any disclosure requirements described in paragraph (4) or (5) of subsection (a) of this section if the Board finds that any such disclosure would be unnecessarily burdensome."

Mr. D'AMATO. Mr. President, I rise today to join my colleague Senator BRYAN in introducing the Radio Consumer Information Act of 1993. The purpose of this bill is to modify the advertising disclosure requirements in current banking, lending, and leasing laws to provide better information to the public on terms and conditions of these services.

The disclosure requirements in current law make radio advertising of such services virtually impossible. In fact, most advertisers do not place many of these types of ads on radio, because it is nearly impossible to make the necessary disclosures even in a 60-second spot. This deprives the consumers of vital information about competitive services when listening to radio and prevents the broadcaster from obtaining potential advertising revenues.

This bill sets up a more useful and effective method of informing customers about these services, either through a toll-free number, point-of-purchase information, or another method agreed upon by the Federal Reserve.

I look forward to working with my distinguished colleague from Nevada in passing this bill.

By Mr. SASSER (for himself, Mr. SPECTER, Mr. MITCHELL, Mr. KENNEDY, Mr. BOREN, Mr. DODD, Mr. KERRY, Mr. BRADLEY, Mr. BUMPERS, Mr. HEFLIN, Mr. LIEBERMAN, Mr. GRAHAM, Mr. REID, Mrs. FEINSTEIN, Mr. MATHEWS, Mr. ROBB, Mr. LEVIN, Mr. INOUYE, Mr. BRYAN, Mr. SIMON, Mr. WELLSTONE, and Mr. RIEGLE):

S. 1448. A bill to establish a Police Corps Program and a Law Enforcement Scholarship and Employment Program; to the Committee on the Judiciary.

POLICE CORPS AND LAW ENFORCEMENT SCHOLARSHIP AND EMPLOYMENT ACT

Mr. SASSER. Mr. President, I introduce legislation to establish a National Police Corps Program.

Joining me as original cosponsors of this legislation are Senators SPECTER, MITCHELL, KENNEDY, BOREN, DODD, KERRY, BRADLEY, BUMPERS. HEFLIN, LIEBERMAN, GRAHAM, REID, FEINSTEIN, MATHEWS, ROBB, LEVIN, INOUYE, BRYAN, SIMON, WELLSTONE, and RIEGLE.

Our legislation would establish a program similar to the Reserve Officers Training Corps. Students would complete their normal course of college studies. They would then serve for 4 years in a State or local law enforcement agency. In return for this service, the Federal Government would reimburse the cost of their tuition up to $7,500 per year. Up to 20,000 students per year would be able to participate.

In many of our Nation's cities, the police are simply overwhelmed by violent street crime. Day after day we see

more examples of savage and mindless violence. We see people killed in their homes by stray bullets from the gunfights going on literally outside their windows. We see children caught in the crossfire as drug dealers fight it out for control of street corners and neighborhoods.

Vicious and violent criminals are ravaging our communities, they are crippling our families, and they are destroying our youth.

One of the greatest deterrents to crime is simply police presence—on the streets and in our neighborhoods. It increases the risk factor for criminals. The vicious thugs who are terrorizing our neighborhoods are making a cold, calculating decision about crime as if it were a business—and the income from crime outweighs the business risk of getting caught.

We need to increase the risk for the criminal that if he commits a crime a patrolman will apprehend him, or a strike force will be operating on that block, or that the citizens will promptly inform the police.

The American people agree. In a Time/CNN poll taken just last month, 80 percent agreed that increasing the number of police on the streets would decrease the amount of violent crime. In that same poll, 61 percent of our citizens stated that crime in their neighborhoods had increased over the last 5 years. Only 5 percent—5 percent, Mr. President—responded that crime had decreased.

The new officers provided by the Police Corps will increase the manpower options open to our local communities. It is exactly the type of assistance they need. At the same time, it allows them the flexibility of deciding how they will assign the increased personnel.

The Police Corps Program offers a way to enlist the best and brightest of our young people of every race and class in the vital effort to restore peace to our streets. These recruits will not only gain the general benefits of education and experience at a college, but also will receive two summers of extensive Federal law enforcement training. For immediate effect, seniors and juniors could be recruited, trained, and on the streets within 1 year of the bill's passage.

Finally, there is another major benefit from our legislation that should not go unmentioned. Too few of our citizens understand the pressures and the dangers that our police officers face. When some of the graduates of the Police Corps Program complete their police service, they will go on to other careers. However, they will know what it is to be a police officer. They will be able to share that knowledge with their neighbors. I firmly believe that this will increase respect and support for the brave men and women who put their lives on the line every day for all of us.

69-059 O—97 Vol. 139 (Pt. 14) 45

Mr. President, I want to particularly note the work of my distinguished colleague, the senior Senator from Pennsylvania [Mr. SPECTER]. He has worked long and hard on the Police Corps legislation and I want to commend him for it.

I, also, want to thank the chairman of the Judiciary Committee, Senator BIDEN, for agreeing to include the Police Corps proposal in this year's crime bill. The Police Corps has been approved by the Senate as part of previous crime bills, and I am hopeful the legislation will pass the Congress in the months ahead.

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. 1448

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 "Police Corps and Law Enforcement Scholarship and Employment Act".

SEC. 2. PURPOSES.

The purposes of this Act are to—

(1) address violent crime by increasing the number of police with advanced education and training on community patrol;

(2) provide educational assistance to law enforcement personnel and to students who possess a sincere interest in public service in the form of law enforcement; and

(3) assist State and local law enforcement efforts to enhance the educational status of law enforcement personnel both through increasing the educational level of existing officers and by recruiting more highly educated officers.

SEC. 3. DESIGNATION OF LEAD AGENCY AND SUBMISSION OF STATE PLAN.

(a) LEAD AGENCY.—A State that desires to participate in the Police Corps program under title I or the Law Enforcement Scholarship and Employment program under title II shall designate a lead agency that will be responsible for—

(1) submitting to the Director a State plan described in subsection (b); and

(2) administering the program in the State.

(b) STATE PLANS.—A State plan shall—

(1) contain assurances that the lead agency shall work in cooperation with the local law enforcement liaisons, representatives of police labor organizations and police management organizations, and other appropriate State and local agencies to develop and implement interagency agreements designed to carry out the program;

(2) contain assurances that the State shall advertise the assistance available under this Act;

(3) contain assurances that the State shall screen and select law enforcement personnel for participation in the program;

(4) if the State desires to participate in the Police Corps program under title I, meet the requirements of section 107; and

(5) if the State desires to participate in the Law Enforcement Scholarship and Employment program under title II, meet the requirements of section 206.

TITLE I—POLICE CORPS PROGRAM

SEC. 101. DEFINITIONS.

In this title—

"academic year" means a traditional academic year beginning in August or September and ending in the following May or June.

"Director" means the Director of the Office of the Police Corps appointed under section 102.

"dependent child" means a natural or adopted child or stepchild of a law enforcement officer who at the time of the officer's death—

(A) was no more than 21 years old; or

(B) if older than 21 years, was in fact dependent on the child's parents for at least one-half of the child's support (excluding educational expenses), as determined by the Director.

"educational expenses" means expenses that are directly attributable to—

(A) a course of education leading to the award of the baccalaureate degree in legal- or criminal justice-related studies; or

(B) a course of graduate study in legal- or criminal justice-related studies following award of a baccalaureate degree,

including the cost of tuition, fees, books, supplies, transportation, room and board and miscellaneous expenses.

"institution of higher education" has the meaning stated in the first sentence of section 1201(a) of the Higher Education Act of 1965 (20 U.S.C. 1141(a)).

"participant" means a participant in the Police Corps program selected pursuant to section 103.

"State" means a State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, American Samoa, Guam, and the Commonwealth of the Northern Mariana Islands.

"State Police Corps program" means a State police corps program that meets the requirements of section 107.

SEC. 102. ESTABLISHMENT OF OFFICE OF THE POLICE CORPS.

(a) ESTABLISHMENT.—There is established in the Department of Justice, under the general authority of the Attorney General, an Office of the Police Corps.

(b) APPOINTMENT OF DIRECTOR.—The Office of the Police Corps shall be headed by a Director, who shall be appointed by the President by and with the advice and consent of the Senate.

(c) RESPONSIBILITIES OF DIRECTOR.—The Director shall be responsible for the administration of the Police Corps program established in this title and shall have authority to promulgate regulations to implement this title.

SEC. 103. SCHOLARSHIP ASSISTANCE.

(a) SCHOLARSHIPS AUTHORIZED.—

(1) IN GENERAL.—The Director may award scholarships to participants who agree to work in a State or local police force in accordance with agreements entered into pursuant to subsection (d).

(2) AMOUNT.—(A) Except as provided in subparagraph (B), each scholarship payment made under this section for each academic year shall not exceed—

(i) $10,000; or

(ii) the cost of the educational expenses related to attending an institution of higher education.

(B) In the case of a participant who is pursuing a course of educational study during substantially an entire calendar year, the amount of scholarship payments made during such year shall not exceed $10,000.

(C) The total amount of scholarship assistance received by any one student under this section shall not exceed $30,000.

(3) SATISFACTORY PROGRESS.—Recipients of scholarship assistance under this section

shall continue to receive such scholarship payments only during such periods as the Director finds that the recipient is maintaining satisfactory progress as determined by the institution of higher education the recipient is attending.

(4) DIRECT PAYMENT.—(A) The Director shall make scholarship payments under this section directly to the institution of higher education that the student is attending.

(B) Each institution of higher education receiving a payment on behalf of a participant pursuant to subparagraph (A) shall remit to such student any funds in excess of the costs of tuition, fees, and room and board payable to the institution.

(b) REIMBURSEMENT.—

(1) IN GENERAL.—The Director may make payments to a participant to reimburse the participant for the costs of educational expenses if the participant agrees to work in a State or local police force in accordance with the agreement entered into pursuant to subsection (d).

(2) AMOUNT.—(A) A payment made pursuant to paragraph (1) for an academic year of study shall not exceed—

(i) $7,500; or

(ii) the cost of educational expenses related to attending an institution of higher education.

(B) In the case of a participant who is pursuing a course of educational study during substantially an entire calendar year, the amount of scholarship payments made during the year shall not exceed $10,000.

(C) The total amount of payments made pursuant to subparagraph (A) to any 1 student shall not exceed $30,000.

(c) USE OF SCHOLARSHIP.—Scholarships awarded under this subsection shall only be used to attend a 4-year institution of higher education, except that—

(1) scholarships may be used for graduate and professional study; and

(2) if a participant has enrolled in the program upon or after transfer to a 4-year institution of higher education, the Director may reimburse the participant for the participant's prior educational expenses.

(d) AGREEMENT.—

(1) IN GENERAL.—Each participant receiving a scholarship or a payment under this section shall enter into an agreement with the Director that contains assurances that the participant will—

(A) after successful completion of a baccalaureate program and training as prescribed in section 105, work for 4 years in a State or local police force without there having arisen sufficient cause for the participant's dismissal under the rules applicable to members of the police force of which the participant is a member;

(B) complete satisfactorily—

(i) an educational course of study and receipt of a baccalaureate degree (in the case of undergraduate study) or the reward of credit to the participant for having completed 1 or more graduate courses (in the case of graduate study); and

(ii) Police Corps training and certification by the Director that the participant has met such performance standards as may be established pursuant to section 105; and

(C) repay all of the scholarship or payment received plus interest at the rate of 10 percent per annum if the conditions of subparagraphs (A) and (B) are not complied with.

(2) DEATH OR DISABILITY.—(A) A recipient of a scholarship or payment under this section shall not be considered to be in violation of the agreement entered into pursuant to paragraph (1) if the recipient—

(i) dies; or

(ii) becomes permanently and totally disabled as established by the sworn affidavit of a qualified physician.

(B) If a scholarship recipient is unable to comply with the repayment provision set forth in paragraph (1)(C) because of a physical or emotional disability or for good cause as determined by the Director, the Director may substitute community service in a form prescribed by the Director for the required repayment.

(C) The Director shall expeditiously seek repayment from participants who violate the agreement described in paragraph (1).

(e) DEPENDENT CHILD.—

(1) SCHOLARSHIP ASSISTANCE.—A dependent child of a law enforcement officer—

(A) who is a member of a State or local police force or is a Federal criminal investigator or uniformed police officer,

(B) who is not a participant in the Police Corps program, but

(C) who serves in a State for which the Director has approved a Police Corps plan, and

(D) who is killed in the course of performing police duties,

shall be entitled to the scholarship assistance authorized in this section for any course of study in any institution of higher education.

(2) NO REPAYMENT.—A dependent child shall not incur any repayment obligation in exchange for the scholarship assistance provided under this subsection.

(f) APPLICATION.—Each participant desiring a scholarship or payment under this section shall submit an application as prescribed by the Director in such manner and accompanied by such information as the Director may reasonably require.

SEC. 104. SELECTION OF PARTICIPANTS.

(a) IN GENERAL.—Participants in State Police Corps programs shall be selected on a competitive basis by each State under regulations prescribed by the Director.

(b) SELECTION CRITERIA AND QUALIFICATIONS.—

(1) IN GENERAL.—In order to participate in a State Police Corps program, a participant shall—

(A) be a citizen of the United States or an alien lawfully admitted for permanent residence in the United States;

(B) meet the requirements for admission as a trainee of the State or local police force to which the participant will be assigned pursuant to section 107(5), including achievement of satisfactory scores on any applicable examination, except that failure to meet the age requirement for a trainee of the State or local police shall not disqualify the applicant if the applicant will be of sufficient age upon completing an undergraduate course of study;

(C) possess the necessary mental and physical capabilities and emotional characteristics to discharge effectively the duties of a law enforcement officer;

(D) be of good character and demonstrate sincere motivation and dedication to law enforcement and public service;

(E) in the case of an undergraduate, agree in writing that the participant will complete an educational course of study leading to the award of a baccalaureate degree and will then accept an appointment and complete 4 years of service as an officer in the State police or in a local police department within the State;

(F) in the case of a participant desiring to undertake or continue graduate study, agree in writing that the participant will accept an appointment and complete 4 years of service as an officer in the State police or in a local police department within the State before undertaking or continuing graduate study;

(G) contract with the consent of the participant's parent or guardian if the participant is a minor to serve for 4 years as an officer in the State police or in a local police department, if an appointment is offered; and

(H) except as provided in paragraph (2), be without previous law enforcement experience.

(2) TEMPORARY AVAILABILITY FOR EXPERIENCED APPLICANTS.—(A) Until the date that is 5 years after the date of enactment of this Act, up to 10 percent of the applicants accepted into the Police Corps program may be persons who—

(i) have had some law enforcement experience; and

(ii) have demonstrated special leadership potential and dedication to law enforcement.

(B)(i) The prior period of law enforcement of a participant selected pursuant to subparagraph (A) shall not be counted toward satisfaction of the participant's 4-year service obligation under section 106, and such a participant shall be subject to the same benefits and obligations under this title as other participants (including those stated in subsection (b)(1) (E) and (F)).

(ii) Clause (i) shall not be construed to preclude counting a participant's previous period of law enforcement experience for purposes other than satisfaction of the requirements of section 106, such as for purposes of determining such a participant's pay and other benefits, rank, and tenure.

(3) NUMBER OF PARTICIPANTS.—(A) It is the intent of Congress in this title that there shall be no more than 20,000 participants in each graduating class.

(B) The Director shall approve State plans providing in the aggregate for such enrollment of applicants as shall ensure, as nearly as possible, that there are annual graduating classes of 20,000.

(C) In a year in which applications are received in a number greater than that which will produce, in the judgment of the Director, a graduating class of more than 20,000, the Director shall, in deciding which applications to grant, give preference to those who will be participating in State plans that provide law enforcement personnel to areas of greatest need.

(c) RECRUITMENT OF MINORITIES.—

(1) SPECIAL EFFORTS.—Each State participating in the Police Corps program shall make special efforts to seek and recruit applicants from among members of all racial, ethnic or gender groups.

(2) COMPETITIVE STANDARDS.—This subsection does not authorize an exception from the competitive standards for admission established pursuant to subsections (a) and (b).

(d) ENROLLMENT OF APPLICANT.—

(1) CONDITION.—An applicant shall be accepted into a State Police Corps program on the condition that the applicant has been graduated from or will be matriculated in, or accepted for admission at, an institution of higher education—

(A) as a full-time student in an undergraduate program; or

(B) for purposes of taking a graduate course.

(2) REVOCATION OF ACCEPTANCE.—If the applicant is not matriculated or accepted as set forth in paragraph (1), the applicant's acceptance in the program shall be revoked.

(e) LEAVE OF ABSENCE.—

(1) FROM STUDY, TRAINING, OR SERVICE.—(A) A participant in a State Police Corps program who requests a leave of absence from

educational study, training, or service for a period not to exceed 1 year (or 18 months in the aggregate in the event of multiple requests) due to temporary physical or emotional disability shall be granted such leave of absence by the State.

(B) A participant who requests a leave of absence from educational study, training or service for a period not to exceed 1 year (or 18 months in the aggregate in the event of multiple requests) for any reason other than those listed in paragraph (1) may be granted such leave of absence by the State.

(2) FROM STUDY OR TRAINING.—A participant who requests a leave of absence from educational study or training for a period not to exceed 30 months to serve on an official church mission may be granted such leave of absence.

(f) ADMISSION OF APPLICANTS.—An applicant may be admitted into a State Police Corps program either before commencement of or during the applicant's course of educational study.

SEC. 105. POLICE CORPS TRAINING.

(a) ESTABLISHMENT OF PROGRAM.—

(1) IN GENERAL.—(A) The Director shall establish programs of training for Police Corps participants.

(B) Such programs may be carried out at up to 3 training centers established and administered by the Director or at State training facilities under contract.

(C) The Director shall contract with a State training facility upon request of such facility if the Director determines that such facility offers a course of training substantially equivalent to the Police Corps training program described in this title.

(2) CONTRACTS FOR SERVICES.—The Director may enter into contracts with individuals, institutions of learning, and government agencies (including State and local police forces) to obtain the services of persons qualified to participate in and contribute to the training process.

(3) AGREEMENTS WITH FEDERAL AGENCIES.—The Director may enter into agreements with agencies of the Federal Government to utilize on a reimbursable basis space in Federal buildings and other resources.

(4) EXPENDITURES.—The Director may authorize such expenditures as are necessary for the effective maintenance of the training centers, including purchases of supplies, uniforms, and educational materials and the provision of subsistence, quarters, and medical care to participants.

(b) TRAINING SESSIONS.—

(1) IN GENERAL.—A participant in a State Police Corps program shall attend two 8-week training sessions at a training center, one during the summer following completion of sophomore year and one during the summer following completion of junior year.

(2) PARTICIPANTS ENTERING AFTER SOPHOMORE YEAR.—If a participant enters the program after sophomore year, the participant shall complete 16 weeks of training at times determined by the Director.

(c) FURTHER TRAINING.—

(1) BASIC TRAINING.—The 16 weeks of Police Corps training authorized in this section is intended to serve as basic law enforcement training but not to exclude further training of participants by the State and local authorities to which they will be assigned.

(2) ADDITIONAL TRAINING.—(A) Each State plan approved by the Director under section 106 shall include assurances that following completion of a participant's course of education each participant shall receive appropriate additional training by the State or local authority to which the participant is assigned.

(B) The time spent by a participant in such additional training, but not the time spent in Police Corps training, shall be counted toward fulfillment of the participant's 4-year service obligation.

(d) COURSE OF TRAINING.—The training sessions at training centers established under this section shall be designed to provide basic law enforcement training, including vigorous physical and mental training to teach participants self-discipline and organizational loyalty and to impart knowledge and understanding of legal processes and law enforcement.

(e) EVALUATION OF PARTICIPANTS.—A participant shall be evaluated during training for mental, physical, and emotional fitness, and shall be required to meet performance standards prescribed by the Director at the conclusion of each training session in order to remain in the Police Corps program.

(f) STIPEND.—The Director shall pay participants in training sessions a stipend of $250 a week during training.

SEC. 106. SERVICE OBLIGATION.

(a) SWEARING IN.—Upon satisfactory completion of the participant's course of education and training program under section 105 and meeting the requirements of the police force to which the participant is assigned, a participant shall be sworn in as a member of the police force to which the participant is assigned pursuant to the State Police Corps plan, and shall serve for 4 years as a member of that police force.

(b) RIGHTS AND RESPONSIBILITIES.—A participant shall have all of the rights and responsibilities of and shall be subject to all rules and regulations applicable to other members of the police force of which the participant is a member, including those contained in applicable agreements with labor organizations and those provided by State and local law.

(c) DISCIPLINE.—If the police force of which the participant is a member subjects the participant to discipline such as would preclude the participant's completing 4 years of service and result in denial of educational assistance under section 103—

(1) the Director may, upon a showing of good cause, permit the participant to complete the service obligation in an equivalent alternative law enforcement service; and

(2) if such service is satisfactorily completed, section 103(d)(1)(C) shall not apply.

(d) LAYOFFS.—If the police force of which the participant is a member lays off the participant such as would preclude the participant's completing 4 years of service, and result in denial of educational assistance under section 103—

(1) the Director may permit the participant to complete the service obligation in an equivalent alternative law enforcement service; and

(2) if such service is satisfactorily completed, section 103(d)(1)(C) shall not apply.

SEC. 107. STATE PLAN REQUIREMENTS.

A State Police Corps plan shall—

(1) provide for the screening and selection of participants in accordance with the criteria set out in section 104;

(2) state procedures governing the assignment of participants in the Police Corps program to State and local police forces (no more than 10 percent of all the participants assigned in each year by each State to be assigned to a statewide police force or forces);

(3) provide that participants shall be assigned to those geographic areas in which—

(A) there is the greatest need for additional law enforcement personnel; and

(B) the participants will be used most effectively;

(4) provide that to the extent consistent with paragraph (3), a participant shall be assigned to an area near the participant's home or such other place as the participant may request;

(5) provide that to the extent feasible, a participant's assignment shall be made at the time the participant is accepted into the program, subject to change—

(A) prior to commencement of a participant's fourth year of undergraduate study, under such circumstances as the plan may specify; and

(B) from commencement of a participant's fourth year of undergraduate study until completion of 4 years of police service by participant, only for compelling reasons or to meet the needs of the State Police Corps program and only with the consent of the participant;

(6) provide that no participant shall be assigned to serve with a State or local police force—

(A) the average size of which has declined by more than 5 percent since June 21, 1989; or

(B) which has members who have been laid off but not retired;

(7) provide that participants shall be placed and to the extent feasible kept on community and preventive patrol;

(8) ensure that participants will receive effective training and leadership;

(9) provide that the State may decline to offer a participant an appointment following completion of Federal training, or may remove a participant from the Police Corps program at any time, only for good cause (including failure to make satisfactory progress in a course of educational study) and after following reasonable review procedures stated in the plan; and

(10) provide that a participant shall, while serving as a member of a police force, be compensated at the same rate of pay and benefits and enjoy the same rights under applicable agreements with labor organizations and under State and local law as other police officers of the same rank and tenure in the police force of which the participant is a member.

SEC. 108. ASSISTANCE TO STATES AND LOCALITIES EMPLOYING POLICE CORPS OFFICERS.

Each jurisdiction directly employing Police Corps participants during the 4-year term of service prescribed by section 106 shall receive $10,000 on account of each such participant at the completion of each such year of service, but—

(1) no such payment shall be made on account of service in any State or local police force—

(A) the average size of which, in the year for which payment is to be made, not counting Police Corps participants assigned under section 107, has declined more than 2 percent since January 1, 1993; or

(B) which has members who have been laid off but not retired; and

(2) no such payment shall be made on account of any Police Corps participant for years of service after the completion of the term of service prescribed in section 106.

SEC. 109. REPORTS TO CONGRESS.

(a) IN GENERAL.—Not later than April 1 of each year, the Director shall submit a report to the Attorney General, the President, the Speaker of the House of Representatives, and the President of the Senate.

(b) CONTENTS.—A report under subsection (a) shall—

(1) state the number of current and past participants in the Police Corps program, broken down according to the levels of educational study in which they are engaged

and years of service they have served on police forces (including service following completion of the 4-year service obligation);

(2) describe the geographic, racial, and gender dispersion of participants in the Police Corps program; and

(3) describe the progress of the Police Corps program and make recommendations for changes in the program.

SEC. 110. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to carry out this title $150,000,000 for fiscal year 1994, $250,000,000 for fiscal year 1995, and such sums as are necessary for fiscal years 1996, 1997, and 1998.

TITLE II—LAW ENFORCEMENT SCHOLARSHIP AND EMPLOYMENT PROGRAM

SEC. 201. DEFINITIONS.

In this title—

"Director" means the Director of the Bureau of Justice Assistance in the Department of Justice.

"educational expenses" means—

(A) expenses that are directly attributable to—

(i) a course of education leading to the award of an associate degree;

(ii) a course of education leading to the award of a baccalaureate degree; or

(iii) a course of graduate study following award of a baccalaureate degree; and

(B) includes the cost of tuition, fees, books, supplies, and related expenses.

"institution of higher education" has the meaning stated in the first sentence of section 1201(a) of the Higher Education Act of 1965 (20 U.S.C. 1141(a)).

"law enforcement position" means employment as an officer in a State or local police force, or correctional institution.

"State" means a State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands of the United States, American Samoa, Guam, and the Commonwealth of the Northern Mariana Islands.

SEC. 202. ALLOTMENT.

Of amounts appropriated under section 210, the Director shall allot—

(1) 80 percent to States on the basis of the number of law enforcement officers in each State compared to the number of law enforcement officers in all of the States; and

(2) 20 percent to States on the basis of the shortage of law enforcement personnel and the need for assistance under this title in the State compared to the shortage of law enforcement personnel and the need for assistance under this title in all States.

SEC. 203. SCHOLARSHIP AND EMPLOYMENT PROGRAM.

(a) USE OF ALLOTMENT.—

(1) IN GENERAL.—A State that receives an allotment under section 202 shall use the allotment to pay the Federal share of the costs of—

(A) awarding scholarships to in-service law enforcement personnel to enable such personnel to seek further education; and

(B) providing—

(i) full-time employment in summer; or

(ii) part-time (not to exceed 20 hours per week) employment for a period not to exceed 1 year.

(2) EMPLOYMENT.—The employment described in paragraph (1)(B)—

(A) shall be provided by State and local law enforcement agencies for students who are juniors or seniors in high school or are enrolled in an institution of higher education and who demonstrate an interest in undertaking a career in law enforcement;

(B) shall not be in a law enforcement position; and

(C) shall consist of performing meaningful tasks that inform students of the nature of the tasks performed by law enforcement agencies.

(b) PAYMENTS; FEDERAL SHARE; NON-FEDERAL SHARE.—

(1) PAYMENTS.—The Secretary shall pay to each State that receives an allotment under section 202 the Federal share of the cost of the activities described in the application submitted pursuant to section 206.

(2) FEDERAL SHARE.—The Federal share shall not exceed 60 percent.

(3) NON-FEDERAL SHARE.—The non-Federal share of the cost of scholarships and student employment provided under this title shall be supplied from sources other than the Federal Government.

(c) RESPONSIBILITIES OF DIRECTOR.—The Director shall be responsible for the administration of the programs conducted pursuant to this title and shall, in consultation with the Assistant Secretary for Postsecondary Education, issue regulations implementing this title.

(d) ADMINISTRATIVE EXPENSES.—A State that receives an allotment under section 202 may use not more than 8 percent of the amount of the allotment for administrative expenses.

(e) SPECIAL RULE.—A State that receives an allotment under section 202 shall ensure that each scholarship recipient under this title is compensated at the same rate of pay and benefits and enjoys the same rights under applicable agreements with labor organizations and under State and local law as other law enforcement personnel of the same rank and tenure in the office of which the scholarship recipient is a member.

(f) SUPPLEMENTATION OF FUNDING.—Funds received under this title shall be used only to supplement, and not to supplant, Federal, State, and local efforts for recruitment and education of law enforcement personnel.

SEC. 204. SCHOLARSHIPS.

(a) PERIOD OF AWARD.—A scholarship awarded under this title shall be for a period of 1 academic year.

(b) USE OF SCHOLARSHIPS.—A scholarship recipient under this title may use the scholarship for educational expenses at an institution of higher education.

SEC. 205. ELIGIBILITY.

(a) SCHOLARSHIPS.—A person shall be eligible to receive a scholarship under this title if the person has been employed in law enforcement for the 2-year period immediately preceding the date on which assistance is sought.

(b) INELIGIBILITY FOR STUDENT EMPLOYMENT.—A person who has been employed as a law enforcement officer is ineligible to participate in a student employment program carried out under this title.

SEC. 206. STATE APPLICATIONS FOR ALLOTMENT.

(a) IN GENERAL.—A State that desires an allotment under section 204 shall submit an application to the Director at such time, in such manner, and accompanied by such information as the Director may reasonably require.

(b) CONTENTS.—An application under subsection (a) shall—

(1) describe the scholarship program and the student employment program for which assistance under this title is sought;

(2) contain assurances that the lead agency will work in cooperation with local law enforcement liaisons, representatives of police labor organizations and police management organizations, and other appropriate State and local agencies to develop and implement interagency agreements designed to carry out this title;

(3) contain assurances that the State will advertise the scholarship assistance and student employment it will provide under this title and that the State will use such programs to enhance recruitment efforts;

(4) contain assurances that the State will screen and select law enforcement personnel for participation in the scholarship program under this title;

(5) contain assurances that under the student employment program the State will screen and select, for participation in such program, students who have an interest in undertaking a career in law enforcement;

(6) contain assurances that under the scholarship program the State will make scholarship payments to institutions of higher education on behalf of scholarship recipients under this title;

(7) with respect to the student employment program, identify—

(A) the employment tasks that students will be assigned to perform;

(B) the compensation that students will be paid to perform such tasks; and

(C) the training that students will receive as part of their participation in the program;

(8) identify model curriculum and existing programs designed to meet the educational and professional needs of law enforcement personnel; and

(9) contain assurances that the State will promote cooperative agreements with educational and law enforcement agencies to enhance law enforcement personnel recruitment efforts in institutions of higher education.

SEC. 207. INDIVIDUAL APPLICATIONS FOR SCHOLARSHIP OR EMPLOYMENT.

(a) IN GENERAL.—A person who desires a scholarship or employment under this title shall submit an application to the State at such time, in such manner, and accompanied by such information as the State may reasonably require.

(b) CONTENTS.—An application under subsection (a) shall describe—

(1) the academic courses for which a scholarship is sought; or

(2) the location and duration of employment that is sought.

(c) PRIORITY.—In awarding scholarships and providing student employment under this title, a State shall give priority to applications from persons who—

(1) are members of racial, ethnic, or gender groups whose representation in the law enforcement agencies within the State is substantially less than in the population eligible for employment in law enforcement in the State;

(2) are pursuing an undergraduate degree; and

(3) are not receiving financial assistance under the Higher Education Act of 1965 (20 U.S.C. 1001 et seq.).

SEC. 208. SCHOLARSHIP AGREEMENT.

(a) IN GENERAL.—A scholarship recipient under this title shall enter into an agreement with the Director.

(b) CONTENTS.—An agreement under subsection (a) shall—

(1) provide assurances that the scholarship recipient will work in a law enforcement position in the State that awards the scholarship in accordance with the service obligation described in subsection (c) after completion of the recipient's academic courses leading to an associate, bachelor, or graduate degree;

(2) provide assurances that the scholarship recipient will repay the entire scholarship in accordance with such terms and conditions

as the Director shall prescribe if the requirements of the agreement are not complied with, unless the recipient—

(A) dies;

(B) becomes physically or emotionally disabled, as established by the sworn affidavit of a qualified physician; or

(C) has been discharged in bankruptcy; and

(3) set forth the terms and conditions under which a scholarship recipient may seek employment in the field of law enforcement in a State other than the State that awards the scholarship.

(c) SERVICE OBLIGATION.—

(1) IN GENERAL.—Subject to paragraph (2), a scholarship recipient under this title shall work in a law enforcement position in the State that awards the scholarship for a period of 1 month for each credit hour for which funds are received under the scholarship.

(2) MINIMUM AND MAXIMUM REQUIRED PERIODS OF SERVICE.—For purposes of satisfying the requirement of paragraph (1), a scholarship recipient shall work in a law enforcement position in the State that awards scholarship for a period of not less than 6 months but shall not be required to work in such a position for more than 2 years.

SEC. 209. REPORTS TO CONGRESS.

(a) IN GENERAL.—Not later than April 1 of each year, the Director shall submit a report to the Attorney General, the President, the Speaker of the House of Representatives, and the President pro tempore of the Senate.

(b) CONTENTS.—A report under subsection (a) shall—

(1) state the number of present and past scholarship recipients under this title, categorized according to the levels of educational study in which the recipients are engaged and the number of years that the recipients have served in law enforcement;

(2) state, with respect to student employees under this title—

(A) the number of present and past student employees;

(B) the number of such employees who complete a course of study at an accredited institution of higher education; and

(C) the number of such employees who subsequently accept a law enforcement position;

(3) describe the geographic, racial, and gender dispersion of scholarship recipients and employees; and

(4) describe the progress of the scholarship program and the student employment program and make recommendations for changes in the programs.

SEC. 210. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—There are authorized to be appropriated to carry out this title $30,000,000 for each of fiscal years 1994, 1995, 1996, 1997, and 1998.

(b) USES OF FUNDS.—Of the funds appropriated under subsection (a) for a fiscal year—

(1) 75 percent shall be available to provide scholarships described in section 203(a)(1)(A); and

(2) 25 percent shall be available to provide employment described in section 203(a) (1)(B) and (2).

Mr. SPECTER. Mr. President, I am pleased to join the distinguished Senator from Tennessee and several other colleagues in cosponsoring the Police Corps and Law Enforcement Training Act being introduced today. This bill will help combat the violent crime that plagues so many of our communities and will help preserve neighborhood safety by substantially increasing the number of police officers on patrol.

This legislation calls for the creation of a Police Corps Program which, like the Reserve Officer Training Program, would provide educational assistance in exchange for a commitment to postgraduation police service. The bill is based on legislation I first introduced as S. 1524 in the 99th Congress, following on legislation I introduced in 1985 to authorize a demonstration project. The Police Corps Program passed the Senate as part of the 1990 omnibus anticrime bill. Because House conferees objected to its inclusion in the final bill, it was dropped. The Police Corps passed the Senate again in the 1991 omnibus anticrime bill and was retained by the conference committee. While the conference report passed the House, it never came to a vote in the Senate because of provisions unrelated to the Police Corps. During the 1992 campaign, both President Bush and Governor Clinton endorsed the Police Corps Program.

When I first introduced legislation to establish the Police Corps, it was urgent that this body take affirmative steps to combat the escalating drug and criminal violence that plagued our cities and towns; 4 years later, it is all the more urgent as the number of crimes and criminals continues to grow and overwhelm the police officers who patrol our streets. In fact, the ratio of police officers to reported violent crimes has significantly declined during the last four decades. Reports indicate that in 1948, for every one violent crime reported in a U.S. city, there were 3.22 police officers. By 1988, that ratio had completely reversed itself so that for every one officer there were 3.1 reported violent crimes. In the Nation as a whole, we are now allocating to violent crime a mere one-sixth of the police power we were some 30 years ago. If we are to make a dent in crime, this ratio must change.

Crime is a complex subject with no single, simple solution. The causes include poverty, a lack of housing, a lack of adequate education, a lack of job training and jobs, and a lack of strong family structure, support, and moral code. All of these issues must be addressed in order to ultimately get at the underlying causes of crime in our country, although some may not be susceptible to solutions through the political process. At the same time, however, it is imperative that we also address the issues of arrest, prosecution, conviction rehabilitation where possible, and incarceration where rehabilitation is not possible. I believe that augmenting the strength of police forces around the country is an essential part of the task before us. More police patrolling aggressively and investigating a greater proportion of crimes will reduce criminal activity and will help to reestablish safety and tranquility in our communities.

The Police Corps offers a way of enlisting the best and brightest of our young people, of every race and class, in this vital effort to reclaim our streets. Developed under a Justice Department grant by distinguished New York lawyer, Adam Walinsky, and former Philadelphia police officer, Jonathan Rubenstein, with help from people at the center for Research on Institutions and Social Policy, this program will significantly affect and benefit the communities that are served by providing more officers who are young, well-educated and enthusiastic. The program will also benefit those who serve, for the recruits will gain the general benefits of education and experience at college, as well as receive two summers of intensive Federal law enforcement training.

Under the Police Corps Program, a student would be able to obtain federally guaranteed Federal, State or private loans of up to $30,000 to cover educational costs. In exchange for this educational assistance, upon graduation the student would serve 4 years in a State or local police force. The goal of the program is to increase total sworn officers in the Nation by 80,000 through this program.

I want to address specifically two concerns that have been raised concerning the program. The first is that the required term of police service should be longer than the currently proposed 4 years. The advantage of a 4-year service term is that it is a long enough period in which graduates can successfully integrate into the force and meaningfully contribute to it, and yet it is a short enough period so that graduates do not become eligible for pension benefits which typically vest after 5 years, thereby keeping the costs manageable for the communities that hire Police Corps graduates.

Second, some have expressed concern over whether local communities could afford to hire the program's graduates. The argument has been made that no matter how many individuals take advantage of the scholarships, local communities do not have the funds to hire them. In response to this criticism, this legislation will authorize the Federal Government to provide jurisdiction that employ Police Corps participants $10,000 per participant for each of the 4 years of required service.

Since the development of the Police Corps concept, this innovative and practical proposal has sparked a great deal of interest and a great number of endorsement. Surveys conducted as part of the feasibility study carried out by the Department of Justice indicate that over 40 percent of the college students asked said that they would be "very likely" or "fairly likely" to join a Policy Corps Program. For example, over 45 percent of minority college students surveyed said they would be likely to join.

It is my strong conviction that this program offers great hope in our ongoing struggle to bring greater security to our neighborhoods, and at the time it is a program that does so by enlisting the service of young people who want to gain an education and in exchange help better our communities. I cannot think of two more worthy goals and accordingly, I urge my colleagues to join me in support of the Police Corps and Law Enforcement Training Act. Together, we can make this vital program of national importance a reality this year.

ADDITIONAL COSPONSORS

S. 4

At the request of Mr. HOLLINGS, the name of the Senator from Tennessee [Mr. MATHEWS] was added as a cosponsor of S. 4, a bill to promote the industrial competitiveness and economic growth of the United States by strengthening and expanding the civilian technology programs of the Department of Commerce, amending the Stevenson-Wydler Technology Innovation Act of 1980 to enhance the development and nationwide deployment of manufacturing technologies, and authorizing appropriations for the Technology Administration of the Department of Commerce, including the National Institute of Standards and Technology, and for other purposes.

S. 67

At the request of Mrs. KASSEBAUM, the name of the Senator from Ohio [Mr. GLENN] was added as a cosponsor of S. 67, a bill to regulate interstate commerce by providing for uniform standards of liability for harm arising out of general aviation accidents.

S. 431

At the request of Mr. DASCHLE, his name was added as a cosponsor of S. 431, a bill to amend the Motor Vehicle Information and Cost Savings Act.

S. 578

At the request of Mr. KENNEDY, the name of the Senator from Alaska [Mr. MURKOWSKI] was added as a cosponsor of S. 578, a bill to protect the free exercise of religion.

S. 784

At the request of Mr. HATCH, the names of the Senator from South Dakota [Mr. DASCHLE], the Senator from Hawaii [Mr. INOUYE], the Senator from Florida [Mr. MACK], the Senator from Georgia [Mr. COVERDELL], the Senator from Illinois [Mr. SIMON], the Senator from Illinois [Ms. MOSELEY-BRAUN], the Senator from Oregon [Mr. HATFIELD], the Senator from South Carolina [Mr. HOLLINGS], the Senator from South Dakota [Mr. PRESSLER], the Senator from Texas [Mrs. HUTCHISON], the Senator from North Dakota [Mr. DORGAN], the Senator from Kentucky [Mr. MCCONNELL], the Senator from Missouri [Mr. BOND], the Senator from Alaska [Mr. STEVENS], the Senator from Pennsylvania [Mr. SPECTER], the Senator from Alabama [Mr. HEFLIN], the Senator from Tennessee [Mr. MATHEWS], the Senator from Mississippi [Mr. LOTT], and the Senator from Colorado [Mr. BROWN] were added as cosponsors of S. 784, a bill to amend the Federal Food, Drug, and Cosmetic Act to establish standards with respect to dietary supplements, and for other purposes.

S. 921

At the request of Mr. BAUCUS, the name of the Senator from Connecticut [Mr. DODD] was added as a cosponsor of S. 921, a bill to reauthorize and amend the Endangered Species Act for the conservation of threatened and endangered species, and for other purposes.

S. 1128

At the request of Mr. AKAKA, the name of the Senator from South Dakota [Mr. PRESSLER] was added as a cosponsor of S. 1128, a bill to amend title 38, United States Code, to permit the burial in cemeteries of the National Cemetery System of certain deceased reservists.

S. 1356

At the request of Mr. DOLE, the name of the Senator from Arizona [Mr. MCCAIN] was added as a cosponsor of S. 1356, a bill to restore order, deter crime, and make our neighborhoods and communities safer and more secure places in which to live and work.

S. 1415

At the request of Mr. PRYOR, the name of the Senator from Louisiana [Mr. BREAUX] was added as a cosponsor of S. 1415, a bill to amend the Internal Revenue Code of 1986 to clarify provisions relating to church pension benefit plans, to modify certain provisions relating to participants in such plans, to reduce the complexity of and to bring workable consistency to the applicable rules, to promote retirement savings and benefits, and for other purposes.

SENATE JOINT RESOLUTION 94

At the request of Mr. DOLE, the names of the Senator from Florida [Mr. MACK] and the Senator from Maine [Mr. COHEN] were added as cosponsors of Senate Joint Resolution 94, a joint resolution to designate the week of October 3, 1993, through October 9, 1993, as "National Customer Service Week."

AMENDMENTS SUBMITTED

DEPARTMENT OF DEFENSE AUTHORIZATION ACT OF 1994

REID (AND OTHERS) AMENDMENT NO. 815

Mr. REID (for himself, Mr. WOFFORD, Mr. WELLSTONE, Mr. FEINGOLD, Mr. BAUCUS, Mr. BURNS, and Mr. DURENBERGER) proposed an amendment to the bill (S. 1298) to authorize appropriations for fiscal year 1994 for military activities of the Department of Defense, for military construction, and for defense activities for the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes, as follows:

On page 51, after line 24, insert the following:

SEC. 218. TERMINATION OF GROUND-WAVE EMERGENCY NETWORK PROGRAM.

(a) TERMINATION OF PROGRAM.—The Secretary of the Air Force shall terminate the Ground-Wave Emergency Network (GWEN) program of the Air Force.

(b) FUNDING LIMITATION.—Funds available to the Department of Defense for obligation for the Ground-Wave Emergency Network (GWEN) program may be obligated for that program only for payment of the costs associated with the termination of such program.

FEINSTEIN (AND OTHERS) AMENDMENT NO. 816

Mrs. FEINSTEIN (for herself, Mr. LOTT, Mr. SMITH, and Mr. INOUYE) proposed an amendment to the bill S. 1298, supra, as follows:

At the appropriate place in the bill, add the following:

SEC. . POSTPONEMENT OF FINAL ROUND OF BASE CLOSURE PROCESS.

The Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101-510; 10 U.S.C. 2687 note) is amended—

(1) in section 2902—

(A) in subsection (c)(1)(B)(iii)—

(i) by striking out "January 3, 1995," and inserting in lieu thereof "January 3, 1997,"; and

(ii) by striking out "104th Congress" and inserting in lieu thereof "105th Congress";

(B) by striking out "1995" in subsection (c)(1)(C) and inserting in lieu thereof "1997";

(C) by striking out "1995" in subsection (e)(1) and inserting in lieu thereof "1997"; and

(D) by striking out "December 31, 1995" in subsection (1) and inserting in lieu thereof "December 31, 1997";

(2) in section 2903—

(A) by striking out "1996" in subsection (a)(1) and inserting in lieu thereof "1998,"; and

(B) by striking out "March 15, 1995," in subsection (c)(1) and inserting in lieu thereof "March 15, 1997,"; and

(3) in section 2909(a), by striking out "December 31, 1995," and inserting in lieu thereof "December 31, 1997,".

HARKIN (AND OTHERS) AMENDMENT NO. 817

Mr. HARKIN (for himself, Mr. JEFFORDS, Mr. KERRY, Mrs. MURRAY, Mr. BUMPERS, Mr. WELLSTONE, Mr. SASSER, Mr. HATFIELD, Mr. LAUTENBERG, and Mr. FEINGOLD) proposed an amendment to the bill S. 1298, supra, as follows:

On page 375, line 15, strike out "$3,788,954,000" and insert in lieu thereof "$3,582,954,000".

On page 375, line 19, strike out "$428,383,000" and insert in lieu thereof "$222,383,000".

On page 393, strike out line 13 and all that follows through page 394, line 12.

EXON AMENDMENT NO. 818

Mr. EXON proposed an amendment to amendment No 817 proposed by Mr. HARKIN to the bill S. 1298, supra, as follows:

In lieu of the matter proposed to be inserted, insert the following:

On page 375, line 15, strike out "$3,788,954,000" and insert in lieu thereof "$3,735,571,000".

On page 375, line 19, strike out "$428,383,000" and insert in lieu thereof "$375,000,000".

On page 393, line 13, section (f) change "150,000,000" to $131,250,000", "$125,000,000" to "$109,375,000", and "$153,383,000" to "$134,375,000".

LAUTENBERG (AND OTHERS) AMENDMENT NO. 819

Mr. LAUTENBERG (for himself, Mr. CONRAD, Mr. HARKIN, Mrs. BOXER, Mr. METZENBAUM, Mr. RIEGLE, Mr. CAMPBELL, Mr. DORGAN, and Mrs. FEINSTEIN) proposed an amendment to the bill S. 1298, supra, as follows:

On page 233, after line 23, insert the following:

SEC. 1056. INCREASED BURDEN SHARING BY ALLIES OF THE UNITED STATES.

(a) DEFENSE COST-SHARING AGREEMENTS.—The President shall enter into negotiations with each foreign nation referred to in subsection (b)(1) that is not excluded by subsection (b)(2) to seek to conclude an agreement that provides for such nation to pay at least 75 percent of the overseas basing costs that are incurred for the stationing of members of the Armed Forces of the United States and related civilian employees of the Department of Defense in that nation as a result of the implementation of a bilateral or multilateral defense agreement with that nation.

(b) COVERED FOREIGN NATIONS.—(1) Except as provided in paragraph (2), subsection (a) applies with respect to the following foreign nation:

(A) Each member nation of the North Atlantic Treaty Organization (other than the United States).

(B) Every other foreign nation with which the United States has a bilateral or multilateral defense agreement that provides for the assignment of combat units of the Armed Forces of the United States to permanent duty ashore in that nation.

(2) Subsection (a) does not apply with respect to any foreign nation—

(A) that receives assistance or financing under—

(i) section 23 of the Arms Export Control Act (22 U.S.C. 2763), relating to the foreign military financing program; or

(ii) the provisions of chapter 4 of part II of the Foreign Assistance Act of 1961 (22 U.S.C. 2346 et seq.); or

(B) in which not more than 1,000 members of the Armed Forces of the United States and related civilian employees of the Department of Defense are assigned to permanent duty ashore as a result of the implementation of a bilateral or multilateral defense agreement.

(c) USE OF FUNDS FOR PAYING OVERSEAS BASING COSTS.—(1) Funds may not be expended to pay more than the allowable percent of the overseas basing costs that are incurred during a fiscal year referred to in paragraph (2) for the stationing of members of the Armed Forces of the United States and related civilian employees of the Department of Defense in a nation referred to in subsection (a) as a result of the implementation of a bilateral or multilateral defense agreement with that nation.

(2) For purposes of paragraph (1), the allowable percent for a fiscal year is as follows:

(A) For fiscal year 1994, 60 percent.

(B) For fiscal year 1995, 40 percent.

(C) For each fiscal year that begins after September 30, 1995, 25 percent.

(d) WAIVER AUTHORITY.—If the President determines that it is necessary to do so in the national security interest of the United States, the President may waive, with respect to a foreign nation referred to in subsection (a), the limitation in subsection (c). In the case of each such waiver, the President shall submit to Congress a written certification of the determination and a description of the extent of the waiver.

(e) DEFINITIONS.—In this section, the term "overseas basing costs" means all costs related to the operation of installations in foreign countries at which forces of the Armed Forces of the United States are based and—

(1) includes, among other costs—

(A) pay for foreign nationals;

(B) costs of utilities;

(C) costs of local services;

(D) costs of military construction projects;

(E) costs of real property maintenance;

(F) costs of environmental restoration;

(G) leasing costs;

(H) taxes;

(I) user fees;

(J) tolls; and

(K) import duties; and

(2) does not include the pay and allowances of members of the Armed Forces of the United States and civilian employees of the Department of Defense.

NUNN (AND THURMOND) AMENDMENT NO. 820

Mr. NUNN (for himself and Mr. THURMOND) proposed an amendment to amendment No. 819 proposed by Mr. LAUTENBERG to the bill S. 1298, supra, as follows:

On the first page, strike out line 2 and all that follows through the end of the amendment and insert in lieu thereof the following:

SEC. 1056. DEFENSE BURDENSHARING.

(a) FINDINGS.—Congress makes the following findings:

(1) Since fiscal year 1985, the budget of the Department of Defense has declined by 34 percent in real terms.

(2) During the past few years, the United States military presence overseas has declined significantly in the following ways:

(A) Since fiscal year 1986, the number of United States military personnel permanently stationed overseas has declined by almost 200,000 personnel.

(B) From fiscal year 1989 to fiscal year 1994, spending by the United States to support the stationing of United States military forces overseas will have declined by 36 percent.

(C) Since January 1990, the Department of Defense has announced the closure, reduction, or transfer to standby status of 840 United States military facilities overseas, which is a 50 percent reduction in the number of such facilities.

(3) The United States military presence overseas will continue to decline as a result of actions by the executive branch and the following initiatives of the Congress:

(A) Section 1302 of the National Defense Authorization Act for Fiscal Year 1993, which required a 40 percent reduction by September 30, 1996, in the number of United States military personnel permanently stationed ashore in overseas locations.

(B) Section 1303 of the National Defense Authorization Act for Fiscal Year 1993, which specified that no more than 100,000 United States military personnel may be permanently stationed ashore in NATO member countries after September 30, 1996.

(C) Section 1301 of the National Defense Authorization Act for Fiscal Year 1993, which reduced the spending proposed by the Department of Defense for overseas basing activities during fiscal year 1993 by $500,000,000.

(D) Sections 913 and 915 of the National Defense Authorization Act for Fiscal Years 1990 and 1991, which directed the President to consult with East Asian allies, and to develop a plan, regarding gradually reducing the United States military force structure in East Asia.

(4) The East Asia Strategy Initiative, which was developed in response to sections 913 and 915 of the National Defense Authorization Act for Fiscal Years 1990 and 1991, has resulted in the withdrawal of more than 12,000 United States military personnel from Japan and the Republic of Korea since fiscal year 1990.

(5) In response to actions by the executive branch and the Congress, allied countries in which United States military personnel are stationed and alliances in which the United States participates have agreed in the following ways to offset more of the costs incurred by the United States in basing military forces overseas:

(A) Under the 1991 Special Measures Agreement between Japan and the United States, Japan will pay by 1995 almost all yen-denominated costs of stationing United States military personnel in Japan.

(B) The Republic of Korea has agreed to pay by 1995, one-third of the won-based costs incurred by the United States in stationing United States military personnel in the Republic of Korea.

(C) The North Atlantic Treaty Organization (NATO) has agreed that the Infrastructure Program could pay the annual operation and maintenance costs of facilities that would support the reinforcement of Europe by United States military forces.

(b) FUNDING REDUCTIONS.—(1) The total amount authorized to be appropriated to the Department of Defense for operation and maintenance and for military construction (including NATO Infrastructure) to conduct overseas basing activities during fiscal year 1994 may not exceed the amount equal to the baseline for fiscal year 1993 reduced by $1,355,500,000.

(2) For purposes of paragraph (1), the baseline for fiscal year 1993 is the sum of the amounts that were made available for overseas basing activities out of the amounts appropriated for such fiscal year for the following purposes:

(A) Operation and maintenance.

(B) Family housing, operations.

(C) Family housing, construction.

(D) Military construction (including NATO Infrastructure).

(c) SENSE OF CONGRESS.—It is the sense of Congress that the amounts obligated to conduct overseas basing activities should decline significantly in fiscal year 1995 and in future fiscal years as—

(1) The number of United States military personnel stationed overseas continues to decline; and

(2) the countries in which United States military personnel are stationed and the alliances in which the United States participates assume an increased share of United States overseas basing costs.

(d) BURDENSHARING AGREEMENTS FOR INCREASED HOST NATION SUPPORT.—(1) In order to achieve additional savings in overseas basing costs, the President should intensify his efforts to negotiate a more favorable host-nation agreement with each foreign country to which this paragraph applies under paragraph (3)(A).

(2) For purposes of paragraph (1), a more favorable host-nation agreement is an agreement under which such foreign country—

(A) assumes an increased share of the costs of United States military installations in that country, including the costs of—

(i) labor, utilities, and services;

(ii) military construction projects and real property maintenance;

(iii) leasing requirements associated with the United States military presence; and

(iv) actions necessary to meet local environmental standards;

(B) relieves the Armed Forces of the United States of all tax liability that, with respect to forces located in such country, is incurred by the Armed Forces under the laws of that country and the laws of the community where those forces are located; and

(C) ensures that goods and services furnished in that country to the Armed Forces of the United States are provided at minimum cost and without imposition of user fees.

(3)(A) Except as provided in subparagraph (B), paragraph (1) applies with respect to—

(i) each country of the North Atlantic Treaty Organization (other than the United States); and

(ii) each other foreign country with which the United States has a bilateral or multilateral defense agreement that provides for the assignment of combat units of the Armed Forces of the United States to permanent duty in that country or the placement of combat equipment of the United States in that country.

(B) Paragraph (1) does not apply with respect to—

(i) a foreign country that receives assistance under section 23 of the Arms Export Control Act (22 U.S.C. 2673) (relating to the foreign military financing program) or under the provisions of chapter 4 of part II of the Foreign Assistance Act of 1961 (22 U.S.C. 2346 et seq.); or

(ii) a foreign country that has agreed to assume, not later than September 30, 1996, at least 75 percent of the nonpersonnel costs of United States military installations in the country.

LEAHY (AND OTHERS) AMENDMENT NO. 821

Mr. LEAHY (for himself, Mr. MITCHELL, Mr. PELL, Mr. INOUYE, Mr. MOYNIHAN, Mr. DECONCINI, Mr. KERREY, Mr. KERRY, Mr. DODD, Ms. MIKULSKI, Mr. WOFFORD, Mr. SIMON, Mr. KENNEDY, Mr. BRYAN, Mr. LAUTENBERG, Mr. RIEGLE, Mr. EXON, Mr. ROCKEFELLER, Mr. BUMPERS, Mrs. FEINSTEIN, Mrs. MURRAY, Mr. FORD, Mr. HARKIN, Mr. METZENBAUM, Mr. DASCHLE, Mr. BRADLEY, Mr. GRAHAM, Mr. DORGAN, Mrs. BOXER, Mr. LEVIN, Mr. FEINGOLD, Mr. SARBANES, Mr. AKAKA, Mr. REID, Mr. KOHL, Mr. WELLSTONE, Mr. MATHEWS, Mr. PRYOR, Mr. SASSER, Mr. ROBB, Mr. BINGAMAN, Mr. CAMPBELL, Mr. GLENN, Mr. BYRD, Ms. MOSELEY-BRAUN, Mr. DOLE, Mr. JEFFORDS, Mr. D'AMATO, Mr. SPECTER, Mr. HATFIELD, Mr. DURENBERGER, Mr. MCCAIN, Mr. DOMENICI, Mr. MURKOWSKI, Mr. CHAFEE, Mrs. KASSEBAUM, Mr. LUGAR, Mr. SIMPSON, Mr. BURNS, and Mr. GRASSLEY) proposed an amendment to the bill S. 1298, supra, as follows:

At the appropriate place insert the following:

SEC. . LANDMINE MORATORIUM EXTENSION ACT.

(a) This section shall be titled the "Landmine Moratorium Extension Act of 1993".

(b) FINDINGS.—The Congress makes the following findings:

(1) Anti-personnel landmines, which are designed to maim and kill people, have been used indiscriminately in dramatically increasing numbers around the world. Hundreds of thousands of noncombatant civilians, including children, have been the primary victims. Unlike other military weapons, landmines often remain implanted and undiscovered after conflict has ended, causing massive suffering to civilian populations.

(2) Tens of millions of landmines have been strewn in at least 62 countries, often making whole areas uninhabitable. The State Department estimates there are more than 10 million landmines in Afghanistan, 9 million in Angola, 4 million in Cambodia, 3 million in Iraqi Kurdistan, and 2 million each in Somalia, Mozambique, and the former Yugoslavia. Hundreds of thousands of landmines were used in conflicts in Central America in the 1980s.

(3) Advanced technologies are being used to manufacture sophisticated mines which can be scattered remotely at a rate of 1000 per hour. These mines, which are being produced by many industrialized countries, were found in Iraqi arsenals after the Persian Gulf War.

(4) At least 300 types of anti-personnel landmines have been manufactured by at least 44 countries, including the United States. However, the United States is not a major exporter of landmines. During the past ten years the Administration has approved ten licenses for the commercial export of anti-personnel landmines with a total value of $980,000, and the sale under the Foreign Military Sales program of 108,852 anti-personnel landmines.

(5) The United States signed, but has not ratified, the 1980 Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed To Be Excessively Injurious or To Have Indiscriminate Effects. Protocol II of the Convention, otherwise known as the Landmine Protocol, prohibits the indiscriminate use of landmines.

(6) When it signed the 1980 Convention, the United States stated: "We believe that the Convention represents a positive step forward in efforts to minimize injury or damage to the civilian population in time of armed conflict. Our signature of the Convention reflects the general willingness of the United States to adopt practical and reasonable provisions concerning the conduct of military operations, for the purpose of protecting noncombatants.".

(7) The United States also indicated that it had supported procedures to enforce compliance, which were omitted from the Convention's final draft. The United States stated: "The United States strongly supported proposals by other countries during the Conference to include special procedures for dealing with compliance matters, and reserves the right to propose at a later date additional procedures and remedies, should this prove necessary, to deal with such problems.".

(8) The lack of compliance procedures and other weaknesses have significantly undermined the effectiveness of the Landmine Protocol. Since it entered into force on December 2, 1983, the number of civilians maimed and killed by anti-personnel landmines has multiplied.

(9) Since the moratorium on United States sales, transfers and exports of anti-personnel landmines was signed into law on October 23, 1992, the European Parliament has issued a resolution calling for a five year moratorium on sales, transfers and exports of anti-personnel landmines, and the Government of France has announced that it has ceased all sales, transfers and exports of anti-personnel landmines.

(10) On December 2, 1993, ten years will have elapsed since the 1980 Convention entered into force, triggering the right of any party to request a United Nations conference to review the Convention. Amendments to the Landmine Protocol may be considered at that time. A formal request has been made to the United Nations Secretary General for a review conference. With necessary preparations and consultations among governments, a review conference is not expected to be convened before late 1994 or early 1995.

(11) The United States should continue to set an example for other countries in such negotiations by extending the moratorium on sales, transfers and exports of anti-personnel landmines for an additional three years. A moratorium of this duration would extend the current prohibition on the sale, transfer and export of anti-personnel landmines a sufficient time to take into account the results of a United Nations review conference.

(c) STATEMENT OF POLICY.—

(1) It shall be the policy of the United States to seek verifiable international agreements prohibiting the sale, transfer or export, and further limiting the manufacture, possession and use of anti-personnel landmines.

(2) It is the sense of the Congress that the President should submit the 1980 Convention on Certain Conventional Weapons to the Senate for ratification. Furthermore, the Administration should participate in a United Nations conference to review the Landmine Protocol, and actively seek to negotiate under United Nations auspices a modification of the Landmine Protocol, or another international agreement, to prohibit the sale, transfer or export of anti-personnel landmines, and to further limit their manufacture, possession and use.

(d) MORATORIUM ON TRANSFERS OF ANTI-PERSONNEL LANDMINES ABROAD.—For a period of three years beginning on the date of enactment of this Act—

(1) no sale may be made or financed, no transfer may be made, and no license for export may be issued, under the Arms Export Control Act, with respect to any anti-personnel landmine; and

(2) no assistance may be provided under the Foreign Assistance Act of 1961, with respect to the provision of any anti-personnel landmine.

(e) DEFINITION.—For purposes of this section, the term "anti-personnel landmine" means—

(1) any munition placed under, on, or near the ground or other surface area, or delivered by artillery, rocket, mortar, or similar means or dropped from an aircraft and which

is designed to be detonated or exploded by the presence, proximity, or contact of a person;

(2) any device or material which is designed, constructed, or adapted to kill or injure and which functions unexpectedly when a person disturbs or approaches an apparently harmless object or performs an apparently safe act;

(3) any manually-emplaced munition or device designed to kill, injure, or damage and which is actuated by remote control or automatically after a lapse of time.

KENNEDY (AND LEAHY) AMENDMENT NO. 822

Mr. LEAHY (for Mr. KENNEDY, for himself and Mr. LEAHY) proposed an amendment to the bill S. 1298, supra, as follows:

On page 81, between lines 7 and 8, insert the following:

SEC. 307. FUNDS FOR CLEARING LANDMINES.

Of the funds authorized to be appropriated in section 301, not more than $10,000,000 is authorized for activities to support the clearing of landmines for humanitarian purposes (as determined by the Secretary of Defense), including the clearing of landmines in areas in which refugee repatriation programs are on-going.

BROWN (AND OTHERS) AMENDMENT NO. 823

Mr. BROWN (for himself, Mr. CAMPBELL, and Mr. METZENBAUM) proposed an amendment to the bill S. 1298, supra, as follows:

On page 413, between lines 18 and 19, insert the following:

(e) EXISTING OBLIGATIONS.—(1) Notwithstanding any other provision of this section, nothing in this Act is intended to void or amend any obligation of the United States under any agreement referred to in subsection (a). In addition, this section is not intended to require any party to any agreement referred to in subsection (a) to renegotiate its agreement.

(2) The Secretary of Energy shall, 60 days prior to filing its report required in subsection (d), provide a copy of the proposed report and request comments from parties to agreements referred to in subsection (a). Any such comments received shall be printed as an appendix to the report to Congress.

BROWN (AND CAMPBELL) AMENDMENT NO. 824

Mr. BROWN (for himself and Mr. CAMPBELL) proposed an amendment to the bill S. 1298, supra, as follows:

On page 242, after line 19, insert the following:

SEC. 1067. BASING FOR C-130 AIRCRAFT.

The Secretary of the Air Force shall determine the unit assignment and basing location for any C-130 aircraft procured for the Air Force Reserve from funds appropriated for National Guard and Reserve Equipment procurement for fiscal year 1992 or 1993 in such manner as the Secretary determines to be in the best interest of the Air Force.

BROWN AMENDMENT NO. 825

Mr. BROWN proposed an amendment to the bill S. 1298, supra, as follows:

On page 193, between lines 3 and 4, insert the following:

"SEC. 905. REQUIREMENT FOR PROPOSALS TO MERGE THE UNITED STATES SPACE COMMAND AND THE UNITED STATES STRATEGIC COMMAND.

(a) DEFENSE DEPARTMENT REPORT.—Before submitting a final report on and before beginning a merger or move of any United States Space Command assets or functions to United States Strategic Command, the Secretary of Defense shall:

(1) CONSULTATIONS.—Consult with the government of Canada on any proposed functional or operational transfers and the effect of any proposed merger of the two commands on existing agreements and practices of the two countries in defending the North American continent;

(2) REPORT.—Submit to the Speaker of the House of Representatives and the Chairman of the Armed Services Committee of the Senate a report detailing—

(i) all of the costs, including possible environmental costs, that would be incurred through relocation of the United States Space Command or of any of its elements, functions or missions;

(ii) the result of consultations with the government of Canada, and the effect of such a merger on the defense agreements and practices of the two countries.

FEINGOLD (AND KOHL) AMENDMENT NO. 826

Mr. FEINGOLD (for himself and Mr. KOHL) proposed an amendment to the bill S. 1298, supra, as follows:

At the appropriate place in the bill add the following new section:

Purpose:

Sense of the Congress regarding the justification for continuing the Extremely Low Frequency Communication System.

Findings:

There is a need to re-evaluate all defense spending in light of the post-Cold War era and budget and fiscal constraints;

The Extremely Low Frequency Communications System (ELF System) was originally designed to play a role in the strategic deterrence mission against the former Soviet Union;

The threat of nuclear war was greatly diminished since the collapse of the Soviet Union;

The ELF system is increasingly in use for communications with our SSN attack submarines in addition to our strategic missile submarines;

Military base closing, downsizing of military facilities and activities, and termination of selected projects are appropriate in light of the end of the Cold War and the approximately $4 trillion national debt; and

It is appropriate to establish funding priorities within the military defense budget; and

Ongoing studies of the effects of ELF operations on human health and the environment are due to be concluded next year;

Now, therefore, it is the Sense of Congress that—

(1) The Secretary of Defense should conduct an evaluation of the benefits and costs of continued operation of the Extremely Low Frequency Communications System and alternatives thereto, if any;

(2) The results of such an evaluation should be submitted to the Congressional Defense Committees prior to consideration of the Fiscal Year 1995 Defense Budget request; and

(3) The Extremely Low Frequency Communication System should again be considered in the next round of military base closures.

LEAHY (AND SASSER) AMENDMENT NO. 827

Mr. LEAHY (for himself and Mr. SASSER) proposed an amendment to the bill S. 1298, supra, as follows:

On page 20, between lines 4 and 5, insert the following:

(c) TOTAL PROGRAM LIMITATIONS.—(1) Notwithstanding any other provision of law, funds available for the Department of Defense pursuant to authorizations of appropriations in this or any other Act may not be expended for acquisition of more than 20 fully operational B-2 bomber aircraft that meet the Block 30 requirements (as defined by the Secretary of the Air Force as of August 1, 1993), plus one test aircraft.

(2) The total amount obligated on or after the date of the enactment of this Act for research, development, test, and evaluation for, and acquisition, modification and retrofitting of, the 20 B-2 bomber aircraft (and the one test aircraft) referred to in paragraph (1) and for paying the costs associated with termination of the B-2 bomber aircraft program upon completion of the acquisition of such 20 aircraft (and the one test aircraft) may not exceed $28,968,000,000 (in fiscal year 1981 constant dollars).

(3) The Congress declares that it will consider enacting legislation to increase the amount of the limitation specified in paragraph (2) if—

(A) for any fiscal year beginning after September 30, 1994, the Secretary of Defense has requested funds for the B-2 bomber aircraft program in the documents submitted to Congress by the Secretary in connection with the budget submitted to Congress pursuant to section 1105 of title 31, United States Code, for that fiscal year;

(B) obligation of the total amount of the funds so requested would not have violated the limitation; and

(C) the requested funds—

(i) have not been made available for such fiscal year as requesed; or

(ii) have been made available for such fiscal year but have not been obligated in such fiscal year by reason of any limitation or restriction on the obligation of such funds that is contained in an Act enacted after the date of the enactment of this Act.

PRYOR (AND OTHERS) AMENDMENT NO. 828

Mr. PRYOR (for himself, Mr. GRAHAM, and Mr. NUNN) proposed an amendment to the bill S. 1298, supra, as follows:

On page 358, strike out line 13 and all that follows through page 374, line 15, and insert in lieu thereof the following:

SEC. 2903. PROHIBITION ON TRANSFER OF CERTAIN PROPERTY LOCATED AT MILITARY INSTALLATIONS TO BE CLOSED.

Section 2905(b)(2) of the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101-510; 10 U.S.C. 2687 note) is amended—

(1) in subparagraph (A), by striking out "Subject to subparagraph (C)," and inserting in lieu thereof "Subject to subparagraphs (C), (F), and (G),"; and

(2) by adding at the end the following:

"(F)(i) Not later than 6 months after the date of approval of closure of an installation, the Secretary of Defense shall, in consultation with the local reuse authority recognized and funded by the Secretary, identify the items (or categories of items) of personal

property related to real property on that installation that is anticipated to be included in a reutilization and redevelopment plan with respect to such installation. Such items may include common use items.

"(ii) If no local reuse authority recognized and funded by the Secretary exists with respect to a military installation referred to in clause (i), the Secretary shall consult with—

"(I) the local government in whose jurisdiction the installation is wholly located; or

"(II) a local government agency or State government agency designated for the purpose of such consultation by the chief executive office of that State.

"(iii) Except as provided in clauses (vi) and (vii), the Secretary of Defense may not carry out any of the activities referred to in clause (iv), until the earlier of—

"(I) one week after the date on which the reutilization and redevelopment plan, if any, for the installation is submitted to the Secretary by the local reuse authority;

"(II) the date on which the local reuse authority notifies the Secretary that it will not submit a plan referred to in subclause (I);

"(III) twenty-four months after the date of approval of closure or realignment of the installation; or

"(IV) ninety days before the closure of the installation.

"(iv) The activities referred to in clause (iii) are activities relating to the closure of a military installation as follows:

"(I) The transfer from the installation of items of personal property identified in accordance with clause (i).

"(II) The reduction in maintenance and repair of facilities or equipment of the installation below levels required to support the use of such facilities or equipment for nonmilitary purposes.

"(v) The Secretary may not transfer items of personal property on an installation to be closed or realigned under this part to another installation, or dispose of such items, if they are identified in a reutilization and redevelopment plan for the installation submitted to the Secretary by a local reuse authority as items essential to the reuse of the installation.

"(vi) This subparagraph shall not apply to any personal property—

"(I) that is required for the operation of a unit or weapons system being transferred to another installation;

"(II) that is uniquely military in character, and has no civilian use (other than use for its material content or as a source of commonly used components); or

"(III) that the local reuse authority agrees is not required in connection with the reutilization or redevelopment of an installation to be closed.

"(vii) Notwithstanding clauses (iii) and (v), the Secretary may carry out any of the activities referred to in clause (iv) and (v) if the Secretary determines that such activities are in the national security interest of the United States.".

SEC. 2904. AUTHORITY TO TRANSFER PROPERTY AT CLOSED OR REALIGNED INSTALLATIONS TO AFFECTED COMMUNITIES AND STATES.

Section 2905(b)(2) of the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101-510; 10 U.S.C. 2687 note), as amended by section 2903, is further amended by adding at the end the following:

"(G)(i) The Secretary of Defense may, under regulations prescribed by the Secretary that set forth guidelines for determining consideration, transfer real property or facilities and any personal property related thereto (including common use items of personal property) located at a military installation to be closed or realigned under this part to—

"(I) the redevelopment authority of a community that is located near the installation, if such redevelopment authority is authorized to accept the transfer;

"(II) the redevelopment authority of the State in which the installation is located, if such redevelopment authority is authorized to accept the transfer; or

"(III) any other public entity selected for such transfer by the Secretary.

"(ii) The transfer under this subparagraph may be for consideration, without consideration, for consideration in kind, or for consideration at or below the fair market value of the real property, facilities, or personal property transferred.

"(iii) The transfer under clause (i) may not take place until the redevelopment authority or other public entity selected by the Secretary for the transfer has taken into consideration in the reutilization and redevelopment plan for the military installation to be closed or realigned the needs of the homeless in the community or communities affected by such closure and has reasonably provided for such needs in such plan. All transfers shall be in accord with section 120(h) of CERCLA".

SEC. 2905. AUTHORITY TO LEASE CERTAIN PROPERTY AT INSTALLATIONS TO BE CLOSED.

(a) LEASE AUTHORITY.—(1) Section 2667(f) of title 10, United States Code, is amended by inserting "or local reuse authorities recognized by the Secretary of Defense" after "governments".

(2) Section 2667 of such title is amended by adding at the end the following:

"(g)(1) Notwithstanding paragraph (3) of subsection (a) and title II of the Federal Property and Administrative Service Act of 1949 (40 U.S.C. 481 et seq.), whenever the Secretary of a military department concerned considers it advantageous to the United States, the Secretary concerned may lease to any lessee, upon any terms that the Secretary concerned considers appropriate, any real and related personal property (including common use items of personal property) that is located at a military installation that has been selected for closure under the following provisions of law:

"(A) The provisions of title II of the Defense Authorization Amendments and Base Closure and Realignment Act (Public Law 100-526; 10 U.S.C. 2687 note).

"(B) The Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101-510; 10 U.S.C. 2687 note).

"(2)(A) The Secretary concerned may provide, in the case of the lease of property referred to in paragraph (1), for the payment (in cash or kind) by the lessee of consideration in an amount that is less than the fair market rental of the leasehold interest. Services relating to the protection and maintenance of the property leased may constitute all or part of such consideration.

"(B) The term of a lease under this paragraph may be for such number of years as the Secretary concerned determines appropriate.

"(C) A lease under this paragraph may include an option to purchase the property subject to the lease. Such option shall be exercisable upon the termination of the lease and shall be for a price, fixed in the lease, that the Secretary concerned considers likely to represent fair market value of the property subject to the option at the anticipated date of termination of the lease. The exercise of such option shall be in accordance with section 120(b) of CERCLA.

"(3) Before entering into any lease under this subsection, the Secretary shall consult with the Administrator of the Environmental Protection Agency in order to determine whether the environmental conditions at the property proposed for leasing permit the lease of the property. The Secretary and the Administrator shall enter into a memorandum of understanding setting forth procedures for carrying out the determinations under this paragraph.

"(4)(A) The Secretary of Defense shall, in regulations prescribed by the Secretary, permit the payment by the Secretary concerned of the administrative costs (including any administrative costs of the Department of Defense or of contractors of the department) relating to the entry of a lessee described in subparagraph (B) into a lease under this subsection.

"(B) A lessee referred to in subparagraph (A) is any lessee whose financial circumstances are such that the payment of costs under this paragraph is necessary to facilitate the entry of the lessee into the lease.

"(C) The regulations prescribed under this paragraph shall provide for determining whether a lessee is entitled to the payment of costs under this paragraph.".

(b) CONFORMING AMENDMENTS.—(1) The section heading of section 2667 of title 10, United States Code, is amended to read as follows:

"§ 2667. Leases: non-excess property; property at installations to be closed".

(2) The table of sections at the beginning of chapter 159 of such title is amended by striking out the item relating to section 2667 and inserting in lieu thereof the following:

"2667. Leases: non-excess property; property at installations to be closed.".

(c) REGULATIONS.—The Secretary of Defense shall prescribe the regulations referred to in section 2667(g)(3)(A) of title 10, United States Code (as added by subsection (a)), not later than 30 days after the date of the enactment of this Act.

SEC. 2906. DELEGATION OF AUTHORITY TO ENTER INTO LEASES OF CERTAIN PROPERTY.

The Secretary of Defense shall, in regulations prescribed by the Secretary, provide for the delegation of the authority of the Secretary to enter in leases under section 2667(g) of title 10, United States Code (as amended by section 2905(a)). The regulations shall specify one or more officials to whom such authority shall be delegated. The Secretary shall prescribe such regulations not later than 30 days after the date of the enactment of this Act.

SEC. 2907. EXPEDITED DETERMINATION OF TRANSFERABILITY OF EXCESS PROPERTY OF INSTALLATIONS TO BE CLOSED.

(a) EXPEDITED DETERMINATION OF TRANSFERABILITY.—Section 2905(b)(2) of the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101-510; 10 U.S.C. 2687 note), as amended by section 2904, is further amended by adding at the end the following:

"(H)(i) Except as provided in clause (ii), the Secretary of Defense shall take such actions as the Secretary determines necessary to ensure that final determinations under subsection (b)(1) regarding whether another department or agency of the Federal Government has identified a use for any portion of

an installation to be closed under this part, or will accept transfer of any portion of such installation, are made not later than 6 months after the date of approval of closure of that installation.

"(ii) The Secretary may, in consultation with the local reuse authority with respect to an installation, postpone the making of the final determinations referred to in clause (i) with respect to the installation for such period as the Secretary determines appropriate if the Secretary determines that such postponement is in the best interests of the communities affected by the closure of the installation.".

(b) APPLICABILITY.—The Secretary of Defense shall make the determination required under section 2905(b)(2)(H) of such Act, as amended by subsection (a), in the case of installations whose date of approval of closure occurred more than 6 months before the date of the enactment of this Act, and which are not closed within 6 months of such date, not later than 6 months after such date.

SEC. 2908. AVAILABILITY OF PROPERTY AND SERVICES FOR ASSISTING THE HOMELESS.

(a) AVAILABILITY OF PROPERTY.—Section 2905(b) of the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101-510; 10 U.S.C. 2667 note) is amended by adding at the end the following:

"(3)(A) Except as provided in subparagraph (B), nothing in this section shall limit or otherwise affect the application of the provisions of the Stewart B. McKinney Homeless Assistance Act (42 U.S.C. 11301 et seq.) to installations closed or realigned under this part.

"(B)(i) Not later than 30 days after the date of approval of closure or realignment of an installation under this part, the Secretary of Defense shall submit to the Secretary of Housing and Urban Development information with respect to the buildings and other real property located at the installation that satisfies the requirements for quarterly requests for information of the Secretary of Housing and Urban Development under subsection (a) of section 501 of such Act (42 U.S.C. 11411).

"(ii) Not later than 60 days after the date referred to in clause (i), the Secretary of Housing and Urban Development shall identify the buildings and other real property at the installation that meet the requirement of the third sentence of such subsection (a) and notify the Secretary of Defense of such identification.

"(iii) Not later than 15 days after the date referred to in clause (ii), the Secretary of Housing and Urban Development shall publish in accordance with subsection (c) of such section a list of the buildings and other real property identified under clause (ii).

"(iv)(I) Buildings and other real property included in the list published under clause (iii) shall remain available to assist the homeless in accordance with subsection (d) of such section 501.

"(II) If, at the end of the period referred to in paragraph (1) of such subsection (d), no notice of intent to use the buildings or other property, or any portion thereof, to assist the homeless is received by the Secretary of Health and Human Services under paragraph (2) of such subsection, the Secretary of Defense may make such buildings or other property, or portion thereof, available to the local redevelopment authority, if any, that has submitted a reutilization or redevelopment plan with respect to such installation for use of such buildings or other property, or portion, thereof, in accordance with such plan.".

(b) APPLICABILITY.—The Secretary of Defense shall carry out the requirements of section 2905(b)(3)(B) of such Act, as amended by subsection (a), with respect to installations whose date of approval of closure is more than 90 days before the date of the enactment of this Act, and which are not closed on such date, not later than 30 days after such date.

SEC. 2909. TRANSITION COORDINATORS FOR ASSISTANCE TO COMMUNITIES AFFECTED BY THE CLOSURE OF INSTALLATIONS.

(a) IN GENERAL.—The Secretary of Defense shall designate a transition coordinator for each military installation to be closed under a base closure law. The transition coordinator shall carry out the activities for such coordinator set forth in subsection (c).

(b) TIMING OF DESIGNATION.—A transition coordinator shall be designated for a military installation under subsection (a) as follows:

(1) Not later than 15 days after the date of approval of closure of that the installation.

(2) In the case of installations approved for closure under a base closure law before the date of the enactment of this Act, not later than 15 days after such date of enactment.

(c) RESPONSIBILITIES.—A transition coordinator designated with respect to an installation shall—

(1) encourage, after consultation with officials of Federal and State departments and agencies concerned, the development of strategies for the expeditious environmental cleanup and restoration of the installation by the Department of Defense;

(2) assist the Secretary of the military department concerned in designating real property at the installation that has the potential for rapid and beneficial reuse or redevelopment in accordance with the reutilization and redevelopment plan for the installation;

(3) assist such Secretary in identifying strategies for accelerating completion of environmental cleanup and restoration of the real property designated under paragraph (2);

(4) assist such Secretary in developing plans for ensuring that, to the maximum extent practicable, the Department of Defense carries out any activities at the installation after the closure of the installation in a manner that takes into account, and supports, the reutilization and redevelopment plan for the installation;

(5) assist such Secretary in developing plans for the closure of the installation that take into account the goals set forth in the reutilization and redevelopment plan for the installation;

(6) assist the Secretary of Defense in making determinations with respect to requirements for, or the transfer of property at, the installation under section 2905(b)(2)(H) of the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101-510; 10 U.S.C. 2687 note), as added by section 2907;

(7) assist a local economic redevelopment authority concerned with reuse of the installation in identifying real or personal property located at the installation that may have significant potential for reuse in accordance with the reutilization and redevelopment plan for the installation;

(8) assist the Office of Economic Adjustment of the Department of Defense and other departments and agencies of the Federal Government in coordinating the provision of assistance under transition assistance and transition mitigation programs with community redevelopment activities with respect to the installation;

(9) assist the Secretary of the military department concerned in identifying leases of property located at the installation that are consistent with the reutilization and redevelopment plan for the installation; and

(10) assist the Secretary of Defense in identifying real or personal property located at the installation that may be utilized to meet the needs of the homeless by consulting with the Interagency Council on the Homeless or the local lead agency of the homeless, if any, referred to in section 210(b) of the Stewart B. McKinney Homeless Assistance Act (42 U.S.C. 11320(b)) for the State in which the installation is located.

SEC. 2910. COORDINATION OF ACTIVITIES OF OTHER FEDERAL DEPARTMENTS AND AGENCIES RELATING TO INSTALLATIONS TO BE CLOSED.

Not later than 30 days after the date of the enactment of this Act, the head of each department or agency of the Federal Government having jurisdiction over a matter arising out of the closure of a military installation under a base closure law, or the reutilization of such an installation, shall designate for each such installation an individual in such department or agency who shall provide information and assistance to the transition coordinator for such installation designated under section 2907 on the assistance, programs, or other activities of such department or agency with respect to the closure or redevelopment of such installation.

SEC. 2911. COMMUNITY RESPONSE BOARD.

(a) REQUIREMENT.—The Secretary of Defense shall establish a community response board with respect to the closure of military installations under base closure laws. The community response board shall have the responsibilities set forth in subsection (c).

(b) COMPOSITION; CHAIRMAN.—(1) The community response board shall be composed of the following members:

(A) The Secretary of each military department concerned or a representative or representatives of such military department who has an expertise in environmental matters or property disposal matters and who shall be appointed by that Secretary.

(B) One representative of the Department of Defense having an expertise in environmental matters, to be appointed by the Secretary of Defense.

(C) One representative of the Department of Defense having an expertise in the disposal of property, to be appointed by the Secretary of Defense.

(D) One representative of the Office of Economic Adjustment of the Department of Defense, to be appointed by the Secretary of Defense.

(E) On representative of the Department of Labor, to be appointed by the Secretary of Labor.

(F) One representative of the Environmental Protection Agency, to be appointed by the Administrator of the Environmental Protection Agency.

(G) One representative of the General Services Administration, to be appointed by the Administrator of General Services.

(H) One representative of the National Economic Council, to be appointed by the Director of the National Economic Council.

(I) The Executive Director of the Interagency Council on the Homeless pursuant to section 201 of the Stewart B. McKinney Homeless Assistance Act (42 U.S.C. 11311).

(J) One representative of the Department of Housing and Urban Development, to be appointed by the Secretary of Housing and Urban Development.

(K) Such other representatives as the Secretary of Defense, in consultation with the Director of the National Economic Council, determines appropriate.

(2) The Secretary of a military department may serve as a representative of such department under paragraph (1)(A).

(3) The Secretary of Defense, in consultation with the Director of the National Economic Council, shall designate the chairman of the board.

(c) RESPONSIBILITIES.—(1) The community response board shall—

(A) receive comments from appropriate representatives of the redevelopment authorities, if any, established with respect to installations to be closed or realigned under a base closure law on the progress, if any, made by such authorities toward the reutilization or redevelopment of such installations, and any impediments to such progress;

(B) to the maximum extent practicable, propose and develop solutions to such impediments; and

(C) submit a report to the President on such comments and solutions.

(2) In proposing and developing solutions to impediments to the reutilization or redevelopment under paragraph (1)(B), each member of the board shall, to the maximum extent practicable, solicit comments and proposals on such solutions from the Federal department or agency of which such member is a representative and utilize the resources and expertise of the Federal department or agency of which such member is a representative.

(3)(A) The community response board shall receive comments under paragraph (1)(A) by public hearing and by any other means determined appropriate by the board.

(B) The community response board shall offer to hold, and upon the approval of a redevelopment authority shall hold, not less than one such hearing each year with respect to each major installation approved for closure under a base closure law until that installation has been closed for more than 5 years. When holding a hearing with respect to an installation, the board shall ensure that the member or members of the board from the military department having jurisdiction over the installation is present.

(C) At each hearing with respect to an installation, the transition coordinator designated for such installation, or the designee of the coordinator, shall appear before the board with representatives of the redevelopment authority.

(D) The community response board shall meet at least three times each year to carry out the activities referred to in paragraph (1)(B).

(E) The community response board shall submit a report referred to in paragraph (1)(C) at least once each year.

(d) TERMINATION.—The authority of the community response board to carry out activities under this section shall terminate on December 31, 2006.

SEC. 2912. ASSISTANCE TO AFFECTED STATES AND COMMUNITIES THROUGH THE OFFICE OF ECONOMIC ADJUSTMENT.

(a) IN GENERAL.—From the funds authorized to be appropriated to the Department of Defense for the activities of the Office of Economic Adjustment of the Department of Defense, the Secretary of Defense may make grants to not more than one redevelopment authority of each community adversely affected by the closure of a military installation, to redevelopment authorities of States so affected, and to communities so affected in order to assist such authorities and communities, as the case may be, in developing and implementing reutilization and redevelopment plans for property located at military installations closed under base closure laws.

(b) PROCESSING REQUIREMENT.—The Secretary shall determine whether to make a grant under this section to a redevelopment authority or community, as the case may be, not later than 7 days after receiving a complete application for a grant from such authority or community.

SEC. 2913. IDENTIFICATION OF UNCONTAMINATED PROPERTY AT INSTALLATIONS TO BE CLOSED.

The Secretary of Defense shall identify the real property located at each military installation selected in 1993 or 1995 for closure under the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101-510; 10 U.S.C. 2687 note) pursuant to the provisions of section 120(h)(4) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9620(h)(4)). The Secretary shall identify such real property at an installation not later than the earlier of—

(1) the date that is 9 months after the date of the submittal, if any, to the transition coordinator for the installation of a specific use proposed for all or a portion of the real property of the installation; or

(2) the date that is 18 months after the date of approval of closure of that installation.

SEC. 2914. SEMINARS ON REUSE OR REDEVELOPMENT OF PROPERTY AT INSTALLATIONS TO BE CLOSED.

The Secretary of Defense shall conduct seminars for communities in which a military installation to be closed or realigned under a base closure law is located. Such seminars shall be conducted within 6 months after the date of approval of closure of that installation, shall present the various Federal programs for the reutilization and redevelopment of installations to be closed under such law, and shall provide information about employment assistance, including employment assistance under Federal programs, available to members of such communities.

SEC. 2915. COMPLIANCE WITH CERTAIN ENVIRONMENTAL REQUIREMENTS RELATING TO CLOSURE OF INSTALLATIONS.

The Secretary of Defense shall, with respect to each military installation approved for closure or realignment under a base closure law—

(1) Complete any environmental impact analyses required with respect to the installation pursuant to the base closure law under which the installation is closed, and pursuant to the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), not later than 12 months, to the extent possible, after the date of the submittal, if any, to the Secretary of the military department concerned of an acceptable (as determined by the Secretary) reutilization and redevelopment plan for the installation by the community (as determined by the Secretary); and

(2) ensure that the environmental impact statement addresses environmental matters arising out of such plan.

SEC. 2916. AUTHORITY TO CONTRACT FOR CERTAIN SERVICES AT INSTALLATIONS BEING CLOSED OR REALIGNED.

(a) BASE CLOSURES UNDER 1988 ACT.—Section 204(b) of the Defense Authorization Amendments and Base Closure and Realignment Act (title II of Public Law 100-526; 10 U.S.C. 2687 note) is amended by adding at the end the following:

"(5) The Secretary may contract with local governments for the provision of police services, fire protection services, airfield operation services, or other community services by such governments at military installations to be closed under this title if the Secretary determines that the provision of such services under such contracts is in the best interests of the Department of Defense. The Secretary may exercise the authority provided under this paragraph without regard to the provisions of chapter 146 of title 10, United States Code.".

(b) BASE CLOSURES UNDER 1990 ACT.—Section 2905(b) of the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101-510; 10 U.S.C. 2687 note), as amended by section 2906(b) is further amended by adding at the end the following:

"(4) The Secretary may contract with local governments for the provision of police services, fire protection services, airfield operation services, or other community services by such governments at military installations to be closed under this title if the Secretary determines that the provision of such services under such contracts is in the best interests of the Department of Defense. The Secretary may exercise the authority provided under this paragraph without regard to the provisions of chapter 146 of title 10, United States Code.".

SEC. 2917. CLARIFICATION OF UTILIZATION OF FUNDS FOR COMMUNITY ECONOMIC ADJUSTMENT ASSISTANCE.

(a) UTILIZATION OF FUNDS.—Subject to subsection (b), funds made available to the Economic Development Administration for economic adjustment assistance under section 4305 of the National Defense Authorization Act for Fiscal Year 1993 (Public Law 102-484; 106 Stat. 2700) may by utilized by the administration for administrative activities in support of the provision of such assistance.

(b) LIMITATION.—Not more than three percent of the funds referred to in subsection (a) may be utilized by the administration for the administrative activities referred to in such subsection.

SEC. 2918. DEFINITIONS.

(a) BASE CLOSURE COMMUNITIES ACT.—In this title:

(1) The term "base closure law" means the following:

(A) The provisions of title II of the Defense Authorization Amendments and Base Closure and Realignment Act (Public Law 100-526; 10 U.S.C. 2687 note).

(B) The Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101-510; 10 U.S.C. 2687 note).

(2) The term "reutilization and redevelopment plan", in the case of an installation to be closed under a base closure law, means a plan that—

(A) is agreed to by the local redevelopment authority concerned or other entity recognized by the Secretary of Defense as the authority to direct the reutilization and redevelopment of the installation; and

(B) provides for the reuse of the real property and related personal property of the installation that is available as a result of the closure of the installation.

(3) The term "date of approval", with respect to a closure or realignment of an installation, means the date on which the authority of Congress to disapprove a recommendation of closure or realignment, as the case may be, of such installation under the applicable base closure law expires.

(b) BASE CLOSURE ACT 1990.—Section 2910 of the Defense Base Closure and Realignment

Act of 1990 (part A of title XXIX of Public Law 101-510; 10 U.S.C. 2687 note) is amended by adding at the end the following new paragraph:

"(8) The term 'date of approval of closure', with respect to a closure or realignment of an installation, means the date on which the authority of Congress to disapprove a recommendation of closure or realignment, as the case may be, of such installation under this part expires.".

HARKIN AMENDMENT NO. 829

Mr. HARKIN proposed an amendment to the bill S. 1298, supra, as follows:

On page 37, strike out line 4 and all that follows through page 37, line 15.

JOHNSTON AMENDMENT NO. 830

Mr. JOHNSTON proposed an amendment to the bill S. 1298, supra, as follows:

On page 391, line 6, strike "$100,000,000" and insert "$120,000,000".

NUNN (AND PELL) AMENDMENT NO. 831

Mr. NUNN (for himself and Mr. PELL) proposed an amendment to the bill S. 1298, supra, as follows:

On page 74, strike out lines 12 through 15, and insert in lieu thereof the following:

(1) For the Army, $15,194,036,000.

(2) For the Navy, $19,081,792,000.

(3) For the Marine Corps, $1,790,489,000.

(4) For the Air Force, $18,932,246,000.

On page 75, strike out lines 15 through 20 and insert in lieu thereof the following:

(18) For Humanitarian Assistance, $48,000,000.

On page 208, line 10, insert "the second sentence of" after "Notwithstanding".

On page 208, strike out line 15 and all that follows through the matter between lines 20 and 21 on page 210 and insert in lieu thereof the following:

(b) EXTENSION OF AUTHORITY.—Section 403(h) of title 10, United States Code, is amended by striking out "September 30, 1993" and inserting in lieu thereof "September 30, 1994".

On page 211, line 2, strike out "shall transmit to Congress" and insert in lieu thereof ", after consultation with the Secretary of State and the Secretary of Defense, shall submit to the Committees on Armed Services of the Senate and the House of Representatives, the Committee on Foreign Relations of the Senate, and the Committee on Foreign Affairs of the House of Representatives".

On page 215, strike out line 3 and all that follows through the end of page 221.

On page 222, strike out line 3 and all that follows through the matter between line 13 and 14 on page 224.

On page 224, line 14, strike out **"SEC. 1052."** and insert in lieu thereof **"SEC. 1051."**.

On page 224, line 23, insert ", in consultation with the Secretary of State," after "Defense".

On page 225, line 9, strike out "costs:" and insert in lieu thereof "costs associated with facilities used by the armed forces:".

On page 227, strike out line 15 and all that follows through page 229, line 3.

On page 229, line 4, strike out **"SEC. 1054."** and insert in lieu thereof **"SEC. 1052."**.

On page 231, strike out line 15 and all that follows through the end of page 233.

On page 243, strike out line 1 and all that follows through the end of page 259.

On page 266, line 7, strike out "1208" and insert in lieu thereof "1207".

On page 268, strike out lines 11 through 17, and insert in lieu thereof the following:

SEC. 1207. APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.

In this title, the term "appropriate congressional committees" means—

(1) the Committee on Foreign Relations of the Senate, the Committee on Foreign Affairs of the House of Representatives, and the Committees on Appropriations of the House and the Senate, wherever the account, budget activity, or program is funded from appropriations made under the international affairs budget function (150);

(2) the Committees on Armed Services and the Committees on Appropriations of the Senate and the House of Representatives, wherever the account, budget activity, or program is funded from appropriations made under the national defense budget function (050); and

(3) the committee to which the specified activities of section 1203, if the subject of separate legislation, would be referred under the rules of the respective House of Congress.

DANFORTH (AND OTHERS) AMENDMENT NO. 832

Mr. NUNN (for Mr. DANFORTH, for himself, Mr. KENNEDY, and Mr. NUNN) proposed an amendment to the bill S. 1298, supra, as follows:

On page 128, between lines 8 and 9, insert the following:

(c) ELIGIBILITY OF MEMBERS NOT EDUCATIONALLY QUALIFIED FOR TEACHER PLACEMENT ASSISTANCE.—Section 1151 of title 10, United States Code, is amended—

(1) in subsection (c)—

(A) by redesignating paragraphs (2) and (3) as paragraphs (3) and (4), respectively; and

(B) by inserting after paragraph (1) the following new paragraph (2):

"(2) For purposes of this section, a former member of the armed forces who did not meet the minimum educational qualification criterion set forth in paragraph (1)(B)(i) for teacher placement assistance before discharge or release from active duty shall be considered to be a member satisfying such educational qualification criterion upon satisfying that criterion within 5 years after discharge or release from active duty.";

(2) in subsection (e)(1), as amended by subsection (a), by inserting before the period at the end of the first sentence the following: "or, in the case of an applicant becoming educationally qualified for teacher placement assistance in accordance with subsection (c)(2), not later than one year after the applicant becomes educationally qualified.";

(3) by redesignating subsection (k) as subsection (l); and

(4) by inserting after subsection (j) the following new subsection (k):

"(k) IDENTIFICATION OF NCOS WITHOUT DEGREES AS CANDIDATES FOR ASSISTANCE.—The Secretary shall provide under the program for—

"(1) identifying, during each fiscal year in the period referred to in subsection (c)(1)(A), noncommissioned officers who, on or before the end of such fiscal year, will have completed 10 or more years of continuous active duty, who have the potential to perform competently as elementary or secondary school teachers, but who do not satisfy the minimum educational qualification criterion under subsection (c)(1)(B)(i) for teacher placement assistance; and

"(2) informing the noncommissioned officers so identified of the opportunity to qualify in accordance with subsection (c)(2) for teacher placement assistance under the program.".

LOTT AMENDMENT NO. 833

Mr. KEMPTHORNE (for Mr. LOTT) proposed an amendment to the bill S. 1298, supra, as follows:

Purpose: Relative to the Importance of Naval Oceanography Survey and Research in the Post-Cold War Period

The Senate finds that:

The Oceanographer of the Navy is responsible for the all Navy oceanographic research and survey efforts;

Oceanographic research and surveys are critical investments in the Navy's ability to operate in littoral waters of the world with an increased confidence of operational success;

Oceanographic surveys enable the Navy to conduct naval operations in greater safety, particularly in littoral waters;

The survey of littoral waters is most safely conducted during periods of peace when conflict is not imminent and the risk to lives and ships are diminished;

The Navy has reduced their oceanographic research and survey effort by almost 50 percent over the last five years;

This reduction in effort is the result of undistributed budget reductions required by the Comptroller of the Navy to meet overall Navy budget targets;

The number of naval ships dedicated to oceanographic survey and research have been reduced from 12 to 7 over the last five years, significantly reducing the Navy's oceanographic survey capability;

Therefore it is the Sense of Congress that—

(1) Additional reductions to the Office of the Oceanographer of the Navy which will further reduce the level of oceanographic survey and research efforts of the Navy should be avoided;

(2) A window of opportunity exist which allows near unencumbered access to littoral waters which are now available for surveying and research;

(3) Committing limited resources to the Navy's oceanographic research and survey effort should be considered a force multiplier to U.S. combat forces in future conflicts, particularly in littoral waters;

(4) The Navy should exploit this opportunity to survey and research these critical littoral waters and maintain funding levels for oceanographic surveying and research.

LEVIN AMENDMENT NO. 834

Mr. NUNN (for Mr. LEVIN) proposed an amendment to the bill S. 1298, supra, as follows:

At the appropriate place insert:

SEC. . Of the funds authorized to be appropriated pursuant to section 201(1), $24,000,000 may be obligated and expended for the purposes of demonstrating in field maneuvers the integration of digital electronic devices for purposes of command, control, battle management and combat identification for all major weapon systems contained in a combined arms brigade.

COVERDELL AMENDMENT NO. 835

Mr. NUNN (for Mr. COVERDELL) proposed an amendment to the bill S. 1298, supra, as follows:

On page 175, below line 20, add the following:

SEC. 707. SENSE OF THE SENATE ON THE PROVISION OF ADEQUATE MEDICAL CARE TO MILITARY RETIREES.

(a) SENSE OF THE SENATE.—It is the sense of the Senate that the Secretary of Defense should encourage increased use of physicians, dentists, and other health care professionals in the reserve components of the Armed Forces of the United States in order to provide retired military personnel with care under section 1074(b) of title 10, United States Code, while such members of the reserve components are performing active duty, full-time National Guard duty, or inactive-duty training consistent with other military training requirements.

(b) DEFINITIONS.—In this section:

(1) The term "retired military personnel" means persons who are eligible for medical and dental care under section 1074(b) of title 10, United States code.

(2) The terms "active duty", "full-time National Guard training", and "inactive-duty training" have the meaning given such terms in section 101(d) of such title.

WARNER (AND BYRD) AMENDMENT NO. 836

Mr. KEMPTHORNE (for Mr. WARNER, for himself, and Mr. BYRD) proposed an amendment to the bill S. 1298, supra, as follows:

On page 74, between lines 2 and 3, insert the following:

Subtitle E—Programs in Support of the Prevention and Control of Proliferation of Weapons of Mass Destruction

SEC. 241. SHORT TITLE.

This subtitle may be cited as the "Prevention and Control of the Proliferation of Weapons of Mass Destruction Act of 1993".

SEC. 242. SENSE OF CONGRESS.

It is the sense of Congress that—

(1) the United States should have the ability to counter effectively potential threats to United States interests that arise from the proliferation of such weapons;

(2) the Department of Defense, the Department of Energy, and the Intelligence Community have an important role in preventing the proliferation of weapons of mass destruction and dealing with the consequences of any proliferation of such weapons;

(3) the Department of Defense, the Department of Energy, and the Intelligence Community have unique capabilities and expertise that can enhance the effectiveness of United States and international nonproliferation efforts, including capabilities and expertise regarding—

(A) detection and monitoring of proliferation of weapons of mass destruction;

(B) development of effective export control regimes;

(C) interdiction and destruction of weapons of mass destruction and related weapons material; and

(D) carrying out international monitoring and inspection regimes that relate to proliferation of such weapons and material;

(4) the Department of Defense, the Department of Energy, and the Intelligence Community have unique capabilities and expertise that directly contribute to the ability of the United States to implement United States policy to counter effectively the threats that arise from the proliferation of weapons of mass destruction, including capabilities and expertise regarding—

(A) responses to terrorism, theft, or accidents involving weapons of mass destruction;

(B) conduct of intrusive international inspections for verification of arms control treaties;

(C) direct and discrete counter proliferation actions that require use of force; and

(D) development and deployment of active military countermeasures and protective measures against threats resulting from arms proliferation, including defenses against ballistic missile attacks; and

(5) in a manner consistent with the nonproliferation policy of the United States, the Department of Defense, the Department of Energy, and the Intelligence Community should continue to maintain and improve their capabilities to identify, monitor, and respond to the proliferation of weapons of mass destruction and delivery systems for such weapons.

SEC. 243. JOINT COMMITTEE FOR REVIEW OF NONPROLIFERATION PROGRAMS OF THE UNITED STATES.

(a) ESTABLISHMENT.—(1) In support of the nonproliferation policy of the United States, there is hereby established a Non-Proliferation Program Review Committee composed of the following members:

(A) The Secretary of Defense.

(B) The Secretary of Energy.

(C) The Director of Central Intelligence.

(D) The Director of the United States Arms Control Disarmament Agency.

(E) The Chairman of the Joint Chiefs of Staff.

(2) The Secretary of Defense shall chair the committee.

(3) A member of the committee may designate a representative to perform routinely the duties of the member. A representative shall be in a position of Deputy Assistant Secretary or a position equivalent to or above the level of Deputy Assistant Secretary. A representative of the Chairman of the Joint Chiefs of Staff shall be a person in a grade equivalent to that of Deputy Assistant Secretary of Defense.

(4) The Secretary of Defense may delegate to the Under Secretary of Defense for Acquisition the performance of the duties of the Chairman of the committee.

(5) The members of the committee shall first meet not later than 30 days after the date of the enactment of this Act. Upon designation of working level official and representatives, the members of the committee shall jointly notify the appropriate committees of Congress that the committee has been constituted. The notification shall identify the representatives designated pursuant to paragraph (3) and the working level officials of the committee.

(b) PURPOSES OF THE COMMITTEE.—The purposes of the committee are as follows:

(1) To optimize funding for, and ensure the development and deployment of—

(A) highly effective technologies and capabilities for the detection, monitoring, collection, processing, analysis, and dissemination of information in support of United States nonproliferation policy; and

(B) To identify and eliminate undesirable redundancies or uncoordinated efforts in the development and deployment of such technologies and capabilities.

(c) DUTIES.—The committee shall—

(1) identify and review existing and proposed capabilities (including counterproliferation capabilities) and technologies for support of United States nonproliferation policy with regard to—

(A) intelligence;

(B) battlefield surveillance;

(C) passive defenses;

(D) active defenses;

(E) counterforce capabilities;

(F) inspection support; and

(G) support of export control programs;

(2) as part of the review pursuant to paragraph (1), review all directed energy and laser programs for detecting, characterizing, or interdicting weapons of mass destruction, their delivery platforms, or other orbiting platforms with a view to the elimination of redundancy and the optimization of funding for the systems not eliminated;

(3) prescribe requirements and priorities for the development and deployment of highly effective capabilities and technologies to support fully the nonproliferation policy of the United States;

(4) identify deficiencies in existing capabilities and technologies;

(5) formulate near-term, mid-term, and long-term programmatic options for meeting requirements established by the committee and eliminating deficiencies identified by the committee; and

(6) in carrying out the other duties of the committee, ensure that all types of counterproliferation actions are considered.

(d) ACCESS TO INFORMATION.—The committee shall have access to information on all programs, projects, and activities of the Department of Defense, Department of Energy, and the intelligence community that are pertinent to the purposes and duties of the committee.

(e) BUDGET RECOMMENDATIONS.—The committee may submit to the officials referred to in subsection (a) any recommendations regarding existing or planned budgets as the committee considers appropriate to encourage funding for capabilities and technologies at the level necessary to support United States nonproliferation policy.

SEC. 244. REPORT ON NONPROLIFERATION AND COUNTERPROLIFERATION ACTIVITIES AND PROGRAMS.

(a) REPORT REQUIRED.—Not later than May 1, 1994, the Secretary of Defense shall submit to Congress a report on the findings of the committee on nonproliferation activities established pursuant to section 243.

(b) CONTENT OF REPORT.—The report shall include the following matters:

(1) A complete list, by program, of the existing, planned, and proposed capabilities and technologies reviewed by the committee, including all directed energy and laser programs reviewed pursuant to section 243(c)(2).

(2) A complete description of the requirements and priorities established by the committee.

(3) A comprehensive discussion of the near-term, mid-term, and long-term programmatic options formulated by the committee for meeting requirements prescribed by the committee and eliminating deficiencies identified by the committee, including the annual funding requirements and completion dates established for each such option.

(4) An explanation of the recommendations made pursuant to section 243(e) and a full discussion of the actions taken on such recommendations, including the actions taken to implement the recommendations.

(5) A discussion of the existing and planned capabilities of the Armed Forces of the United States—

(A) to detect and monitor clandestine programs for the acquisition or production of weapons of mass destruction;

(B) to respond to terrorism or accidents involving such weapons and thefts of materials related to any weapon of mass destruction; and

(C) to assist in the interdiction and destruction of weapons of mass destruction, related weapons materials, and advanced conventional weapons.

(6) A description of—

(A) the extent to which the Secretary of Defense has incorporated nonproliferation and counterproliferation missions into the overall missions of the unified combatant commands; and

(B) how the special operations command established pursuant to section 167(a) of title 10, United States Code, might support the commanders of the other unified combatant commands and the commanders of the specified combatant commands in the performance of such overall missions.

(c) FORMS OF REPORT.—The report shall be submitted in both unclassified and classified forms, as appropriate.

SEC. 245. DEFINITIONS.

In this subtitle:

(1) The term "appropriate congressional committees" means the following:

(A) The Committee on Armed Services, the Committee on Appropriations, and the Select Committee on Intelligence of the Senate.

(B) The Committee on Armed Services, the Committee on Appropriations, and the Permanent Select Committee on Intelligence of the House of Representatives.

(2) The term "intelligence community" has the meaning given such term in section 3 of the National Security Act of 1947 (50 U.S.C. 401a).

RIEGLE (AND OTHERS) AMENDMENT NO. 837

Mr. NUNN (for Mr. Riegle for himself, Mr. Shelby, and Mr. DODD) proposed an amendment to the bill S. 1298, supra, as follows:

On page 242, below line 19, add the following:

SEC. 1067. RESEARCH ON EXPOSURE TO HAZARDOUS AGENTS AND MATERIALS OF ARMED SERVICES PERSONNEL WHO SERVED IN THE PERSIAN GULF WAR.

(a) FINDINGS.—Congress makes the following findings:

(1) A number of veterans of the Persian Gulf War have reported unexplained illnesses and claim that such illnesses are a consequence of exposure to chemical, biological, radiological, or other hazardous agents or materials as a result of service in Southwest Asia during the Persian Gulf War.

(2) Members of the Armed Forces of the former Czechoslovakian Federative Republic who served on a chemical decontamination team in Southwest Asia during the period of the Persian Gulf War have claimed exposure to chemical agents during such service, and the Czech Minister of Defense has confirmed that members of that chemical decontamination team detected low levels of nerve gas in that region during that period.

(3) Reports indicate that members of the United States Armed Forces who served in Southwest Asia during the Persian Gulf War may have been exposed to combined chemical warfare agents and other hazardous agents and substances during such service.

(4) Such exposure may have occurred directly as a result of attack on such members by Iraqi forces or indirectly as a result of prolonged "downwind" exposure to airborne chemical warfare agents or other hazardous substances that were dispersed as a consequence of the bombing of Iraqi chemical weapons facilities, nuclear facilities, and other facilities containing hazardous substances.

(5) It is in the interest of the United States that medical professionals providing care to members of the Armed Forces and to veterans understand the nature of the illnesses that such members and veterans may contract in order to ensure that such professionals have sufficient information to provide proper care to such members and veterans.

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

(1) one of the threats to international peace and to the interests of the United States in the post-Cold War era is the proliferation of weapons utilizing chemical, biological, radiological, or other hazardous agents or materials;

(2) the readiness of the United States to engage in future military conflicts will be directly related to the capability of the United States—

(A) to identify the threat to members of the Armed Forces posed by the utilization of such weapons and the agents and materials utilized in such weapons;

(B) to protect such members from the adverse effects of exposure to such agents and materials; and

(C) to treat the casualties that result from the utilization of such weapons and from exposure to such agents and materials; and

(3) the Department of Defense is uniquely capable of conducting research into the sources and effects of exposure of members of the Armed Forces during military conflicts to chemical, biological, radiological, and other hazardous agents and materials.

(c) CONTRACT FOR RESEARCH FACILITY AND ACTIVITIES.—(1) Subject to paragraph (2), the Secretary of the Army shall enter into a contract with a hospital or other existing health care or health care research facility in order to ensure that the research referred to in paragraph (3) is carried out.

(2)(A) The Secretary shall enter into the contract under paragraph (1) using full and open competition.

(B) The facility referred to in such paragraph shall be affiliated with a medical facility of the Department of Veterans Affairs.

(3) The research referred to in paragraph (1) is research into the effects upon humans of exposure to hazardous agents and materials, including chemical and biological warfare agents, toxins, and mateials to which members of the Armed Forces may have been exposed as a result of service in Southwest Asia during the Persian Gulf War.

(4) Humans may not be exposed to hazardous agents or materials as a result of the carrying out of research under this subsection.

(d) STUDY ON REPORTS OF EXPOSURE TO HAZARDOUS AGENTS AND MATERIALS.—(1) Subject to paragraph (2), the Secretary of Defense shall carry out a study in order to determine the validity and accuracy of claims that members of the Armed Forces who served in Southwest Asia during the Persian Gulf War were exposed to combined chemical warfare agents, biological warfare agents, biological toxins, and other unconventional warfare agents or other environmental conditions hazardous to the health of such members as a result of such service. The study shall identify the locations at which such exposure, if any, occurred and the extent, if any, of such exposure.

(2) The study under paragraph (1) shall include an investigation of such exposure directly as a result of attack on such members by Iraqi forces and indirectly as a result of prolonged downwind exposure to such agents and toxins dispesed in consequence of the bombing of Iraqi chemical weapons facilities, nuclear facilities, and other facilities containing hazardous substances.

(e) STUDY ON EXPOSURE TO DEPLETED URANIUM.—The Secretary of the Army shall carry out a study of the effects upon humans to exposure to fragments of depleted uranium from weapons rounds that have been fired.

(f) PARTICIPATION BY THE DEPARTMENT OF DEFENSE.—(1) The Secretary of Defense shall ensure that all elements of the Departments of the Defense, including all chemicals and biological warfare defense programs, provide to the facility with which the Secretary of the Army contracts under subsection (c) any information possessed by such elements on the identity and quantity of the chemical, biological, radiological, and other hazardous agents and materials to which members of the Armed Forces may have been exposed as a result of service in Southwest Asia during the Persian Gulf War and on the effects upon humans of such exposure.

(2) The Secretary of Defense shall ensure that the elements of the Department of Defense referred to in paragraph (1) provide to the persons or entities carrying out the study referred to in subsection (e) information possessed by such elements on the sources and effects of exposure to depleted uranium on the members referred to in paragraph (1).

(g) REPORTS TO CONGRESS.—(1) Not later than each of March 1, 1994, and October 1, 1994, the Secretary shall submit to the congressional defense committees an interim report on the results during the year preceding the report of the research and studies, as the case may be, carried out under subsections (c), (d), and (e).

(2) The reports submitted under this subsection shall be submitted in an unclassified form but may have a classified annex.

(h) BUDGET INFORMATION.—The Secretary of Defense shall ensure that each budget submitted to the Congress under section 1105 of title 31, United States Code, for a fiscal year in which the contract referred to in subsection (c) is in force, the Secretary carries out the study referred to in subsection (d), or the Secretary carries out the study referred to in subsection (e), as the case may be, contains a request for such funds as the Secretary determines necessary in order to carry out the contract or such studies, as the case may be, during that fiscal year.

(i) FUNDING.—Funds for programs authorized in this section shall be derived from amounts to be appropriated for the Department of Defense.

(j) LIMITATION ON EXPENDITURES.—The total amount that may be expended in fiscal year 1994 with respect to activities under this section is as follows:

(1) For research activities carried out under subsection (c), $2,000,000.

(2) For the study carried out under subsection (d), $2,000,000.

(3) For the study carried out under subsection (e), $1,700,000.

(k) DEFINITION.—In this section, the term "Persian Gulf War" has the meaning given such term in section 101(33) of title 38, United States Code.

MURKOWSKI (AND OTHERS) AMENDMENT NO. 838

Mr. KEMPTHORNE (for Mr. MURKOWSKI, for himself, and Mr. STEVENS) proposed an amendment to the bill S. 1298, supra, as follows:

On page 175, after line 20, insert the following:

SEC. 707. INDEPENDENT STUDY OF CONDUCT OF MEDICAL STUDY BY ARCTIC AEROMEDICAL LABORATORY, LADD AIR FORCE BASE, ALASKA.

(a) REQUIREMENT FOR STUDY.—The Secretary of Defense shall provide, in accordance with this section, for an independent study of the conduct of a series of medical studies performed during or prior to 1957 by the Air Force Arctic Aeromedical Laboratory in Alaska. The series of medical studies referred to in the preceding sentence was designed to study thyroid activity in men exposed to cold, and involved the administration of a radioactive isotope (Iodine 131) to certain Alaska Natives.

(b) CONDUCT OF REQUIRED STUDY.—The study referred to in subsection (a) shall be conducted by the Institute of Medicine of the National Academy of Sciences or a similar organization.

(c) DIRECT OR INDIRECT DOD INVOLVEMENT.—The Secretary may provide for the study either—

(1) by entering into an agreement with the independent organization referred to in subsection (b) to conduct the study; or

(2) by transferring to the Secretary of the Interior, the Secretary of Health and Human Services, or the head of another department or agency of the Federal Government funds to carry out the study in accordance with subsection (b).

(d) REPORT.—The Secretary of Defense or the head of the department or agency of the Federal Government carrying out the study shall submit to Congress a report on the results of the study. The report shall, at a minimum, include the following matters:

(1) Whether the series of studies referred to in subsection (a) was conducted in accordance with generally accepted guidelines for the use of human participants in medical experimentation.

(2) Whether Iodine 131 dosages were administered in accordance with radiation exposure standards generally accepted as of 1957 and with radiation exposure standards generally accepted as of 1993.

(3) The guidelines that should have been followed in the conduct of the series of studies, including guidelines regarding notification of participants about any possible risks.

(4) Whether subsequent studies of the participants should have been provided for and conducted to determine whether any participants suffered long term ill effects of the administration of Iodine 131 and, in the case of such ill effects, needed medical care for such effects.

(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated for the Department of Defense for fiscal year 1994, $150,000 for carrying out the study referred to in subsection (a).

BINGAMAN (AND OTHERS) AMENDMENT NO. 839

Mr. NUNN (for Mr. BINGAMAN, for himself, Mr. MCCAIN, Mr. THURMOND, and Mr. GLENN) proposed an amendment to the bill S. 1298, supra, as follows:

On page 242, below line 19, add the following:

SEC. 1067. SENSE OF CONGRESS RELATING TO THE PROLIFERATION OF SPACE LAUNCH VEHICLE TECHNOLOGIES.

(a) FINDINGS.—The Congress finds the following:

(1) The United States has joined with other nations in the Missile Technology Control Regime (MTCR) which restricts the transfer of missiles or equipment or technology that could contribute to the design, development or production of missiles capable of delivering weapons of mass destruction.

(2) Missile technology is indistinguishable from and interchangeable with space launch vehicle technology.

(3) Transfers of missile technology or space launch vehicle technology cannot be safeguarded in a manner that would provide timely warning of diversion for military purposes.

(4) It has been United States policy since agreeing to the guidelines of the Missile Technology Control Regime to treat the sale or transfer of space launch vehicle technology as restrictively as the sale or transfer of missile technology.

(5) Previous congressional action on missile proliferation, notably title XVII of the National Defense Authorization Act for Fiscal Year 1991 (Public Law 101-510; 104 Stat. 1738), has explicitly supported this policy through such actions as the statutory definition of the term "missile" to mean "a category I system as defined in the MTCR Annex, and any other unmanned delivery system of similar capability, as well as the specially designed production facilities for these systems".

(6) There is strong evidence that emerging national space launch programs in the Third World are not economically viable.

(7) The United States has successfully dissuaded countries from pursuing space launch vehicle programs in part by offering to cooperate with them in other areas of space science and technology.

(8) The United States has successfully dissuaded other MTCR adherents, and countries who have agreed to abide by MTCR guidelines, from providing assistance to emerging national space launch programs in the Third World.

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

(1) the Congress supports the strict interpretation by the United States of the Missile Technology Control Regime concerning—

(A) the inability to distinguish space launch vehicle technology from missile technology under the regime; and

(B) the inability to safeguard space launch vehicle technology in a manner that would provide timely warning of its diversion to military purposes; and

(2) the United States and the governments of other nations adhering to the Missile Technology Control Regime should be recognized for—

(A) the success of such governments in restricting the export of space launch vehicle technology and of missile technology; and

(B) the significant contribution made by the imposition of such restrictions to reducing the proliferation of missile technology capable of being used to deliver weapons of mass destruction.

(c) DEFINITIONS.—In this section:

(1) The term "Missile Technology Control Regime" or "MTCR" means the policy statement, between the United States, the United Kingdom, the Federal Republic of Germany, France, Italy, Canada, and Japan, announced on April 16, 1987, to restrict sensitive missile-relevant transfers based on the MTCR Annex, and any amendments thereto.

(2) The term "MTCR Annex" means the Guidelines and Equipment and Technology Annex of the Missile Technology Control Regime, and any amendments thereto.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON FOREIGN RELATIONS

Mr. NUNN. Mr. President, I ask unanimous consent that the Committee on Foreign Relations, be authorized to meet during the session of the Senate on Friday, September 10, 1993, at 10 to hold hearings on Bilateral Investment Treaties with Romania, Argentina, and Bulgaria.

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

COMMITTEE ON INDIAN AFFAIRS

Mr. NUNN. Mr. President, I ask unanimous consent that the Committee on Indian Affairs be authorized to meet on Friday, September 10, 1993, beginning at 9:30 a.m., in 485 Russell Senate Office Building on the constitutional issues relating to S. 1021, the Native American Free Exercise of Religion Act of 1993.

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

ADDITIONAL STATEMENTS

THE HOLOCAUST ANALOGY IS TOO TRUE

• Mr. SIMON. Mr. President, over the August recess I caught up on some of my reading and came across an article on Bosnia by Henry Siegman, executive director of the American Jewish Congress.

Anyone who is concerned about tolerance, understanding, and the need to build bridges between people of various races, ethnic backgrounds, and religions has to be concerned about what is happening to the Muslims in Bosnia.

I was pleased to see the Henry Siegman article, which comments on that from the Jewish perspective.

At this point, I ask to insert into the RECORD the Henry Siegman article, which appeared in the Los Angeles Times on Sunday, July 11, 1993.

The article follows:

PERSPECTIVE ON BOSNIA—THE HOLOCAUST ANALOGY IS TOO TRUE

(By Henry Siegman)

To compare Bosnia and the Holocaust is to invite angry disagreement from some Jewish critics who correctly see the Holocaust as a unique evil, an unprecedented descent into hell. But the uniqueness of the Holocaust does not diminish the force of powerful parallels that do exist between these two tragedies, and no one should understand these commonalities better than the Jews.

To be sure, Hitler's obsession with the total eradication of the Jews of Europe (and of the world, if he could have had his way) and the crematoria of the concentration camps, the Nazis' method of choice for achieving their goal, are not elements in the Serbian violence against Bosnia's Muslims. But virtually everything else is, including the cynical and total abandonment of Bosnia's Muslims by the West to certain slaughter or expulsion.

Surely President Clinton and Secretary of State Warren Christopher know what journalists reporting from the Balkans have

known for some time: that the current negotiations in Geneva to carve Bosnia into "ethnic states" for Serbs, Croats and Muslims are, like the negotiations to implement the Vance-Owen plan, a ruse, disguising the real goal of Serbs and Croats to extinguish Bosnia as a state and to kill or drive into exile all of its Muslim inhabitants.

In the face of this massive calamity-in-the-making—its outcome can hardly be in doubt, given our perverse insistence on observing an arms embargo that denies Bosnia's Muslims arms to defend themselves while the Serbs militias are fully supplied—Christopher's assurance that the United States will go along with whatever plan the three parties agree to is cruelly irrelevant and morally obscene.

What we are witnessing is the West total abandonment of Bosnia's Muslims to the destruction programmed for them. It is as complete and as cynical an abandonment as that of the Jews in World War II. The notion that America and its allies are helpless to do anything about this human and political disaster is a palpable lie. It is as believable as the argument that European countries and America could do nothing to help the Jews in the 1930s, even while those governments were turning away from their shores shiploads of Jewish refugees from Nazi Germany.

Of course, intervention in the Balkan tragedy is not cost-free, but the notion that putting a stop to so horrendous a human tragedy, and to the profound damage to the international order that is now being done in Bosnia, is not worth some cost is in itself the most pernicious long-range consequence of this Administration's distressing handling of the crisis in the Balkans.

A part of the shameful truth is that the West is indifferent to the fate of Bosnia's Muslims for the same reason it was indifferent to the fate of the Jews in the 1930s. There was something in Hitler's hatred of the Jews that resonated, however distantly (or not so distantly) with residual anti-Semitism in Western culture. Similarly, there is something in the Serbian demonization of Bosnia's Muslums—the fear of "a Muslim state in the heart of Europe"—that finds an echo in lingering Western prejudice. It confirms Samuel P. Huntington's thesis (in the current issue of Foreign Affairs) that in the aftermath of the collapse of the Soviet Union, world politics is entering a new phase in which "civilizational" (that is, cultural and religious) differences re-emerge and replace traditional economic and ideological rivalries.

However we rationalize our indifference to what is happening in the Balkans, its cost will surely haunt us in the days and years to come. For what is at stake in Bosnia is not only indescribable human suffering, but also the idea of the universality of the civilized norms that are the foundation of our freedom and democracy. On the threshold of an unfolding new world order, we have been offered the opportunity to reaffirm that fundamental principle in Bosnia, and we are failing that test miserably.

Some will read this concern for Bosnia's Muslims as just another example of misguided Jewish altruism, so characteristic of a certain brand of Jewish liberalism. I make no apologies for liberalism, Jewish or otherwise, but such criticism could not be more off the mark. Patrick Glynn, in the current issue of Commentary (hardly the voice of Jewish liberalism) makes the point that in the Balkans, "the voices of the rational and the tolerant—for example, officials of the secular-mined Bosnian government—have been drowned out by the guns of ethnic fanatics. Efforts to secure democracy on the basis of rational Western principles have been crushed by the bloodthirsty exponents of 'ethnic cleansing.'"

These "new barbarians," say Glynn, are the vanguard of a re-mythologization and reversion to ethnic particularism. We are entering an era characterized by a diminished appeal of reason to the human imagination. We will, he says, move either toward ever greater fragmentation and violence or toward "the tolerance and rationality by which we in the West have learned to live and prosper." No one has benefited more from that rationality and tolerance than have the Jews, and no one is likely to suffer more from their abandonment.

(Henry Siegman, a survivor of the Holocaust, is executive director of the American Jewish Congress.)•

JEANNETTE RANKIN PEACE AWARD TO AMBASSADOR MANSFIELD

• Mr. BAUCUS. Mr. President, today I rise to inform the Senate that later today, Mike Mansfield, former Senate majority leader, Ambassador to Japan, and the pride of Montana—will receive the first Jeannette Rankin Peace Award in Billings, MT.

The Jeannette Rankin Peace Award has been established by the Institute for Peace Studies at Rocky Mountain College in Billings, MT. Jeannette Rankin, of course, was a renowned peace activist and the first woman ever elected to Congress. She won her seat from the First District of Montana in 1916, 4 years before the passage of the woman's suffrage amendment.

Jeannette Rankin devoted her years in public service to promoting peace in human affairs. Like Mike Mansfield, she was a person of unrelenting integrity and commitment to principle.

She believed that military action had no place in world affairs, and held firm to that belief at the cost of her political career. She voted twice against the United States going to war—the first time in 1917, when we entered World War I; and the second time in 1941, after Pearl Harbor.

Many Montanans disliked Jeannette Rankin because of those votes. But I also believe that most Montanans respected her courage to stand up for her convictions. That is why Montanans made her one of two Montana leaders to be honored with the statue in the Capitol's Statutory Hall.

Throughout his career, Mike Mansfield has earned the greatest respect and admiration. And Mike, of course, is a beloved figure not only in Montana but all over the world—and particularly in this body. He has been a voice of wisdom, moderation, and board vision in our foreign policy for longer than most of us have been alive.

First elected to Congress in 1943, he served in the House of Representatives. In 1961 he was elected Senator. During his 25 years in the Senate, he held the position of Senate majority leader for 16 years—longer than any other U.S. Senator.

On his retirement from the Senate, President Carter called him to serve as Ambassador to Japan. He held that crucial post from 1977 to 1989, making him the longest standing Ambassador to Japan in our country's history. In total, his public career spans 46 remarkable years.

Prior to his election to Congress, Mike was professor of history and political science at the University of Montana. Even then, he was recognized as a national expect on the Far East. Just a year after he came to Congress, for instance, President Franklin Roosevelt asked him to travel to China in 1944 and report on the situation there.

Mike has always been recognized as a fair player. He listens carefully, gives serious thought to all sides of an issue, and then presents his views and opinions with sincerity, honesty, and conviction.

Mike was also one who stood firmly behind his convictions. One of his longest battles was his opposition to the Vietnam war. On this issue, as on so many others, he saw the truth years before anybody else. In 1950, he told President Truman that under no condition should we send troops to Indochina. For nearly 20 years he argued against the United States policy in Vietnam. Our country still suffers because administrations did not listen to him.

Today, 6 months short of his 91st birthday, Mike remains a leader. Still acknowledged as a leading authority on Asian and Pacific affairs, his advice on foreign affairs is sought by leaders all over the world—and, of course, by me and my colleagues in the Montana congressional delegation. No American has done more to make the alliance between the United States and Japan a permanent contributor to Asian and world stability.

This award could not go to a more dedicated, deserving, and accomplished person. I congratulate Ambassador Mansfield, and I congratulate the Institute for Peace Studies on their inspired choice for the first Jeannette Rankin Peace Award.•

VIOLENCE ON TELEVISION

• Mr. SIMON. Mr. President, one day during the August recess, I picked up the New York Times of Monday, August 30, 1993, with a story by Marlise Simons titled, "Blaming TV for Son's Death, Frenchwoman Sues." It was a story about an American television series, which she alleges caused the death of her son.

It may help to focus attention on the problem of television violence that we have in the United States.

The same day, I picked up the Boston Globe and found an article by Alison Bass, which again illustrates the problem of television violence, indicating

that we have a different attitude toward nudity than we do for violence.

It is of interest that in Western Europe there is generally a much more tolerant attitude toward nudity, but a much more vigorous antiviolence stand.

Mr. President, I ask to insert both articles into the CONGRESSIONAL RECORD at this point.

The articles follow:

[From the New York Times International, Aug. 30, 1993]

BLAMING TV FOR SON'S DEATH, FRENCHWOMAN SUES

(By Marlise Simons)

PARIS, Aug. 29.—A Frenchwoman is suing the head of a state-owned television channel for manslaughter after her 17-year-old son was killed by a home-made bomb that she said he learned to make from the American television series "MacGyver."

Marine Lainé said her son, Romain, and his friend, Cedric Nouyrigat, also 17, mixed crystallized sugar and weedkiller, stuffed it into the handlebar of a bicycle and ignited it to test a technique used by MacGyver, a television hero who is part adventurer, part scientific wizard.

Romain was killed immediately by the powerful explosion, which occurred in October in the cellar of the boy's grandmother's home. Mrs. Lainé said Cedric died minutes later, but lived long enough to explain what they were doing.

The television channel, France 2, denied responsibility, saying that the series had ended two months before the accident and that no scenes had shown any overt chemical manipulations. It also said that "MacGyver," starring Richard Dean Anderson, had been shown in 87 countries and that a 1991 opinion poll in France had shown the series to be a favorite among children, parents and teachers.

Mrs. Lainé said in an interview on Friday that she would use the lawsuit and her son's death to campaign against excessive violence on television. "There is so much violence and manipulation of children," she said. "It dominates everything."

To underscore the point that the two boys followed a MacGyver recipe, Mrs. Lainé and several scientists will remake the bomb and re-enact the explosion before guests and television cameras in October.

"This is not the first time something happened because of MacGyver," she said, citing a large fire that almost destroyed a school in a village in northern France last year. A group of boys set the fire accidentally when they were trying to imitate one of MacGyver's inventions, it was reported at the time. The hero of the adventure series uses ingenuity to outwit his adversaries and instead of using conventional weapons he often invents his own contraptions using everyday objects.

For her campaign starting in September, Mrs. Lainé has been promised help from some politicians, teachers, psychologists and others who want to impose limits on daytime television broadcasts. Among them is Liliane Lurcat, a prominent child psychologist and author of many articles and three books on the effects of television on small children.

Mrs. Lurcat, who has just retired as research director at the National Center of Scientific Research, said she has long deplored the absence of a real debate in France about the ethics and the powers of this pervasive medium.

"There has been no real debate," she said, "because there has been no forum, except for a few specialized publications. Television and newspapers have backed away from the issue."

But, she added, "there is a silent majority" of many parents, teachers and others who are deeply concerned about the impact of television on the young. She says such groups regularly invite her and others to speak on the subject.

By forcing the question of the death of Mrs. Lainé's son's into the courtroom, some specialists say the mother may well touch off a broad public debate about the ethics of television. Mrs. Lainé is suing Hervé Bourges, the head of French state television which owns the channels France 2 and France 3. She has also filed suit against Jacques Boutet, the head of the regulatory agency for radio and television. Mr. Bourges has said he will sue anyone who repeats the "defamatory charges" made against him.

France's television channels do not usually rate their programs except for the music channel M6, which commonly introduces films by describing the age-groups for which they are suitable. Specialists say violence on television has increased in the last decade as the number of channels and the competition for viewers has risen. In recent years, France has imported more foreign television series and cartoons, including many from the United States and Japan.

[From the Boston Globe, Aug. 30, 1993]

FILM SEX OK, VIOLENCE IS NOT, SURVEYS FIND

(By Alison Bass)

Americans are surprisingly tolerant of graphic sexual portrayals, but not of the violence being depicted on television and in films, new studies have found. And these attitudes run counter to the way television shows and films are rated today.

"Our current rating system is far less restrictive of violence than it is of sex," said Edward Donnerstein, a professor of communication at University of California at Santa Barbara who has studied public attitudes. "As long as the woman is nude, you can cut her up any way you want to, and that's okay. But it's not okay to show a nude man touching her."

The chasm between people's attitudes about sex and violence and what the television and film industries consider socially permissible may be explained to some extent by a new and unusual finding: People may find something personally acceptable but believe that their neighbors would find it intolerable and vice versa.

"It's called the third-party effect," said Donnerstein, who reported the finding this month at the American Psychological Association conference in Toronto. "We asked people whether they would tolerate the explicitly violent material they saw in some films and they said no. But when you ask them whether they think their neighbor would, they said yes." The reverse was true for sexually explicit material.

Donnerstein says this startling discrepancy between personal beliefs and the perception of third-party beliefs may be due in large part to the power of "vocal minorities." Conservative religious forces, for example, have long exerted a powerful influence in keeping sexually explicit material tobaoo, while the anti-violence lobby is a relatively new phenomenon.

The regulatory approach to violent or sexual programming also flies in the face of mounting evidence that antisocial behavior is correlated more with watching film portrayals of violence than with viewing depictions of graphic nudity and nonviolent sex. A series of studies have shown that college-age men exposed to extremely violent films—the "Friday the 13th" variety—become more accepting of violence and more callous toward real-life victims of sexual violence than men exposed to nonviolent films.

"It's the violence against women that drives the antisocial effects we find in our studies, not the porn material," said Daniel Linz, a psychologist at University of California at Santa Barbara and one of the researchers who did these studies. "There are enough studies now that show if you remove the sexual content in violent films, you still get the antisocial effects."

Because of mounting pressure from Congress and the public, the television industry this summer agreed for the first time to put parental advisory warnings on programs that are particularly violent. And while the Motion Picture Association of America has not altered its basic film rating system, a spokeswoman for the association said she believes the Motion Picture Rating Board, which rates movies for distribution in this country, is tougher on violence than it is on sex.

"All the rating system is, is a guide to parents," said Elizabeth Barnes, association public affairs director. If people deplore violence, "why then do so many go to see films like 'The Terminator'? There are a lot of violent films that do extraordinarily well at the box office."

Researchers who study public attitudes say the appeal of violent shows is not surprising, given that certain segments of the population, principally young males, are drawn to violent imagery for complex cultural reasons. But the same predilections are not found in random surveys of people from different ages, genders and races.

Large-scale telephone surveys by researchers at Ohio State University and elsewhere, for example, have found that Americans are far more disturbed by the violence they see on the screen than by graphic depictions of nudity and sex. Donnerstein, Linz and their colleagues at the University of California found similar attitudes in two laboratory studies that compared the reactions of adults in two relatively conservative regions of the country.

The California researchers asked a random sample of 252 people—129 in Mecklenburg County in North Carolina (which includes Charlotte) and 123 in Greater Memphis—to view a selection of films. The sexually explicit films were X-rated material that had been the subject of obscenity trials in the participants' own states. The violent films were of the "slasher" genre, containing gory depictions, usually of young women being sliced to death.

THE THIRD-PARTY EFFECT

The researchers discovered that the majority of the viewers were surprisingly tolerant and accepting of the X-rated material but deeply offended and disturbed by the violent films. This is where they also discovered the "third-party" effect: While the participants were personally offended by the violent portrayals, they thought their neighbors would be accepting of them. And vice versa with the sexually explicit depictions.

The finding puzzled researchers at first, but "once we looked at it, it really wasn't so surprising," said Donnerstein, who published the Mecklenburg study last year in Public Opinion Quarterly and will soon publish the Memphis study. "It reflects what people see going on out there."

What people see in their communities, particularly conservative communities, is a vocal minority protesting the display or sale of sexually explicit material, he says. But they don't see a similar uproar over an extremely violent film, in which women are butchered.

"While the violent stuff bothers people personally, they say, 'gee, it's playing in all the local theaters so it must be acceptable to others,'" Donnerstein explained. "But because there's a vocal minority complaining about the sexually explicit material, many people make the assumption that their neighbors won't like it."

These assumptions are abetted by the widespread view in this country that sexual matters are somehow dirty or taboo and not to be discussed openly. So while surveys show that between 65 and 70 percent of American adults have seen a sexually explicit X-rated video, they don't discuss that fact with their neighbors, Donnerstein notes.

Such inconsistent attitudes toward sex increasingly separate Americans from other industrialized nations, such as Sweden, Germany and Great Britain. In a newly released study of rating systems in five countries, Mediascope, a nonprofit research organization based in California, found British censors "have not cut sex from a mainstream film in six or seven years." In Sweden, erotic film sequences are not automatically regarded by the film censors as inappropriate for children.

RESTRICTIONS ON VIOLENCE

"Fairly open hints of people having sex, in a normal, healthy and happy manner, may be approved for rather small children, though films concerned with sexual aberration may not," Mediascope concluded about the Swedish system.

By contrast, the study found that these countries were much more stringent in restricting on-screen violence than are the US television and film industries. In Sweden, for example, distributing films or television programs that depict "sexual violence or coercion" or "graphic violence toward people or animals in a detailed or outdrawn manner" can mean fines or two years imprisonment. In Britain, violent scenes in American films are often cut before distribution, and the most recent banning of a film in England was "Leatherface: Texas Chainsaw Massacre III," one of three films in the last nine years to be banned.

In the United States, the Texas Chainsaw massacre series, along with other slasher films, are R-rated—the same rating given to the movie "Rainman" because it was sprinkled with four-letter words. The only films that are banned outright are those that involve sexually explicit child pornography and the so-called snuff films, in which women reportedly have been killed during filming.

"Of the five countries studied in depth, the [Motion Picture Association's] rating system is distinct in that it is more restrictive with regard to depictions of sex, and less restrictive with regard to violence, than ratings systems in the other four countries," concluded the study, which was funded by the Carnegie Foundation. "It is hypothesized that this difference is due to the disproportionate influence of conservative religious groups in the United States."

LIMITING ACCESS

The Mediascope report found much the same differences in the way on-television violence is handled. For example, while American networks and cable producers have recently agreed to an advisory label policy for violent programming, several countries go much further in limiting the access of minors to violent programming. Australia, Great Britain and New Zealand, for example, prohibit violent programming when children are most likely to watch TV and require penalties when standards are flouted.

"The new parental advisory system proposed by the US television industry has a lot of problems," said Ronald Slaby, a psychologist at Harvard Graduate School of Education who has studied the effects of television violence on children. "The best I can say is that it's a baby step in the right direction."•

60TH ANNIVERSARY OF UKRAINE FAMINE

• Mr. DECONCINI. Mr. President, I am pleased to cosponsor a resolution to commemorate the Ukraine Famine of 1932–33, introduced by my friend Senator RIEGLE. The Ukraine famine is a subject which is close to my heart.

As a member of the Commission on the Ukraine Famine in the 1980's, I vividly recall the poignant and often gut-wrenching testimony of witnesses who lived through that horrific experience. At hearings I chaired in February 1987 in Phoenix, I recall eyewitnesses describing the deaths of their loved ones, the passing of starved bodies on the streets, the eating of treebarks and grasses to survive. I remember one elderly eyewitness describing an episode she witnessed of a mother leaving her crying, emaciated children at a market in a town. The mother kept repeating, "Don't cry, it will be better for you. They will take you to the orphanage and give you bread, but at home, you will soon die. If I stay alive, I will find you." These kinds of scenes were not at all uncommon, as desperate, starving, suffering people resorted to desperate measures.

But the profound truth of the matter, Mr. President, is that this famine, which decimated 7 to 10 million people, was man-made, and hence, could have been avoided. It reminds us, in the starkest of terms, of the brutality of totalitarian regimes. The man-made Ukraine famine would have been inconceivable in an independent, democratic country which respected human rights and the rule of law. As this resolution states, the man-made Ukraine famine is a graphic illustration of the unacceptable alternative to democracy and a free-market economy.

I believed then, and believe now, that it is vital for all Americans to understand what Ukrainians suffered 60 years ago. More importantly, it is essential that we recognize why the famine occurred, and what can result from the oppression of inhuman regimes that use food as political weapons.

The Commission on the Ukraine Famine, in its report, concluded that Stalin's regime committed genocide against Ukrainians in 1932–33. The purpose of this artificial famine was to suppress any Ukrainian expression of its cultural and political identity—an identity that was rooted in the peasantry. Despite the tremendous cost in lives, and the innumerable personal human tragedies, Stalin was patently unsuccessful in eradicating Ukrainian identity. The fact that Ukraine is now independent is as much a testimony to Stalin's failure as it is a testimony to the indomitable will and spirit of its people.

But I wish it was that simple and that Ukraine's independence was assured. Increasingly over the last few months, I have been wondering whether Ukraine will remain an independent, democratic state. Unfortunately, Mr. President, the current economic and political situation in Ukraine gives me cause for grave concern. Yes, human rights are generally respected, and the average Ukrainian is much freer than under Soviet domination. And, yes, independent Ukraine is affirming itself as a partner on the international scene. However, political paralysis in the Ukrainian Government is precluding any real efforts toward serious economic reform. Attempts at market-oriented reforms continue to be blocked by the so-called red directors and collective farm chairman in the Parliament, and their bureaucratic cronies in the government. Meanwhile, the population of Ukraine suffers from hyperinflation and lowered living standards. The situation, in my view, is becoming dangerous, and I am not using the word dangerous lightly.

The legacy of the Soviet command economy is still deep, but Ukraine is moving all too slowly to overcome that legacy. Furthermore, Ukraine's problems are exacerbated by those in Russia who seem to have great difficulty in shedding their imperial mentality. But I cannot stress enough the necessity of economic, market-oriented reform for Ukraine, especially in the areas of privatization, credit and monetary policy, and land reform. I believe that at this juncture, the lack of movement in these areas can be as threatening to Ukraine's political future as any external threat.

The famine resulted when Ukraine did not control its own destiny. It pains me to say this, as one who has monitored closely developments in Ukraine in my capacity as Helsinki Commission Chairman and strongly advocated Ukrainian independence, but right now, Ukraine's future is becoming increasingly precarious. Only a functioning economy in a state based on the rule of law will guarantee that Ukraine stays independent and does not find itself under foreign, totalitarian domination as it did in 1932 and 1933.•

WHY NOT A NATIONAL ID CARD?

• Mr. SIMON. Mr. President, I am frequently described by the newspapers as

a liberal Democrat; and Robert Kuttner, who writes in the field of economics for the Washington Post and other publications, is frequently given the same tag.

I also happen to be a longtime member of the American Civil Liberties Union and generally applaud their stands for the defense of basic civil liberties.

But I confess, the Robert Kuttner column in the Washington Post the other day, "Why Not a National ID Card?" hit a responsive cord with me.

I know there is a reaction on the part of many people that a national ID card smacks of a police state. But many free countries have them, and what threatens us today in the world of computers and other invasions of privacy is not a national ID card but a number of other things.

And, as Mr. Kuttner points out, it would protect people who are questioned by the Immigration and Naturalization Service at the present time, sometimes with less than the kind of sensitivity there should be.

I also believe a national ID card would be of great help to Hispanic-Americans and others who speak with broken English, whose mother tongue is not English.

At this point, I ask to insert into the RECORD the Robert Kuttner article, and I ask my colleagues who have not seen it to read it.

The article follows:

[From the Washington Post, Sept. 6, 1993]

WHY NOT A NATIONAL ID CARD?

(By Robert Kuttner)

When White House officials disclosed a plan to create a national health insurance card last week, there was the usual squawking by some civil libertarians and immigrant-rights advocates.

Administration health planners say the card will allow more efficient processing of health claims, as well as the creation of a more comprehensive health database. The plan, however, prompted concerns by immigrant-rights groups, that the health card could be used as a device to screen out aliens. It elicited anxiety by the American Civil Liberties Union that the health card might become a backdoor national ID card.

As a journalist I am of course devoted to the First Amendment. But in this case the fears of the civil libertarians are misplaced.

The idea that any of us is sheltered from countless national databases or ID cards has long since been overtaken by technology. If anything, there is far more abuse of private databases than of government ones.

Just look in your wallet. Your Social Security card number, which once (but no longer) pretended that it could not be used "for purposes of identification," is likely to be your driver's license number as well as your IRS identifier. If you have a Visa or MasterCard, merchants can obtain profiles of your shopping habits. If you have health insurance, personal information is collected in private medical bureau databases, from which it can be bought and sold among insurance companies.

In 1991 a reporter for Business Week set out to expose the laxity of credit bureaus. He truthfully told a major credit bureau that he was an employee of McGraw-Hill (Business Week's parent company). This affiliation implied a legitimate business purpose and enabled him to obtain a password that gave him access to the confidential credit histories of millions of Americans, including that of then-Vice President Dan Quayle.

So Americans are already vulnerable to massive invasions of their privacy, courtesy of computerized databases and ID cards. The real challenge is to regulate the abuse of ID cards and information banks, not to somehow ban them.

The paradox of our national phobia against ID cards is that we already have most of the liabilities, while denying ourselves potential benefits, of computerized record-keeping.

For example, a universal health card would not just simplify billing; it also would allow research into epidemiology, the correlation of cancers with environmental risks, the tracking of whether all children are vaccinated and a host of other social benefits.

By the same token, the fears of immigrant groups are misplaced. Whether you favor liberal immigration or strict quotas, some limits and criteria always will be imposed on who may legally enter the country.

Unless we go to the extreme of having totally open borders, some device is necessary to differentiate citizens and legal foreign visitors from illegally resident (or "undocumented") aliens. The paradox is that the more we resist some uniform ID card, the more foreigners whose documents are not in order are likely to be harassed by immigration officials. Let's decide who is legally here and who isn't—and then keep track.

Although an "internal passport" is associated with totalitarian societies, wouldn't it also be nice for law-abiding citizens if there were reliable records of who are eligible to vote (no more need for voter registration), whose medical license had been withdrawn by another state for malpractice, who was ineligible to drive or to buy a gun?

Americans, whose first national motto was "Don't Tread on Me," have been conditioned to equate a "national ID card" (gasp!) with an incipient police state. You would think that we never had experienced driver's licenses, tax returns, Medicare cards, voter rolls, the Selective Service, the decennial census or demographically targeted junk mail.

We assume we are shielded from abuse because these records are haphazard. But in the checkered history of liberty in our country, there have been plenty of witch hunts, enemy lists, red scares and the like, long before computerized databases or ID cards. Sen. Joe McCarthy, J. Edgar Hoover and the House Committee on Un-American Activities did their dirty work without national ID cards or databases.

The issue is not whether these information banks and ID cards can be eliminated—they are unfortunately part of modern society—but how best to regulate their abuse. If anything, we need much tighter controls on the ability of private business to buy and sell data collected for one purpose and then used for another. We need higher walls between government agencies, lest the IRS and CIA peek at individual census or health records, and lest off-duty cops illicitly sell data from the uniform crime reports to private eyes. We need stricter penalties for misuse.

The penchant of Americans to become fixated on the wrong grievance is nothing short of astonishing. Surely the greater national disgrace and greater denial of liberty is the fact that tens of millions of Americans risk financial ruin if they become sick.●

AMERICANS UNDER FOREIGN COMMAND?

● Mr. SIMON. Mr. President, there has been a lot of ridiculous talk that has arisen out of the fact that we will occasionally have American service personnel under the command of someone designated by the United Nations.

The reality is, if we do not want to be the world's policeman, we are going to have to work with other countries.

People can't have it both ways.

I was pleased to read the editorial in the Chicago Tribune titled, "Americans Under Foreign Command?"

I ask to insert it into the RECORD at this point.

The article follows:

[From the Chicago Tribune, Aug. 20, 1993]

AMERICANS UNDER FOREIGN COMMAND?

Although U.S. troops fought under non-American commanders in World Wars I and II. Washington's recent practice has been to have its own officers in charge when the American military goes into action.

This seems bound to change when—or, rather, if—President Clinton goes ahead with plans to permit full U.S. participation in United Nations peacekeeper missions.

Reports that Clinton would issue the necessary policy directive as early as next month caught members of Congress off guard. Some are expressing outright opposition; others maintain, reasonably, that more consultation with Congress is in order before a change of such importance is undertaken.

Whether or not they are entitled to such consultation, Clinton would be wise to give it to them. At the same time, however, he should argue vigorously for his proposed policy modification, which seems a sensible, positive step that accords with today's increasing emphasis on multinational actions undertaken by the UN.

There was little reason to doubt the wisdom or necessity of safeguarding U.S. command prerogatives during the Cold War. Almost any conflict in which Americans were involved, no matter how remote, had the potential to spark superpower conflict. With the stakes so high, it was only reasonable to have American commanders calling the shots.

In the last few years, though, the post-World War II international order has dissolved and the threat of superpower confrontation has disappeared. New or re-emergent perils have come to the fore, and the response to them has tended to be not unilateral but multilateral, with UN members acting in concert to dispatch blue-helmeted peacekeepers.

For the most part, American units have been conspicuous by their absence. The operation in Somalia, where a U.S. military logistics outfit is not only at work but also under UN command, represents a significant departure for this country. U.S. troops probably would find themselves in more such ventures, under the command of non-Americans, in the future.

Traditionalists who worry about such a prospect need to remember that America's military capability wouldn't be weakened. Nor would the U.S. be compelled to commit troops to any particular international operation.

Rather, the U.S. could move away from any outsized role as world cop while still joining with other nations in international peacekeeping duties.

All in all, the Clinton administration, members of Congress and the American people should feel comfortable with such a modest bow to contemporary reality.•

OLYMPIC GAMES 2000 IN CHINA

• Mr. SIMON. Mr. President, there is some discussion about the United States Congress going on record in opposition to the Olympics going to China.

Where nations violate basic human rights principles, the United States should stand up, but we should stand up in a sophisticated and responsible way.

When we deny computer sales to China because China is selling military equipment in violation of an agreement, that is perfectly proper. To let China know when that nation imprisons people who stand up for religious freedom and freedom of speech, that is proper. When someone is kicked out of China because he wants to organize free labor unions, and we protest, that is proper.

But we should not try to politicize the international Olympics.

A strong case can be made for the fact that the invasion of tens of thousands of guests around the world will hasten the demise of the hard-line regime that now runs China. That may have played a role in Moscow.

In any event, my decision not to cosponsor the resolution on the Olympics came in part because of the advice of Nancy Chen, a Chinese-American who heads my Chicago office.

Nancy Chen has done excellent work, not only for PAUL SIMON but for many good causes in the Chicago area.

Recently, she wrote to me after I had consulted with her on the decision on the Olympics, and I thought my colleagues would be interested in her comments.

I ask to insert them into the CONGRESSIONAL RECORD at this point.

The letter follows:

JULY 27, 1993.

DEAR PAUL: I am writing this letter to you as one of your constituents, not as director of your Chicago office. Because what I am writing to you is not entirely devoid of personal feelings and observations.

I am writing to let you know my thoughts on the resolution passed in the House yesterday by an overwhelming majority calling for the International Olympic Committee to reject China's application to host the Olympic Game in the year of 2000. I realize that the resolution will most likely be presented in the Senate soon, and you will have to make a decision whether to support it.

I was very grateful that you called me to ask my opinion on this issue a few weeks ago. I have always respected your strong support on human rights for the Chinese people in China. That was why you were standing with the Chinese students at Grant Park to protest against the tragic event at Tienanmen Square on June 4, 1989. That is also why you have made strong statements against the renewal of the Most Favored Nation (MFN) status to China, even when you knew this was enormously unpopular during your visit to Hong Kong in 1991 when you were lobbied by scores of American businessmen and Hong Kong officials. I was proud of your conviction. Because of this, I was not sure how you would take my opinion on the Olympic issue. On one hand, I did not want you to receive any criticism, even the slightest, on your human rights record for not going along with Senator Bradley's proposal. On the other hand, I felt you would be the only member of the Senate who would be willing to view this issue not entirely from an American's perspective, and therefore, I boldly stated my feelings on the issue to you. I was gratified to learn later that you decided against sponsoring the resolution after listening to me.

When Jennifer came home from China, the first thing she told me was how excited the Chinese were about the possibility of hosting the Olympic Game in the year of 2000. She said everywhere she went, people were talking about this. The excitement was obviously contagious, because she too was enthusiastic about that prospect. She told me, "Mom, just think, for the first time, the athletes around the world will come to China, to compete on their physical strength, endurance, and sportsmanship. This will really open the eyes of all Chinese people." I was glad that I was able to tell her that I thought so, and that Senator Simon also thought that politics had no place in an Olympic Game.

I am puzzled by the strong sentiment in the House against China being a host for the Olympic Game. If Congress is unhappy with the Chinese government's intransigence over the issues of human rights, arms sales and trade imbalance, the best tool to bring China down to her knees is to deprive her of the Most Favored Nation status NOW. But Congress deferred to President Clinton who, although added on a condition calling for improved human rights in China, nevertheless, granted the MFN status to China. Why then should Congress feel we ought to punish the Chinese government by denying them the opportunity to host the Game seven years later? Is it because it is easier to sanction a country when members don't have the American business interests at stake? How would depriving the one billion Chinese who take pride in their ability to host the international athletic communities in their ancient country make them feel closer to the American government and her people? Denying China this opportunity is no punishment to the Chinese government, it is a punishment to the innocent people who may not have much of other things they so deserve, but certainly never lack pride.

I just finished teaching my first class on American democracy to a group of Chinese executives who were attending a training program on commodity exchanges at the University of Illinois at Chicago. The reaction from the leader of the group was that my talk was good, but talking about the MFN issue made them uncomfortable because I inadvertently criticized the Chinese government on its action against a democratic movement. The man had a point, because they are government officials and they felt helpless in that situation. But judging from the reaction from the class, they were very absorbed in my lecture. There were many questions about our form of government and our political system. My point is this is the kind of interaction we need between people of the two countries. If the Chinese government didn't allow its officials to come to the United States, they would never have been exposed to the true American democracy. By the same token, if we keep our athletes away from China, and they retaliate by keeping their athletes and others from coming to the United States, will we gain better understanding of each other? Will democracy be furthered by our punitive action?

China is an old country with a long history of authoritarian and imperial governments. Democracy will not come from the top down, it can only come from the bottom up. When the masses finally awaken to the idea of a democratic society, the government will have no choice but change. The more people in China come into contact with people from the free world, the better they are able to decide what form of government they want for themselves and their children. Taiwan and Korea are two good examples for the Chinese to follow, and I believe they are taking close notice on the prosperity of their neighbors.

The Chinese people have always held Americans with high regards thoughts the last century, even during the 50s and the 60s. Let's not destroy that good will by destroying their pride. Without pride, people can be driven to do anything.

Thank you once again for allowing me to express my thoughts on this issue.

Very gratefully yours,

NANCY CHEN.•

ENGLISH AS A PRECIOUS LANGUAGE

• Mr. SIMON. Mr. President, we had people who are making a lot of noise that we ought to make English the official language, an action that would do not one thing to help anyone learn English.

In the meantime, there are hosts of people in most urban centers who are standing in line to get into classes so that they can learn English and be more productive citizens.

What we clearly have to do is to fund those programs.

When we reauthorize the Elementary and Secondary Education Act, I hope we will do something about this.

Deborah Sontag had an excellent article in the New York Times about the situation in New York.

People wait 4 months to 3 years to get into a class to learn English.

Riverside Church in Manhattan has a class for 50, and they had a lottery with more than 500 people showing up for the 50 spaces.

If anyone thinks that those who emigrate to our country are not eager to learn English, please read Deborah Sontag's excellent article.

Mr. President, I ask to insert her article into the RECORD at this point.

The article follows:

[From the New York Times, Aug. 20, 1993]

ENGLISH AS A PRECIOUS LANGUAGE

(By Deborah Sontag)

Riverside Church was packed with immigrants hoping their number was up. Hairdressers, plumbers and mathematicians from Russia, Haiti and the Dominican Republic, they formed lines that snaked through a cavernous assembly hall, 500 people desperate for the luck of the draw.

A lottery had drawn them to this spot beneath stained-glass windows, but it was no

ordinary cash-prize game. This was a lottery to win one of 50 coveted spaces in the free intensive English classes offered at the Manhattan church.

In the years before the lottery, spaces were awarded on a first-come, first-served basis, and the night before registration, immigrants would sneak into the church and sleep there, in line. Their passion to learn was that intense, and the opportunities to do so that rare.

At Wednesday's lottery, Bilga Abramova, a 35-year-old Russian refugee, tugged at the sleeve of a program administrator. "Please, madam, please help—is not my first time at lottery, is my third time."

"I NEED TO WIN"

Ms. Abramova switched into Russian: "I need to win, I need it badly. My future is on hold. Without English, I cannot begin a new life. I do not want to depend on welfare. That is shameful."

Contrary to some native-born Americans' belief that immigrants no longer make a genuine effort to learn English, the demand for English lessions in New York City—as in immigrant havens across the country—far outpaces the supply. Very few immigrants who arrive with no knowledge of English can afford private tuition, and in New York City, immigrants must wait four months to three years, depending on the program, to get into free classes. For newcomers eager to move into American jobs and society, the wait can be unnerving.

Free English classes—financed with Federal, state and local funds and offered by the Board of Education, the City University of New York, public libraries and community groups—fill to capacity with about 30,000 students a year. But about 1.36 million New Yorkers may need them, a conservative estimate of city residents with limited proficiency in English, according to the 1990 Census. Most classes are open to all immigrants, regardless of their legal status.

"There's not a single English-language program in the city that isn't inundated, and waiting lists go into years, not months," said Kay Sardo, assistant commissioner of the city's Community Development Agency.

In New York State, more immigrants languish on waiting lists for adult English classes than in any other state, according to a study by Beltway Associates, a Washington consulting firm. The study found about 17,000 New York immigrants on waiting lists in 1990, a conservative tally since the study dealt only with programs receiving Federal adult-education funds, and many programs, like Riverside, have abandoned waiting lists altogether.

To some experts, the shortage of English classes reflects a laissez-faire attitude by the Federal Government toward the needs of the 800,000 immigrants legally admitted each year. About half speak poor English or none at all, immigration experts say. But the United States Government, which has one of the most liberal admissions policies in the world, has traditionally left newcomers to fend for themselves—or state and local government to pay for their services.

('PEOPLE DO WANT TO LEARN')

"Unlike Canada, Israel and Australia, the United States has an immigration policy but no deliberate Federal immigrant policy, which is a mistake," said Michael Fix, an immigration expert for the Urban Institute in Washington. "We need to think of immigrants not just in terms of the costs and burdens they impose, but in terms of the investments that need to be made in them."

As anti-immigrant sentiment built with the influx of immigrants during the recession, much hostility focused on what some perceived to be the threat to English as the nation's common language. But many experts say that immigrants' desire to retain their native tongue does not translate into an apathy about learning English.

"I've never run into a single person who said, 'I don't need English, I can just hide in my neighborhood and get along fine,'" said Heide Spruck Wrigley, who directs a research project on immigrant adults' English study for the Southport Institute for Policy Analysis, a nonpartisan group in Washington. "Instead, there is overwhelming evidence that people do want to learn English and either can't get into classes or have such complex lives that they can't fit in the time."

Juliana Loma, an accountant from Panama, applied to English classes in the Bronx when she arrived in this country. "It was the logical first step, and I didn't have anything else to do yet," she said in Spanish. Two years later, a place finally opened up for her in a community college class. By that time, however, she was working during the day at a garment factory, and at night and on weekends at a restaurant. The class was a luxury she could not afford, she said.

"It's frustrating," she said. "I'm stuck in menial work because I don't speak English, and I don't speak English because I can't afford to quit my menial jobs to take a class."

The Federal Government spends about $300 million each year, through a variety of financing mechanisms, on English programs for immigrants —"a spit in the ocean," Mr. Fix said. In New York City, the combined Federal, state and city financing for general English classes for immigrants, which is renegotiated every year, is about $20 million. Some additional Federal money supports programs for political refugees only.

New immigrants, impotent politically, lack the clout to demand what they need.

"English as a second language, particularly for adults, is considered a marginalized field, a stepchild in all the various areas of funding and decision-making," Ms. Wrigley said. "And you're not likely to see a march on Washington by the students. They're just not in a position to make demands."

There is no typical immigrant student of English. Most believe that learning English will help them find a decent job. But some are grandparents who feel alienated from their English-speaking grandchildren, and some parents tired of the imbalance of power in their homes that results from relying on their children as interpreters. Still others want to learn English to negotiate with landlords, police officers or welfare officials, or to participate more fully in their new culture.

"Where I live, in Borough Park, nobody speak English, only Hebrew, Yiddish, Russian," Iana Skylarevich, a Russian immigrant, said in halting English. "I hear English only on TV, never in street. So I am not in America. Yet."

Aura Kevalier, a Dominican doctor, agreed. "I'm enjoying a mountain of things here, but without English, I'm trapped outside all the opportunities I came for," she said in Spanish. "I'm not going to stay here if I have to stand on a street corner and sell flowers. No way."

To avoid pandemonium, there was no public drawing at the Riverside Church lottery. Instead, winners were chosen privately and informed by postcard.

Ms. Abramova, on her third try, did not get lucky. And because in September she will have been in the United States for a year, she will no longer be eligible for the program, which serves only immigrants in their first year. She will now have to search elsewhere for language instruction. And she will have to delay, for the moment, her aspirations of a new career.

"I am a barber," she said. "But I truly want to go into medicine."•

GIVE TV THE CHANCE TO REGULATE ITSELF

• Mr. SIMON. Mr. President, a great deal has been said about what should or should not be done regarding television violence.

I'm pleased to say that we are slowly making progress in this area, a major public health hazard. The evidence is simply overwhelming that violence on television adds to violence in our society.

Recently, the Quad City Times of Davenport, IA, had an editorial, which concluded:

> Right now, it's up to the industry to act. If they refuse to do so, Congress should step in and come up with a solution that protects the industry's freedom-of-speech rights and the rights of viewers to not be confronted by material they find offensive.

I ask that the entire editorial be placed in the RECORD at this point.

The editorial follows:

[From the Quad-City Times, Aug. 4, 1993]

GIVE TV THE CHANCE TO REGULATE ITSELF

About 650 writers, producers and television executives gathered Monday in Beverly Hills to discuss television and violence.

Predictably, there was a lot of debate and very little agreement. Sen. Paul Simon, D-Ill., told industry leaders they have about two months to voluntarily limit or restrict violence in programming or they will face increased regulation from Congress.

Simon, a former newspaper publisher, says he may not support such regulation. Unless the legislation is carefully drafted, he said, it could easily go "beyond the point of being healthy for free speech."

Simon seems to be on the right path. It's unfair, not to mention unconstitutional, to restrict freedom of speech. But it's not unfair to demand that people exercise that freedom in a responsible fashion. A speech delivered from a soapbox in a city park is far different from a speech delivered in front of your house through a bullhorn.

Some misinformed First Amendment advocates argue that restricting broadcast television content is the same as restricting the content of books, newspapers and magazines. Not so. If you don't want to be offended by books or articles that glorify violence or promote irresponsible behavior, you don't bring them into your home. With television, you have no choice; the material is already there, brought to you over the public airwaves and ready to be accessed with the touch of a button.

Television sets are essentially video mailboxes, and what viewers are concerned with is the equivalent of unsolicited video junk-mail. It's true that offended viewers have the option of turning off their set or changing channels—just as they have the option of discarding junk-mail or closing their window on the orator with the bullhorn.

But why should they be subjected to this material to begin with? Television deserves

to be regulated in much the same way as the U.S. mail, in which one-on-one communication flows back and forth virtually unrestricted, but unsolicited mass-mailings that may be deemed offensive is forbidden.

That kind of regulation is easy to implement when it comes to television. The technology that created the problem of broadcasting to meet the varying standards of millions of Americans is the same technology that offers us a solution: Viewers now have the ability to access whatever kind of television programming they want—no matter how offensive it may be by their neighbors' standards—through "subscriptions" to cable channels, the purchase of pay-per-view programs and the rental of videotapes.

This kind of access is what the First Amendment is all about. It allows for free speech without mandating reception by an unwilling public. If the more restrictive outlets were used as a conduit for R-rated programming, broadcast television could focus on delivering material created for family viewing.

That kind of programming change involves separation by content—not censorship—and could be based on the same kind of rating system used by the film industry to restrict access to violent and sexually explicit films.

Right now, it's up to the industry to act. If they refuse to do so. Congress should step in and come up with a solution that protects the industry's freedom-of-speech rights and the rights of viewers to not be confronted by material they find offensive.•

EVER-PRESENT PAST LINGERS FOR VISITORS TO MODERN VIETNAM

• Mr. SIMON. Mr. President, Dorothy Collin was a highly respected reporter on the Washington scene and then went back to Chicago to coauthor a column that is usually referred to as a "gossip column," the highly read column called "INC." in the Chicago Tribune.

Recently, she took a trip to Vietnam and her observations are interesting and significant.

At the close of her column she writes:

But Vietnam is there whether we like it or not. The French (who lost before we did) are in country. So are the Brits, the Swiss, the Australians, and the Japanese. (The Russians are almost gone.) Americans can't pretend Vietnam doesn't exist because we had such a traumatic experience. Even if we're still bitter, we should lift the embargo because, to be crass, the light at the end of the tunnel is a dollar sign.

Frankly, that makes sense.

Caterpillar, from the State of Illinois, would like to do business there. AMOCO, from the State of Illinois, would like to do business there.

Many other American companies would like to, but they're being squeezed out by other companies from other countries because we are responding to the national passion rather than the national interest.

I ask to insert the Dorothy Collin observations into the CONGRESSIONAL RECORD at this point. I urge my colleagues to read what she has to say.

The column follows:

[From the Chicago Tribune, Aug. 3, 1993]

EVER-PRESENT PAST LINGERS FOR VISITORS TO MODERN VIETNAM

(By Dorothy Collin)

For Americans of a certain age, images of Vietnam flicker in the memory like reels of old TV news clips. So a trip to the country that was a graveyard for a generation's innocence takes place in two time zones—the present and the ever-present past. The experience is surreal.

There are Americans in Vietnam these days. Most of them are young, in their 20s, about the age of those other Americans who came in the 1960s (and the age of the Americans who did everything they could to stay away from Southeast Asia). But the new versions are entrepreneurs, not soldiers. They are waiting for the U.S. embargo to be lifted so they and companies they represent can do business. Unlike their fathers or uncles who tried to fight (or avoid) an impossible war, the new Americans want to sell computers and burgers to 70 million Vietnamese. And the Vietnamese want to buy them.

The young Americans aren't the only ones going to Vietnam. There are a growing number of tourists. And there are the veterans. One recent visitor to Saigon was Col. David Hackworth, a congressional medal of honor winner who later turned against U.S. policy. He was there to write an article for Newsweek and to close the book on the war. As he sat on the roof of the Rex Hotel, where Dan Rather recently interviewed Norman Schwarzkopf, Hackworth laughed about how he'd spent his first night back. He went to a party with the young Americans, a toga party. Talking about the war, he said: "It's over."

But "don't the Vietnamese hate us?" another visitor asked. One of the young Americans assured her they did not, mostly because so many Vietnamese are young, too. For them, the war with America is a blip in a long history of trying to achieve independence. They want to improve their country, which is poor, and their standard of living, which is somewhere in the 1930s. In Saigon (officially Ho Chi Minh City), young Vietnamese crowd into a makeshift theater that shows American music videos, sort of a sidewalk MTV. The currency of choice for hotels, restaurants, beggars, bargainers and the government is the U.S. dollar. The T-shirt lady's hottest sellers are "Good Morning Vietnam" and "Lift the Embargo." The musician in native dress at the Vietnam House restaurant plays a beautiful, haunting version of "Country Roads."

But there are those newsreels in the head. The former American embassy, now a Vietnamese government agency, stands mildewed and weed-choked. Barbed-wire, torn and tangled, crawls along the top of the outside wall. The roof, where helicopters landed to take the last Americans out of Vietnam is as familiar as Mary Tyler Moore's living room. A stroll through the streets of Saigon is like walking through the pages of old Life magazines. In your mind, you see a South Vietnamese general shooting a prisoner in the head.

The road from Hue to Danang goes through rice paddies and villages that look like the evening news intercut with scenes from "Platoon" and "Apocalypse Now." (A bar in Saigon named "Apocalypse Now" was closed by the government in a somewhat mysterious dispute over who should own what.) China Beach is one of the world's most beautiful, but the road from Danang is lined by the ruins of U.S. installations. The forks at lunch in Hue are marked "U.S.," remnants of a service mess. A traveler feels sort of guilty when she likes Hanoi better than Saigon.

And then there's the almost choking realization of what it must have been like for 20-year-old American kids to walk off planes and find themselves in this place of extreme heat and strange smells, where much of the country seems to be one large, dirty village strung out along a few roads and millions of dikes, where the people look like delicate 12-year-olds, but are tough, unreadable adults. "Ami American," the peddlers in Saigon say to visitors. "Before 1975, I work with Americans . . ." Sure. They guy was probably a Viet Cong sapper.

There are few mental news clips of Hanoi. But its still disconcerting to enjoy a visit to Ho Chi Minh's little house and to find a rather lovely city with many of its French colonial buildings intact. In hotels, stores and pagodas, Americans are welcomed. On the street, if they notice American visitors at all, people don't seem to care. But there are those surreal moments.

A guide takes a tourist to see the marker commemorating the spot where John McCain, then a young Navy pilot, now a U.S. Senator, was shot down. McCain has visited the marker and the guide chats brightly about the occasion. The tourist knows McCain and knows that his arms are forever bent because of his injuries and because he was tortured. But it all seems so long ago as the guide and the visitor stand on the shore of a quiet, pretty lake on a gorgeous sunny day.

A visit to the "Hanoi Hilton" also is otherworldly. It's an old city prison in the middle of town, kind of like County Jail. It's going to be torn down and replaced by a business center. Can a real Hanoi Hilton be far behind?

There are Americans who think that the United States should have nothing to do with Vietnam, that the embargo should not be lifted, that we should not establish full diplomatic relations. There are Americans, many of them elected officials, who are still paralyzed by Vietnam. Some are afraid to commit American power; others are afraid not to. Not only have they learned from history, they're transfixed by it. There also are a whole lot of Americans who don't care, who think Vietnam is ancient history.

But Vietnam is there whether we like it or not. The French (who lost before we did) are in country. So are the Brits, the Swiss, the Australians, and the Japanese. (The Russians are almost gone). Americans can't pretend Vietnam doesn't exist because we had such a traumatic experience. Even if we're still bitter, we should lift the embargo because, to be crass, the light at the end of the tunnel is a dollar sign.

In the most surreal twist of all, a country we could not control by force of arms or with anti-communist fervor, appears ready to embrace the elements of American culture that appeal to so many others around the world. In a year, they'll be wearing jeans, high-tops and Michael Jordan T-shirts, and munching Big Macs.

You can already get a Coke.•

A REVIEW OF INTANGIBLE ASSETS PROVISION

• Mr. SIMON. Mr. President, I want to comment on one provision of the Budget Reconciliation Act. I was prepared to do this before this legislation was passed by the Senate, but in the rush of

events before adjournment, I failed to do so. But I want to make it clear that the 100 percent amortization of goodwill and other intangible assets that is allowed in the Budget Reconciliation Act is of great concern to me. It will not help our deficit reduction efforts. In fact, it will cost the Treasury more than $2 billion each year in the long term.

Prior to the enactment of the new law, companies could deduct the cost of tangible assets, such as buildings and machinery, which are purchased in corporate buyouts. The acquiring company could also deduct interest costs on borrowed money. This generous tax treatment for companies acquiring other companies stimulated the buyout and merger mania we saw in the 1980's and early 1990's at great cost to taxpayers.

The wave of merger mania led companies to increasingly seek deductions for their intangible assets as well. According to a 1991 report by the GAO, the reported value of intangible assets—assets that do not physically depreciate but that companies claim decline in value over time—in leveraged buyouts and other merger activities went from $45 billion in 1980 to $262 billion in 1987.

In the past, the IRS disallowed many deductions claimed by corporations for intangible assets. These included claims for goodwill, which can be defined as the value of a company's good name. Corporations attempted to deduct such items as customer lists, patents, and brand name loyalty. When the IRS refused to allow these deductions, these major corporations went to court to avoid paying the taxes they owed to the IRS. This led to the so-called litigation explosion that allegedly drove this change in the tax law. Proponents of this provision claimed that simplification was needed to address the chaos created by this litigation explosion.

No one believes that the IRS or the Nation is well-served by spending time and money in court settling tax disputes. And of course, simpler tax laws are preferable to complicated tax laws. But the solution was not to simply in one strike give the big corporations seeking to avoid paying taxes an even bigger tax break. In this provision, we gave away the store, Mr. President.

Proponents of this proposal claim it is revenue neutral. But even by Congressional standards, this is a very bizarre notion of revenue neutral. Before the law was changed, the Treasury stood to lose $13.9 billion over the 5-year budget window, and over $7 billion per year outside the 5-year budget window. The change proposed in this bill means that the Treasury will only lose about $12 billion over the budget window, but over $9 billion per year outside the budget window. Only in Congress can we claim that replacing a $14 billion tax break with a $12 billion tax break is revenue neutral. Let's be honest about what we are doing—we are taking an affirmative step to give away $12 billion in taxpayer money to corporations that take over other corporations.

And, to add insult to injury, we are setting in motion a process that will increase the cost to taxpayers from about $7 billion to over $9 billion a year after the 5-year period. Much has been made about projections that suggest that even after adopting this plan, the deficit will begin to rise again after 5 years. After reviewing the details of this intangibles proposal, I have found one good reason why. But this one has nothing to do with demographics or projected increases in health care costs. This is a specific decision by Congress to help a very specific special interest.

There was one very clear question for the Senate to consider on this provision: at a time of shared sacrifice could we really justify retaining a $12 billion tax break for mergers and acquisitions when everyone else—Social Security recipients, Medicare recipients, the transportation industry, motorists, businesses, individual taxpayers—are being asked to bite the bullet?

Did this tax break ever make sense? If members were to go back to their States and take a hand count at town meetings or hold a referendum among voters, do they really think voters would approve a $14 billion appropriation to businesses for mergers and acquisitions? Do Senators really believe that Mike Milken and Ivan Boesky need hand-outs from Uncle Sam? There is no way such an appropriation could pass the Senate, but that is exactly what this provision was. The provision said we should not give the merger artists $14 billion over 5 years, we should give them only $12 billion. And at the same time, their long-term take from the Treasury will increase from $7 billion to about $9 billion a year. Anyone care to go home and explain this one?

I led the battle against a similar provision last year during the debate on the unsuccessful tax bill. This year the Senate approved a less generous version of this tax break for mergers and acquisitions. The Senate version would have only allowed a write-off of 75 percent of the value of an intangible asset. I received a pledge from Chairman MOYNIHAN that he would fight for the Senate provision on intangible assets in conference. I would like to submit a copy of his letter to me on this issue for the RECORD.

The Joint Tax Committee and the GAO estimated that goodwill constitutes approximately 25 percent of all intangible assets, so the Senate provision would have effectively maintained the present law on goodwill. This would not only have saved billions of dollars, but would also have lessened the provision's promotion of corporate mergers.

I believe the conference committee's decision to include the House provision on intangible assets, as opposed to the Senate provision, was very unwise.

One staffer who has worked closely on tax issues for many years told me that he had never seen an issue that had been worked so heavily by corporate lobbyists. That is who is really helped by this provision—the K street lobbyists and the merger and acquisition crowd. In the midst of an anguished national debate over how to achieve deficit reduction through a painful mix of revenue increases and spending cuts, this Congress voted a multibillion dollar giveaway for mergers and acquisitions. This makes no sense. It is bad economics, bad policy, and bad politics. It will cost the Treasury money, it will encourage corporate behavior that costs jobs, and it is the wrong way to make tax policy and the wrong way to legislate. And it is unfair to middle class taxpayers.

I supported the Budget Reconciliation Act, Mr. President, because there is much in it that is good, and we desperately need to get a handle on the deficit. This new law is a good beginning. But I want to make my views clear on the intangible assets provision. I do not approve, and I would not rule out efforts to revisit the issue in the days ahead.

The letter follows:

COMMITTEE ON FINANCE,
Washington, DC, June 24, 1993.

Hon. PAUL SIMON,
U.S. Senate, Washington, DC.

DEAR PAUL: I write to let you know of my commitment to vigorously push the Senate position on amortization of goodwill and other intangible assets in the budget reconciliation conference. I know of your strong reservations on this issue, and your commitment to ensuring that any change in the tax laws not encourage takeovers or leave the Treasury with a long-term revenue loss.

I know that you have been concerned that allowing full amortization for goodwill and other intangible assets will encourage more takeovers, particularly in industries that depend on goodwill.

As you know, the Senate reconciliation bill allows only a 75% amortization for intangible assets, as opposed to the 100% deduction allowed in the House version of reconciliation. The Joint Tax Committee and the GAO have estimated that goodwill constitutes approximately 25% of all intangible assets. Therefore, the Senate Finance Committee bill accomplishes important tax simplification, while also attempting to ensure that goodwill will not be amortizable.

The long-term revenue problem with a 100% deduction, which you brought to the attention of the Senate last year, has also been remedied with the Senate provision. According to the Joint Tax Committee, a 75% amortization over 14 years does not lose revenue in the long term, while the House provisions would lose revenue in the long term.

Again, I appreciate your leadership and commitment on this issue.

Sincerely,

DANIEL PATRICK MOYNIHAN,
Chairman.•

COMMANDER'S CROSS OF MERIT GIVEN TO EDWARD MOSKAL, PRESIDENT OF THE POLISH NATIONAL ALLIANCE

• Mr. SIMON. Mr. President, many years ago, I joined the Polish National Alliance at the suggestion of a friend. That was more than 25 years ago.

I wish I could claim Polish heritage, though it is possible I am partly Polish. I have never had a thorough background check on my family heritage. It is one of the things I hope to do some day when I retire or get someone to do; but I have taken a special interest in Poland, initially because of the sizable Polish population in Illinois.

But it has been increasingly clear to me that Poland has represented the breakthrough country for Eastern Europe. I believed that before the Berlin Wall came down, and I believe that after the Berlin Wall has come down.

The Polish National Alliance is a fraternal organization that preserves the Polish heritage in the United States, and also, encourages sound policies toward the needs of Poland.

Recently, I learned that the president of the Polish National Alliance, Edward Moskal, was honored by the President of Poland, Lech Walesa, when he presented him with the highest award that can be given to someone who is not a Polish citizen, the Commander's Cross of Merit.

I am pleased to see this tribute to Ed Moskal and his leadership, and I want to join the others who paid tribute, not only to Ed Moskal, but to the Polish National Alliance for their good work. This award of appreciation given to Ed Moskal should also be a reminder to all of us that much of what happens in Eastern Europe will depend on the continued success of the economic and political development of Poland.•

REPORT CARD ON EDUCATION

• Mr. NICKLES. Mr. President, the American Legislative Exchange Council [ALEC], with the cooperation of Empower America and the National Center for Education Information, recently released a comprehensive, State-by-State report card on American education. The purpose of the report was to learn where we have been, what we have invested, and how we have done during the last 20 years. The news is not good.

Ten years ago, the U.S. Department of Education published "A Nation at Risk," which documented the shortcomings of American educational performance. Today, I must report that there has been no significant improvement in academic achievement. In 1993 America is still a nation at risk.

And this conclusion is made even more disturbing by trends in education spending. This is important. I know it is fashionable to talk about underinvestment in education. But we have invested, and invested heavily. Since 1973:

After adjusting for inflation, total spending on education rose 47 percent;

Per pupil spending increased 62 percent—that is about the same as health care costs have risen; and

The average American household now spends $808 more in taxes every year to support education.

This investment has not paid off in higher student achievement nationwide: Dropout rates have increased and achievement test scores have not improved.

The data shows that there is virtually no correlation between academic achievement and the amount we spend on education. Some of the States with the highest levels of academic achievement are also some of the lowest spending States. In other words, money—alone—is not the answer.

So if money is not the key to success in education, what is?

The report card offers some clues. Ten States dominate the top rankings on every measure of student achievement. While even these States could do much better, their students are outperforming students in the rest of the country and they have held these top ranks for 20 years. What makes them different?

The data offers two insights. Students in these high achieving States take more core academic courses throughout high school. And a large number of students in these States attend small schools, schools with less than 300 pupils.

Twenty years of data shows that students do better if excellence is expected; courses are challenging; and schools are organized small enough to be managed effectively by principals, teachers, and parents. To most people, that is almost common sense but it has cost us 20 years and trillions of dollars to learn it.

In addition to all this, the report card raises a key question about our investment in education: Where has all the money gone?

What the report card shows is that over the last 20 years, we have hired twice as many nonteaching staff as we have teachers. And less than a quarter of every new dollar we have invested in education went to pay teachers. Where has all the money gone? Too much has gone to bureaucracy; too little to our children's education.

This mountain of data, and the conclusions it yields, should be the starting point for a new emphasis on reinventing education. In this, we must stop listening to the rhetoric and start looking at the facts. That is why ALEC has published this report card. State lawmakers will play the central role in reinventing education, determining how to spend more that 90 percent of all the money we devote to education. ALEC, as the Nation's leading association of State legislators, will continue to provide sound data and solid analysis upon which we can act effectively. Our Nation faces no greater challenge.

I ask that the two tables on education taxes and teachers salaries be included in the RECORD at this point.

The material follows:

Additional taxes for education per household—1993 compared to 1973

	Amount
United States	$808
Alabama	721
Alaska	2,854
Arizona	1,268
Arkansas	772
California	776
Colorado	860
Connecticut	1,219
Delaware	337
Florida	980
Georgia	1,208
Hawaii	947
Idaho	991
Illinois	211
Indiana	900
Iowa	292
Kansas	885
Kentucky	1,028
Louisiana	642
Maine	1,184
Maryland	660
Massachusetts	487
Michigan	357
Minnesota	350
Mississippi	581
Missouri	336
Montana	784
Nebraska	634
Nevada	1,185
New Hampshire	1,158
New Jersey	1,484
New Mexico	874
New York	535
North Carolina	928
North Dakota	490
Ohio	683
Oklahoma	668
Oregon	1,265
Pennsylvania	657
Rhode Island	605
South Carolina	911
South Dakota	447
Tennessee	572
Texas	1,371
Utah	1,117
Vermont	1,233
Virginia	823
Washington	1,213
West Virginia	938
Wisconsin	851
Wyoming	1,578

Note.—Current expenditures in 1993 dollars.

Portion of each new education dollar used for teacher salaries: 1973–93

	Amount
United States	$0.24
Alabama	.22
Alaska	.13
Arizona	.09
Arkansas	.31
California	.09
Colorado	.26
Connecticut	.38
Delaware	.28
Florida	.15
Georgia	.26
Hawaii	.37
Idaho	.24

Portion of each new education dollar used for teacher salaries: 1973–93—Continued

	Amount
Illinois	.40
Indiana	.26
Iowa	.23
Kansas	.33
Kentucky	.29
Louisiana	.09
Maine	.26
Maryland	.22
Massachusetts	.33
Michigan	.28
Minnesota	.26
Mississippi	.28
Missouri	.33
Montana	.19
Nebraska	.22
Nevada	.22
New Hampshire	.29
New Jersey	.24
New Mexico	.21
New York	.30
North Carolina	.18
North Dakota	.20
Ohio	.24
Oklahoma	.33
Oregon	.14
Pennsylvania	.23
Rhode Island	.27
South Carolina	.28
South Dakota	.19
Tennessee	.30
Texas	.25
Utah	.02
Vermont	.30
Virginia	.26
Washington	.12
West Virginia	.29
Wisconsin	.25
Wyoming	.18•

TELEVISION VIOLENCE

• Mr. SIMON. Mr. President, as many of my colleagues know, I have been working for many years now to reduce gratuitous violence on television, and I am pleased to see that people from all over the country are now recognizing the impact of media violence, particularly on young children and teenagers. I am also hearing from more and more of my colleagues in Congress who want to get involved and I believe that there are many in the industry who now realize their responsibility in this effort.

I would like to share with you today a recent Wall Street Journal editorial on this issue written by Newton Minow, the former Chairman of the Federal Communications Commission. Mr. Minow was busy championing the use of television in the public interest long before I first became involved in the issue. His comments below are shared by many:

One evening as I watched, with my remote control in hand, I flipped through the channels and saw a man loading his gun on one channel, a different man aiming a gun on a second, and another man shooting a gun on a third. And if you don't believe me, try it yourself. I think the most troubling change over the past 30 years is the rise in the quantity and the quality of violence on television. In 1961 I worried that my children would not benefit much from television, but in 1991, I worry that my grandchildren will actually be harmed by it.

I sympathize with Mr. Minow's concern: watching television with my 3-year-old granddaughter leaves me with the same fears. Television can appeal to the best in each of us or to the worse in us—all too often, it is appealing to the worst of us.

Mr. President, I ask that the full text of Mr. Minow's editorial be printed in the RECORD at this point.

The editorial follows:

[From the Wall Street Journal, Aug. 3, 1993]

HOW TO ZAP TV VIOLENCE

(By Newton N. Minow)

Television producers, writers and network executive met yesterday in Beverly Hills with parents, psychologists and public officials to talk about television violence and its effect on children. This meeting of warring camps came after both houses of Congress held hearings on the subject this spring, and only a month after the television networks announced that they will begin labeling programs to alert parents to their violent content.

As expected, this consciousness-raising seminar, led by ABC's Jeff Greenfield, was strong on hand-wringing and soul-searching, was studiously polite and unusually educational. But it didn't go far enough. Few people seriously believe that the proposed warning system is equal to the problem, and most people think it will make the problem worse by drawing attention to especially offensive programs.

Nonetheless, the conference participants managed to tiptoe around the prospect of further action. And little wonder. Anyone who proposes doing anything more to curb violence is almost certain to be shouted down as a censor. This refrain is already de rigueur in the television industry, and Congress is understandably reluctant to get into the standards-and-practices side of television programming. Even many parents who think television violence is excessive are uncomfortable with judging speech.

They shouldn't be. If we really cared about our children, invocations of the First Amendment would mark the beginning, not the end, of such discussions. For more than a quarter century the Supreme Court has recognized the need to protect children from expression intended exclusively for adults. But providing such protection has proved especially difficult in broadcasting, which, unlike the magazine rack or the video store, cannot be partitioned or its contents hidden in a plain brown wrapper. Commenting on the broadcast industry's cynical demand that parents be ever vigilant against offense, Justice John Paul Stevens once wrote: "To say that one may avoid further offense by turning off the radio when he hears indecent language is like saying that the remedy for an assault is to run away after the first blow."

Today, a simple inexpensive and readily available computer chip, if built into a TV set, could provide a technological answer to this old constitutional dilemma. The chip would exponentially expand the power of the remote control, making it possible for parents to lock out programs unsuitable for children, provided only that such programs are transmitted with a code that labels them as such. When Massachusetts Rep. Edward Markey suggested that the chip be a required component of all television sets, broadcasters disdainfully dubbed this lock-out technology the "v-chip" and equated it with censorship.

More likely is that the v-chip might chip into advertising revenues. After all, these are the same broadcasters who for generations have insisted that the responsibility for children's television belongs with parents, whose sole power resides in their control of the on-off switch. Now that a truly effective switch exists, the entertainment industry is indignant. "I'm opposed to a single button that can block out a whole program day or a single program week," said Motion Picture Association of America President Jack Valenti. Fox TV Chairman Lucie Salhany argues: "Quite frankly, the very idea of a v-chip scares me. I'm also very concerned about setting a precedent. Will we have a 's-chip' [for sex]?"

The real question is what kind of programming is appropriate for children, especially the millions who watch with little or no adult supervision. The best answer is simply to rate all programs in much the same way motion pictures are rated, thereby notifying parents of a program's suitability for children. Such ratings should apply to all broadcasters and all cable programmers.

Rating programs is not censorship—far from it. Indeed, when combined with lock-out technologies, a ratings system would actually extend the reach of free expression on television, allowing adults to watch whatever suited them while effectively eliminating children from the audience. Parents would still have to go to the trouble of locking out undesirable programs, and doubtless many would continue to neglect their primary responsibility of monitoring what their children watch. But if millions of other parents chose to block out "America's Most Wanted" or "NYPD Blue" (ABC's steamy new policy drama), what concern is that of broadcasters, who for years have insisted that the public interest is whatever interests the public?

At bottom, the v-chip controversy is illustrative of the fact that while the public interest is supposed to be the guiding principle behind television regulation, neither Congress, the television industry nor the public itself has ever been clear on just where that interest lies. The debate over televised violence offers an opportunity to rethink the question at a propitious time, as television is being transformed into a new, interactive medium.

Those meeting yesterday in Beverly Hills had the first opportunity to address these essentially moral questions in a serious way. Even if their effort fell short, the discussion they began must not be allowed to close with the conference. It is time we used the First Amendment to protect and nurture our children, rather than as an excuse to ignore them.

(Mr. Minow is a former chairman of the Federal Communications Commission and director of the Public Service Television Project of the America Academy of Arts and Sciences. Craig L. LaMay, the project's associate director, contributed to this article.)•

CHICAGO'S "WEEK OF UNITY"

• Mr. SIMON. Mr. President, the week of August 22–29 of this year was declared a Week of Unity in Chicago, a time for the people of Chicago to celebrate the wonderful diversity of our city and Nation. The week marked the 30th anniversary of the 1963 Civil Rights March on Washington.

The occasion provided a time to reflect on where we have been and where

we are going. Since the days when Martin Luther King began his journey, great changes have occurred.

We have passed historic legislation protecting the rights of the disadvantaged and dispossessed, such as the Voting Rights Act of 1965, the Civil Rights Acts of 1964 and 1991, the Fair Housing Act of 1968, and the Americans with Disabilities Act of 1990.

Landmark cases—such as Brown versus Board of Education, Baker versus Carr, Loving versus Virginia, Roe versus Wade, and Griswold versus Connecticut—have redefined the way we think about discrimination and the right to privacy.

Two African-Americans and two women now have served on the Supreme Court. Last year, the State of Illinois made history by electing the first African-American woman to the U.S. Senate. And Illinois soon may have the first Hispanic sitting on a Federal court in this State.

I mention these things to show, for those who may be discouraged, that progress has been made. That progress can continue to be made if, like Martin Luther King, we stand up for justice.

On the 30th anniversary of that momentous day in 1963, we pay tribute to those who led us. Our tribute will mean little, however, if it is limited to speeches and simple nostalgia. We must dedicate ourselves to the true spirit of the civil rights march, to the fight to make a better life for all our fellow citizens.

So much still needs to be done. We must strive to provide:

Jobs for people in America's pockets of poverty.

Quality educational opportunities for all Americans, not just for some.

Educational opportunities for those who missed them as young people. Twenty-three million adults who cannot read and write is an inexcusable economic drag on our Nation.

Long-term care for people who need it, self-financed by all of us so we don't devastate families.

Safer schools and safer cities. We need to get guns off the streets and out of the hands of children.

We are fortunate to have a President who is willing to get past partisanship and tackle these problems. I am hopeful that in the coming year we will see legislation that begins to address these difficult problems.

During the Week of Unity, we honored the memory of Martin Luther King and those in the past who have worked for justice and equality. We honored the women and men who have dedicated their lives to bring this Nation forward, to unite the people of our communities and of our Nation, and to improve the lives of those less fortunate.

The Week of Unity was sponsored by the city of Chicago Commission on Human Relations and the Human Relations Foundation in coordination with other outstanding groups. These groups all are working to develop harmony and promote respect among the many different racial, ethnic, and religious groups that make up the city of Chicago. They are bringing people together through work, play, educational programs, and civic activities. They are examples of how progress can and is being made in our country today.

I ask my colleagues to join me in commending those who made the Week of Unity possible, in remembering the accomplishments of the past, in celebrating the great progress we have made, and in renewing our efforts to make good on the promise of America, the promise of equal justice and opportunity for all.•

ORDER OF PROCEDURE

Mr. NUNN. Mr. President, the unanimous-consent requests we are about to propound have been cleared on the Republican side.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. NUNN. Mr. President, I ask unanimous consent the Senate proceed to executive session to consider the following nominations: Calendar No. 313, Mollie H. Beattie to be the Director of United States Fish and Wildlife Service, and Calendar No. 317, Albert J. Herberger, to be the Administrator of the Maritime Administration. I further ask unanimous consent the nominees be confirmed en bloc; that any statements appear in the RECORD as if read; that upon confirmation the motions to reconsider be laid upon the table en bloc and that the President be immediately notified of the Senate's action.

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

The nominations considered and agreed to en bloc are as follows:

DEPARTMENT OF THE INTERIOR

Mollie H. Beattie, of Vermont, to be Director of the United States Fish and Wildlife Service.

DEPARTMENT OF TRANSPORTATION

Albert J. Herberger, of New York, to be Administrator of the Maritime Administration.

STATEMENT ON THE NOMINATION OF ALBERT J. HERBERGER

Mr. HOLLINGS. Mr. President, today the Senate is considering the nomination of Albert J. Herberger, of Virginia, to the important position of Administrator of the Maritime Administration within the Department of Transportation.

When Secretary of Transportation Peña appeared before the Senate Commerce Committee in January for his confirmation hearing, he designated maritime reform as one of his two main priorities, if confirmed as Secretary of Transportation. Pursuit of this goal is not an easy task. After 12 years of neglect from the two previous administrations, the revitalization of the U.S.-flag merchant fleet is not a project that will be completed overnight. However, we must work quickly before we lose the handful of U.S. shipping companies that remain along with the U.S. merchant mariners that crew their ships.

If Admiral Herberger is confirmed to this position, the challenges of the office will be many. He will serve as Secretary Peña's primary authority on the U.S. marine industry and will face the demanding duty of aiding him in providing what we hope will be a viable plan for revitalizing our once formidable merchant fleet. Given his vast background in the U.S. merchant marine, his long service in the U.S. Navy, his experience as the Deputy Commander in Chief of the United States Transportation Command, and his most recent duties as a maritime consultant for the International Planning and Analysis Center, he has accumulated an impressive list of credentials that I believe will be important for this job and enable him to meet the challenges ahead. We must work together to save the U.S. maritime industry, which is so important to the national security and economy of our Nation.

Mr. President, I heartily endorse Admiral Herberger's nomination, and I urge my colleagues to do the same.

NATIONAL CUSTOMER SERVICE WEEK, NATIONAL REHABILITATION WEEK, AND NATIONAL SCLERODERMA AWARENESS MONTH

Mr. NUNN. Mr. President, I ask unanimous consent that the Judiciary Committee be discharged en bloc from further consideration of Senate Joint Resolution 94, Senate Joint Resolution 50, and House Joint Resolution 220, and the Senate proceed en bloc to their immediate consideration; that the joint resolutions be read three times and passed en bloc; that the motions to reconsider be laid upon the table en bloc; that the preambles be agreed to en bloc; further, that any statements relating to these measures appear in the RECORD at the appropriate place as though read and the consideration of these items appear individually in the RECORD.

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

The joint resolutions (S.J. Res. 94, S.J. Res. 50, and H.J. Res. 220) were passed.

The preambles were agreed to.

The joint resolutions, with their preambles, are as follows:

S.J. RES. 94

Whereas recognition of the value and importance of the customer raises the quality of customer service;

Whereas the high cost of attracting new customers today heightens the need for companies to keep existing customers through effective customer service;

Whereas recognition of the contributions made by customer service to the profitability of a company increases the professional status of customer service;

Whereas excellent customer service distinguishes successful companies that understand the important influence a customer has on the success of a company; and

Whereas excellent customer service can contribute to the growth and success of every company: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the week of October 3, 1993, through October 9, 1993, is designated as "National Customer Service Week". The President is authorized and requested to issue a proclamation calling on the people of the United States to observe the week with the appropriate ceremonies and activities.

S.J. RES. 50

Whereas the designation of a week as "National Rehabilitation Week" gives the people of this Nation an opportunity to celebrate the victories, courage, and determination of individuals with disabilities in this Nation and recognize dedicated health care professionals who work daily to help such individuals achieve independence;

Whereas there are significant areas where the needs of such individuals with disabilities have not been met, such as certain research and educational needs;

Whereas half of the people of this Nation will need some form of rehabilitation therapy;

Whereas rehabilitation agencies and facilities offer care and treatment for individuals with physical, mental, emotional, and social disabilities;

Whereas the goal of the rehabilitative services offered by such agencies and facilities is to help disabled individuals lead active lives at the greatest level of independence possible; and

Whereas the majority of the people of this Nation are not aware of the limitless possibilities of invaluable rehabilitative services in this Nation: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That—

(1) the week of September 19, 1993, through September 25, 1993, and of September 18, 1994, through September 24, 1994, is designated as "National Rehabilitation Week" and the President is authorized and requested to issue a proclamation calling on the people of the United States to observe such week with appropriate ceremonies and activities, including educational activities to heighten public awareness of the types of rehabilitative services available in this Nation and the manner in which such services improve the quality of life of disabled individuals; and

(2) each State governor, and each chief executive of each political subdivision of each State, is urged to issue proclamation (or other appropriate official statement) calling upon the citizens of such State or political subdivision of a State to observe such week in the manner described in paragraph (1).

THE 60TH ANNIVERSARY OF THE UKRAINE FAMINE

Mr. NUNN. Mr. President, I ask unanimous consent that the Foreign Relations Committee be discharged from further consideration of Senate Concurrent Resolution 42, a concurrent resolution relating to the 60th anniversary of the Ukraine famine; that the Senate proceed to its immediate consideration; that the concurrent resolution and preamble be agreed to; that the motion to reconsider be laid upon the table, and that any statements thereon appear in the RECORD at the appropriate place as though read.

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

THE 60TH ANNIVERSARY OF UKRAINIAN FAMINE

Mr. RIEGLE. Mr. President, 60 years ago, the Soviet Union engineered one of the most loathsome acts of genocide ever perpetrated—the Ukraine Famine of 1932–33. The world must commemorate this cruel and inhuman deed perpetrated against Ukraine so that we never forget its millions of victims. Only by remembering can we prevent this kind of atrocity from ever happening again. Senators MITCHELL, DOLE, PELL, DECONCINI, D'AMATO, BIDEN, SARBANES, LEVIN, and WALLOP have joined as cosponsors of this important resolution.

Although six decades have passed, we must comprehend that the Soviet Government committed this terror with malice aforethought. There was no blunder. Let this be completely clear: The famine in Ukraine was deliberately planned and carried out by Soviet totalitarian dictator Joseph Stalin. Within only a few short years, Moscow's policies of forced collectivization and grain seizures brought about the deaths of more than 7 million people in Ukraine.

During the famine and after it was perpetrated, the Soviet Government employed a massive effort to deceive the world. It endeavored to convince the international community that the horrible act never occurred. As a result, it took half a century for scholars, using newly available transcripts and eyewitness testimony, to thoroughly uncover the real story concealed behind Communist-fabricated distortions.

To understand how six decades were able to pass without the facts of this massive terror ever coming fully to light, we must comprehend that Stalin used every means available, including ridicule, to suppress the truth. When, in 1932, Roman Terekhov, a former provincial secretary of Ukraine, requested famine aid, Stalin not only threatened to remove him from office, but proposed that he "work in the Union of Writers where you would write fairly tales for idiots to read.* * *"

In "Harvest of Sorrow," a detailed account of the Ukraine famine, Robert Conquest explains that "the task of the historian is a notoriously difficult one of trying to represent clearly and truly in a few hundred pages events which cover years of time and nations of men and women." The effort to fit together all of the pieces of this tragic puzzle required extensive research by a team dedicated to learning the truth. For this reason, Congress created in 1984 the Commission on the Ukraine Famine to develop a clear account of this event and inform the world of the massacre of millions of Ukrainians in the early 1930's.

In 1988, the Commission on the Ukraine Famine issued a report which successfully rejects the Stalinist falsehoods. It confirms that "Joseph Stalin and those around him committed genocide against Ukrainians" in an effort to repress the Ukrainian peasantry and suppress any Ukrainian expression of a cultural or political identity. "The famine," the Commission explained, "was not, as is often alleged, related to drought." Moreover, the Commission uncovered evidence of "attempts * * * made to prevent the starving from traveling to areas where food was available," serving only to intensify the calamity.

I am pleased to announce that today, members of the Commission that studied the Ukraine famine are in Kiev to officially present a copy of the Commission's report to the Government of Ukraine. In fact, from the State of Michigan, Commission member Bohdan Fedorak arrived in Kiev several days ago to participate in the ceremony. This resolution commemorates this momentous event, while providing the Congress an opportunity to pledge its continued support for Ukraine and other former Soviet Republics as they travel the difficult road to democracy and market-based economies.

Mr. President, the world must never be allowed to forget the victims of the famine in Ukraine. This resolution expresses the sense of Congress that the United States must recall those who suffered at the hands of Stalin's repressive policies while helping to avert future acts of genocide. I thank the members of the leadership and the Foreign Relations Committee for their cooperation in moving this resolution forward and urge my colleagues to support this important measure.

The concurrent resolution (S. Con. Res. 42) was agreed to.

The preamble was agreed to.

The concurrent resolution, with its preamble, is as follows:

S. CON. RES. 42

Whereas, during 1932–1933, an estimated seven million to ten million people starved to death in Ukraine because of forced collectivization and grain seizures from the rural population by the Government of the Soviet Union;

Whereas Public Law 99-180 established the Commission on the Ukraine Famine to conduct a study to expand the world's knowledge of the famine and to provide the American public with a better understanding of the former Soviet system by revealing the Soviet role in the Ukraine famine;

Whereas the Commission's report to Congress confirms that Soviet dictator "Joseph Stalin and those around him committed genocide against Ukrainians in 1932-1933" to repress the Ukrainian peasantry and to suppress Ukrainian self-assertion;

Whereas, on February 7, 1990, the Central Committee of the Communist Party of Ukraine acknowledged that the Ukraine famine was artificially created by the policies of Stalin and his closest associates;

Whereas internationally accepted principles of human rights prohibit the use of food as a political weapon;

Whereas the official observances of the Days of Sorrow and Remembrance of the Victims of the Imposed Famine are commemorated this year on September 10 through 12 in Kiev, Ukraine; and

Whereas members of the Commission on the Ukraine Famine are presenting a copy of their findings and conclusions to the Government of Ukraine during the official observances in Ukraine: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring),

SECTION 1. SENSE OF CONGRESS.

It is the sense of the Congress that—

(1) the victims of the Soviet-engineered Ukraine famine of 1932-1933 be solemnly remembered on its sixtieth anniversary;

(2) this anniversary underscores the hardship and inhumanity of life under the repressive regime of the Soviet Union during the Ukraine Famine of 1932-1933;

(3) the Congress condemns the systematic disregard for human life, human rights, and human liberty that characterized the policies of the Government of the Soviet Union during the Ukraine famine of 1932-1933;

(4) the presentation of a copy of the findings and conclusions of the Commission on the Ukraine Famine to the Government of Ukraine on September 10-12 by members of the Commission will assist in the dissemination of information about the Ukraine famine of 1932-1933, and thereby help to prevent similar future tragedies; and

(5) the manmade Ukraine famine is a graphic illustration of the unacceptable alternative to democracy and a free market economy, and therefore the United States should seek to help Ukraine and other newly independent States of the former Soviet Union as they transform their societies.

SEC. 2. TRANSMITTAL OF RESOLUTION.

The Secretary of the Senate shall transmit a copy of this resolution to the President and the Secretary of State and request that the Secretary of State transmit a copy of the resolution to the Government of Ukraine.

ORDERS FOR MONDAY, SEPTEMBER 13, 1993

Mr. NUNN. Mr. President, on behalf of the majority leader, I ask unanimous consent that when the Senate completes its business today, it stand in recess until 9:30 a.m. Monday, September 13; that following the prayer by the Chaplain, the Journal of proceedings be deemed approved to date; that the time for the two leaders be reserved for their use later in the day; that the Senate then resume consideration of S. 1298, the Department of Defense authorization bill.

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

RECESS UNTIL 9:30 A.M. MONDAY

Mr. NUNN. Mr. President, if there is no further business to come before the Senate today, I now ask unanimous consent the Senate stand in recess as previously ordered.

There being no objection, the Senate, at 7:55 p.m., recessed until Monday, September 13, 1993, at 9:30 a.m.

CONFIRMATIONS

Executive nominations confirmed by the Senate September 10, 1993:

DEPARTMENT OF TRANSPORTATION

ALBERT J. HERBERGER, OF NEW YORK, TO BE ADMINISTRATOR OF THE MARITIME ADMINISTRATION.

DEPARTMENT OF THE INTERIOR

MOLLIE H. BEATTIE, OF VERMONT, TO BE DIRECTOR OF THE U.S. FISH AND WILDLIFE SERVICE.

THE ABOVE NOMINATIONS WERE APPROVED SUBJECT TO THE NOMINEES' COMMITMENT TO RESPOND TO REQUESTS TO APPEAR AND TESTIFY BEFORE ANY DULY CONSTITUTED COMMITTEE OF THE SENATE.