SENATE—*Thursday, January 29, 1998*

The Senate met at 10 a.m., and was called to order by the President pro tempore (Mr. THURMOND).

The PRESIDENT pro tempore. Today's prayer this morning will be given by the Reverend Neal Jones, the former pastor for Columbia Baptist Church, Falls Church, Virginia. We are pleased to have you with us.

PRAYER

The guest Chaplain, the Reverend Dr. Neal Jones, Falls Church, Virginia, offered the following prayer:

Great God and Controller of the uncharted seas of tomorrow, grant us discernible signals for our voyage.

Save us from floods of arrogance that drown our better judgement. Raise us above the undertows of cowardice that postpone justice. Remove us from the cross currents of double motivations that destroy character. Scrape away the accumulating barnacles from our long season in strange waters. Guide us between the glaciers that threaten an icy grave. Keep us from the fickle waves of indecision causing stagnation. Rescue us from pirate patrols and their carefully planted mines that destroy our passengers.

Above all else, Great God and Controller of our uncharted seas of tomorrow, we gladly trust You. You are the Way where we sail. You are the truth by which we navigate. You are the Life that makes the voyage joyful, purposeful, and helpful. Amen.

The PRESIDENT pro tempore. The distinguished Senator from Indiana is recognized.

THE GUEST CHAPLAIN'S PRAYER

Mr. COATS. Mr. President, we were privileged to be led in our opening prayer today by Reverend Dr. Neal Jones, a fancy title for some of us who know him as "Pastor Jones." I think "pastor" is probably the most affectionate and endearing term that anyone can come up with in terms of someone that they feel close to and have had a relationship with. People know the Reverend Dr. Neal Jones as Pastor Jones because of his dedicated service as pastor of Columbia Baptist Church in Falls Church, Virginia, for many, many years. He has been pastor to me and my family, the majority leader and his family, the President pro tempore and his family, and others of our colleagues in both the Senate and the House.

"Pastor" is the appropriate word because of his love and his affection and his endearment that he has displayed toward us and our families. And we feel exactly the same way about him.

Dr. Jones is a graduate of Texas Christian University, and Southwest Baptist Theological Seminary. He has been pastor of churches in Texas, but the primary focus of his ministry has been with Columbia Baptist Church in Falls Church, Virginia going back as far as March of 1969.

He is currently retired. It is a loss to the people who have attended faithfully over the years Columbia Baptist Church.

But, again, to his dear wife, Betty, and his family and his grandchildren, and the many organizations that he has been associated with and continues to be associated with—I will just name two of those: He is a member of the University Board of Regents at Baylor University in Texas, and has been on the Executive Board of Prison Fellowship from its very inception.

Reverend Jones has a gift of prayer, and, as we heard this morning, an eloquence in prayer. I hope someday, if he has not already, that he will publish those prayers because they are exceptional.

And he also has the gift of remembering those with whom he has come in contact with. Every once in a while I will receive a note with a prayer attached to it personalized to me and to our family, "Just thinking of you, wanted to share this thought, your friend, Neal." I think that speaks as much about Neal Jones as anything else that I can say.

I think the Senate is privileged and the Nation is privileged this morning to have had him lead us in our opening prayer.

Mr. President, I yield the floor.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER (Mr. ROBERTS). Under the previous order, leader time is reserved.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER. The majority leader is recognized.

Mr. LOTT. Thank you, Mr. President.

THE GUEST CHAPLAIN'S PRAYER

Mr. LOTT. Mr. President, I, too, would like to join in extending my thanks to Dr. Neal Jones, and to express my appreciation to him for what he has meant in my own life and my family's life.

He was a pastor at Columbia Baptist Church. My family and I attended there during the years that our children were in their teens, and it was a wonderful experience. As a matter of fact, he baptized our daughter, our son, and even my wife. So I have a special feeling in my heart for that church and for the pastor. We are delighted to have you here today.

I, too, want to thank you for those little messages that I get at critical times in my life. Sometimes I am under certain pressure, and Dr. Jones seems to sense it. But he has a wonderful message always at the end: "No response necessary."

Thank you, Dr. Jones, for all you do.

SCHEDULE

Mr. LOTT. Mr. President, this morning the Senate will proceed to 2 hours of morning business with several Senators recognized for individual periods of time.

At 12 noon it is my hope that the Senate can consider the Ronald Reagan Airport naming bill and/or the Senate concurrent resolution condemning Iraq's threat to international peace and security. It was my hope that the minority leader would be able to enter into a reasonable time agreement on both of these issues which would allow for the debate to occur today and any amendments and votes on those amendments and final passage to occur on the morning of Tuesday, February 3rd. I am now informed at this point that will not be possible. Therefore, those votes could occur today.

Now, there are some ominous signs on the horizon that really bother me. This is the first week that we are back. It takes a little time to get back in the swing of things. I understand that. I know Senators didn't expect a lot to occur in terms of votes this week. But already I have had numerous Senators come to me and say, "Oh, could we not have votes on Thursday? Certainly we will not have them on Friday and Monday, and, by the way, I can't vote on Tuesday morning."

There is a limit to how much the Democratic leader and I can cooperate with Senators in protecting their schedules. I certainly have a record that shows that I am sensitive to that. I would like for the Senate to work during the daylight instead of night, for instance, and we achieved that to some degree. But if every Senator thinks that he or she can inconvenience 99 Senators because they have some little bit they want to do somewhere, that is not the way it is going to work this year. They should not start out that way.

So I urge my colleagues on both sides of the aisle, don't do this. Don't even

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come to leadership on both sides of the aisle and say, "Can you defer a vote on Tuesday or Wednesday or Thursday?" or, for that matter, late Monday afternoons or Friday mornings. We have legislative days this year that will probably add up to around 100 days and a lot of work to do—a lot of important budget issues, infrastructure issues, foreign policy issues that we can't ignore or delay.

So I am not threatening. I am not complaining yet. This is the kickoff. We will get going here pretty quickly. But I am having difficulty getting Senators to be ready to go to work. I have at least four bills that we should consider this week or next week, and for one reason or another I am being told, "Well, we are not quite ready."

The recess is over. It is time for the class to get back to work, and let's work to do that.

Mr. DASCHLE. Mr. President, will the majority leader yield?

Mr. LOTT. I would be glad to yield to the Senator from South Dakota, the Democratic leader.

Mr. DASCHLE. Mr. President, I sympathize with the majority leader's problem and tell him that I share the same frustration. I have had Senators come to me this week who indicated that they can't be here on a particular day this week. I have noted, while we will try to accommodate those problems this week, that people need to be here. They need to be prepared to vote. They need to recognize that we have very limited time and that we have a lot of work ahead of us. We are not going to be able to do it if all we have is Wednesday afternoon. But that in essence seems to be the attitude: we will try to do all of our work on Wednesday afternoons. That isn't going to work around here.

Whether you are in the minority or the majority, we have a lot of things we know we must do. We can't afford the luxury of having more and more of these scheduling conflicts and relegate the Nation's business and the Senate's business to Wednesday afternoon.

So I want to assure the majority leader of my determination to see that we put in a full week, that we get the work done, and that we try to accomplish all that I know he and the rest of us would like to accomplish this year.

I thank him for yielding.

Mr. LOTT. I thank Senator DASCHLE for his cooperation in this. This is not just on one side of the aisle. We are both working this problem. We will fulfill our obligation as leaders in ways that have not always been the case around here.

Senators have already been told when they can expect to be in session or have recess periods for the whole year. We will indicate as far in advance as we can when we may not have a vote on Friday or Monday if we know for sure, for instance, that there is a conflicting conference. We will also try to have a legislative calendar that really shows the bills we are going to be dealing with all year.

So we will give everybody as much advance notice as we possibly can, and then we would expect cooperation in return.

On the Iraq resolution, this is an important resolution. This is a sensitive time. I think we should think about it carefully. There is no need to rush to judgment. We ought to talk about it. We ought to think about it. We ought to make it clear what our concerns are about Saddam Hussein and the fact that the inspectors are not in Iraq. We need to think about its ramifications not only for the region but the world. We need our allies to be with us—not just the British but the French, the Russians, and the Chinese, and everybody else because this is a threat to the whole world. We need to make it clear that the present situation will not stand.

This resolution that Senator DASCHLE and I have been working on, as always you have to craft it with words of art. You have to make sure that you have the right words in there. And we do not want to go beyond what is responsible. But I think that it is timely. I think we would have been doing this resolution sometime in the first 2 weeks at the beginning of this year regardless of other events unrelated to this. This is something that the Senate usually does.

So again, I urge Senators to look this resolution over. Let's do the responsible thing and let's do it very quickly. We need to have a full discussion. We need to do it today. And we can do it again on Monday. But we should vote on it on Tuesday. If not, it could be overrun by other events maybe not as important. But we already have the schedule set for Tuesday in terms of some debate and some votes on nominations. We have a couple of other bills that we are considering for next week.

Senator DASCHLE will work with me. And let's just talk today about how we can proceed today and whether or not we know we are going to have votes today or when we can be assured we will have votes on Tuesday morning.

Thank you, again, and I thank you, Mr. President.

I yield the floor.

MORNING BUSINESS

The PRESIDING OFFICER. There will now be a period for the transaction of morning business not to extend beyond the hour of 12 noon with Senators to speak for not to exceed 5 minutes each. However, under the previous order, the Senator from Nebraska, Mr. HAGEL, is recognized to speak for up to 20 minutes.

The Senator from Nebraska is recognized.

Mr. HAGEL. Mr. President, thank you.

TRIBUTE TO DR. TOM OSBORNE

Mr. HAGEL. Mr. President, this morning I come to the floor to recognize a man who has lived the American ideals of integrity, courage and, leadership. This man, Mr. President, is Dr. Tom Osborne, head football coach of the University of Nebraska Cornhuskers.

My good friend and Nebraska colleague, former Governor of the State of Nebraska, Senator BOB KERREY, joins me in this recognition this morning.

I have also informed my good friends and colleague from the State of Michigan, where there seems to be some controversy as to which football team really was No. 1 at the end of the season, Michigan or Nebraska, that I would welcome their support in recognition as well. Quite honestly, and seriously, Mr. President, Senators LEVIN and ABRAHAM have asked me to extend to Dr. Osborne their best wishes as well. Of course, with the distinguished Presiding Officer being a leader in the Kansas State Wildcats' efforts over the last few years, I, too, will add your good wishes for Dr. Osborne, and thank you, Mr. President.

After 25 years as head coach, Tom Osborne has decided to retire and devote more of his time to his family and important voluntary organizations. Tom Osborne has been a constant in Nebraska sports history. In 1955, as a high school student in Hastings, NE, he was named the Omaha World Herald's High School Athlete of the Year. He continued his success in athletics at Hastings College where he was a starter on both the school's football and basketball teams. Once again, in 1958, the Omaha World Herald honored him with the College Athlete of the Year award.

After a stint in the National Football League with the San Francisco 49ers and the Washington Redskins, he landed at the University of Nebraska in 1962. Shortly thereafter, he joined the now legendary football coach, the late Bob Devaney, and coordinated the offense for Nebraska's national championship teams in 1970 and 1971. In 1973 Tom took over from the retiring Devaney as head coach of the Nebraska Cornhuskers.

Tom Osborne made lasting impressions on his players and people of Nebraska and all of college football. His resume is unprecedented and essentially unbelievable—a 25-year record of 255 wins, 49 losses and 3 ties. Over the past 5 years, his Cornhusker teams posted an NCAA record of 60 wins and 3 losses. Coach Osborne led the Huskers to three national championships—1994, 1995 and 1997 in which the Huskers shared the title, as I mentioned, with the University of Michigan. Tom led

the Huskers to 13 Big 8/Big 12 Conference titles, 25 straight 9 win seasons and 25 straight bowl appearances.

With all these accomplishments by his teams on the field, it should also be noted that, under Coach Osborne, Nebraska had 46 first team academic All-Americans and 201 academic all-conference honorees, and the graduation rate of Osborne's players leads and has led the Big 8/Big 12 Conference and is ranked also as one of the highest graduation rates in the Nation.

Tom Osborne loved coaching. It was his life. But he was more. He was more than just a coach. If you would ask any of his players, they would tell you that he was a father figure, a good friend. Osborne had many opportunities to leave college football and coach in the National Football League, but he never did. He had many opportunities to leave Nebraska, but he never did. He loved the coaching and the teaching associated with college football. But probably more than that, he loved the opportunity to help his players grow mentally and spiritually and become outstanding citizens. As Coach Osborne has said over his magnificent career, that in the end is all that counts. When the game is over, it is over. But what that young man does with his life at the end of his football career is most important; how he contributes to his community, to his family and to his nation is most important.

The Nebraska football program will continue on successfully. There will be more national championships and conference titles, but Tom Osborne will not be at the helm. We all know that he will not be far away, however. When spring football practice starts, we probably will not expect to see Coach Osborne on campus. You might locate Coach Osborne at a local fishing hole.

Tom Osborne will be remembered as one of the greatest college football coaches ever to stroll up and down the sidelines. His contributions to the University of Nebraska and college football will never be forgotten. When the reigning national co-champions run on to Tom Osborne Field next fall in Memorial Stadium in Lincoln, there will be something missing. The stoic figure of Tom Osborne will not be roaming the field guiding the Cornhuskers to another victory, but his inspiration and his legacy will be present.

Thank you, Tom, for your leadership and your contributions. Thank you, most importantly, for your character, for serving as a role model for America's young people. You have inspired us all, and you will be missed.

We all wish you well. We wish Nancy and your family much continued success, good health, happiness, and a little rest—and good fishing.

I thank the Chair.

Mr. President, I yield the floor.

Mr. KERREY. Mr. President, I rise today in recognition of Tom Osborne, the recently retired head coach of the Division I-A collegiate football co-national champions—my alma mater—the University of Nebraska, Lincoln.

In 1973, Tom Osborne replaced a Nebraska legend, Coach Bob Devaney. As those of us who walk the halls of Congress can attest, succeeding a legend is no easy task.

But Coach Osborne immediately proved himself worthy of the job in his rookie year with a sweet victory over UCLA. UCLA had ended the Huskers 32-game winning streak in the beginning of the 1972 season, and the significance of this victory was not lost on the coach or the fans. It was a fine start to a remarkable 25-year career that until this January had included two national championships.

In this, his final season, Coach Osborne led UNL to a perfect record. His well drilled, well disciplined, well-conditioned team played every minute, of every quarter, of every game with pride and determination. The 13-0 Huskers played with the guts, grit and determination of a champion. They were rightfully honored as co-champions, along with an impressive University of Michigan squad, after thoroughly whipping the third ranked University of Tennessee and their talented quarterback Peyton Manning in the Orange Bowl, on January 2nd. A fitting location to end his prestigious career and win a piece of a third national championship.

After the game, when asked about the co-championship possibility, Coach Osborne used the class and understatement he is famous for in his answer: "We had 13 games on our schedule and we won 13 games." Can't argue with that!

Ironic that he would end his career on the same Orange Bowl field that saw the germination of his coaching legend. It was on that same field in 1984 that Tom Osborne defied convention and risked the national championship by forgoing a virtually guaranteed game tying extra point and a lock on the national championship, by electing to attempt a more risky two-point conversion for an outright win and an outright national title. I will spare the details of the failed attempt, and say only this: Tom Osborne gained more respect in defeat, than many will ever achieve with victory.

I am sure I speak for Nebraska fans as well as Michigan fans—and indeed all college football fans across the nation—when I say I would have loved to see the two teams play one more college football game this season. As a banner unfurled by a Nebraska fan at the Orange Bowl stated "Anytime. Anywhere."

Through his dedication to the University, his staff and his players, Coach Osborne has brought pride and joy to our state, our university and to all Nebraskans. His unique qualities as a coach and person are his unwavering faith and his dedication to the young men who play for him. It is fitting he will be remembered for the man he is, as much as for his abilities as a coach.

Keith Jackson, ABC-TV's legendary football announcer recently told the Omaha World-Herald, "He's a better man than he is a coach. His coaching speaks for itself. You can look up his numbers in the record books. Less obvious is the way he lives. He's a humanist. Tom Osborne always felt he could help people."

Thank you, Tom Osborne, for all you have given the people of Nebraska. I salute you and applaud the 1997 University of Nebraska Football Huskers on a job well done.

Mr. HAGEL. 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. JEFFORDS. 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. JEFFORDS. Mr. President, I ask unanimous consent that I may proceed for a period of time not to exceed 5 minutes.

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

ICE STORM 1998

Mr. JEFFORDS. Mr. President, winter is only half over, and even though there has been some stormy weather here in the Nation's Capital, sections of the Northeast experienced the ice storm of the century, maybe the millennium, earlier this month. For 2 days straight, freezing rain, snow and sleet battered the Champlain Valley of Vermont, upstate New York and parts of New Hampshire, Maine and the Province of Quebec.

Tens of thousands of trees buckled and shattered under the stress and weight of several inches of ice that coated their branches. Power lines were ripped down by falling branches and the weight of the ice, leaving hundreds of thousands of people without electricity for days and even weeks. In fact, some are still without electricity. Roads were covered with ice and rivers swelled and overflowed with heavy rain. The crippling ice storm brought activity in the area to a grinding halt.

Just a few days after the storm, Senator LEAHY and I visited the hardest hit areas of Vermont. The storm's damages were the worst I have ever seen. In the Burlington area, 20 to 25 percent of the trees in that city were toppled or must be chopped down. Another 25 percent were damaged. The storm also destroyed sugar bushes and dropped trees across hiking trails and snowmobile trails.

Mr. President, local and State emergency officials acted quickly to help their fellow Vermonters and to assess the damage. Soon after the storm, the President declared six Vermont counties a disaster. The response from FEMA was impressive, and I thank Director James Witt for standing behind Vermont.

Vermonters rallied, with the help of the National Guard, led by Adjutant General Martha Rainville, to help themselves and their neighbors.

As the temperatures dropped below zero days after the storm, with thousands still without power, volunteer firefighters, police officers and National Guard troops and every able-bodied citizen came together working day and night to help feed, heat and care for the people in their community.

Hardest hit were dairy farmers. Already struggling to make ends meet due to low milk prices, the ice storm left farms without power to milk their cows. Cows need to be milked twice a day every day. At times, cows went for hours and even days without being milked. Fortunately one of the missions of the National Guard was to get power generators to farms and to keep them running so that farmers could milk their cows and keep their milk cool and preserve the health of the cows.

One unit of the National Guard became known as the "Mobile Milking Team"—or the MMT, as is usual in the military sector to have acronyms—by going farm to farm with their generators. However, despite the efforts to bring generators to farmers, for many the damage was already done. Because the margins are already so close for many farmers, the loss of a single milk check could mean staying in business or selling out.

Mr. President, the organized and volunteer responses to this disaster were incredible. The Vermont Petroleum Association, in conjunction with Mobile Oil and R.L. Vallee Petroleum, came to the aid of the farmers and the homeowners who were relying on their generators to run their businesses and to heat their homes by graciously donating 8,000 gallons of diesel fuel.

Stories of Vermonters helping Vermonters were commonly told throughout the disaster counties in the State. Utility companies worked long hours in the cold to help clear debris and restore power. Lines men and women came from as far away as Hawaii to help repair the damage. Let me tell you, the ones from Hawaii had an adventure they will never forget.

Vermonters also helped their neighbors to the north just across the Canadian border. Two weeks after the storm first hit, over 700,000 citizens in the Providence of Quebec were still without power and over 30,000 people were relying on meals from local food shelves. I teamed up with Cabot Creamery and H.P. Hood to help get 20,000 pounds of cheddar cheese, yogurt, and cottage cheese and 1,000 cases of water so necessary through the many restrictions at the border to help feed the Canadians who were driven from their homes. Many Vermonters helped by sending firewood and heating oil. Thousands of cords of wood were shipped over.

Mr. President, the citizens and trees of Vermont as well as upstate New York, Maine and New Hampshire have suffered enough from this storm. Local and State assistance will help communities and individuals get back on their feet. But Federal relief is needed to ensure that the disaster areas are not overwhelmed by their recovery.

I know I speak for Senator LEAHY and my colleagues from New York, Maine and New Hampshire when I say we all will do what we can to help. We look forward to the coming spring. But before the arrival of warm weather, months of hard work to restore Vermont to its pristine beauty is needed. And we will all be helping, I assure you.

Mr. President, I yield the floor.

The PRESIDING OFFICER. Who seeks recognition?

Mrs. HUTCHISON addressed the Chair.

The PRESIDING OFFICER. The Senator from Texas.

Mrs. HUTCHISON. Mr. President, I would like to check on the status. I believe that under a previous order I have 30 minutes reserved. Is that correct?

The PRESIDING OFFICER. The Senator is correct.

Mrs. HUTCHISON. Thank you, Mr. President.

BOSNIA

Mrs. HUTCHISON. Mr. President, I asked for 30 minutes today because I think it is very important that we address an issue that will be coming before the Senate in the very near future. It is an issue that has been brought about by the President's pronouncement that he wants to keep our troops in Bosnia in an undefined mission for an undefined time.

Mr. President, I think that would be a mistake for our country. I hope the Senate will focus on this issue. Indeed, I hope the American people will focus on this issue, because it is going to set a precedent that I think is very bad.

I do not want to pull up stakes and leave Bosnia without doing it in a responsible way. I think America has that responsibility. But in fact many of us have asked the President to lay the groundwork with an established and clear mission that has a chance to succeed and a mission that has a finite term so that both our allies and any enemies of our cause would know exactly what to expect from America. But in fact both our allies and our adversaries could not possibly know what to expect from America because in fact America has said it is going to leave twice and we have not left. In fairness, we have not left because we have not laid a proper base to leave.

What I am asking the President to consider and what I would ask the American people to consider is starting the process of an honorable and responsible approach to Bosnia which includes an honorable exit.

Mr. President, we are looking at a time when our readiness is being called into question. In fact, if you look at all of the responsibilities that America has in the world, I think we are spending too much on Bosnia and therefore putting in jeopardy the security of the United States in the future and the future of our ability to respond to other places where America may have to respond even unilaterally. And, Mr. President, that is not what we should be doing.

I think it is most important that America start with the issue of Bosnia, address it in the way that America should, and we must look at our overall responsibilities in the world.

The Bosnia operation has already diverted nearly $8 billion from our national defense. A growing lament at the Pentagon among senior officers is that we are in danger of returning to the hollow military of the late 1970s. Let me list some of the indicators that demonstrate that our military is once again at risk.

Last year, the military had its worst recruiting year since 1979. The Army failed to meet its objective to recruit infantry soldiers, the single most important specialty in the Army.

A Senate Budget Committee investigator recently reported finding serious Army-wide personnel and readiness problems. At the National Training Center, where our troops go for advanced training, units rotating in typically come with a 60 percent shortage in mechanics and often a 50 percent shortage in infantry. These shortages were blamed on the fact that these personnel, especially the mechanics, are deployed abroad for missions such as Bosnia.

More than 350 Air Force pilots turned down the $60,000 bonuses they would have received to remain in the cockpit another 5 years. A 29 percent acceptance rate for the bonus compares with 59 percent last year and 81 percent in 1995. Mr. President, that is stark difference.

The Air Force is finding, whatever the perks, it cannot hold on to its best pilots. Last year, about 500 pilots resigned, most of them lured to the airlines. This year, the number will top 700, and the Air Force says it is not able to train enough new pilots to replace them.

Recently, a lack of critical parts for F–16 aircraft forced two fighter squadrons in Italy to cannibalize grounded

aircraft to ensure they can continue to conduct the NATO peace enforcement mission over Bosnia.

A Senate Budget Committee investigator also found that some small units are now being led by junior people because sergeants are off on peacekeeping duty. As a result, subunits, from basic squads on up, do not train with the leaders that they would go to war with, breaking the rule of "train just as you would go to war."

Since 1991, the United States has cut its Armed Forces by about a third. It may be more difficult, more risky and possibly more costly to invade Iraq again now. We are going to debate and vote on a resolution today expressing our support for the President's strong actions toward Iraq. But the fact is, if anything went wrong, we would have to divert troops from every theater in the world to prevail. This is not the best situation considering the heavy responsibilities that we have in other parts of the world.

Defense cuts of almost 50 percent over the last decade have put our security at risk. But this has been made worse by the diversion of U.S. resources and readiness in Bosnia and elsewhere. Policymakers in the Clinton administration have spent more time discussing Haiti than China, more on Bosnia than on missile defense. We are not developing a policy that is going to put our country in the best position to deal with the myriad of issues that will face this country and our security in the next century.

The Clinton administration is missing a big-picture view of the world and the proper role for the United States. Our growing involvement in Bosnia is a very good example of that. Just last week, U.S. forces were directly involved in tracking down and capturing a war criminal who called himself "the Serb Hitler."

The Dayton accords made apprehension of war criminals a priority. But those agreements also made it clear that this responsibility would be the responsibility of the parties to Dayton—civilian police and Government officials. In fact, less than 1 year ago the former NATO commander, George Joulwan, told the Congress this:

> The military are not policemen. And I think . . . the proper responsibility rests on the parties. That is what Dayton says . . . [I]f we are not careful we will go down this slippery slope where the military will be put in the position of hunting down war criminals. This is not within my mandate.

That is Gen. George Joulwan speaking.

I joined with many of my colleagues in the Senate to oppose the decision to send our troops to Bosnia. One of our principal concerns was that, once there, our mission would be indefinite and it would lead to mission creep. We were bolstered in our concerns by former Secretary of Defense William Perry and former Chairman of the Joint Chiefs Shalikashvili, who warned us that without a specific deadline for withdrawal, there would be the potential for expanding the mission.

I am concerned that Secretary Perry's warnings are coming true. While we were in recess, the President announced that thousands of U.S. troops would remain in Bosnia after the June 30 deadline, and remembering that the Senate had unanimously endorsed that deadline of June 30, 1998, which his administration had established.

After 240 U.S. Marines were killed in Lebanon in 1984, Defense Secretary Caspar Weinberger established six principles upon which the decision to send U.S. ground troops should be based. Here is what he said:

> The U.S. should not commit forces unless the engagement is in our vital national interest. If we do commit forces, we should have clearly defined political and military objectives. We should know how those objectives can be accomplished and we should send the appropriate forces to complete the objectives. We must constantly reassess and adjust our relationship between our objectives and forces if necessary. The commitment of troops should be a last resort, not the first.

We have violated virtually every one of Cap Weinberger's principles in Bosnia. Bosnia was supposed to be a 1-year peacekeeping operation that would keep the factions apart until their own forces could come in and keep the peace from the ground up. They would have local elections and general elections for their national leadership. They would begin to resettle refugees.

Two years have gone by since Dayton. I was in Brcko in August, one week before the eruption in Brcko in which U.S. troops were harmed. I was able to see how far we had come. It was my fourth trip to Bosnia, my sixth trip in 2 years to the whole region. I'm going back next week with other concerned Members of Congress.

What I saw in Brcko was the resettling of refugees who did not even meet their neighbors from the other factions, even though they were living next door to each other. The atrocities committed right there in Brcko against thousands of Muslims are as bad as anything I have ever heard reported from the Nazi atrocities in World War II, and yet we are trying to say come and live together in the American way. I have called this an attempt to Americanize the Balkans—multiethnic neighborhoods which we, thank goodness, do have in America—but forcing people to do this so prematurely could be antipeaceful. I think it is going to prolong the uprisings if we try to force this before the people themselves are ready, before the wounds have healed from the atrocities that have been committed.

That is why I have suggested that perhaps it would be better to take one step in between. Let the peace settle in. Let the economic development start. The geographic regions established by the conflict and endorsed by the Dayton accords are nearly 90 percent homogenous. The Bosnian state is 90 percent Muslim. Srpska, the Serb part of Bosnia, is 95 percent Serb. Croatia is almost exclusively Croatian.

Within these divisions they are beginning to be able to have a semblance of government, but they are not going to get economic stability if forced refugee settlement continues to cause further conflict.

The "elections" that they held last year were elections in which the voters came in under armed guard. They voted for people who cannot live there. They left under armed guard and the people elected cannot serve. They are themselves exiles from the regions they "represent." We have declared that a victory. Mr. President, people elected by voters under armed guard, and the people elected are not even living there is not what I consider an election in our sense of the word.

There are other things that I hope we consider in trying to have a positive approach to the situation we face today. There are a variety of conditions that I suggest would lay a ground work for a peaceful situation in Bosnia, that would allow them to begin to grow and build in economic stability, and in which America could have an honorable exit. Hopefully, our European allies and our Russian allies who are there on the ground, as well, would be able to leave the country in the hands of its own people.

First, reconvene the Dayton parties for a progress check. Be willing to modify where it is necessary. Dayton was certainly brought about by people who want to do the right thing. It is not bad to say that we should come back together and assess where we are 2 years later and modify, if necessary. I think the administration could take the lead here.

Second, establish a civilian-led and operated police training task force. Establish a police training academy capable of graduating 500 police every quarter. A similar process was attempted in Haiti. General Joulwan was a strong supporter of this approach.

Third, establish the remaining ground troops as a combined joint task force in accordance with the President's own partnership for peace initiative, originally under American command, but to be turned over to allied command within a specific period of months. This should include significant participation by prospective NATO allies—Poland, the Czech Republic and Hungary—as an opportunity to bear the burden of post-cold war European security.

Four, require the administration to make a supplemental appropriations request for Bosnia of a specified duration in advance of its spending the

funds. Mr. President, this should not come from our defense budget. We cannot take from our defense readiness to the tune of $3 billion a year and expect to be able to keep a military that has a quality of life that would continue to attract our best and brightest, and it most certainly should not take from our strategic defenses for the future.

Last, build a firewall between Bosnia operating funds and procurement and research and development funds. It is very important that we begin to look at letting the people of Bosnia have some form of self-determination. Without conditioning our continued troop commitment to Bosnia, I'm afraid we are trying to put a round peg in a square hole. We would be looking at American troops indefinitely. We would be looking at a never-ending commitment, and we would be taking resources that are vitally necessary for our own security and for our responsibilities around the world.

Mr. President, I think it is most important that we look at this issue of Bosnia and establish a policy that has a chance to succeed. If the President would do that, I would be the first in line to support the decision. As a matter of fact, I think keeping thousands of troops in a 30,000-troop enclave in Bosnia in perpetuity is not good military strategy and is not based on a policy that has a chance to succeed. Remember what General Shalikashvili said, and that is that having a defined deadline is important to avoid mission creep. We have learned that before and we should not forget that lesson. I think it is important that we continue to reassess Bosnia because this is laying the predicate for our responsibilities and our actions in the world in the future.

I think it is possible to have a policy that has a chance to succeed with honorable American involvement. I think Americans will support a continued troop commitment if it has a chance to succeed. Teddy Roosevelt was right. He said "America must speak softly and carry a big stick." That is the role of a superpower. We don't have to shout. We do not have to have troops on the ground at every civil uprising around the world. If we do, we make enemies and we are in danger of doing that right now with the Serbs. We will become the focal point and the target of the hostilities and then we will be in a situation where we will have to defend ourselves. We need to step back and act like a superpower.

Once we make a commitment we must be willing to back it up and do what we say we are going to do. That is what is so important about acting firmly in Iraq. We must be a good and solid ally and we must be a feared and respected enemy. That is what a superpower should be. We must realize our place in the world. Make sure our defenses are strong. Make sure we are not dissipating our resources to such an extent that we will not be there when only we have the capacity to act.

I will close with a quote from John Quincy Adams when he was President, and it is still good today. "America well knows, that while once enlisting under other banners than her own, she will involve herself beyond extraction in all wars of interest and intrigue. The fundamental maxims of her policy would change from loyalty to force, wherever the standard of freedom and independence has been or will be unfurled there will America's heart be. She goes not abroad in search of monsters to destroy. She is a well wisher to the freedom and independence of all."

Mr. President, it is most important that America not succumb to the penchant for wanting to go out and get involved in every conflict in the world but remember as a superpower we have a unique capability to bring warring parties to the table because we are not a party that is hostile to any nation. Mr. President, we could lose that special status that we have in the world if we do not remain strong within ourselves and we will not remain strong if we continue to dissipate our resources so that our own readiness and our own strategic capabilities are in any way diminished.

I ask my colleagues to help in working with the President and this administration to pursue an honorable policy with our allies in Bosnia, a policy that has a chance to succeed and respects the fact that when we put troops in harm's way it is under the most limited circumstances and only when there is a United States security issue before us. That is not the case in Bosnia. We must help the people of Bosnia but not with continued presence of thousands of troops on the ground when their place can be taken by the parties and the people who live in Bosnia and who we hope will live in peace with our guidance for the years to come.

I yield the floor and I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. BURNS). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BYRD. 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. BYRD. Mr. President, I have an order at this time, is that correct?

The PRESIDING OFFICER. The Senator is correct. The Senator from West Virginia shall be recognized for 45 minutes.

Mr. BYRD. I thank the Chair.

GLOBAL CLIMATE CHANGE: THE KYOTO PROTOCOL

Mr. BYRD. Mr. President, the United States completed a major round of international global climate change negotiations at Kyoto, Japan, on December 11, 1997. Senators and staff members from the Senate Monitoring Group, created by the Senate leadership in accord with the recommendation in Senate Resolution 98, adopted last July 25, 1997, were included on the U.S. delegation. The Senate was well represented at the talks. The chairman of the Monitoring Group, Senator CHUCK HAGEL, as well as Senators JOHN KERRY, JOHN CHAFEE, JOE LIEBERMAN, MAX BAUCUS, and MIKE ENZI, dedicated considerable time and effort there to understand the issues being debated and to engage our negotiators on those issues. They have reported mixed results at the negotiations. The U.S., together with the other 39 industrialized nations, agreed to specific, legally binding targets for emissions of six greenhouse gases. The United States agreed to a numerical target of reducing greenhouse gases by 7 percent below 1990 during a budget period between 2008 and 2012. According to the administration, this commitment is actually about a 3 percent reduction below the 1990 emissions level after other technical provisions of the protocol are included in the calculations. It should be noted, however, that the administration has not yet provided the economic analysis to demonstrate how their calculations result in a 3 percent reduction, rather than 7 percent.

The rules of this U.N.-sponsored conference allow decisionmaking by consensus. Therefore, only those provisions not subject to major dispute were included in the final protocol, and one can say that the United States and all the other countries which approved the protocol arrived at in Kyoto did so without dissent and without taking actual votes on its provisions. Under these circumstances, it is understandable that in some cases only broad concepts could be included, with the devilish details deferred for later. There were a number of areas of achievement for the United States, and I commend the skill and persistence of our American negotiating team, led by Ambassador Stuart Eizenstat, for those successes. There were, however, some disappointing results, or even lack of results, and a number of important uncertainties that need to be resolved.

My colleagues should understand that the negotiations at Kyoto are not perceived by the parties to be the end of the story—far from it. The next major meeting of the parties, so-called COP-4, will convene in Buenos Aires, Argentina, in November of this year, after the elections. In the interim, there will be one or two preliminary meetings, now scheduled to take place in Bonn, at which time, hopefully, further progress on the details of the general concepts agreed to at Kyoto, and on matters not yet resolved, might be made.

I am far from satisfied with the results of the negotiations thus far, the goal of which is exceedingly ambitious for it is no less than to positively control man's impact on the Earth's climate. The dynamics of climate, the impact of man's influence on it, its timeframes and thresholds and danger points are still far from perfectly understood. It is still far from being perfectly understood. It is certainly understandable, then, that every goal sought was not totally achieved at Kyoto, and that further study and work are needed. Having said that, I believe that the consensus of most scientists who have examined the global warming issue, and certainly the large majority who have participated in the United Nations Intergovernmental Panel on Climate Change, have concluded that the balance of evidence suggests that human activities are indeed having a discernible and unfavorable impact on global climate systems. I accept the proposition that the potential for serious climate disruption is real and that the global community must respond at an appropriate pace in accordance with scientific evidence as it its developing.

Now, Mr. President, I am not a scientist, of course, and I am not a physicist. But as Benjamin Franklin said at the Constitutional Convention in 1787, "I have lived a long time." I am seeing some changes in the weather system, in the climatic system. It seems to me, very clearly, that the summers are hotter and the winters, at some points, certainly are warmer, and that floods more often occur, that storms ravage parts of our country more often. There seem to be more droughts, more disasters that strike our land. And so I just sense that something is going on out there. I don't need any scientific evidence to impress that feeling upon me. But what the scientific evidence suggests is that, should global warming occur, by the time we have absolute confirmation that our planet is warming, it might well be too late to take preventative action. For this reason, I have been concerned about the threat of global warming, and I believe that it might be prudent to undertake cost-effective measures to deal with the risk of climate change as a form of a global insurance policy. However, it will do no good for the United States to take such steps alone.

The Byrd-Hagel resolution was adopted by the Senate by a vote of 95-0. It was adopted unanimously by the Senators who voted, and there were 95 present.

The results of the Kyoto talks did not satisfy—with reference to the Byrd-Hagel resolution—the two goals that were agreed upon, in the context of what I like to say was a unanimous Senate adoption of the Byrd-Hagel resolution. What were those two goals agreed upon in that resolution? I quote from the resolution:

That it is the sense of the Senate that—(1) the United States should not be a signatory to any protocol to, or other agreement regarding, the United Nations Framework Convention on Climate Change of 1992, at negotiations in Kyoto in December, 1997, or thereafter, which would—(A) mandate new commitments to limit or reduce greenhouse gas emissions for the annex I Parties, unless the protocol or other agreement also mandates new specified scheduled commitments to limit or reduce greenhouse gas emissions for Developing country Parties within the same compliance Period, or (B) Would result in serious harm to the economy of the United States.

Let's read that again. This is what the Byrd-Hagel resolution said, and it was agreed to by a vote of 95-0 here in the Senate. This is what it said insofar as the operative words are concerned:

That it is the sense of the Senate that—(1) the United States should not be a signatory——

Should not add its name.

to any protocol to, or other agreement regarding, the United Nations Framework Convention on Climate Change of 1992, at negotiations in Kyoto in December, 1997, or thereafter, which would—(A) mandate new commitments to limit or reduce greenhouse gas emissions for the annex I Parties, unless the protocol or other agreement also mandates new specified scheduled commitments to limit or reduce greenhouse gas emissions for Developing country Parties within the same compliance Period, or (B) Would result in serious harm to the economy of the United States.

Mr. President, the Kyoto protocol did not meet either of these two Senate standards.

Regarding Developing Country commitments, part A, the developing countries, the so-called Group of 77 plus China, steadfastly and adamantly refused to accept binding commitments such as were entered into by the developed countries, the industrialized countries, or Annex I countries, in the Kyoto protocol. China made her position clear, and it was an unambiguous "no"! That was China's answer. "No." The standard response from the developing world to our concerns is to argue that the industrialized nations should make all of the reductions, because of the developed world's historically high levels of greenhouse gas emissions. The developing world also points to our relative wealth, and to their relative poverty, in arguing that we should shoulder the entire financial and economic burden of all reductions.

But this argument is environmentally, and economically unsound. First, as I have previously noted, the emissions of the developing world will surpass those of the industrialized world in about 2015. After that point, the growth in developing world emissions is projected to overtake any emissions reductions that the industrialized world might make. China, herself—and China said "no" at Kyoto—will become the largest emitter of CO_2, carbon dioxide, in the world during the first half of the next century, surpassing the United States.

Second, I am concerned about the emissions from the most advanced of the developing nations, countries like China, India, Brazil, Argentina and Mexico, who are experiencing explosive growth, and who are on their way to joining the club of industrialized countries. Even a marginal and even an incremental increase in the standard of living for every resident of China will result in a huge increase in greenhouse emissions. While no one wants to deny the benefits of economic growth and higher standards of living to anyone around the world, it is imperative that China's economic growth be coupled with the responsibility for its impact on the global environment. Cleaner economic expansion is possible and must be expected. And it is easier to begin development with an eye toward the environmental situation than it is to take corrective action later.

If progress is to be made this year in reaching a truly global agreement, it will occur only when the developing world realizes that it is at risk from the adverse consequences of climate change at least as much as we are. Most studies indicate that these nations are, in fact, at greater risk—at greater risk—than the advanced countries.

Since atmospheric warming is a global problem, without the responsible action by key developing countries, we will not have a global solution, and we will not solve the global problem. It makes little sense for the developed countries to penalize themselves for an outcome which will be unsuccessful. As I wrote to the President on December 15, 1997, binding commitments for developing nations should be paced according to the ability of each country to achieve greenhouse gas emission limitations appropriate to its national circumstances and economic growth. These limitations could be gradually implemented. Whether such commitments are in fact appropriate and represent best effort by each nation, will not be difficult to discern. As the saying goes, we will know it when we see it. For the moment, there is nothing to be seen from the developing nation quarter. So, it will be the task of the Administration to bring those key greenhouse gas (GHG) emitting nations into legally binding commitments during the same compliance period that has been agreed upon by the advanced nations, that is, the period 2008-2012.

Mr. President, I also remain concerned about whether the agreement reached in Kyoto meets the second standard set by the Byrd-Hagel resolutions, S. Res. 98, namely, that its implementation would not result in serious harm to our economy. Since the impact of the agreement on the U.S. economy is not now clearly understood, we cannot rule out the likelihood of such damage. It is critical that our nation, and the Senate, understand

the probable costs of these specific actions proposed to address global climate change, as well as the possible consequence of taking no action.

What is the cost? What is the cost, if no action is taken? What is the cost if certain actions are taken?

The administration has not yet presented a comprehensive economic analysis, sector by sector, regarding the impact of the Kyoto decision on our economy. Without such an assessment, understood in detail, the Kyoto agreement's impact on autos, on the coal industry, on steel, on aluminum, on cement, on the oil industry, on consumers, on builders, on people of varying income levels, there would be little sense in the Senate's even debating the protocol.

The lack of satisfaction on either count of the S. Res. 98 standards—as I say, there are two of them—means the Kyoto protocol fall short, and there would be virtually no chance of securing the approval of two-thirds of the Senate were the President to decide to submit it for such approval. The President has already indicated his agreement with this assessment, and I believe that he agrees that the decisions of the conference are just the first part of an ongoing work in progress which will continue over 1998 and perhaps beyond, until a comprehensive, effective, and understandable agreement is reached that would be worthy of Senate consideration.

On the positive side, the U.S. negotiating team deserves our commendation for sticking to certain central principles, which were incorporated into the protocol as agreed to in Kyoto. The negotiations were tough, grueling and long. Nonetheless, it was the United States, led by Under Secretary Eizenstat, that obtained agreement on many of our most important priorities, in direct contrast to the Europeans, who witnessed the rejection of almost all of their more draconian and economically harmful ideas.

The U.S. won some victories. What were they?

First, free market mechanisms, called Emissions Trading and Joint Implementation, pushed strongly by the United States, were agreed to after difficult debate. This was a substantial American victory. The purpose of these mechanisms is to allow advanced nations and their industries to satisfy their requirement for emissions limitations by sharing, buying and selling credits internationally, and to fulfill part of their obligations by assisting developing nations in developing cleaner technologies and conservation. These mechanisms are based on the environmental reality that cutting greenhouse gases anywhere on earth reduces the global concentration of greenhouse gases virtually everywhere on our planet. It therefore makes economic sense to reduce those emissions wherever it is most cost effective to do so. Emissions trading will allow the industrialized nations to buy and sell credits that will be created by the most cost effective reductions of greenhouse gases. Through emissions trading, industrialized nations may transfer to, or acquire from, another country party emission reduction credits resulting from projects aimed at reducing greenhouse gases for the purpose of meeting its commitments under the treaty.

A further mechanism, called joint implementation, or the Clean Development Mechanism (CDM), was included, at the urging of the U.S. negotiating team, by which industrialized countries can earn credits by contributing financially to projects in developing countries. These projects would involve industries and utilities in the developing world that are far less efficient than ours, and that create more pollution. By helping to bring polluting plants up to U.S. standards, industries can earn credits while sharing our pollution-reduction technologies and production processes. We can maximize our "bang for the buck," by reducing greenhouse gases to a far greater degree than it would be possible in the U.S. alone, and earn credits for doing so, which would partially offset the cost of our reductions at home.

While we can applaud the inclusion of these market mechanisms in the Kyoto protocol, we do not yet know how they will work, to what extent they will be overlaid by bureaucracies with their own agendas. We should want the maximum freedom of action for American companies to make arrangements with foreign partners without an overbearing presence and pressure by international bureaucrats or bodies, because the role and rules of the game for private companies are central to the viability of any trading scheme. The robust development of market mechanisms that are flexible and give maximum freedom of choice and action by American industry is important. They will be needed if the United States can even hope to meet the emissions reductions targets it has agreed to at Kyoto. Based on projections of the growth of emissions using current technologies and processes, the United States, in order to meet these goals, would have to reduce our overall GHG emissions more than 30 percent below where they would otherwise be in the 2008–2012 commitment period. Reducing projected emissions by a national figure of one-third does not seem plausible without a robust emissions trading and joint implementation framework.

The rules as to how these mechanisms will work will be the subject of negotiation, and American industry, the environmental community, and the Senate will be intensely interested in how they are developed. Because these market mechanisms could lower the cost of compliance with a treaty, I encourage the Administration to solicit the opinions and support of the business and environmental communities in this regard. Our business community is uniquely qualified to comment on this subject, and it is in the economic self interest of U.S. industry to assist in the creation of strong, robust, and flexible rules for emissions trading and joint implementation in order to lower the cost of implementing any climate change treaty which might be submitted to the Senate. Indeed, I hope that the Administration will provide its own concept of how these mechanisms should be implemented as soon as possible, so that support for this crucial set of procedures and rules can be developed.

There is also some controversy as to whether forest conservation projects will be allowed under the rules on these mechanisms. That is, for example, if an American company helps to preserve endangered forests or other natural carbon sinks in a developing country, it could earn credit for that activity. And I support that concept, but it was controversial in Kyoto. Senators need to hear from the Administration regarding whether such conservation projects will be included, or whether further negotiations are needed to include them.

A second major achievement by the American negotiating team in Kyoto was the inclusion of a provision allowing the purchase of emissions allowances from Russia, which will assist in lowering the cost of U.S. compliance to a protocol. This allowance is partly the result of the substantial downturn of the Russian economy in recent years. While this provision has been criticized as a kind of windfall, it is no different from a similar mechanism that has been insisted upon by the European Union, that is, the creation of a so-called European bubble, which allows all of Europe to reap the benefits of emissions reductions as the East German economy is modernized, and, in the United Kingdom, as the north sea gas fields came on line to supplant coal fired utilities.

The first budget period in the Kyoto agreement covers the years 2008–2012. This was strongly opposed by the European Union and the developing world as being too weak, despite the fact that anything less would severely harm not only the U.S. economy, but also that of the Europeans. The 2008–2012 decision allows more time for smoother transitions by U.S. industry to the requirements included in the Kyoto protocol.

Decisions of the parties to the conference about protections for emissions originating from national security activities—such as U.S. bases abroad or U.S. forces on deployment, and U.S. forces in joint and multilateral task forces—were included in the discussion. As this is a matter of concern to many

Senators, I shall ask later that an article from the January 1, 1998, Washington Post which elaborates on this point be included in the RECORD. I point out that no other negotiating team, from any other country, even included representatives from its defense ministries to Kyoto. Only the United States did this. Thus, our national security operations appear to have been protected in the accord.

The U.S. negotiating team was able to have included all six greenhouse gases, including three synthetic substitutes for ozone-depleting CFC's, which, while small in total volume, nonetheless have a significantly higher capability to trap heat, and over time will become more significant. There was strong resistance on the part of some nations to the inclusion of these three gases because of their utility in high technology, but the U.S. position prevailed in this matter as well, with the assent of significantly affected U.S. industries.

Despite these successes, there were, as I have indicated, some shortfalls. First, despite the best efforts of Ambassador Eizenstat and his very competent team, the United States was not able to get agreement on the administration's goal of reducing U.S. emissions to the 1990 level. This was the overall target announced by President Clinton when he unveiled his policy toward the talks last October. The Europeans insisted upon a reduction of 15 percent below 1990 levels, and the developing world wanted an eventual reduction of 30 percent below 1990.

The final agreement includes a reduction target of 7 percent below 1990 for three greenhouse gases, and 7 percent below 1995 for the other three gases. In addition, a more generous definition of carbon sinks was included. The administration calculates that the change to a 1995 baseline for three synthetic greenhouse gases, coupled with the inclusion of additional potential carbon sinks, results in an actual reduction target for the United States of approximately 3 percent below 1990 levels. This agreement, I note, should be viewed in the context of the broader negotiations. While the U.S. did not achieve its original goal of a flat reduction to 1990 levels, the final agreement of approximately 3 percent is a far cry from the 15-percent reduction demanded by the Europeans.

However, I have not yet seen any firm analysis as to how the administration computed its estimate of a 3-percent reduction once the 1995 baseline for three gases is included, and the more generous definitions of sinks. I still have not seen any hard numbers on how this estimate was calculated, or what the estimated impact of this reduction target would be on the U.S. economy.

So, the target cannot be evaluated as good, bad, or otherwise. The Senate will just have to withhold judgment. I hope that the economic case will be presented in detail at hearings that I know the committees of jurisdiction will be holding over the next few months. Good, sound answers are needed. The American people deserve to know what changes, if any, in their life styles will be required to meet the Kyoto commitments; what sacrifices, if any, will have to be made; what new technologies will need to be developed and put into place; what shifts in our national fuel mix would be contemplated; and many other questions dealing with national implementation of such commitments.

The details on the market mechanisms have not been worked out, and so we need to create the details of a regime for trading, technology transfer, and mutually-agreed-upon projects across the globe. How will such schemes evolve?

Third, the protocol leaves to the future such vital issues as compliance, monitoring, and enforcement measures. For a binding international system to be effective, it is elementary that it be fair and enforceable. Americans take their commitments seriously, and abide by their promises, but the same cannot always be said for all other parties. Therefore, a system of effective procedures that monitors the compliance of all parties with their obligations; and effective enforcement, presumably with some form of penalty system for compliance, are clearly required. The emissions trading credit system will be denominated in dollars, and the potential for fraud must be reduced to minimal levels for the system to work.

Fourth, the scientific community needs to conduct even more research into climate change. There are many unanswered questions as to the rate and effects of climate change. We do not yet know, for instance, the role of clouds, which seems to me to be rather fundamental. We do not know whether climate changes will be gradual or abrupt.

It is now up to the administration to roll up its sleeves and map the road from here. First, the details of the concepts agreed to at Kyoto must be developed in close cooperation with the industrial and environmental and consumer groups that are affected. Second, a program is needed to demonstrate how the implementation of commitments we agreed to in Kyoto would be achieved, and what the effects throughout our economy may be.

As part of that program, the administration is expected to propose a range of tax incentives and research and development projects. I note that some of this R & D has already been completed, namely in the area of clean coal technology. Fifty percent of the power generated in this country comes from coal-fired boilers, and coal will continue as a significant factor in our energy mix for years to come. As a result of programs that I have actively supported for the last decade, a wide range of clean coal technologies has been developed that result in the more efficient burning of coal—which directly reduces carbon dioxide emissions. I note that these R & D projects were fifty percent cost-shared by industry. While this technology has been tested in some pilot projects, it continues to be expensive to install on a small scale. Only its widespread implementation will lower the per-unit cost of manufacturing and installing such clean coal units.

I have had many conversations with representatives of the coal and utility industry about various approaches that could be used to encourage the construction of clean coal units, as well as the need to continue research and development. I urge the administration to also discuss these issues with coal-fired utilities, and to support a variety of such initiatives. We should also be concerned about the huge number of coal-fired power plants that China is projected to build during the next two decades, and we should consider initiatives to encourage China and the other big emitters to use only the most efficient and effective clean coal technology.

Mr. President, the canvas that was created at Kyoto is only partly painted in. It is a work in progress, and there is ample time to do the job right.

I hope that the President will not sign his name to the protocol at this point. There is plenty of time to do that over the next year. Let us wait and see what the next November meeting will produce and what can be accomplished in the meantime. I am concerned that if the President signs this protocol at this point, it will compromise his flexibility in dealing with the developing countries over the next year. There is plenty of time to sign. The developing countries might misinterpret the signature of the President on the protocol at this time. They may think: "Oh, you see, he has talked tough, but he is signing his name." And they may be induced thereby to hold out and to more stubbornly resist, more stubbornly resist taking actions and committing themselves to join with developed countries in a specific regime to provide a global solution.

I have outlined what I think are the commendable series of achievements by our negotiators in the face of rather hostile negotiating partners from both the developing world and the European Union. Much remains to be done. The goal of the negotiations is the most challenging ever conceived and undertaken in the international environmental area. The glass may not be even half full, but the forum for filling it with the most palatable liquid we can fashion is available throughout this year and beyond that, if we have but

the tenacity and the imagination and the will to persevere.

Mr. President, I ask unanimous consent that the Washington Post article and my December 16, 1997 letter to President Clinton 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, Jan. 1, 1998]

KYOTO PACT INCLUDES A PENTAGON EXEMPTION—ARMED FORCES PERMITTED TO POLLUTE DURING SOME OVERSEAS MISSIONS

(By Joby Warrick)

The global warming treaty negotiated in Japan last month could lead to tougher pollution controls on everything from mopeds to Mack trucks, but at least one major emitter has managed to reserve its right to pollute: the Pentagon.

A little-noticed provision in the treaty gives the armed forces of any country a free pass to emit greenhouse gases during certain overseas military operations, an exemption secured by U.S. negotiators in the final hours of the Kyoto climate summit despite objections from Iraq and Russia.

The exemption was pushed through, at the Defense Department's insistence, to ensure that international police actions and humanitarian missions remain unfettered by future curbs on fossil-fuel emissions, administration sources said. The climate treaty, which must be ratified by national governments to become law, would force the world's developed countries to sharply reduce their output of greenhouse gases over the next two decades or face sanctions.

"It was the one issue the Pentagon cared most about, and we did well on it," said a U.S. official who participated in the talks.

The exemption is spelled out in two sentences of a technical paper that was ratified Dec. 11, at the close of the all-night negotiating session that produced the world's first binding agreement on combating global warming. One sentence says fossil fuels used by ships and aircraft in "international transport" cannot be counted against a country. The other sentence exempts all "multilateral operations" conducted under a United Nations umbrella.

In practice, the exclusions would apply to military vessels headed toward overseas staging areas or participating in such operations as the recent relief mission to Somalia or the U.S.-led war against Iraq.

The exemptions offer obvious benefits for the United States, which is both the world's only superpower and the largest single emitter of greenhouse gases, But U.S. negotiators said they were motivated mainly by a desire to eliminate a potential alliance-breaker. In the future, they said, countries might refuse to join the United States in sending armies to world hot spots if it meant blowing their limits on greenhouse gas emissions.

"We didn't want to create a disincentive for future humanitarian operations," said one military source who spoke on the condition of anonymity.

In fighting for the exemption, the Clinton administration also may have been seeking to deny Republican critics a potent weapon in their battle to defeat the accord. For several months leading up to the Kyoto summit, conservative groups had argued that a global warming treaty would undermine national security by weakening military training.

The idea of a military exemption was first floated by U.S. negotiators in October at a U.N. conference in Bonn, Germany, where it drew initial skepticism from some European allies. When debated at the 159-nation Kyoto conference, the proposal was strongly protested by Iraq—and, initially, by Russia.

Iraq, one of the few nations to experience the full brunt of the kind of U.N.-sponsored "multilateral operation" the American plan envisions, could have blocked the proposal under conference rules that require all decisions to be approved by consensus. But in a bit of diplomatic sleight-of-hand, the conference chairman gaveled the rules through after the Iraqi delegation had left the conference room.

U.S. environmental groups, which have generally applauded the Kyoto agreement, complain that the exemption is overly broad because it applies to commercial international carriers as well as military ships and planes. Climate negotiators left for a future conference the complicated task of apportioning responsibility for emissions by commercial airlines.

"It's a pretty big loophole," the Natural Resources Defense Council's Dan Lashof said.

It might have been even bigger. The Clinton administration considered exempting armed forces from the rules altogether, but then rejected the idea. The reason, sources said, was the Defense Department's remarkably strong performance in cutting its own emissions over the past decade—an achievement attributed both to military downsizing and improvements in energy efficiency.

Unless the Pentagon's gains are factored in, they said, the United States might have a much tougher time meeting its obligations for reducing emissions.

U.S. SENATE,
COMMITTEE ON APPROPRIATIONS,
Washington, DC, December 16, 1997.

Hon. WILLIAM J. CLINTON,
President of the United States,
The White House, Washington, D.C.

DEAR MR. PRESIDENT: I am writing to commend the skill and persistence with which your negotiators, Ambassador Stuart Eizenstat and his team, represented the United States at the recently concluded climate conference in Kyoto, Japan. I view the decisions of the conference as the first part of an ongoing work in progress which should continue in Buenos Aires next fall and finally, hopefully, culminate in an effective global treaty to control greenhouse gases.

While I await an official, comprehensive report from your Administration on the details and economic impacts of the Kyoto agreement, I would like to share a few observations at the outset of this important post-Kyoto period. I believe that the potential for serious climate disruption is real and that the global community must respond at an appropriate pace in accordance with scientific evidence. Ambassador Eizenstat has indicated that a number of key U.S. priorities were agreed to at the negotiations, including emissions trading and voluntary projects between industrialized and developing countries; reduction targets for man-made emissions of all greenhouse gases; incentives for worldwide forest preservation; and incentives for early emissions reduction. These are the direct result of American proposals, and are milestones on the road to cost-effective restrictions of greenhouse gas emissions on a global basis. These features are intended to reduce economic dislocations and maximize the use of new technologies and free market mechanisms.

However, of paramount concern is that the agreement reached in Kyoto does not meet the first standard set by the Senate in S. Res. 98, namely that the biggest emitters in the developing world have not yet agreed to binding commitments to be executed together with the industrialized nations. Such commitments should be paced together according to the ability of each country to achieve greenhouse gas emission limitations appropriate to its national circumstances and economic growth, and could be gradually implemented. In the absence of simultaneous legally binding commitments by key developing countries to grow in an environmentally sound way, there will not be an effective restriction of worldwide greenhouse gas emissions. Consequently, there would be little prospect of treaty approval in the U.S. Senate.

I am also concerned about whether the agreement meets the second standard set by S. Res. 98, that its implementation would not result in serious harm to our economy. Since the impact of the agreement on the U.S. economy is not now clearly understood, we cannot yet rule out the possibility of such damage. It is critical that our nation understands the probable costs of these specific actions proposed to address global climate change, as well as the probable consequences of taking no action.

Given the incomplete nature of the Kyoto agreement, I believe that it would be prudent for you to withhold your signature until a more comprehensive treaty is arrived at which would be more deserving of Senate approval. Nevertheless, with these caveats, a major new beginning has been achieved in addressing the long-term problem of global warming. I look forward to receiving the commitment of nations such as China, India, Indonesia, Mexico, South Korea, and Argentina to join us in this effort in the near future.

Many on both sides of this issue have been quick to register their displeasure with the Kyoto agreement. It has been denounced by some environmentalists for not going far enough, and by some in industry for going too far. While it is regrettable that we were not able to reach an agreement with the developing world in Kyoto, it seems clear that we did gain acceptance on a number of important U.S. objectives. Therefore, I recognize that this is a worthwhile work in progress, and that a durable and effective solution to global climate protection, one which provides sustained economic growth and clean development for all countries, will require a step-by-step approach. I welcome the announcement by the Administration that you consider the Kyoto agreement to be but the first step in a framework or architecture to continue the negotiations, on the basis that this is a global problem requiring global solutions.

I look forward to working with the Administration as the process of negotiating an acceptable international agreement proceeds over the next year.

Sincerely yours,

ROBERT C. BYRD.

Mr. SPECTER addressed the Chair.

The PRESIDING OFFICER (Mr. DEWINE). The Senator from Pennsylvania.

Mr. SPECTER. Mr. President, at the outset I congratulate our distinguished colleague, Senator BYRD, for, as usual, a very erudite and well-thought-out statement. When I entered the Chamber, I saw Senator BYRD speaking, and I saw a thick sheaf of papers. I was glad to have the opportunity to listen to

Senator BYRD's presentation because he is more than the conscience of the Senate; he is the intellect of the Senate and a great tribute to this body. So I congratulate Senator BYRD.

Mr. BYRD. Mr. President, I thank the distinguished Senator. I could deliver a very appropriate encomium. I could say many appropriate things with respect to the ability of the distinguished Senator from Pennsylvania. He is a great friend of mine. I have tremendous respect for his knowledge in the field of law, and I always listen when he speaks. I thank him for his very kind and overly charitable remarks.

Mr. SPECTER. Mr. President, I thank my distinguished colleague for that reply. I have been in this body, now, going on 18 years. Senator BYRD and I have been able to maintain a long, unguarded border between southern Pennsylvania and West Virginia because we maintain that friendship between the two States.

THE PRESIDING OFFICER. The Senator from Pennsylvania is recognized.

Mr. SPECTER. I thank the Chair.

(The remarks of Mr. SPECTER pertaining to the introduction of S. Res. 170 are located in today's RECORD under "Submission of Concurrent and Senate Resolutions.")

EXTENSION OF MORNING BUSINESS

Mr. SPECTER. Mr. President, before concluding, I have been asked by the leader to seek unanimous consent that the period of morning business be extended to 12:45, with Senators permitted under this request to speak for up to 5 minutes each.

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

Mr. SPECTER. Mr. President, I thank the Chair and yield the floor.

The PRESIDING OFFICER. The Senator from Florida.

Mr. GRAHAM. Mr. President, I ask unanimous consent to speak for up to 10 minutes, for purposes of introduction of legislation.

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

Mr. GRAHAM. I thank the Chair.

(The remarks of Mr. GRAHAM pertaining to the introduction of S. 1585 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mr. HOLLINGS addressed the Chair.

The PRESIDING OFFICER. The Senator from South Carolina.

Mr. HOLLINGS. Mr. President, I ask unanimous consent that I be allowed to speak as in morning business until the appointed hour of 12:45.

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

STOP LOOTING SOCIAL SECURITY TRUST FUND

Mr. HOLLINGS. Mr. President, the thrust of President Clinton's State of the Union address was "save Social Security first." The quickest way to save Social Security is to stop looting Social Security. Over the years, we have looted the Social Security trust fund with wild abandon; we owe it to the tune of some $631 billion right this minute. It should be a $631 billion surplus. But actually, since Congress has expended it on foreign aid, defense, food stamps, and other programs in order to appear fiscally responsible, there is a deficit in Social Security.

I see now from the Congressional Budget Office, and I take it from the President's budget to be submitted next Monday, that the CBO, along with the Congress and the President, is prepared, again, to go forward with this nonsense of a unified budget. The unified budget is a fraud. It allows Congress to spend money but get credit for not spending money. Only here do fiscally irresponsible people get a good government award.

Let's think back a minute on President Lyndon Johnson, because the consensus is, "President Johnson changed government accounting procedures and created the concept and introduced the use of a unified budget, and that is how he got a surplus." This is false; false. I was present during that time; I was there with George Mahon, chairman of the Appropriations Committee. We asked if we could cut $5 billion to achieve a total budget of $178 billion for the Great Society and the Vietnam War. Can you imagine that? We funded the Great Society and the War with just $178 billion. And where are we today? Today the budget is $1.7 trillion. During LBJ's presidency, we balanced the budget with a surplus of $3.2 billion. The Social Security trust fund then only amounted to $300 million. So President Johnson balanced the budget without trust funds and without a unified deficit.

What really happened was that Wilbur Mills of the Ways and Means Committee, who was running for President up in New Hampshire, said to the American people: "Oh, we have so much money in that Social Security fund; I will give you a 10-percent COLA." Then along came President Nixon and he said, "If he will give you 10, I will give you 15 percent."

We started draining the fund during the seventies. By 1980–1981—when I was chairman of the Budget Committee—we could see we were going to have a horrendous deficit in Social Security. So we formed the Greenspan commission, and we issued a report that recommended not only to impose a higher tax for Social Security to balance the Social Security budget, but more particularly to build up a trust fund for the Presiding Officer.

Now, old men like Senator THURMOND and I are going to get our Social Security money. But I don't know that younger Americans are going to get theirs. The fact of the matter is that according to the Greenspan Commission, baby boomers were to be cared for with Social Security through the year 2056. To show that, I ask unanimous consent that section 21 be printed in the RECORD.

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

SOCIAL SECURITY AND THE UNIFIED BUDGET

(21) A majority of the members of the National Commission recommends that the operations of the OASI, DI, HI, and SMI Trust Funds should be removed from the unified budget. Some of those who do not support this recommendation believe that the situation would be adequately handled if the operations of the Social Security program were displayed within the present unified Federal budget as a separate budget function, apart from other income security programs.

Mr. HOLLINGS. Mr. President, section 21 says take Social Security off the unified budget and record it as a separate trust fund.

I also ask unanimous consent that section 13301 of the Budget Act be printed in the RECORD.

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

SUBTITLE C—SOCIAL SECURITY

SEC. 13301. OFF-BUDGET STATUS OF OASDI TRUST FUNDS

(a) Exclusion of Social Security from all budgets.—Notwithstanding any other provision of law, the receipts and disbursements of the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund shall not be counted as new budget authority, outlays, receipts, or deficit or surplus for purposes of—

(1) the budget of the United States Government as submitted by the President,

(2) the congressional budget, or

(3) the Balanced Budget and Emergency Deficit Control Act of 1985.

(b) Exclusions of Social Security from congressional budget.—Section 301(a) of the Congressional Budget Act of 1974 is amended by adding at the end the following: "The concurrent resolution shall not include the outlays and revenue totals of the old age, survivors, and disability insurance program established under title II of the Social Security Act or the related provisions of the Internal Revenue Code of 1986 in the surplus or deficit totals required by this subsection or in any. . . ."

Mr. HOLLINGS. Mr. President, I got that reported out of the Budget Committee, and President George Walker Herbert Bush signed it into law on November 5, 1990: "Thou shalt not use the Social Security trust fund." But, Mr. President, Congress today totally ignores it. Here is the economic budget outlook for fiscal year 1999. I ask unanimous consent that this table 2 be printed in the RECORD.

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

SUMMARY TABLE 2. CBO BUDGET PROJECTIONS (BY FISCAL YEAR)

	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008
IN BILLIONS OF DOLLARS												
Revenues:												
Individual income	737	768	782	805	840	886	922	974	1,027	1,083	1,143	1,207
Corporate income	182	197	200	200	200	203	209	216	224	232	241	250
Social insurance	539	573	600	625	651	679	710	743	781	817	856	892
Other	120	127	147	149	155	162	167	173	177	181	187	191
Total	1,579	1,665	1,729	1,779	1,847	1,930	2,008	2,105	2,208	2,314	2,426	2,540
Outlays:												
Discretionary [1]	549	557	561	565	564	560	576	592	609	626	643	661
Mandatory:												
Social Security	362	376	391	409	428	449	471	495	522	551	582	614
Medicare	208	218	231	244	268	277	306	330	367	377	417	448
Medicaid	96	101	108	115	123	131	141	152	165	179	194	210
Other	229	256	272	290	303	316	330	342	360	369	378	399
Subtotal	895	950	1,003	1,058	1,121	1,173	1,247	1,320	1,415	1,476	1,570	1,672
Net interest	244	244	248	244	238	231	226	222	216	209	202	194
Offsetting receipts	−86	−81	−81	−84	−90	−104	−96	−100	−106	−112	−119	−126
Total	1,601	1,670	1,731	1,782	1,833	1,860	1,954	2,034	2,133	2,199	2,297	2,403
Deficit (−) or Surplus	−22	.....	−2	−3	14	69	54	71	75	115	129	138
Memorandum:												
On-budget Deficit (−) or Surplus	−103	−105	−115	−125	−116	−69	−94	−87	−95	−64	−60	−60
Debt Held by the Public	3,771	3,790	3,806	3,821	3,821	3,765	3,725	3,668	3,606	3,503	3,386	3,259
AS A PERCENTAGE OF GROSS DOMESTIC PRODUCT												
Revenues:												
Individual income	9.3	9.2	9.0	8.8	8.8	8.9	8.9	8.9	9.0	9.0	9.1	9.2
Corporate income	2.3	2.4	2.3	2.2	2.1	2.0	2.0	2.0	2.0	1.9	1.9	1.9
Social insurance	6.8	6.8	6.9	6.9	6.9	6.8	6.8	6.8	6.8	6.8	6.8	6.8
Other	1.5	1.5	1.7	1.6	1.6	1.6	1.6	1.6	1.5	1.5	1.5	1.5
Total	19.8	19.9	19.8	19.6	19.4	19.4	19.3	19.3	19.3	19.3	19.3	19.3
Outlays:												
Discretionary [1]	6.9	6.7	6.4	6.2	5.9	5.6	5.5	5.4	5.3	5.2	5.1	5.0
Mandatory:												
Social Security	4.5	4.5	4.5	4.5	4.5	4.5	4.5	4.5	4.6	4.6	4.6	4.7
Medicare	2.6	2.6	2.6	2.7	2.8	2.8	2.9	3.0	3.2	3.1	3.3	3.4
Medicaid	1.2	1.2	1.2	1.3	1.3	1.3	1.4	1.4	1.4	1.5	1.5	1.6
Other	2.9	3.1	3.1	3.2	3.2	3.2	3.2	3.1	3.2	3.1	3.0	3.0
Subtotal	11.2	11.3	11.5	11.6	11.8	11.8	12.0	12.1	12.4	12.3	12.5	12.7
Net interest	3.1	2.9	2.8	2.7	2.5	2.3	2.2	2.0	1.9	1.7	1.6	1.5
Offsetting receipts	−1.1	−1.0	−0.9	−0.9	−0.9	−1.0	−0.9	−0.9	−0.9	−0.9	−0.9	−1.0
Total	20.1	20.0	19.8	19.6	19.3	18.7	18.8	18.6	18.7	18.4	18.3	18.3
Deficit (−) or Surplus	−0.3	−0.1	(2)	(2)	0.1	0.7	0.5	0.7	0.7	1.0	1.0	1.0
Memorandum:												
On-budget Deficit (−) or Surplus	−1.3	−1.3	−1.3	−1.4	−1.2	−0.7	−0.9	−0.8	−0.8	−0.5	−0.5	−0.5
Debt Held by the Public	47.3	45.3	43.6	42.0	40.2	37.9	35.8	33.6	31.5	29.3	27.0	24.8

[1] The baseline assumes that discretionary spending will equal the statutory caps on discretionary spending in 1999 through 2002 and will increase at the rate of inflation in succeeding years.
[2] Less than 0.05 percent.

Source: Congressional Budget Office.

Mr. HOLLINGS. Table 2, instead of showing that trust funds are not used, shows that Congress uses over $165 billion of trust funds—$165 billion. That is $101 billion from Social Security and $64 billion from the military retirement trust fund, Civil Service retirement trust fund, highway trust fund, airport trust fund; and the surplus crowd is trying to report just a $5 billion deficit. Come on.

You have to go all the way back, Mr. President, to page 42 of the CBO's report. If you look at page 42, you can find the real deficit, because down there they have the gross Federal debt. Of course, they don't put it in red. I wish I had a chart here so everybody could see it.

This is not how a family budgets. Families ask themselves if they spend more than they take in? They don't employ this unified budget nonsense, or economic flows or the Wholesale Price Index or the Consumer Price Index or any of this economic gobbledygook. If you spend more than you take in, you have a deficit, and that adds to your debt.

Page 42 of the Congressional Budget Office's report shows that we go from a $5.5 trillion debt in 10 years to over $7.5 trillion. In the next 5 years, according to this chart, we are going to spend $957 billion more than we take in—under this so-called balanced budget plan. Yet everyone is running around, patting each other on the back and complimenting each other on fiscal responsibility and discipline. "A balanced budget as far as the eye can see," says the President. Dr. June O'Neill said the same thing yesterday before the Budget Committee. Mr. President, they are talking out of the whole cloth.

Their claims are false. They continue to use these trust funds to obscure the debt and deceive the people. We already have used Social Security, military, civilian, unemployment, highway, airport, railroad of $1.5 trillion we owe now, and under the 1998 projected current policy, CBO reports it will be $1.652 trillion. So we are using all of these trust funds, and President Clinton said all trust funds. I read from that particular report where he said any trust funds. I want to make sure everybody gets that because I am not being technical at all.

I quote President Clinton: "Tonight I propose we reserve 100 percent of the surplus. That's every penny of any surplus."

Mr. President, I have two bills that do just that. Boy, are we going to put them to the task of truth in budgeting. I ask unanimous consent that these bills be printed in the RECORD.

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

S. 1587

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 "Pay-as-you-go Extension Act".

SEC. 2. AMENDMENT TO THE BALANCED BUDGET ACT.

Section 252(a) of the Balanced Budget and Emergency Deficit Control Act of 1985 is amended by adding at the end the following: "This section shall be effective until the Federal budget excluding the receipts and disbursements of the social security trust funds, the Federal military retiree trust fund, the highway trust funds, and any other Federal trust fund included in the gross Federal debt is in balance or surplus.".

S. 1588

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 "Deficit Integrity Act".

SEC. 2. TRUST FUND PROTECTION.

The receipts and disbursements of the social security trust funds, the Federal military retiree trust fund, the highway trust funds, the medicare trust fund, the civil service retirement trust fund, the unemployment trust fund, the airports trust fund, and

any other Federal trust fund included in the gross Federal debt shall not be—

(1) included in the Federal budget baseline for any fiscal year; and

(2) counted as new budget authority, outlays, receipts, or deficit or surplus for purposes of—

(A) offsetting any tax decrease; and

(B) offsetting any spending increase.

Mr. HOLLINGS. This is a short, one-paragraph bill. It says that Congress cannot use any of these surpluses and trust funds for any tax cut or any spending increase where we have caps.

Maybe, Mr. President, they will get the money from the tobacco settlement. I don't know where they will get the money from.

You are looking at a Senator who voted against spending increases and against tax cuts last year in order to try to bring about fiscal responsibility. We enjoy a good economy, Mr. President. And we want to stay the course. But let us practice truth in budgeting, and let us mean it. I have provided all the facts and figures here.

There is a chart that everybody in America ought to see: the gross Federal debt. In the past year, 1997, we ran a deficit not of $22 billion but of $188 billion. The Congressional Budget Office projects an actual deficit of $170 billion. And, Mr. President, in 1999, the deficit will increase from $170 billion to $200 billion. Why? Because rather than heading in the right direction, Congress and the President last year increased spending and cut out revenues. Under current policy, the deficit will continue to soar, right on up and away to $205 billion by the year 2000.

So everybody ought to understand that Congress and the White House can make all the wonderful talks they like; and everyone can say, "Well, the President wants to use those funds for spending, and I want to use it for tax cuts." That suits me, whatever you all want to do, but let us have truth in budgeting and let us not use any of the trust funds as an offset.

The bills I introduce today will achieve both of these goals; they will ensure an honest budget and protect Social Security and other trust funds.

I thank the distinguished Chair and yield the floor.

Mr. BUMPERS addressed the Chair.

The PRESIDING OFFICER. The Senator from Arkansas.

Mr. BUMPERS. Mr. President, what is the parliamentary situation?

The PRESIDING OFFICER. Morning business has just concluded.

EXTENSION OF MORNING BUSINESS

Mr. BUMPERS. I ask unanimous consent, Mr. President, that I be permitted to proceed in morning business for no more than 15 minutes in order to introduce a bill.

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

TRUTH IN BUDGETING

Mr. BUMPERS. Mr. President, prior to introducing my bill, let me just lend my support to the remarks just made by the Senator from South Carolina. He and the Senator from North Dakota, Senator DORGAN, have made speech after speech after speech on the floor of this body about how we do not have truth in budgeting. We do not have a balanced budget. We are not even close to a balanced budget and are not going to be for some time to come. And the idea of people talking about tax cuts or using the budget surplus, which does not exist, to using that surplus to cut taxes or to increase spending is an absolute absurdity.

I think this year, 1998, we are anticipating a $100 billion surplus in Social Security. So I lend my support to what the President said the other night. And I lend my support to what the Senator from South Carolina just said.

(The remarks of Mr. BUMPERS pertaining to the introduction of S. 1586 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

The PRESIDING OFFICER (Mr. THOMAS). The Senator from Ohio.

Mr. DEWINE. Mr. President, I ask unanimous consent to proceed for up to 20 minutes as in morning business.

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

HONORING CONGRESSMAN LOUIS STOKES

Mr. DEWINE. Mr. President, I rise this afternoon to commemorate an important event in the history of my State, the State of Ohio, and also the history of this Congress. Over the just-concluded recess, my good friend, Congressman LOU STOKES, announced he will retire at the end of this Congress. LOU STOKES will retire after 30 years representing the people of his Cleveland area district.

Mr. President, when I first entered the House of Representatives in 1983, LOUIS STOKES had already been there for 14 years—14 years building friendships and developing a reputation as a powerful and effective leader.

LOU STOKES is a leader. Mr. President, he is more than that. LOU STOKES is a good man. One of my own favorite memories of LOU STOKES, and frankly it is one of my memories that I will carry with me all my life and my career in politics, was the very moving speech that Congressman LOU STOKES made when he and I served together on the Iran-Contra Committee. Mr. President, this was a contentious time. Congressman STOKES and I did not always agree on everything about these hearings or about the facts of that series of events that led to the Iran-Contra hearings. But there was a moment during the hearings when LOU STOKES spoke from the heart and he really let us know what kind of a person he is, sort of what makes him tick. We really had an insight into the soul of this very good man.

In his remarks he expressed heartfelt love of this great country of ours. Let me quote a portion of what Congressman LOU STOKES said at that time:

> I wore the uniform of this country in World War II in a segregated Army. I wore it as proudly as you did, even though our Government required black and white solders in the same Army to live, sleep, eat, and travel separate and apart while fighting and dying for our country.
>
> But because of the rule of law today's servicemen in America suffer no such indignity. . . . My mother, a widow, raised two boys. She had an eighth grade education. She was a domestic worker who scrubbed floors. One son became the first black mayor of a major American city. The other sits here today as chairman of a House Intelligence Committee. Only in America, only in America, Colonel North, only in America.

Mr. President, LOUIS STOKES said these words at a time of great tension in our country and in the Congress. In doing so, he gave voice to what Abraham Lincoln called the better angels of our nature.

That, Mr. President, is really who LOUIS STOKES is, a truly honorable man who represents the finest aspects of the American spirit. Congressman STOKES rose from poverty to become a great American statesman. He was Ohio's first African American member of the U.S. Congress. He was the first African American ever named to the House Appropriations Committee.

First, first, first, again and again and again, Mr. President. Where a path had not been carved out before, LOUIS STOKES took the lead and blazed a trail by himself. He was chairman of the Congressional Black Caucus, he was chairman of the House Ethics Committee, he was chairman of the House Intelligence Committee, he was chairman of the historic House committee that investigated the assassinations of President Kennedy and Dr. Martin Luther King, Jr. He was chairman and is currently ranking member of the appropriations subcommittee on VA–HUD overseeing $87 billion of our Federal budget.

For the last 5 years he has been the dean of our State's congressional delegation.

Mr. President, I am proud to have served for so long with this truly great American, here in the Senate for the last 3 years, as well as the 8 years we served together in the U.S. House of Representatives. So today, Mr. President, I join the people of Ohio in thanking Congressman LOU STOKES for all he has done to move our State and our country forward.

LOUIS STOKES's hometown newspaper, the Cleveland Plain Dealer, says that he is "A man who, through word and deed, created a legacy of exemplary public service. . . . After his long years of distinguished service, Congress won't be the same without him."

Mr. President, how true that is.

So to our friend, LOU STOKES; his wife, Jay; his children, Shelley, Angela, Louis, Lorene; and his grandchildren, who I know he cherishes so much, Brett, Eric, Grant, Kelley, Kimberley, Alexandra, and Nicolette, thank you very much. Thank you for sharing him with us. We wish you, Congressman STOKES, and your children and your grandchildren and the rest of your family all the best for a wonderful future.

HONORING SENATOR JOHN GLENN

Mr. DEWINE. Mr. President, I will take a moment this afternoon to say a few words about another truly historic announcement that occurred during the recess. On behalf of the people of the State of Ohio and all of our colleagues in the U.S. Senate, let me say how truly proud we are of our distinguished friend and colleague, Senator JOHN GLENN. By now, everyone in America knows that in October at the age of 77, Senator JOHN GLENN will return to space as a member of the crew of the space shuttle Discovery.

Mr. President, very few people show the kind of courage shown throughout his lifetime by JOHN GLENN, courage that Senator GLENN showed when he flew 149—149—heroic combat missions as a Marine pilot in World War II and then in the Korean war facing death from enemy fighters and antiaircraft fire. Because of all the enemy fire that JOHN GLENN braved, we are told his buddies called him the "Mig-Mad Marine," and I guess they had a few other names for him, as well.

Mr. President, it comes as no surprise to those of us who know him that our friend, JOHN GLENN, is that kind of a rare person. One reporter commented that when he was a young man he was thrilled by then Colonel GLENN's orbits around the Earth and yelled out, "Go, Colonel GLENN, go." Well, Mr. President, I had pretty much the same experience, as millions of Americans did. My experience occurred when I was in high school, my wife Fran and I were in high school in Yellow Springs High School and the day that JOHN GLENN orbited the Earth and made that historic flight I happened to be in Mr. Ed Wingard's science class in Yellow Springs High School. We all listened on the radio to the progress of this truly historic flight. For those who were not born at that time or cannot remember it, it is hard to describe the atmosphere in this country. It is hard to explain how literally this country came to a stop, when people gathered around TVs and gathered around radios for that period of time as he went around the Earth and made those three orbits.

In fact, just about anyone around back then can tell you how important that achievement was for the American people, and they can tell you where they were and what they were doing at that moment. We, as a Nation at that time, Mr. President, were shaken, we had been shaken when the Russians beat us into space with the Sputnik, Sputnik satellite, earlier in 1957 and then in April of 1961 they sent Yuri Gagarin into orbit, the first man in space. The same week as that flight the U.S. was rocked by the tragedy and failure of the Bay of Pigs invasion in Cuba.

In short, Mr. President, America was reeling, and that is one of the reasons why our hearts were lifted so very much by JOHN GLENN's daring exploit. That, Mr. President, was a great day to be an American. I hear a lot of that enthusiasm today after the announcement that Senator GLENN will be going back into space. I think that one of his last public services as a Member of the U.S. Senate may be one of the most valuable achievements of his long and very distinguished career because JOHN GLENN has a rare, truly incredible opportunity to educate the rest of us, to educate the American people about the value of America's adventure in space. Who better, Mr. President, than JOHN GLENN to speak to Americans about this great American achievement? Who better to explain to us the importance of NASA, the importance of space exploration? And who among us, except JOHN GLENN, has that historical perspective and can explain it in terms that average Americans can understand? JOHN GLENN has a unique ability to tell this great story. He has that ability because he has lived it.

Mr. President, I think this space mission is already starting to fire up the imagination of the American people about the wonders of discovery. It can remind us again that we as Americans have a tradition of national greatness and that the pursuit of national greatness remains our continued breathtaking challenge. So, Colonel—Senator—the hearts of all Ohioans and the hearts of your colleagues in the Senate, and indeed all Americans, will be with you on your historic mission. Our hearts will also be with your great family and with your heroic wife Annie. As President Clinton said the other night, godspeed, JOHN GLENN.

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. GRAMS. 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. GRAMS. Mr. President, what is the business before the Senate?

The PRESIDING OFFICER. We are still in morning business.

Mr. GRAMS. Thank you very much.

TAXPAYERS ON THE HOOK: THE NUCLEAR WASTE STORAGE COUNTDOWN

Mr. GRAMS. Mr. President, I rise today because after 16 years of denials, delays, and indifference on the part of the U.S. Department of Energy, the American taxpayers are about to find themselves saddled with the liability for our nation's nuclear waste.

It is a liability they do not deserve, and one they most certainly cannot afford. Unfortunately, the President failed to warn them on Tuesday night during his State of the Union address that many of the achievements he acknowledged are at risk—threatened by a federal government failure so massive that it may take the taxpayers years, even decades, to burrow out from underneath it.

What could be so potentially devastating? The failure of the U.S. Department of Energy to begin accepting the nation's spent commercial nuclear fuel.

And, Mr. President, the taxpayers will inherit the responsibility for that failure just three days from now.

At midnight on January 31, 1998, the DOE is required by law to begin accepting spent nuclear fuel from sites across the nation.

The clock was set in motion 16 years ago, upon enactment of the "Nuclear Waste Policy Act of 1982."

Since then, utility ratepayers have been required to pay the federal government more than 13 billion of their hard-earned dollars in exchange for the promise that the DOE would develop and build a centralized repository for the safe and efficient storage of spent nuclear fuel.

But that's yet another government promise that won't be kept.

Today, 16 years later—with 7 billion of those ratepayer dollars already spent—the waste is piling up.

Nobody at the DOE wants it—nobody at the DOE is prepared to claim it—and because there's no place to put it, nobody at the DOE would be ready to take it by the January 31st deadline anyway. That's just three days from now.

At the same time energy consumers are pouring billions into the waste fund, ratepayers and utilities are continuing to pay for on-site storage at more than 70 commercial nuclear plants throughout the country.

In other words, ratepayers are being forced to pay twice for nuclear waste storage—all because the Department of Energy has failed to meet its legal obligations to the American people.

Sadly, these costs pale in comparison to the true catastrophe the DOE has in store for the taxpayers beginning just three days from now.

The United States Court of Appeals for the DC Circuit, in a ruling issued on November 14, said that not only is the DOE authorized to begin accepting

waste on January 31, but also able to fulfill its contractual obligations to remove it.

By failing to do so, the court ruled, the DOE makes the federal government liable for any damages resulting from even the smallest delay in performance.

And we all know who foots government's bills.

By failing to take possession of the nation's nuclear waste just three days from now, the DOE will in essence make the American taxpayer responsible for those damages.

According to the Nuclear Energy Institute, the estimated cost of storing spent nuclear fuel at power plants across the nation through 2020 is $56 billion, with the federal government—the taxpayers—liable for every dollar.

And when nuclear power plants begin to shut down because the utilities don't have the facilities to store fuel on site, the chain reaction of higher energy costs and lost jobs that are certain to follow represents yet another costly economic consequence of this federal folly.

The impact on the environment of alternative energy sources must also be examined.

How is it possible that all of this will be set into motion just three days from now, and yet it didn't merit a single sentence in the President's State of the Union address?

Mr. President, it's ironic that, while the DOE has failed to meet America's nuclear waste storage needs, the DOE has resumed collecting spent nuclear fuel from a total of 41 other countries under the "Atoms for Peace" program.

Similar to the large number of our states which are facing nuclear waste storage problems, countries from around the world are experiencing the same problems. The only difference is that their needs—not our own ratepayers' needs—are being met by our federal government.

In fact, the DOE has completed "urgent relief" shipments of spent nuclear fuel assemblies from European nations to the agency's facility at Savannah River. It has also accepted nuclear spent fuel from Latin American countries.

Ultimately, up to 890 foreign research reactor cores will be accepted by the DOE over a 13-year period.

Mr. President, an important point to discuss when it comes to these foreign nuclear waste shipments is how they are transported once they reach the continental United States.

Nuclear assemblies from these 41 countries have been and will continue to be transported by rail and truck to the Savannah River Facility. The safety record of these shipments speaks for itself.

The federal government won't accept commercial spent nuclear fuel, but it's actively accepting nuclear waste from many American universities.

Nuclear waste from research reactors at our finest educational institutions is being accepted at the DOE's Savannah River facility. Again, this nuclear waste is being safely transported by rail and truck across the nation.

These shipments serve as a very small portion of the 2,400 shipments of high-level nuclear waste that have already been shipped across the United States, including naval spent fuel.

So, Mr. President, transportation is no longer a question of technology but becomes one of politics.

I understand the rationale behind reducing our international nuclear dangers by collecting and transporting spent fuel within our borders.

But what I and many others cannot comprehend is how our government has made it a priority to help foreign countries with their nuclear waste problems while simultaneously ignoring the concerns right here in our own country.

Our ratepayers are paying the bill to take care of our own waste problem. Yet that isn't being addressed but our ratepayers and our taxpayers are paying to help foreign countries do the same thing.

The President on Tuesday also failed to mention that the costs of missing the January 31st deadline will be borne as much by grandma and grandpa as they will by any corporate executives or Members of Congress.

He didn't mention that nuclear power is a fuel that burns nothing, thereby helping us achieve cleaner air and a better environment.

He failed to mention that the costs of his global warming treaty will be even higher for every American if we continue to shut down nuclear power plants in favor of coal-burning technologies.

Most regrettably, he failed to offer any kind of explanation into why his administration supports the Department of Energy as they unlawfully stick it to the American taxpayers.

It therefore falls to Congress to step forward and offer a solution.

Along with my colleagues, Senators MURKOWSKI and CRAIG, I've coauthored legislation that will protect the American public from the costs they face from this impending crisis.

Our bill will reform the current civilian nuclear waste program to avoid the squandering of billions of dollars of ratepayers' and taxpayers' money.

It will eliminate the current need for on-site storage at our nation's nuclear plants, keep plants from shutting down prematurely due to lack of storage space, and maintain stable energy prices.

Our bill will also assure that transportation of nuclear waste will continue to be conducted in a safe manner.

The "Nuclear Waste Policy Act of 1997" passed both houses of Congress last session by overwhelming, bipartisan votes.

While conferees have yet to be appointed, a veto threat from the White House continues to prevent a responsible solution from becoming law.

Again, a veto threat from the White House on this issue continues to prevent the responsible solution from becoming law.

As representatives of the people, it's the responsibility of the government to ensure that every taxpayer dollar entrusted to us is spent in a responsible and meaningful way. In the case of nuclear waste storage, the government has failed this most important of tests.

While the DOE waits, and hides behind courtroom appeals, and shirks responsibilities it is legally bound to accept, Americans across our country can expect yet more rate increases and yet higher taxes from a government that's either too afraid or to incompetent to act.

Just three days from now, who's going to explain that to the taxpayers?

Americans deserve to hear from their leader on this issue. They deserve and expect a rational explanation for the Administration's inaction on their behalf. Silence, Mr. President, is not the answer they so desperately need.

Thank you very much, Mr. President.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. GRASSLEY. 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. GRASSLEY. Mr. President, I assume we are in morning business.

The PRESIDING OFFICER. We are.

DEFICIT REDUCTION

Mr. GRASSLEY. Mr. President, I am a member of the Budget Committee, and under Senator DOMENICI's very good leadership, we are starting a new budget process as we do every year. Today he called a hearing of our committee to hear from Chairman Greenspan. Chairman Greenspan is a person who is very well respected, not only on both sides of the aisle by Members of the Congress, but also by the President. He was reappointed to the chairmanship of the Fed by this President. Further, he is very well respected by the people of this country and, most importantly, by people who, as investors in America, have to have confidence in the economy. I think that Chairman Greenspan exudes a great deal of confidence himself. He establishes in most everybody confidence in the economy because of his caution. Economic growth over the last several years has had a great deal to do with the steady hand of Chairman Greenspan.

As we start a new budget season, it is very appropriate that Chairman Greenspan be invited by Chairman DOMENICI to come to appear before the Senate Budget Committee.

We had a chance to listen to an outstanding presentation by Chairman Greenspan. It was relatively short, but throughout the sermon on the economy, Chairman Greenspan called for this Congress and this President to be very cautious, as we go into the budget process in this year, especially about spending, about taxes, and having too rosy a scenario about our economic future.

He expressed a great deal of confidence that the future is very bright for our economy, but incumbent in what he said was a caution that, by unwise budget decisions, we have the capability of lousing up a rosy opportunity. He put a great deal of emphasis upon the good that comes from paying down on the national debt. He also expressed, in response to some questions, that next to paying down the debt a great deal of economic good can come from cutting marginal tax rates and cutting capital gains. None of these is an end unto themselves, but help to make sure that there is a positive attitude in this country for people who will invest to create jobs in America in order to keep this economic miracle going.

I was very happy to hear the caution expressed by Chairman Greenspan, because I sense, as he senses—and obviously, I am back here for the first week since last fall's recess so I have not visited with a lot of my colleagues—that over the last 3 months the anticipated surplus is generating too much talk about renewed spending. The White House proposes about eight new spending programs that the President wants to create, adding up to about $63 billion—and those are not discretionary spending; for the most part those are entitlements. Some Members of Congress, want to spend more money, while other Members of Congress want to give tax cuts. I love to give tax cuts. I probably have voted for most every tax cut that has been suggested since I have been in the Senate—but I think that at this point both this Senator from Iowa and my colleagues and the President of the United States ought to follow the advice of Chairman Greenspan and exercise some caution about spending increases and tax cuts. As I said, it appears to me that a golden opportunity might be lost because we think this windfall is in our pockets already. It is like it is burning a hole in our pockets. We can hardly wait to spend it.

I almost sense that Chairman Greenspan would like to express a couple words he cannot ever use again. I think he senses an irrational exuberance on the part of Congress and the President of the United States, just to fritter away a wonderful opportunity we have here to reestablish the confidence of the people in the economy and, particularly, in the fiscal policy of the Congress, which was adopted in a bipartisan way last year.

So I would follow on with Chairman Greenspan and ask my colleagues to cool it, to make sure that we learn from history. During the last decade, the decade of the 1980's, we found it is very easy for conservatives to ask for more money to spend on defense and then, pretty soon, that opens up the door for other increased spending. Well, if we are going to spend more money on defense, liberals are going to get their hands in the cookie jar and say we have to have more money spent on domestic programs. Then there is always the other side of the aisle, people wanting tax cuts, and, as I said, I even like tax cuts. But pretty soon you are on an irresponsible approach that brings trillions and trillions of dollars of debt.

Now, finally, after last year, it looks as if we are on a path to getting to a balanced budget, to stopping the building of the legacy of debt that our generation has left to our kids and grandkids. So I think we have to just cool it. We do not yet have this money in our pocket. Let us at least wait until it is there, and that is not going to be during this budget season. We have a historic opportunity, a windfall opportunity to do good. I know we have a strong economy, and that is where most of the praise can go—for balancing the budget even before the year 2002 as we promised.

Also, Congress has exercised some restraint, finally. I do not think the public realizes it, but we have. Three out of four people in this country do not believe we are going to have a balanced budget when we say we are going to have it. Three out of four people, even after a bipartisan effort to accomplish it, do not believe today it is going to happen. Even with all the talk about more money coming in than anticipated, even with the President saying we are going to balance it before we said we were, still three out of four people do not believe we are going to balance the budget. So we have an opportunity, if we are cautious, as Chairman Greenspan said, to reduce that cynicism, to reestablish confidence in the American people that maybe we have a sound fiscal policy here and that we will balance the budget.

We still have those, however, who say we ought to spend it, including the President of the United States. There are people who say we ought to have tax cuts.

Now, we have a rare opportunity which seldom comes to Congress. If we just do nothing, we can do a great deal of good. How often, if Congress just does nothing, can some good come from it? But it is this simple. If we stay with the spending caps that we adopted last year in a bipartisan compromise, if we can stay with those caps, we are going to balance the budget before the year 2002, and we are going to pay off on the national debt without taking any action, because the Secretary of the Treasury just rolls over less old debt from week to week because of a budget surplus. So you gradually pay down on the national debt just by Congress taking no action. A great deal of good comes from Congress just doing nothing.

We would reduce the cynicism of three out of four people in this country as to whether or not we are really serious about balancing the budget. That reestablishes confidence in the economy. It is going to encourage people to invest, and with investment you create jobs. We are going to reduce the interest costs to the Federal Treasury. The biggest item in the Federal budget is now interest—not defense, not Social Security or Medicare—interest. We will reduce it.

Most importantly, we are going to be able to restore the American dream of our children and grandchildren. Every generation has thought their kids would have it better than their generation, but today's generation does not believe that their children will have a better future and their grandchildren have yet a better future because of the legacy of debt our generation is leaving. We can restore the American dream to our children and grandchildren.

We also have an opportunity to do something that I never thought I would be able to be a part of in my lifetime—helping pay off on the national debt, reducing the legacy of debt that we have left to our children and grandchildren. It seems to me, not only is that good economically, but if we have an opportunity to do that—we have been living high on the hog for the last 3 decades because of Government borrowing—we can pay down that legacy of debt and keep a moral obligation that we ought to have for our generation to live within its means.

We can also do what the President suggested needs to be done. We could also strengthen the fiscal position of the Federal Government so when the IOUs come due on Social Security we will be in a strong position to pay those IOUs. So the President needs to exercise restraint. Three years ago in the State of the Union Message we heard that the era of big Government is over. But this year we heard that the era of saying the era of big Government is over, is over.

We also have to have some restraints on these tax cuts. Not that taxes can't be cut in the future, but we ought to make sure what we have in surplus first. We need to do it right and we should not do it piecemeal, and we have a tendency to do it in a piecemeal fashion.

But most important, if we just cool it, if we just keep the cork in the bottle, if we just do nothing, we will do a great deal of good, not only for today but for our children and grandchildren. That is why I say we should take the advice of Chairman Greenspan that he gave to the Senate Budget Committee today and just be very, very cautious.

THE VERY BAD DEBT BOXSCORE

Mr. HELMS. Mr. President, at the close of business yesterday, Wednesday, January 28, 1998, the Federal debt stood at $5,492,555,021,481.61 (Five trillion, four hundred ninety-two billion, five hundred fifty-five million, twenty-one thousand, four hundred eighty-one dollars and sixty-one cents).

One year ago, January 28, 1997, the Federal debt stood at $5,317,192,000,000 (Five trillion, three hundred seventeen billion, one hundred ninety-two million).

Five years ago, January 28, 1993, the Federal debt stood at $4,173,554,000,000 (Four trillion, one hundred seventy-three billion, five hundred fifty-four million).

Ten years ago, January 28, 1988, the Federal debt stood at $2,448,460,000,000 (Two trillion, four hundred forty-eight billion, four hundred sixty million).

Fifteen years ago, January 28, 1983, the Federal debt stood at $1,196,067,000,000 (One trillion, one hundred ninety-six billion, sixty-seven million) which reflects a debt increase of more than $4 trillion—$4,296,488,021,481.61 (Four trillion, two hundred ninety-six billion, four hundred eighty-eight million, twenty-one thousand, four hundred eighty-one dollars and sixty-one cents) during the past 15 years.

U.S. FOREIGN OIL CONSUMPTION FOR WEEK ENDING JANUARY 23D

Mr. HELMS. Mr. President, a troubling aspect in assessing all aspects of maintaining a strong U.S. national security is one that receives scant attention—the fact that the United States is more deeply dependent upon foreign countries to supply most of America's energy needs. The situation today is worse than ever before in our history.

I began in 1996 my reports to the American people every week in which I stated the precise amount of oil imported by the U.S. from foreign countries. Some of these countries are openly hostile to U.S. interests. I make these reports to emphasize the extent to which the U.S. has become perilously dependent on them.

I investigated this issue a decade ago when I presided over several hearings as the then chairman of the Agriculture Committee. In my present capacity as chairman of the Senate Foreign Relations Committee we have held hearings; more are scheduled this year.

While the Administration acknowledges that U.S. oil imports are a national security concern, nothing has been done by the Administration to resolve U.S. dependency on foreign oil.

Now, Mr. President, a few up-to-date statistics: The American Petroleum Institute reports that for the week ending January 23, the U.S. imported 7,776,000 barrels of oil each day, 64,000 barrels fewer than the 7,840,000 imported each day during the same week a year ago.

While this is one of the rare weeks when Americans imported slightly less oil than a year ago, Americans still relied on foreign oil for 55 percent of their needs last week, and there is no sign that the upward spiral will abate.

Before the Persian Gulf War, the United States obtained approximately 45 percent of its oil supply from foreign countries. During the Arab oil embargo in the 1970s, foreign oil accounted for only 35 percent of America's oil supply.

Which raises the inevitable question: is anybody else interested in restoring domestic production of oil—by U.S. producers using American workers?

It is argued that America should use up foreign oil reserves before tapping into our the remaining U.S. domestic supply. But I submit, Mr. President, that economic calamity will occur in America if and when foreign producers shut off our supply—or double the already enormous cost of imported oil flowing into the U.S.—now 7,776,000 barrels a day.

Mr. President, the Foreign Relations Committee will continue its examination of U.S. dependency on foreign oil in 1998. I shall also continue to report to the Senate—and to the American people—on a regular basis regarding this increasingly dangerous trend.

THE IMPORTANCE OF RATIFYING THE WIPO TREATIES AND ENACTING WIPO IMPLEMENTING LEGISLATION

Mr. LEAHY. Mr. President, I hope that the Senate will make a new year's resolution to focus its energy on issues that create American jobs, protect American ingenuity, and improve the lives of the American people. I was disappointed last year that we wasted so much of the Senate's limited time on partisan and divisive issues.

This year the Senate should be in the business of doing America's business. We should be working in a bipartisan manner to enact copyright term extension legislation so that America's trading partners will recognize American copyrighted works for the same term that those countries grant their own national works. We should be passing encryption legislation to allow American hi-tech companies the freedom to compete vigorously in the global marketplace. We should be enacting patent reform legislation to help American innovators, big and small.

High on the Senate's agenda for doing America's business should be ratifying the World Intellectual Property Organization (WIPO) treaties and enacting WIPO implementing legislation. To this end, I would like to take a few moments to discuss why we should care about these WIPO treaties, how America will benefit when we ratify these treaties, and how we can get the job done.

WE SHOULD CARE

Those who care about America's economy and America's creative spirit should care about the WIPO treaties. Ratification of these treaties will help protect and enhance U.S. intellectual property rights throughout the world. In the body of the Constitution as originally ratified, the word "right" appears only once and that is with regard to the protection of intellectual property. From our beginnings as a Nation, the Constitution has included within Congress' enumerated powers, authority "To promote the Progress of Science and useful Arts, by securing for limited Times to Authors and Inventors the exclusive Right to their respective Writings and Discoveries." The importance of protecting and encouraging the intellectual creations of our citizens has always been a fundamental priority for our country and a responsibility of our national government.

Today, millions of Americans owe their jobs and prosperity to industries created by America's innovators and creators. The International Intellectual Property Alliance (IIPA) released a 1996 study prepared by Economists Incorporated that outlined the contribution of U.S. intellectual property industries to the U.S. gross domestic product, employment, and foreign trade. It detailed, for instance, that in 1994, copyright industries contributed an estimated $385 billion to the U.S. economy, accounting for approximately 5.7% of the GDP. The study concluded that during the period from 1984 to 1994, job growth in the core copyright industries was twice as fast as employment growth in the economy as a whole. Regarding foreign sales, the study found that the copyright industries' exports are larger than the exports of almost all other leading industry sectors.

In addition to the economic boon that they provide this country, the intellectual property rights granted to U.S. citizens have fostered the creative spirit of the American people. From the days of Benjamin Franklin and Thomas Jefferson to the dawning of the coming century, American creative geniuses abound in the visual arts, recording, writing, and software development industries. The U.S. leads the world in creative products. What other country can boast of the multitude of creative, artistic, and technological visionaries?

AMERICA WILL BENEFIT

Because the U.S. is the world-wide leader in intellectual property, the U.S. will be the main beneficiary if the U.S. Senate ratifies the WIPO treaties and the Congress enacts WIPO implementing legislation.

Secretary Daley has observed that "the treaties largely incorporate intellectual property norms that are already part of U.S. law." The Administration has concluded that the U.S. need only make two substantive changes and several non-substantive changes to U.S. law to bring it into compliance with the treaty requirements. What the treaties will do is give American owners of copyrighted material essentially the same protections for their intellectual property in those foreign countries that become party to the treaties as they enjoy here in the United States.

Let me give you an example. The U.S. already has a distribution right of the sort provided in the treaty. Many other countries, however, do not yet recognize this right. So if a U.S. publishing company suspects that its books are being illegally copied in a country that does not have a distribution right, it cannot go after the distributor of the illegally copied goods in that country. Imagine trying to stop illegal drug usage if you couldn't go after the drug distributors. That is the problem that our copyrighted industries face battling piracy in many countries throughout the world today.

GETTING THE JOB DONE

We should consider and pass the WIPO Copyright and Performances and Phonograms Treaty Implementation Act, S.1121, which I cosponsored with Senators HATCH, THOMPSON and KOHL last July. I hope that the Senate will not further delay in examining the impact of the treaties and the implementing legislation. We need to expedite the process of resolving issues essential to S.1121.

I intend to work with the Chairman of the Judiciary Committee on these important matters. I want to commend Senator HATCH for the time he has spent and is spending seeking to resolve matters that have become impediments to progress on important intellectual property matters.

Unfortunately, these important legislative matters were stalled last year by linkage to additional issues not necessary to their enactment. We made no progress on the treaties and implementing legislation. America cannot afford further delay.

Some have expressed concern that ratification of the WIPO treaties and enactment of implementing legislation threaten to increase what they perceive to be a current risk that they will be held liable for copyright infringements by users whose conduct they can neither prevent nor control. They are demanding legislation limiting their copyright liability and demanding that it be resolved before ratification of the WIPO treaties and passage of implementing legislation can proceed.

The extent to which and circumstances under which copyright liability may be imposed on online service providers is a matter that I believe could easily be dealt with separately from the WIPO treaties and implementing legislation. Were service provider liability to be considered legislatively, I think that Congress would be better off working toward carefully targeted clarifications of the law rather than attempting to legislate wholesale reform that risks becoming obsolete in a short time, or freezing industry practices and preventing them from evolving as efficiently as possible.

Vinton Cerf, the co-inventor of the computer networking protocol for the Internet, stated in The New York Times:

> The Internet is now perhaps the most global and democratic form of communications. No other medium can so easily render outdated our traditional distinctions among localities, regions and nations.

We see opportunities to break through barriers previously facing those living in rural settings and those with physical disabilities. Democratic values can be served by making more information and services available.

Technological developments, such as the development of the Internet and remote computer information databases, are leading to important advancements in accessibility and affordability of art, literature, music, film, information and services for all Americans. Properly balancing copyright interests to encourage and reward creativity, while serving the needs of public access is the challenge. Historically, the government's role has been to encourage creativity and innovation by protecting copyrights that create incentives for the dissemination to the public of new works and forms of expression.

Intellectual property can, at times, be arcane and abstract. But these matters have very real and important consequences to the American economy and creative spirit, and the viability of industries that produce everything from movies to records to books to software depends on it. That means that the American people are depending on us to put partisan differences aside. We may not make headline news by working on WIPO implementing legislation, but we will help create American jobs.

REMARKS OF GOVERNOR CECIL H. UNDERWOOD ON THE SIGNIFICANCE OF ENERGY RESEARCH AND DEVELOPMENT

Mr. BYRD. Mr. President, on yesterday, Wednesday, January 28, the Governor of the State of West Virginia, Cecil H. Underwood, appeared before the Interior Subcommittee of the House Appropriations Committee to testify about the significance of energy and research development. I ask unanimous consent that the text of Governor Underwood's remarks be printed in the RECORD.

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

TESTIMONY OF CECIL H. UNDERWOOD, GOVERNOR OF THE STATE OF WEST VIRGINIA, TO THE INTERIOR SUBCOMMITTEE OF THE HOUSE OF APPROPRIATIONS COMMITTEE, JANUARY 28, 1998

Thank you, Mr. Chairman, for the opportunity to testify today about the importance of energy research and development (R&D). I bring to your deliberations the perspective of a governor of an energy-producing state, which also relies on energy-intensive industries for its economic foundation. I also come before you with a regional perspective as the chairman of the Southern States Energy Board.

By way of further introduction, as governor, I have become a leading advocate of the use of technology in moving our state forward. As I have said many times throughout West Virginia, technology is the vehicle that will drive our state into the 21st century. Applications of technology are opening new avenues for meeting the energy needs of our people, our businesses and our industries. Energy R&D will be crucial in the creation and application of the technologies that will fuel our economic engine in the years to come.

Our collective transition into a new century and millennium makes us more cognizant of other economic transitions that are underway. We are moving toward a more global economy, toward a technology-driven and information intensive economy, toward boundless applications of new technology and toward economic diversification that builds upon our industrial foundation.

As we move toward the exciting opportunities of the new times, our nation must be careful that it does not move away from energy-intensive industries that still are economically vibrant and vital or from energy sources that can help meet the growing needs of the future. As with all real progress, though, our success in economic transition depends on our abilities to explore new ways to address traditional challenges.

Our preparation for the future is complicated also by new proposals that seek to improve our physical environment but that may have a devastating impact on the economic environment in many parts of the country, including West Virginia and the chairman's home state of Ohio. The environmental restrictions that may be imposed and the resulting economic impact on many areas make the need for energy research and development that much more urgent.

As governor of an energy-producing state, I sense that urgency more acutely, especially as such R&D would be critical to efforts in three main areas: helping our domestic energy producers meet the challenges of new regulations and an economy in transition; exploring ways that energy producing companies and traditional industries, which use significant amounts of energy, can become environmentally responsible while maintaining economic vitality; and developing new markets for traditional energy resources and new applications to meet changing market opportunities.

Energy-related R&D is a crucial investment in the future of my state and our country. It is critical to preparing the industries of our region for the challenges and opportunities of the new times ahead in the 21st century.

ENERGY ISSUES OF THE FUTURE FOR WEST VIRGINIA

The best way to determine an appropriate course of action is to determine first the goal or destination sought. So I begin my evaluation with what my state and our nation must do with a description of where I want us to be in 12 years.

A Vision for the Year 2010

Our vision for the year 2010 is that West Virginia will be a showcase state for efficient power generation and efficient industrial energy usage. There will be several state-of-the-art, highly efficient, environmentally compliant fossil fuel power generation plants in the state. Coal-based generation plants in West Virginia will be in compliance with all clean air regulations, demonstrating technologies developed in the U.S. Department of Energy (DOE) Clean Coal Technology program. West Virginia's manufacturing plants will be highly productive and energy efficient with virtually all waste heat and waste materials reused and recycled.

Power generation markets in West Virginia will be competitive, deregulated, and electricity rates in West Virginia will be among the lowest in the nation. Residential, commercial and industrial customers, both in and out of the state, will be able to obtain power from the most efficient sources. The power transmission system will have excess capacity, enabling export of additional power from the state; West Virginia generators will have access to the transmission grid at rates that reflect the actual cost of transmission. We believe that in 2010, as is the case today, about 75 percent of the power generated in West Virginia will be sold in competitive markets out of state and that growth in demand for power generated in West Virginia will average about 2 percent per year.

Our vision for 2010 is that West Virginia will have a significant involvement in the development and demonstration of environment technologies that enable domestic fossil fuels to remain the country's dominant fuel for generation of electricity. For example, West Virginia projects will demonstrate technologies, which reduce the amount of CO_2 introduced into the atmosphere during extraction and use of fossil fuels. Technologies to capture CO_2 and sequester it in deep underground coal mines and gas reservoirs will be developed and demonstrated in the state.

Furthermore, West Virginia will be a major technology innovator for non-CO_2 producing uses of coal. For example, there will be a growing industry in the state for production of chemicals and advanced carbon materials made from coal-based feedstocks.

In 12 years, the West Virginia coal mining industry will continue to be highly efficient and use state-of-the-art technologies that minimize environmental and social impacts of mining. Current and past mine sites will be reclaimed and waterways will be protected from acid mine drainage.

For our basic industries such as aluminum, steel, glass, chemicals, wood products and mining to remain globally competitive in the year 2010, we believe it will be necessary for them to continually improve their productivity by participating in programs such as the U.S. DOE's Industries of the Future (IOF) program. For that reason, West Virginia is working with the Office of Industrial Technologies to develop a state-level IOF program to promote industry, government and academic cooperative projects to improve industrial productivity through energy efficiency, waste minimization and use of new technologies.

In our vision of 2010, West Virginia's coal and natural gas companies will work together with utilities and high technology companies on collaborative projects to help West Virginia manufacturing industries remain globally competitive.

For the year 2010, we envision at least 25 percent of West Virginia's fleet and commuter vehicles being powered by alternate fuels, such as natural gas, electric, hybrid electric or coal-based diesel. Natural gas refueling stations and recharging facilities will be conveniently located across the state. Furthermore, we anticipate that West Virginia will be participating in a consortium of mid-Atlantic states developing a high-speed, intercity light-rail transportation system.

West Virginia will continue to be the largest producer of natural gas east of the Mississippi River, as well as a major storage and transfer area for interstate natural gas transmission systems. West Virginia is becoming a major producer of coalbed methane, and by 2010, no coalbed methane will be flared or vented to the atmosphere. It will be recovered and used for production of heat and power.

In addition to coal and natural gas, West Virginia will have by 2010 a diversified portfolio of energy sources including coalbed methane, wood residues, waste coal, wind and biomass.

POTENTIAL BARRIERS TO ACHIEVING THE VISION

There are several potential barriers to West Virginia achieving its vision for 2010 relative to power generation and industrial energy efficiency. We have serious concerns with the Environmental Protection Agency's emissions standards for NO_x, as proposed on November 7, 1997. Likewise, our state is also concerned about how, as a result of the Kyoto Conference, new restrictions on greenhouse gases—in particular CO_2—could have a devastating impact on the cost of energy production and the economy of our state.

EPA's proposal prescribes an overall NO_x reduction of 44 percent from West Virginia sources. This would require power plants in the state to reduce their NO_x emissions by as much as 85 percent from 1990 levels and other industrial/manufacturing sectors by 25 percent to 70 percent. The impact on the state could be severe, jeopardizing up to 11,000 jobs in the manufacturing and power generation industries—more than 12 percent of West Virginia's industrial work force.

There is growing concern around the world about global climate change due in part to burning fossil fuels. West Virginia expects to do its part to prevent global climate change, but we strongly believe that greenhouse gas emissions standards should be equitable worldwide and based on science. Allowing developing nations to have an unfair advantage over developed nations on the amount of emissions allowed puts the United States—and more specifically states, such as West Virginia—at a competitive disadvantage. Consideration must be given to potential economic impacts of precipitous CO_2 reductions and R&D programs developed to ensure the energy security of the country.

As a competitive electricity industry evolves and various federal and state-level legislative restructuring bills are considered, it is important that West Virginia be able to export power. There should be no barriers to the sale of low-cost West Virginia electricity to customers in other states. The cost of transmitting electricity should reflect the actual marginal costs of transmission. Flat rate (postage stamp) pricing schemes for transmission would weaken West Virginia's advantage of being a low-cost electricity producer located near the major East Coast load centers.

Exporting West Virginia power to out-of-state customers requires adequate transmission capacity and fair transmission pricing policies. West Virginia should be included in the dialogue on formation of regional transmission groups and procedures for operating the transmission system.

Formulation of sound energy policy requires a thorough knowledge of the relative costs of producing and consuming power from various fuels and with various technologies. For example, the true environmental costs of renewable energy sources such as wind, hydro and photovoltaic need to be understood better. Furthermore, the cost of externalities such as a military force to guarantee access to offshore sources of crude oil is not reflected in the domestic price of petroleum products.

RESEARCH AND DEVELOPMENT NEEDED TO ACHIEVE THE VISION

Research must be conducted on cost-effective technologies to minimize emissions of greenhouse gases, NO_X, particulates and other pollutants associated with the use of fossil fuels. Such research could be conducted through cooperative university, industry and government agreements, but the R&D priorities must be determined by industry. An excellent model for developing industry-led research agendas is the U.S. DOE's Industries of the future program run by the Office of Industrial Technologies. The U.S. DOE Clean Coal Technology program is also a model of industry/government cost-shared research that encourages commercial implementation of new technologies to improve efficiency and ameliorate environmental impacts of coal-based power generation. Such technologies are important to the energy security of the country in the event crude oil supplies are interrupted or the price of natural gas increases sharply.

Research and Development Related to Power Generation and Transmission

Several fields present compelling opportunities to explore strategies and new approaches that would: increase efficiency and reduce the costs of producing electricity with new technologies such as low NO_X burners, fuel cells, coal gasification combined cycle, cofiring with biomass or natural gas, etc.; improve efficiencies on retrofit technologies, reduce pollution emissions and extend the life of existing power plants; continue investment in certain clean coal technologies to further reduce costs, improve efficiency and reliability and minimize emissions; optimize all aspects of power plant operation toward increased efficiencies; and explore "in-situ" utilization of existing coal reserves.

Develop technologies for eliminating NO_X emissions from diesel engines; explore technologies for capturing, utilizing and sequestering CO_2; design pollution permit trading systems that treat fixed and mobile sources equitably; improve and validate mathematical models of pollution transport and global climate change phenomenon; increase the reliability and capacity of existing transmission line right-of-ways with use of

improved power electronics, high-temperature super conductors, voltage control, protection against sudden voltage collapse, improved system stability and real-time monitoring of line temperatures; reduce further the cost of high-voltage DC transmission lines; improve understanding of how electric power markets work. (Studies to determine the actual costs of transmitting power so economically efficient, i.e., marginal cost, transmission-pricing schemes can be devised); and assess economic and scientific impacts of rule making.

Research and Development Related to Industrial Energy Efficiency

West Virginia is working through the national industries of the Future program to implement an IOF–WV program to identify and conduct multidisciplinary projects, which will be of real benefit to West Virginia's aluminum, steel, glass, chemical and wood products industries. At a recent IOF–WV Symposium in Charleston, the five industry groups were asked to brainstorm the question, "What specific projects should be undertaken to increase productivity and reduce costs through improved energy efficiency, reduced waste, use of new technologies, better inventory and management systems, etc.?" There were 33 project ideas from the aluminum industry group, 21 from the steel industry group, 15 from the glass industry group, 26 from the chemical industry group and 16 from the wood/forest products group. Over the next year, the IOF–WV program will expand to include metal casting and mining.

Their suggestions for the fields of R&D include: strategies to reduce the cost of power for West Virginia's energy intensive manufacturing industries, e.g., better energy demand management systems; new systems for improved on-line process monitoring and improved sensors and controls; development of better waste minimization and recycle strategies, e.g., industrial wastewater treatment technologies; product designs for recycling materials and wastes; more effective recovery and use of industrial waste heat; better strategies for cross industry use of waste and by-product from one process or company as feedstock for another; streamlined environmental permitting processes; and evaluation of proposed mining sites in terms of potential acid water production, subsidence and impacts on roads, bridges and scenic areas.

FUNDING FOR ENERGY AND INDUSTRIAL EFFICIENCY R&D

Deregulation and competition in the electricity industry could lead to reduced spending by the private sector on long-range energy related R&D. The federal government must provide leadership with incentive programs to co-fund development and implementation of a spectrum of energy technologies. The DOE and the states will need to develop cooperative R&D programs appropriate to the needs and resources of individual states.

All stakeholders must make investments in energy R&D. Although generation is being deregulated, transmission and distribution of electricity will remain regulated. State and federal laws on restructuring of the electricity industry can authorize wire charges or other fees to develop a pool of funding for energy R&D projects. The energy industries in West Virginia must play leading roles in developing resources to support R&D on environmentally compliant technologies for fossil-based power generation. Investment in implementing these technologies also will be required.

To retain the interest and involvement of West Virginia companies in the Industries of the Future program, it is necessary that we make rapid progress toward funding for joint projects, which will benefit their future survivability and competitiveness. We are currently working with five industry sectors (aluminum, steel, glass, chemicals and wood/forest products) and plan to add metal casting and mining. A budget of about $1,750,000 per year would be required to run a meaningful state-level IOF program.

State and federal incentive programs that encourage companies to invest in new technologies that save energy and minimize emissions should be expanded. The U.S. DOE's existing program in National Industrial Competitiveness through Energy, Environment, Economics (NICE–3) is an effective mechanism to encourage private-sector Investment in new energy efficient technologies.

The U.S. DOE's State Energy Program provides funding directly to the states, permitting them the flexibility to support energy initiatives that are uniquely Important to their situations. In West Virginia, a cornerstone of the State Energy Program is our work with industry to identify process modernization opportunities. These industrial projects yield meaningful cost-savings and environmental benefits that are key to the long-term health of our nation's industries. International trade treaties require that our industries become more competitive. West Virginia became the first state to institute a state level Industry of the Future program.

Another important component of our energy program is the promotion of alternative fuels. Through the State Energy Program, we are supporting alternate fuels training programs, as well as development of a compressed natural gas fueling infrastructure. West Virginia was one of the first states to Initiate a statewide Clean Cities program. The overall goal of the State Energy Program is to enhance our nation's energy security.

SUMMARY

In summary, production and utilization of fossil fuels, generation and transmission of electricity and energy intensive manufacturing industries dominate the economy of West Virginia. We envision our low-cost electricity and manufactured goods as being critical to the energy security and industrial competitiveness of the nation throughout the next century. The energy research needs and agenda outlined in this paper are of great importance to our state. We are committed to participating in partnerships and coalitions to develop resources and to carry out the R&D program. West Virginia wishes to participate fully in the energy/environment/economic policy debates. We very much appreciate the opportunity to present our thoughts to the Interior Subcommittee of the U.S. House of Representatives Appropriations Committee and look forward to further discussions and actions.

EDUARD SHEVARDNADZE

Mr. BYRD. Mr. President, on January 25, 1998, this past Sunday, the President of Georgia, Eduard Shevardnadze, celebrated his 70th birthday. President Shevardnadze is one of the central international political figures of our age, and has been pivotal in the transformation of the communist Soviet empire into a group of nation states which have now embraced the goals of individual freedom, democratic processes, and free market economics. It is noteworthy that this transformation, the dismantling of an empire with large intelligence and military forces, and with a history of inbred hostility toward the West, occurred absent any violent confrontation with the United States, or our European allies.

Much of the credit for this peaceful transformation, the ending of the Berlin Wall and the cooperation between the Soviet leadership and the United States on major arms control and reduction agreements, rightfully belongs to the enlightened and forceful personality of Mr. Shevardnadze. His role emphasizes the crucial part played by personalities in the shaping of the major events of human history. He serves as an example that history is shaped to a large extent by individual men, rather than by social movements or economic imperatives.

For instance, Russian cooperation with the United States in working to condemn, and then oust, Saddam Hussein's forces from their occupation of Kuwait was to a large extent due to the courageous support of Mr. Shevardnadze in the face of opposition from forces in Russia which wanted to preserve a historic Russian-Iraqi alliance. His help in establishing a cooperative relationship with the United States regarding the invasion of Iraq actually forced Gorbachev's hand and trumped the Soviet security bureaucracies. It has been well documented that Shevardnadze quickly shed the negative approach to East-West relations that was the hallmark of former Russian Foreign Minister Andrei Gromyko when Shevardnadze took over the Foreign Ministry of the Soviet Union in 1985. Both former Secretaries of States George Shultz and James Baker have written extensively about Shevardnadze and praised his many contributions to the ending of the cold war. As a former U.S. Ambassador to the Soviet Union, Jack Matlock, has written in the September 25, 1997, issue of the "New York Review of Books," "If Gorbachev had been served by a less imaginative and courageous foreign minister it is doubtful that the cold war could have been ended as rapidly and definitively as it was."

Shevardnadze served as Soviet Foreign Minister from 1985–1991, and presided over the rapid transformation of East-West relations and the end of the cold war. It was, as I have said, an extraordinary era in which we have all been fortunate to participate in and to witness. In 1991, Eduard Shevardnadze resigned as Soviet Foreign Minister in protest over what he perceived as the coming of a military dictatorship in Russia, and he returned to his native Georgia. Georgia was in an advanced state of shambles, with the economy

devastated following the breakup of the Soviet Union. The country was in a state of ruinous civil war. Shevardnadze entered political life there, and was elected president of Georgia in November 1995, with over 70 percent of the vote. Currently, he also serves as the Commander in Chief of the armed forces of Georgia, and has brought new hope, stability, and economic development to that nation. A new constitution has been adopted, and Shevardnadze has secured the transportation of Caspian oil through Georgia and negotiated a number of agreements with both Russia and the neighboring Caucasus states. As the current ambassador of Georgia to the U.S., the Honorable Tedo Japaridze, has written to me regarding President Shevardnadze's goals, "he is committed to build democracy in Georgia, brick by brick."

Eduard Shevardnadze is a man who has made a difference in our age, and he will continue to make a difference. He has many admirers in the United States, including myself, and I wish him well on the event of his 70th birthday.

I yield the floor.

Mr. ABRAHAM addressed the Chair.

The PRESIDING OFFICER. The Senator from Michigan.

TRIBUTE TO JOHN McGOFF

Mr. ABRAHAM. Mr. President, I rise today to pay tribute to a good friend and a business leader from my State who recently passed away, Mr. John McGoff. Mr. McGoff was one of our State's most successful business leaders, making his fortune, and his impact, primarily in the area of publishing. He owned a number of news publications and was a great success, but I think he would prefer to be remembered for several other things he achieved in his lifetime.

First was his great sense of community spirit. Mr. McGoff was truly a man who loved the communities in which he lived. He invested considerably, out of his own resources, in the communities in which he resided, in the schools of those communities, in our State's university system, and in a variety of other valuable institutions.

In fact, when tribute was paid to him last Saturday, it was in an auditorium in the high school serving the tiny town in which he lived, an auditorium which he personally had built with his own dollars.

I think John McGoff also would want to be remembered as a man who loved his country. He put this love to the test by serving in the United States military. He served with distinction in the infantry during World War II, both in North Africa and in Europe. He also played an active role in the political process, in our State and at the national level.

He was committed to the discussion of public policy. And he acted on this commitment, not only through the newspapers he owned, but also through his efforts to launch a variety of other publications, including one of today's most successful law journals, the Harvard Journal of Law and Public Policy, which he helped to initiate through personal investments.

Mostly, I think John McGoff would want to be remembered as a man who loved his family. Indeed, I can remember how, on virtually every occasion in which we were together I would receive a detailed account of every one of his children, what they were doing and what their most recent achievements and challenges were. When we paid him tribute last Saturday, each of those children was there to help remember their father and to pay great testament to his wonderful life.

So, on behalf, I know, of many people in our State who certainly will miss John McGoff and regret his passing, I want to say his was a full life, one of great success; the life of a person who loved his community, loved his country, loved his family—truly loved America and everything for which she stands.

The PRESIDING OFFICER. The majority leader.

UNANIMOUS-CONSENT REQUEST—S. 1295

Mr. LOTT. Mr. President, I have a unanimous-consent request with regard to S. 1295, which is the naming of the National Airport the Ronald Reagan Airport. But before I propound that request, let me say I want to make some comments after we have this request, about why we are doing this, and put in the RECORD some of the history about what is involved. I have been talking to the principal sponsor, Senator COVERDELL. I know he has been talking to Members on both sides of the aisle. Senator DASCHLE and I have talked about it. I don't think we have, it would appear, an agreement worked out as to how this is to be considered, but I hope we can continue to talk about why this is important, why we want to do it, and see if an agreement can be worked out. I think it is the right thing to do.

One week from Friday is the birthday of former President Ronald Reagan. I think it would be a very good and a magnanimous gesture by the Congress and by the President of the United States if he could be able to sign this bill on President Ronald Reagan's birthday. That is why the timing is critical and why we want to go ahead and begin to talk about it. Because Senators on both sides of the aisle had conflicts today, we are not going to be able to vote on it today—or would not have been able to vote on it, probably, today, anyway. But it is my hope, my intent, that we could get it done next Tuesday and then complete the process so we could do this in recognition of this great President.

I ask unanimous consent the Commerce Committee be discharged from further consideration of S. 1297 and further the Senate proceed to its immediate consideration, and further, that there be one amendment in order relative to the modification of the original bill, with total time for debate limited to 2 hours equally divided between Senators MCCAIN and HOLLINGS or their designees, and, following the debate, the Senate proceed to a vote on or in relation to the amendment, to be followed by third reading and final passage. I further ask that if a rollcall vote is requested in relation to the amendment or passage, the votes be postponed to occur on Tuesday, February 3, at a time to be determined by the majority leader after notification of the minority leader.

The PRESIDING OFFICER (Mr. SANTORUM). Is there objection?

Mr. DASCHLE. Reserving the right to object, and I will be compelled to object at this time, for several reasons.

First, there are a number of Democratic Senators who want the opportunity—to have a right to offer perhaps more than one amendment. There may or may not be opposition to this legislation, but there certainly is cause for some consideration of aspects to this issue that may not be as evident as we consider the prospect of a bill of this nature today: The costs associated with it; the process that we use in naming national or important public facilities; people have raised the question of whether it is appropriate for us to take the name Washington off of the name of this particular airport—ironically, the same month that we celebrate President Washington's birthday. So we celebrate not only one but two birthdays in February. The name Washington is very prominent in February, as is President Reagan's of course. Some have even asked whether the Reagan family wants this to be done.

So, Mr. President, there are a lot of very legitimate questions. As I say, there are a number of Democratic Senators who may or may not be in support of this legislation, following the exploration of many of these issues. So I do not think it would be in our best interests to proceed today. I have had some discussions with the distinguished majority leader about the matter, and will continue to do so in an effort to resolve these questions and try to find a way with which to assure that this issue is fully explored and debated without unnecessary delay.

So, on the basis of all of those relevant issues, Mr. President, I object.

The PRESIDING OFFICER. Objection is heard. The majority leader.

Mr. LOTT. Mr. President, I yield to the chairman of the committee that has jurisdiction in this area.

RENAMING WASHINGTON NATIONAL AIRPORT "RONALD REAGAN NATIONAL AIRPORT"

Mr. MCCAIN. Mr. President, I thank the majority leader for bringing this issue forward in an expeditious fashion. I do believe President's Reagan's upcoming birthday is an important time for us to mark this occasion. I thank Senator COVERDELL, whose original thought I believe this was, along with the encouragement of millions of Americans all across the country. I have a longer statement, I would say to the majority leader, that I would like to give after his remarks, but let me just say, briefly, I find this—I find this astounding, that we would block this. There have been many fallen leaders. There are many former Presidents we have had, and living Presidents, that—there has never been any problem with the naming of things. I have been told that there may be an effort to name the Justice Department after the late Robert F. Kennedy. I would strongly support such a thing and I believe most of my colleagues on the other side of the aisle would also. But for us to block this at this time, given President Reagan's condition—which we all are very well aware of—I think is unfortunate and, even worse, if this blocks this well-intentioned proposal to honor one of the most decent and nonpartisan and kindly people that I have ever had the privilege of knowing in politics, I think it would be a terrible mistake.

I yield back to the majority leader. I will have further remarks later on. I thank the majority leader.

The PRESIDING OFFICER. The majority leader.

Mr. LOTT. I thank the chairman of the committee, Senator MCCAIN, for his comments. I know we will be interested in hearing the balance of his comments. I thank him for allowing me to explain a little bit about what is going on here, if I could.

First of all I want to emphasize that the proposal is to name National Airport, which is commonly referred to as Washington National Airport, the Ronald Reagan Washington National Airport. Washington National Airport was not named after George Washington. It was named after the District of Columbia, to denote a location, a physical location. I think everybody would understand that that would be appropriate, the Ronald Reagan Washington National Airport.

This idea, as I understand it, originally came from the immediately-past Governor of Virginia, the State where this airport is located. That was the first time I ever heard it was from former Governor George Allen.

The principal sponsor, Senator COVERDELL, has worked in previous Republican administrations, has been committed to this and has been doing very good work in the preparation for this to happen. As for my personal situation, I had the clear impression that this was something that was supported by the family and friends of the President.

But I also want to emphasize again something I noted earlier. The reason why we want to do it early is not just because we are looking for work, not just because we want to ram it through—I really thought it would go through, you know, on a shouted unanimous vote. It's because it is a special time in the life of a man who has meant so much to this country and to so many of us.

In my 29 years in political life, this man, former President Ronald Reagan, has meant more than any other single person. I think history will show clearly he is one of the two greatest Presidents of this century, and in my opinion, the greatest by far. So I was very comfortable with moving it quickly, because of the birthday consideration. Keep in mind, now, this is a President, as you would expect from Ronald Reagan, who is sort of riding off into the sunset. He has been a credit to our country in so many ways, and since he has been President he has gone back to his beloved California and he has been battling a terrible disease that millions of Americans have to deal with, Alzheimer's disease. It is one of the programs, one of the diseases where we really don't fund adequate research. We hear all of these other things that are really looked into at NIH, all these other research programs, all these other problems, yet this one probably gets the short end of the stick.

So I have been proud, and saddened, by the fact that he is afflicted, now in an advancing way, with this terrible disease. So I want, in any way we can, to say to him how much we appreciate him, what he has done for our country, and to his family and the sacrifices they made. Every President makes sacrifices to be President, and their families probably even more. So that is what is the driving force here. Who he is, what he is going through, what he has meant to this country, what he has meant to so many of us, and the fact that it is a special time in his life.

The point is made, this is not an appropriate edifice. It is really not that pretty. It is new.

Or that, "Gee, it may not even be here in 25 or 50 years. We need something, a monument, that will be there for 100 years, 200 years or 1,000 years." I think there is some merit to that.

Some people say, "We have this building down on Pennsylvania Avenue that is going to be named after him," and that is fine. It is not as if we can only name one facility. I don't know how many Roosevelt monuments and memorials we have. That's OK, and I voted for memorials and monuments to a lot of Democrats. I don't think we vote on these things because they are Democrat or Republican. Once they become a former Secretary of State, like John Foster Dulles, or former President Kennedy, they are a former President or a former Secretary, and, in many instances, we owe them an awful lot.

I even think somebody said, "Usually we wait until they have passed on." I think it is a ridiculous idea. What good is it to them then? Do they have any idea how much they meant to us then? I don't think we ought to make it a practice to do it immediately or while they are still in office. But for special people and special occasions, I think it makes us a greater people.

I would like to include some examples of memorials and monuments that in the past have been named for U.S. Presidents: John F. Kennedy Center for the Performing Arts, 1963; James Madison Building, 1965; Lyndon B. Johnson National Historic Site, 1969; Harry S. Truman Dam and Reservoir, 1970; Lyndon B. Johnson Memorial Grove, 1973; Lyndon B. Johnson Manned Spacecraft Center, 1973; Lyndon B. Johnson Civilian Conservation Corps Center, 1974; Gerald Ford Building, 1977; Herbert Hoover Building, 1981; Dwight D. Eisenhower Interstate System, 1990; Theodore Roosevelt Building, 1992; Ronald Reagan United States Courthouse, 1992; Woodrow Wilson Plaza, 1994; Ronald Reagan Federal Building and International Trade Center, 1995.

I do believe that we want to do this in a bipartisan way. I know there are some in both parties in this country who are not all that excited about this—with good reason, I understand that. But I also know there are people on both sides of the aisle and all over the country who don't care about partisan politics who feel like this should be done.

Maybe I am influenced in bringing this up by a speech I read just a couple weeks ago by Margaret Thatcher, another great leader in this century, a speech she made on December 10, 1997, at the Sheraton Washington Hotel.

I ask unanimous consent that her entire speech be printed in the RECORD.

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

[From Human Events, Jan. 16, 1998]

HOW REAGAN'S COURAGE CHANGED THE WORLD

The following is the text of the speech delivered by former British Prime Minister Margaret Thatcher at the Heritage Foundation's gala 25th anniversary dinner at the Sheraton Washington Hotel, Dec. 10, 1997:

It is a great honor to be asked to be the inaugural speaker of this series of lectures on "The Principles of Conservatism" organized to celebrate the 25th anniversary of the Heritage Foundation. Heritage has flown the flag for conservatism over this last quarter-century with pride and distinction.

I've always considered America fortunate in having an apparently inexhaustible supply of conservative thinkers prepared to challenge the fashionable liberal consensus. That is a tribute to the intellectual energy and the taste for debate which are so characteristic of this great country and which

sometimes seem distressingly absent in contemporary Europe. But it is also a tribute to Heritage (and in particular to Ed Feulner) that these conservative thinkers have been motivated and sustained in their mission.

It is no less an honor—and, dare I say, still more of a pleasure—to be invited here on the occasion of the presentation of the Clare Booth Luce award to my old friend Ronald Reagan.

President Reagan is one of the greatest men of our time, and one of the greatest American Presidents of all time. If that is not fully appreciated today, and sadly it is not, it isn't really surprising. After all, so many people have been proved wrong by Ronald Reagan that they simply daren't acknowledge his achievement.

Forests have already been pulped to print the revisionist analyses of the '80s. Those who were once so confident of the superiority of the Soviet system that they advocated appeasement of it now pretend to believe that it was doomed to inevitable collapse. Tell that to the Russians! The former Soviet ministers didn't, and don't, doubt the seriousness of the struggle, even if Western liberal commentators do.

No one in the West appreciates all this better—and no one served the President and this country more loyally—than Cap Weinberger, here to receive the award on Ronald Reagan's behalf. He was also a great friend to Britain, above all during the Falklands War. It's nice to be among conservatives. It's still nicer to be among friends.

When the Heritage Foundation asked me to make the virtue of courage the centerpiece of this lecture, I was not displeased. Of the four cardinal virtues (courage, temperance, justice and prudence) it is the last (prudence) that the ancient philosophers traditionally placed at the moral apex. They did so because they understood, quite rightly, that without that practical, seemingly rather dull virtue, none of the others could be correctly applied. You have to know when and how to be brave, or self-controlled or fair-minded, in particular situations. Prudence—or what I would prefer to call a good, hearty helping of common sense—shows the way.

COURAGE AND CHARM OF RONALD REAGAN

But in my political lifetime I believe that it is fortitude or courage that we've most needed and often, I fear, most lacked.

Today we are particularly conscious of the courage of Ronald Reagan. It was easy for his contemporaries to ignore it: He always seemed so calm and relaxed, with natural charm, unstudied self-assurance, and unquenchable good humor. He was always ready with just the right quip—often self-deprecatory, though with a serious purpose—so as to lighten the darkest moments and give all around him heart. The excellent recent study by Dinesh D'Souza refreshed my memory about some of these occasions and told me of others which I didn't previously know.

Right from the beginning, Ronald Reagan set out to challenge everything that the liberal political elite of America accepted and sought to propagate.

They believed that America was doomed to decline. He believed it was destined for further greatness.

They imagined that sooner or later there would be convergence between the free Western system and the socialist Eastern system, and that some kind of social democratic outcome was inevitable. He, by contrast, considered that socialism was a patent failure which should be cast onto the trash heap of history.

They thought that the problem with America was the American people, though they didn't quite put it like that. He thought that the problem with America was the American government, and he did put it just like that.

The political elite were prepared to kowtow to the counterculture that grew up on American campuses, fed by a mixture of high-brow dogma and low-brow self-indulgence. Gov. Reagan would have none of it and expressed his disdain in his own inimitable fashion.

On one occasion students, chanting outside the governor's limousine, held up a placard bearing the modest inscription. "We Are the Future." The governor scribbled down his reply and held it up to the car window. It read: "I'll sell my bonds."

In those days, of course, there were not many people buying bonds in Ronald Reagan. But from the very first time I met him I felt that I had to invest. I was leader of the Opposition—one of the most tricky posts in British politics—when Gov. Reagan paid me a visit. The impression is still vivid in my mind—not so vivid that I can remember exactly what he said, only the clarity with which he set forth his beliefs and the way he put large truths and complex ideas into simple language.

As soon as I met Gov. Reagan, I knew that we were of like mind, and manifestly so did he. We shared a rather unusual philosophy, and we shared something else rather unusual as well: We were in politics because we wanted to put our philosophy into practice.

RONALD REAGAN'S ACHIEVEMENT

Ronald Reagan has changed America and the world, but the changes he made were to restore historic conservative values, not to impose artificially constructed ones.

Take his economic policy, for example. It was certainly a very radical thing to do when he removed regulations and cut taxes and left the Fed to squeeze out inflation by monetary means. Supply-side economics, Reaganomics, Voodoo economics—all these descriptions and mis-descriptions testified to the perception of what was proposed as something outlandish. But it really wasn't and Ronald Reagan knew it wasn't.

After all, if you believe that it's business success that creates prosperity and jobs, you leave business as free as you possibly can to succeed. If you thing that it's governments—taxing, spending, regulating, and printing money—that distort the business environment and penalize success, you stop government doing these things.

If, at the deepest level, you have confidence in the talent and enterprise of your own people you express that confidence, you give them faith and hope. Ronald Reagan did all these things—and it worked.

Today's American prosperity in the late 1990s is the result, above all, of the fundamental shift of direction President Reagan promoted in the 1980s.

Perhaps it's something of an irony that it's an administration of instinctive spenders and regulators that now is reaping much of the political reward. But we conservatives shouldn't really be that surprised, for it was the departure from some of those conservative principles, after Ronald Reagan and I left office, that left conservative politicians in both our countries out in the cold. One of Thatcher's iron laws is that conservative governments that put up taxes lose elections.

It is, however, for fighting and winning the Cold War that Ronald Reagan deserves the most credit—and credit not just from Americans, but from the rest of what we called in those days the Free World, and from those in the former Communist states who can now breathe the air of liberty.

President Reagan's "expert critics" used to complain that he didn't really understand communism. But he understood it a great deal better than they did. He had seen at first hand its malevolent influence, under various guises and through various fronts, working by stealth for the West's destruction.

He had understood that it thrived on the fear, weakness and spinelessness of the West's political class. Because that class itself had so little belief in Western values, it could hardly conceal a sneaking admiration for those of the Soviet Union. For these people, the retreat of Western power—from Asia, from Africa, from South America—was the natural way of the world.

Of course, there were always some honest men struggling to arrest the decline, or at least to ameliorate its consequences. The doctrine of "containment" was envisaged as a way of conducting a strategic resistance to Communist incursion. Similarly, the doctrine of "détente" also had its honorable Western advocates—none more so than Henry Kissinger. But the fact remains that it meant different things to different sides.

For the West, détente signified—as the word itself literally means—an easing in tension between the two superpowers and two blocs. This made a certain sense at the time, because it reduced the risk of a nuclear confrontation which Western unpreparedness had brought closer because we had allowed our conventional defenses to run down.

But it also threatened to lead us into a fatal trap. For to the Soviets, détente signified merely the promotion of their goal of world domination while minimizing the risk of direct military confrontation.

So under the cloak of wordy communiqués about peace and understanding, the Soviet Union expanded its nuclear arsenal and its navy, engaged in continual doctrinal warfare, and subverted states around the globe by means of its own advisers and the armed forces of its surrogates. There was only one destination to which this path could lead—that of Western defeat. And that's where we were heading.

This was a message which few newspapers and commentators wanted to hear. It was at this time—the mid-1970s—that after one such speech I was generously awarded by the Soviet military newspaper *Red Star* the sobriquet of the "Iron Lady."

You might imagine that it would be easier to call for a return to military strength and national greatness in the United States, a superpower, than in the United Kingdom, a middle-ranking power. But, oddly enough, I doubt it.

America, as I found from my visits in the '70s and early '80s, had suffered a terrible decline of confidence in its role in the world. This was essentially a psychological crisis, not a reflection of realities. We now know that the arms build-up by the Soviets at that time was an act of desperation. The Soviet Union was dangerous—deadly dangerous—but the danger was that from a wounded predator, not some proud beast of the jungle.

The more intelligent Soviet apparatchiks had grasped that the economic and social system of the USSR was crumbling. The only chance for the state that had so recently pledged to bury the West, but which was now being buried by its own cumulative incompetence, was to win an arms race. It would have to rely for its survival on the ability to terrify its opponents with the same success as it had terrified its own citizens.

A totally planned society and economy has the ability to concentrate productive capacity on some fixed objective with a reasonable degree of success, and do it better than liberal democracies. But totalitarianism can work like this only for a relatively short time, after which the waste, distortions and corruption increase intolerably.

So the Soviet Union had to aim at global dominance, and achieve it quickly, because given a free competition between systems, no one would wish to choose that of the Soviets. Their problem was that even though they diverted the best of their talent and a huge share of their GDP to the military complex, they lacked the moral and material resources to achieve superiority. That would be apparent as soon as the West found leaders determined to face them down.

This was what Ronald Reagan, with my enthusiastic support and that of a number of other leaders, set out as President to do. And he did it on the basis of a well-considered and elaborated doctrine.

The world has, of course, seen many international doctrines—Monroe, Truman, and Brezhnev have all made their contributions, some more positive than others. But for my money it is the Reagan doctrine, spelt out very clearly in the speech he gave to British parliamentarians in the Palace of Westminster in 1982, that has had the best and greatest impact.

This was a rejection of both containment and détente. It proclaimed that the truce with communism was over. The West would henceforth regard no area of the world as destined to forgo its liberty simply because the Soviets claimed it to be within their sphere of influence. We would fight a battle of ideas against communism, and we would give material support to those who fought to recover their nations from tyranny.

President Reagan could have no illusion about the opposition he would face at home in embarking on this course: He had, after all, seen these forces weaken the West throughout the '70s.

But he used his inimitable ability to speak to the hearts of the American people and to appeal over the heads of the cynical, can't-do elite. He and Cap Weinberger made no secret of the objective: military superiority. The Soviets understood more quickly than his domestic critics the seriousness of what was at stake. The Russian rhetoric grew more violent; but an understanding that the game was up gradually dawned in the recesses of the Politburo.

It is well-known that I encouraged President Reagan to "do business" with President Gorbachev. I also still give credit to Mr. Gorbachev for introducing freedom of speech and of religion into the Soviet Union.

But let's be clear: The Soviet power brokers knew that they had to choose a reformer because they understood that the old strategy of intimidating and subverting would not work with Ronald Reagan in the White House and—who knows?—even Margaret Thatcher in 10 Downing Street.

The final straw for the Evil Empire was the Strategic Defense Initiative [SDI]. President Reagan was, I believe, deliberately and cunningly tempted by the Soviets at Reykjavik. They made ever more alluring offers to cut their nuclear arsenals, and the President, who was a genuine believer in a nuclear-weapons-free world (it was one of the few things we disagreed about), thought he was making progress.

There was no mention of SDI, and it appeared that the Soviets had tacitly accepted that its future was not for negotiation. Then, at the very last moment, they insisted that SDI be effectively abandoned. The President immediately refused, the talks ended in acrimony, and in the media he was heavily criticized.

But it was on that day, when a lesser man would have compromised, that he showed his mettle.

As a result of his courage, work on the SDI program continued and the Soviets understood that their last gambit had failed. Three years later, when Mr. Gorbachev peacefully allowed Eastern Europe to slide out of Soviet control, Ronald Reagan's earlier decision to stand firm was vindicated. The Soviets at last understood that the best they could hope for was to be allowed to reform their system, not to impose it on the rest of the world.

And, of course, as soon as they embarked upon serious reform, the artificial construct of the USSR, sustained by lies and violence for more than half a century, imploded with a whimper.

The idea that such achievements were a matter of luck is frankly laughable. Yes, the President had luck. But he deserved the luck he enjoyed. Fortune favors the brave, the saying runs.

As this hero of our times faces his final and most merciless enemy, he shows the same quiet courage which allowed him to break the world free of a monstrous creed without a shot being fired. President Reagan: Your friends salute you!

NEW CHALLENGES FACE THE WEST

Democracies, like human beings, have a tendency to relax when the worst is over. Our Western democracies accordingly relaxed—both at home and abroad—in the period after the fall of the Berlin Wall.

It was, of course, right that in this period there should be a new look at priorities. The threat from the Soviet Union was much diminished—both directly in Europe and indirectly in regional conflicts that they had once exploited.

At least the worst errors of the past were avoided—America stayed militarily committed to Europe, NATO remained the linchpin of Western security and, in spite of the protectionist instincts of the European Union, progress continued with reducing barriers to trade.

These elements of continuity were crucial to the relative security and (in spite of the turbulence in the Far East) the considerable prosperity we enjoy today. These were the positive aspects.

But there are also worrying negative ones. Each will require new acts of political courage to overcome.

First, lower defense spending in America, Britain and elsewhere was used not to cut taxes and so boost prosperity, but rather the so-called Peace Dividend went principally to pay for welfare. This in turn has harmed our countries both socially and economically, worsening trends which had already become manifest.

Welfare dependency is bad for families and bad for the taxpayer. It makes it less necessary and less worthwhile to work. The promotion of idleness leads, as it always does, to the growth of vice, irresponsibility and crime.

The bonds which hold society together are weakened. The bill—for single mothers, for delinquency, for vandalism—mounts. In some areas a generation grows up without solid roots or sound role models, without self-esteem or hope.

It is extraordinary what damage is sometimes done in the name of compassion. The risk of reversing the growth of welfare dependency and repairing the structure of the traditional family is one of the most difficult we in the West face.

Secondly, the post-Cold War slackening of resolve has led to a lack of military preparedness. Understandably, with the end of the Cold War the sense of omnipresent danger receded. Less excusably, the fact that the Soviet Union and its successor states no longer challenged the West's very survival led Western countries to behave as if other, new threats could be ignored.

Yet the truth is so obvious that surely only an expert could miss it: There is never a lack of potential aggressors.

We now have to reassess our defense spending, which has been cut back too far. Still more significant has been the failure to grasp the vital importance of investment in the very latest defense technology. The crucial importance of keeping up research and development in defense is the great lesson of SDI. It is also the lesson—in two respects—of today's confrontation with Iraq.

The original defeat of Saddam's forces was so swift—though sadly not complete—because of our overwhelming technical superiority. The fact that we are still having to apply constant pressure and the closest scrutiny to Iraq also bears witness to the lethal capability which science and technology can place in a dictator's hands and the enormous difficulty of removing it. Chemical and biological weapons and the components for nuclear weapons can be all too easily concealed.

The proliferation of ballistic missile technology also greatly adds to the menace. According to the Defense Studies Center at Lancaster University in Britain, 35 non-NATO countries now have ballistic missiles. Of these, the five "rogue states"—Iraq, Iran, Libya, Syria and North Korea—are a particular worry.

North Korea has been supplying ballistic missiles to those who can afford them, and it continues to develop more advanced long-range missiles, with a range of 2,500 to 4,000 miles. According to U.S. sources, all of Northeast Asia, Southeast Asia, much of the Pacific, and most of Russia could soon be threatened by these latest North Korean missiles.

Once they are available in the Middle East and North Africa, all the capitals of Europe will be within target range. And on present trends a direct threat to American shores is likely to mature early in the next century.

Diplomatic pressure to restrict proliferation, though it may be useful, can never be a sufficient instrument in itself. It is important that the West remain able and willing—and is known to be able and willing—to take preemptive action if that should ultimately become necessary.

But it is also vital that progress be made towards the construction of an effective global defense against missile attack. This would be a large and costly venture to which America's allies must be prepared to contribute. It would require a rare degree of courageous statesmanship to carry it through.

But it is also difficult to overstate the terrible consequences if we were to fail to take measures to protect our populations while there is still time to do so.

Thirdly, political courage will be required constantly to restate the case for Western unity under American leadership. America was left by the end of the Cold War as the effective global power of last resort, the only superpower. But there was also a widespread reluctance to face up to this reality.

The same mentality which Ronald Reagan had had to overcome was at work. Large numbers of intellectuals and commentators, uneasy at the consequences of a victory whose causes they had never properly understood, sought to submerge America and the West in a new, muddled multilateralism.

I suppose it's not surprising. As Irving Kristol once noted, "No modern nation has ever constructed a foreign policy that was acceptable to its intellectuals."

In fact, it is as if some people take a perverse delight in learning the wrong lessons from events. It was Western unity, under inspiring American leadership, which changed the world. But now that unity is at risk as the European Union, with apparent encouragement from the United States, seems bent on becoming a single state with a single defense—a fledgling superpower. Such a development would not relieve America of obligations; it would merely increase the obstacles to American policy.

POLICYMAKERS SUCCUMBED TO LIBERAL CONTAGION

Today's international policymakers have succumbed to a liberal contagion whose most alarming symptom is to view any new and artificial structure as preferable to a traditional and tested one. So they forget that it was powerful nation states, drawing on national loyalties and national armies, which enforced UN Security Council Resolutions and defeated Iraq in 1991. Their short-term goal is to subordinate American and other national sovereignties to multilateral authorities; their long-term goal, one suspects, is to establish the UN as a kind of embryo world government.

Surely the crisis in the former Yugoslavia should have shown the folly of these illusions. There the tragic farce of European Union meddling only prolonged the aggression and the United Nations proved incapable of agreeing on effective action. We are still trying to make the flawed Dayton Settlement—which neither the EU nor the UN could have brought about—the basis of a lasting peace in that troubled region.

The future there is unpredictable, but one thing I do venture to predict: The less America leads, and the more authority slips back to unwieldy international committees and their officials, the more difficulties will arise.

International relations today are in a kind of limbo. Few politicians and diplomats really believe that any power other than the United States can guarantee the peace or punish aggression. But neither is there sufficient cohesion in the West to give America the moral and material support she must have to fulfill that role.

This has to change. America's duty is to lead. The other Western countries' duty is to support its leadership.

Different countries will contribute in different ways. Britain is closer to the United States by culture, language and history than is any other European country. British public opinion is therefore readier to back American initiatives. Moreover, Britain's highly professional armed forces allow us to make a unique practical contribution when the necessity arises.

But the fundamental equation holds good for all of us: Provided Western countries unite under American leadership, the West will remain the dominant global influence. If we do not, the opportunity for rogue states and new tyrannical powers to exploit our divisions will increase, and so will the danger to all.

So the task for conservatives today is to revive a sense of Western identity, unity and resolve. The West is after all not just some ephemeral Cold War construct. It is the core of a civilization which has carried all before it, transforming the outlook and pattern of life of every continent.

It is time to proclaim our beliefs in the wonderful creativity of the human spirit, in the rights of property and the rule of law, in the extraordinary fecundity of enterprise and trade, and in the Western cultural heritage, without which our liberty would long ago have degenerated into license or collapsed into tyranny.

These are as much the tasks of today as they were of yesterday, as much the duty of conservative believers now as they were when Ronald Reagan and I refused to accept the decline of the West as our ineluctable destiny.

As the poet said:

"That which thy fathers bequeathed thee
Earn it anew if thou would'st possess it."

Mr. LOTT. Mr. President, I just want to read some brief, selective passages from what Margaret Thatcher, the former Prime Minister of Great Britain, had to say:

President Reagan is one of the greatest men of our time, and one of the greatest American Presidents of all time. If that is not fully appreciated today, and sadly it is not, it isn't really surprising. After all, so many people have been proved wrong by Ronald Reagan that they simply daren't acknowledge his achievement. . .

But in my political lifetime I believe that it is fortitude or courage that we've most needed and often, I fear, most lacked.

Today we are particularly conscious of the courage of Ronald Reagan. It was easy for his contemporaries to ignore it: He always seemed so calm and relaxed, with natural charm, unstudied self-assurance, and unquenchable good humor. He was always ready with just the right quip—often self-deprecatory, though with a serious purpose—so as to lighten the darkest moments and give all around him heart. . .

Right from the beginning, Ronald Reagan set out to challenge everything that the liberal political elite of America accepted and sought [as gospel].

They believed that America was doomed to decline. He believed it was destined for further greatness.

They imagined that sooner or later there would be convergence between the free Western system and the socialist Eastern system, and that some kind of social democratic outcome was inevitable. He, by contrast, considered that socialism was a patent failure which should be cast onto the trash heap of history.

They thought that the problem with America was the American people, though they didn't quite put it [that way.] He thought that the problem with America was the American government, and he did put it just [that way.]

In conclusion, and what I think is so beautiful a statement about our country and our world and about Ronald Reagan, she summed it up perfectly. She said:

It is time to proclaim our beliefs in the wonderful creativity of the human spirit, in the rights of property and the rule of law, in the extraordinary fecundity of enterprise and trade, and in the Western cultural heritage, without which our liberty would long ago have degenerated into license or collapsed into tyranny.

These are as much the tasks of today as they were of yesterday, as much the duty of our conservative believers now as they were when Ronald Reagan and I refused to accept the decline of the West as our ineluctable destiny.

As the poet said: "That which thy fathers bequeathed thee Earn it anew if thou would'st possess it."

A great speech. I have just taken some portions from it. It meant a great deal to me.

I hope we will honor former President Ronald Reagan in this way. I can think of a lot of Democrats I would be perfectly willing to name some building or some facility for. I think President Jimmy Carter has really been an example since he has been President. I don't know that we have named anything after him. I don't know that he sought it, or his family. I am not saying we should do it now. This is not partisan with me, but it is very emotional, and I hope that we will find a way, working together, to get this bill through in time for his birthday. I yield the floor.

Mr. DASCHLE addressed the Chair.

The PRESIDING OFFICER. The Democratic leader.

Mr. DASCHLE. Mr. President, I commend the majority leader for his remarks just now. No one, or few, I suppose, can match the eloquence of Margaret Thatcher, especially as she talks about one of those partners in leadership that she shared so much with in the time that she led Britain to the heights that it achieved during her tenure as Prime Minister.

I am quite sure that with unanimity, this Senate wishes to honor our former President. So the majority leader's wish will come true; we will honor President Reagan. In fact, as he noted, we will honor him quite certainly, regardless of what happens to the airport. We will honor him by naming after him the largest nondefense building in the country, a Government building, a beautiful building, a building that will last for centuries, a building dedicated to permanence and a building with great meaning, I think, to all of us as we pass down Pennsylvania Avenue today.

It is an extraordinary new accomplishment, architecturally and in many other ways. We have already made the decision to name that superior piece of architecture after our former President, Ronald Reagan.

So let no one be misguided by the remarks today. We honor President Reagan. No one should also be misled with regard to our intentions. There was comment made that we are blocking this legislation. If we were blocking it, Mr. President, we would not have agreed for it to pass out of committee unanimously. If we were blocking it, we would have demanded hearings and we would have used whatever procedural devices at our disposal in the committee. We have not chosen to do

that. We are not blocking it today. We have no reservations about bringing it up. We are simply not willing to support a unanimous consent request that limits us to one amendment.

Finally, let me say the majority leader noted that we are not taking Washington's name off the airport. The only amendment our Republican colleagues wish to offer has as its stated purpose, and I will quote, "to rename the Washington National Airport located in the District of Columbia and Virginia as 'Ronald Reagan National Airport.'"

So if that doesn't take Washington's name off the airport, I don't know what does. That is exactly what it does on line 5, page 1. It says:

From here on after approved June 29, 1940, the airport known as Washington National Airport shall hereafter be known and designated as "Ronald Reagan National Airport."

So, quite clearly, let no one, regardless of what one may think about honoring our former President Ronald Reagan, quite clearly we are doing it by removing the name of the first President of the United States, George Washington. Now, we may want to do that, but that clearly is the design, that is the intent of this legislation, and that is why we think it is in our interest to explore it, to talk about it.

It isn't mutually exclusive. We can find ways to honor our former President, and we can find ways to ensure that we do it correctly and do it with all of the facts on the table. That is all we are asking. Let's do it with eyes wide open, knowing the ramifications, knowing exactly what it is we are doing and then pursuing the best course after that. I think we can do that. I pledge my assistance in working with the majority leader and our Republican colleagues to do it. But we are not ready yet. I am sure at some point soon we will be, but let's proceed in a positive way, not criticizing one another as we start out this effort, but finding the best way with which to resolve these questions. I am sure that can be done, and with that optimism, I yield the floor.

Several Senators addressed the Chair.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. Mr. President, I ask unanimous consent to yield in a couple minutes to the Senator from Georgia, but I first feel compelled to answer a couple of comments the distinguished Democratic leader and good friend of mine made.

First of all, I don't think any American identifies Washington National Airport with George Washington. They identify it with Washington, DC. So let's really be clear about that. To take the word "Washington" out of it is not in any way demeaning or lessening the reputation of George Washington; it is because it was identified with Washington, DC.

We named Idlewild Airport "Kennedy Airport." I am sure whoever Idlewild was, or whatever location it was, didn't feel aggrieved when it wasn't called Kennedy-Idlewild Airport.

Second of all, let's talk about the cost here one second. The bulk of the costs associated with the name change at National Airport are related to changing the signs and logos for the airport.

I would like to enter into the RECORD a copy of a letter from a group, Americans for Tax Reform, which created and promoted the Reagan legacy project. The letter states:

In order to ensure no expenses will be incurred by the Federal Government as a result of this bill, we are willing to coordinate fundraising efforts to fund the creation of appropriate signs and logos for the Ronald Reagan National Airport.

The letter goes on to estimate these costs at $60,000. Let's put that in context. We just spent well over $1 billion in modernizing Washington National Airport. The cost of this would be $60,000. If there is a deep and abiding concern on the other side of the aisle about the costs associated with changing the name, I can assure you that Senator COVERDELL, Senator LOTT and I and everybody else will lead a fundraising effort and pay for this. I am deeply moved about their concern about the taxpayers' dollars.

I don't like to start out the year this way, Mr. President. I really don't. We have enough problems. We have enough difficulties around here without our getting hung up on doing what is the right thing for one of the greatest men in the history of this Nation.

The interesting thing is, he doesn't want to be honored in any way because he doesn't think he deserves it, which is the mark of the greatness and humility of the man. But for us to somehow get hung up on cost, on logos, on whether the name "Washington" is out of it, this is not an appropriate way to start out this year.

I want to tell my friends on the other side of the aisle, we feel very strongly about this issue—very strongly—and if we get hung up on this thing and we are not able to go ahead and honor Ronald Reagan on his birthday, it is going to start things off on a very bad note.

I also want to point out, yes, thanks to Senator HOLLINGS and the bipartisan spirit in which we run the Commerce Committee, it was discharged from the Commerce Committee, but we also had a markup scheduled today, and we would have marked up that bill and reported it out of committee today as well. So I appreciate the cooperation of my friends on the Commerce Committee, but we would have reported it out of the Commerce Committee today, I have no doubt about that.

Again, I don't want to be repetitive, but I am astounded—I am astounded—that when Americans from all over this country would like to have this opportunity to honor Ronald Reagan on his birthday as he goes through this very difficult period, that we should somehow raise a straw man about costs and logos and Washington, DC.

Mr. President, I would like to conclude by saying I first came to know Ronald Reagan during my years in Vietnam when President Reagan was Governor of California. The North Vietnamese had orchestrated an effort to demoralize their American prisoners by convincing us that our country opposed the war and that we had been forgotten and left behind.

As new American prisoners were brought to Hanoi, however, they took advantage of our primitive communications abilities. They made sure that we knew about this Governor in California who was helping lead efforts to secure our release and take care of our families in the meantime. This Governor, Ronald Reagan, served as a very welcome reminder that our country had not forgotten us. I and many others will forever be indebted to him for that and for the friendship we developed after the war.

I yield the floor.

Mr. COVERDELL addressed the Chair.

The PRESIDING OFFICER (Mr. BOND). The Senator from Georgia.

Mr. COVERDELL. Mr. President, I see there are some other speakers. I have some extended remarks, but I will be brief now in deference to other people if they have a comment to make. But Mr. President, this is the definition of "pettiness." This is demeaning. The concept that we would honor a former President, but we have to extract a price.

A memorandum went out to my colleagues on the other side of the aisle that wanted an IRS reformation amendment tacked to this legislation. The idea that "You can have this memorial, but only if we extract something from it, too." Maybe this is an indication of just how cynical this city has become from top to bottom.

I have great respect for the minority leader. I consider him a very good friend. But who would counsel him to suggest "We haven't heard from the Reagan family"? What are they supposed to do, buy tickets and fly over here and lobby outside the Chamber? Is that what you would ask of them to do?

The other gentlemen on the list that I have heard that you perhaps would choose to honor, so be it. Honor them. Come forward with these ideas, but not as a quid pro quo to a memorial to this former President.

Do you remember the memorial to the late President Franklin Roosevelt? Was there some skirmish over there?

Did there have to be some ratification or some affidavit from their family as to whether or not it ought to be built and how? I, like Senator MCCAIN, would not have been able to envision that we would be discussing Ronald Reagan in this manner.

Are we removing the name of the airport? Has their family appropriately petitioned this Congress that only awards things to those that are on their knees asking?

Can there not be an acceptance of fact that we are dealing with a great American figure who is wounded—who is wounded—who is near the end? And here we are piddling around with, was it named after the President or after the city or have we heard from them, the family, and how much will it cost, when everybody knows it is minimal?

The only word that characterizes it is "demeaning."

Mr. President, I will ask for time later on, but I yield the floor in deference to my colleague from New York.

Mr. MOYNIHAN. I thank my friend from Georgia.

The PRESIDING OFFICER. The Senator from New York.

Mr. MOYNIHAN. Mr. President, I rise for the simple purpose of simply informing the Senate of a very happy occasion in the very near future. It will be the dedication of the Ronald Reagan International Trade Building at 16th Street and Pennsylvania Avenue, the largest Federal building, as it happens, in the city and the completion, after 60 or 70 years—70 years of the Federal Triangle proposal which was begun by Andrew Mellon under the Presidency of Herbert Hoover for whom the Commerce Building across from 16th Street is named.

The Ronald Reagan Building was—it should be noted that he signed the bill on August 21, 1987, the Federal Triangle Development Act. I had offered the measure here. It passed, very happily, and authorized the construction of an international, cultural and trade center on that site—a billion dollars worth of real estate. The site was cleared in 1928 and remained a parking lot until now. I remember writing a proposal for President Kennedy on the redevelopment of Pennsylvania Avenue—a parking lot of surpassing ugliness.

But then in 1995, with the building up and about to be running, Congresswoman Andrea Seastrand, who represented the District in which the President lives, introduced a bill to name it for him. Senator Dole cosponsored it here. It was passed unanimously, I should think, in both bodies. And on December 22, 1995, in a very fine ceremony in the Oval Office, President Clinton signed that bill. Speaker GINGRICH, Mr. Dole, Mr. DASCHLE, the Vice President, and the Senator from New York were there. Alas, Representative Seastrand had a vote and could not come.

The building is a 2-century building. It will be there for a very long while. We own the land. It will save money because we will move people from rented space to Government space in the same manner that the Judiciary Building now flanks Union Station but it is a congressional building. It is on Federal land. It is a lease-to-own project. In about 25 years we will have it. We are already paying less rent than we were paying in rented space because we own the land. It is a handsome building. It is a triumphal building.

The architectural critic of the Washington Post, Benjamin Forgey, has given it his very warm endorsement. It has a great atrium. As you walk in it, you see the names, Ronald Reagan and International Trade Organization Building—the Ronald Reagan Building, and in it the National Trade Center. You know you are at a special place designed for, authorized, and built by a very special man, and now to be named for that man in a ceremony that I hope will be joyous, celebratory, and on the edge sad as we consider the condition of our former President, but proud that he was just that.

I thank the Chair.

I thank the Senator from Georgia.

Mr. JOHNSON addressed the Chair.

The PRESIDING OFFICER. The Senator from South Dakota.

Mr. JOHNSON. I want to thank the Senator from New York for calling our attention to this extraordinary event.

Could you share with us again, one, what the timing is of the ceremony?

Mr. MOYNIHAN. April 28 or May 5.

Mr. JOHNSON. What will be involved in this ceremony?

Mr. MOYNIHAN. Well, there will be the formal dedication. There will be, I believe, the National Symphony. There will be a musical. It will be a day-long event. And I hope people will find time for it. There is nothing like it that will have happened in our city—well, for those who do not know the history, the Federal Triangle was moving along very well. The crash came, and they stopped—boom—they just stopped. Now we have finished it. President Kennedy envisioned it. President Reagan made it possible. And we are naming it for President Reagan.

Mr. JOHNSON. I wonder if it isn't fair to say—there has been some harsh rhetoric here and knocking down of straw men as we have gone about discussions this afternoon in the United States Senate relative to memorializing former President Reagan. And I wonder if it isn't fair to say that the issues that have been raised are not questioning whether to suitably and appropriately memorialize President Reagan's administration. The questions are not partisan in nature. We have memorialized Presidents of both political parties, as we always will and always should. There is no opposition, certainly, to the largest building I believe on all of Pennsylvania Avenue, America's main street, the avenue that is used for our inaugural parades, the largest building, a very prominently located building—and it has yet even to have the ceremony for its opening, but it passed by unanimous vote, the Senator tells us, in both the House and Senate; bipartisan on both sides of the aisle—but there was no resistance to memorializing in a very prominent and very focal, high focal point of our Nation's most important street an enormous building named for President Reagan.

So it would seem that the issues that have been raised here are not petty, are not meant to demean or in any way undermine the recognition of the contributions that President Reagan made—and he made very significant contributions to this Nation—but that there are legitimate points being raised, one, about the process, rather than the politics, of naming and especially renaming where the name George Washington has always been tied to National Airport—in fact National Airport, I believe, was designed with the terminal intended to be evocative of Mount Vernon and located in a community very near Mount Vernon and where he is very closely associated with the Arlington and Alexandria communities—and whether there ought to be a more systematic process for especially renaming institutions that have been previously named for other great Americans.

Mr. COVERDELL. Will the Senator yield?

Mr. JOHNSON. So the question is not one of whether President Reagan should be memorialized. Certainly he should be.

Mr. COVERDELL. Will the Senator yield?

Mr. JOHNSON. I will yield to the Senator.

Mr. COVERDELL. I believe the time is on your side.

Mr. JOHNSON. The Senator from New York controls the time.

Mr. MOYNIHAN. I yield the floor and say I spent 35 years getting this building built. I leave it to others to describe how it should be named.

Mr. COVERDELL. I assume you are yielding?

Mr. JOHNSON. I certainly yield.

Mr. COVERDELL. Is the Senator aware of the fact that your side has offered a proposal that, yes, go ahead; we can proceed with this, comma, but we have to have something for it. We have somebody else we want to have another building named after. I mean, I am getting confused signals here. Are we really getting into a discussion about changing the name of the Washington, DC, airport? We are going to invoke all this intellectual analysis of how that building was built. I mean, that is not what was being sent to us all morning long.

We were not arguing over, you know, the dynamics of the process, whether or not we are going to name another building. I do not object to you all naming another building for somebody that you want to honor, but it ought to be done on its own. This should not be held up in this manner as a negotiating tool. And that is what has been going on all day.

Is the Senator aware of that?

Mr. JOHNSON. If the Senator will yield back.

Mr. COVERDELL. I certainly will.

Mr. JOHNSON. Obviously, I do not speak for my colleagues on either side of the aisle. I speak only as this Senator, expressing, one, my conviction that there ought to be a very significant memorial to Ronald Reagan. There is one that has been built. The doors, the ribbons have not yet been cut. They soon will be. And this is an extraordinary memorial in one of the most prominent locations of all of Washington. I applaud that.

The only other question I raise is whether there ought to be yet another memorial before the ribbon has even been cut on the first large one, which would have an effect on the airport that memorialized George Washington and which has not gone through what seems to me, from this Senator's point of view, an orderly, thoughtful process.

The Board of Trade in the Washington area, other groups think this is a poor idea, that perhaps there ought to be other memorials to Ronald Reagan. I would say probably that is true. The suggestion is there ought to be one in every State. Perhaps there ought to be. Perhaps there ought to be more in Washington, DC.

However, I simply raise as this Senator's point of view that I think we are getting carried away in a nonsystematic and not terribly thoughtful process about how we name and pull names off of memorials to great Americans. So I have nothing but great respect to express for President Reagan and his family, and I regret that any of this debate that has been caught up in exactly how best to memorialize great Americans would by anyone be perceived as somehow negative or otherwise undermining respect for this past President.

However, I think there are legitimate concerns expressed by some that have nothing to do with partisan politics, that have nothing to do with respect or lack of respect for past Presidents, particularly this past President. I simply want to raise that issue, that there are concerns among those who I think in good faith are expressing some concern not about memorialization but about a specific renaming. The issue, I think, in that sense is narrow.

I personally feel that there is room for improvement in the process that we use for the naming of institutions. That isn't to say, however, that the naming of any particular institution wouldn't be approved by what I think ought to be a nonpartisan commission of some sort, which I think would greatly strengthen our current rather hodgepodge way of naming institutions and buildings and facilities that will be that way for hundreds of years—unless, of course, there are changes in power in Congress and we develop this precedent that whoever is in the majority comes in and changes the names of buildings. That would be a terrible mistake.

I hope the Reagan building downtown stays that way virtually forever and that there is never a thought of renaming that. I simply raise this point to hopefully lend a bit of thoughtfulness and recognition that at stake here is not the honor of the Reagan family or President Reagan nor is it necessarily partisan politics.

I do not necessarily join in with others who may see other political agendas here. This is an institution of 100 individuals, and there are probably 100 agendas on this floor on a given day, but I do want to share those observations with my friend and my colleague about the concerns that came to my mind on this issue.

Mr. COVERDELL. Mr. President, I accept the convictions of my good colleague and his wish that this would not have the taint that it does. Unfortunately, that is what has happened here.

Nor is there anything unique here. Just last year I voted for legislation to honor a colleague on your side of the aisle, one in my own State, a legislative process just like this, a fellow Congressman who is retired, John Rowland. We named a courthouse in our State for him and we were very glad to have been part of it. He deserves it.

Mr. JOHNSON. And I add that I joined in the unanimous consent on the naming of the Reagan building downtown as a Member of the other body during that time, and I am proud of that.

Mr. COVERDELL. I accept the statement of the Senator.

Unfortunately, during the course of the last several hours, this has turned into a quid pro quo. From my own view, I would rather that it not be accepted than we get into, "Well, we will do this if you do that," and we will name this that and this something else. I can only speak for myself. That is my view of it.

I mentioned a little earlier, Mr. President, that there are some unique circumstances that we are confronting in this particular case with former President Reagan. I have been going through some of his legacy of late, and I will share one of the most profound letters an American leader has ever written to his country. It came to us on November 5, 1994.

My fellow Americans, I have recently been told that I am one of the millions of Americans who will be afflicted with Alzheimer's disease.

Upon learning this news, Nancy and I had to decide whether as private citizens we would keep this a private matter or whether we would make this news known in a public way. In the past, Nancy suffered from breast cancer and I had my cancer surgeries. We found through our open disclosures we were able to raise public awareness. We were happy that as a result, many more people underwent testing. There were treated in early stages and able to return to normal, healthy lives.

So now we feel it is important to share it with you. In opening our hearts, we hope this might promote greater awareness of this condition. Perhaps it will encourage a clearer understanding of the individuals and families who are affected by it.

At the moment I feel just fine. I intend to live the remainder of the years God gives me on this Earth doing the things I have always done. I will continue to share life's journey with my beloved Nancy and my family. I plan to enjoy the great outdoors and stay in touch with my friends and supporters.

Unfortunately, as Alzheimer's disease progresses, the family often bears a heavy burden. I only wish there was some way I could spare Nancy from this painful experience. When the time comes, I am confident that with your help she will face it with faith and courage.

In closing, let me thank you, the American people, for giving me the great honor of allowing me to serve as your president. When the Lord calls me home, whenever that day may be, I will leave with the greatest love for this country of ours and eternal optimism for its future.

I now begin the journey that will lead me into the sunset of my life. I know that for America there will always be a bright dawn ahead.

Thank you, my friends. May God always bless you.

Sincerely,

RONALD REAGAN.

Now, Ronald Reagan's birthday is next February 6, and we ought to do this. This ought to be a part of the sunset journey.

I again say, it is absolutely beyond comprehension that a suggestion was made here this afternoon that somehow his family ought to have been more pronounced and more explicit about their desires with regard to this legislation. To have done so would have been entirely—I repeat, entirely—uncharacteristic for the man that wrote this letter to do. Nor would he in any way have condoned any member of his family making such a suggestion. The only way that something like this could happen on the eve of these final moments would be for it to be a spontaneous gesture from the American people.

So, Mr. President, just for clarity, you never know what will happen in an institution like this, but again I would be prouder that this legislation suffered a defeat over the nuances from the other side than for there to be an asterisk on the legislation that suggested the only way that this body and this Congress could reach out at this moment was if we made some tradeoff; there have been others that got a little something here or there, like you do

every day in this town. My own view is it would be diminishing and demeaning of what is being attempted and endeavored to be done here today in the name of a great American President, among others. But this one was a great American President who, as I said earlier, is wounded.

There are moments in our lives and in the history of our country that require a spontaneous response and not some methodical appointing of a commission to measure and weigh every balance. Thank heavens nature doesn't function that way.

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

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

Mr. COVERDELL. Mr. President, to the subject that we have been debating, which is legislation to rename Washington National Airport "Ronald Reagan National Airport," we have had quite a discussion here this afternoon. As I said a little earlier, I have been going through, during the course of this exercise, the various things, of course, that have been said about our former President. I got to thinking, well, who knows him best? And, of course, that is the former First Lady, Nancy Reagan. I was reminded that I had the opportunity to hear her in one of the most heartfelt speeches I believe I have ever heard in San Diego at the national convention in that beautiful city. It was quite a task that she had to perform, to come forward before the Nation, given the situation that the Reagans had been facing, and try to bring a message to those gathered and to the American people.

I think this is an appropriate time to revisit what she said about her husband, President Reagan, at that time. I will skip the introduction, the acknowledgement of the crowd, and move to the heart of the speech, which was undoubtedly difficult for her to deal with because she was moving to the moment in which she felt she had the responsibility to convey to the Nation a feeling about her husband's Presidency and her husband's views of America.

She said this:

> Just 4 years ago, Ronnie stood before you and spoke for what he said might be his last speech at a Republican Convention. Sadly, his words were too prophetic. When we learned of his illness, Alzheimer's, he made the decision to write his letter to the American people.

This is the letter I read a moment ago from the President himself.

She says:

> And the people responded, as they always do. I can't tell you what your cards and letters have meant to both of us. The love and affection from thousands of Americans has been, and continues to be, a strengthening force for Ronnie and me each and every day.

I want to reread that sentence because the other side has evoked that there is some family responsibility here that they should have fulfilled as a precedent before moving for congressional action on this, which as I have said repeatedly is just beyond my understanding. But I will read for them what she said to America:

> I cannot tell you what your cards and letters have meant to both of us. The love and affection from thousands of Americans has been, and continues to be, a strengthening force for Ronnie and me each and every day.

In other words, it was a source of encouragement and strength for them at that time to hear from our fellow countrymen about his work. That's what that means.

> We have learned, as too many other families have learned, of the terrible pain and the loneliness that must be endured as each day brings another reminder of this very long goodbye. But Ronnie's spirit, his optimism, his never-failing belief in the strength and goodness of America is still very strong. If he were able to be here tonight, he would once again remind us of the power of each individual—

How many times had we heard that from President Reagan, about the power of each American?

> Urging us once again to fly as high as our wings will take us and to never give up on America.

The majority leader was here earlier and was talking about Margaret Thatcher and what she had said about the former President. I might revisit that in just a little bit. But that's the point that Margaret Thatcher always focused on—the never give up on America or never give up on Western civilization, and what she so admired in the former President. Here it is documented by Nancy Reagan when she said.

> . . . remind us of the power of each individual, urging us once again to fly as high as our wings will take us and to never give up on America. I can tell you with certainty that he still sees the "shining city on a hill," a place full of hope and a promise for us all.
>
> As you all know, I am not the speechmaker in the family. So let me close with Ronnie's words, not mine. In that last speech 4 years ago, he said, "Whatever else history may say about me when I am gone, I hope it will report that I appealed to your best hopes, not your worst fears, to your confidence rather than your doubts, and may all of you as Americans never forget your heroic origins, never fail to seek divine guidance, and never, never lose your natural God-given optimism."
>
> Ronnie's optimism, like America's, still shines very brightly. May God bless him and, from both of us, God bless America.

You know, several weeks ago, I was in a discussion about American liberty.

I was talking about the fact that free people behave completely differently than people who are not free or oppressed. One of the key components of a free people is their optimism—optimism, the belief that they can accomplish, the belief that they can build, the belief that they cannot be vanquished. And there is no American in contemporary history who so fueled and energized that key component of American liberty as did President Ronald Reagan. He was the epitome of optimism.

I see we have just be joined by my good friend and colleague and neighbor, the Senator from Alabama, and in deference to his time I am going to withhold these other remarks for a moment.

I yield the floor.

Mr. SESSIONS addressed the Chair.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SESSIONS. Mr. President, I have the honor to speak on this legislation sponsored by the distinguished Senator from Georgia. I so greatly admire him. I admire his principle, integrity, ability, and passion for this issue. I think it is an important issue, and I am proud to be a cosponsor of this resolution. We ought to recognize people who have made great differences in this Nation's history. I think President Reagan is one of those people.

I thought I would take a very few minutes to tell a story that illustrates how deeply and how important President Reagan's life is to the American people and to the people of the world.

In 1993, I went on a church trip to Russia and spent a week there. Our group went to a small city of 40,000 people that is located 5 hours east of Moscow in an area where very few Americans were allowed in over the years because it was a security area in the Soviet Union. We went to the town of Sovetsk. I was able to stay with another American in the home of a Russian businessman who was beginning to develop a business in Sovetsk. The first night we arrived they were going to celebrate the baptism of their daughter. A Russian Orthodox priest appeared in his great robes. The mother, father, and the grandparents had come in from the Ural Mountains, and it was a goodly group of people there. It was a marvelous ceremony as the priest performed that baptism.

As we had dinner afterwards the priest told us that since perestroika, since the fall of the wall, he had baptized 18,000 people in that town of 40,000. He told us that before the wall fell he was not allowed to baptize people. He said he was not allowed to wear his robes, and that the Soviet Communist authorities moved him around 6 months or so at a time so that he could not really get to know his congregation and so he would be unable to build the kind of rapport that is necessary. He discussed how he could now wear his robes, how he could now walk about town, how he could now meet with the mayor, and how he was now respected

in the city in public affairs. For this priest and his congregation, it was now a great time.

At the conclusion of that discussion my host proposed a toast to Ronald Reagan "who made us believe in God again."

Mr. President, I don't know if they missed the translation. But the heart of that was very, very real.

President Ronald Reagan helped shape this world. He helped free millions of people from a totalitarian state. He called the Soviet empire an "evil empire," and evil it was.

Before we went to Russia, we spent time with a college professor who had spent 6 months there. He said, "I used to teach that the United States and Russia were just like scorpions in a bottle. There is no difference between us." Now, however, he says that after having been there and after having met with young Russian people he has changed his mind. In the words of that professor, "when I would talk in that fashion, the Russians looked at me like I was crazy. They said, 'What are you talking about? You had all kinds of freedom. We had none. There was a great distinction between Russia, the Soviet Union, and the United States of America and the democracy that you have.'" Today that professor has come to believe that those young people had it right.

Ronald Reagan personified that. He personified the collapse of the totalitarian empire. He gave his life to it. He articulated it better than any man that ever lived. His was a Presidency both in terms of domestic policy and foreign policy that ranks among the highest order of American Presidents.

I think he deserves this recognition. I think it is very fitting that it be done on his birthday. I think it is very fitting that we recognize him while we are still blessed with his presence.

I want to congratulate the Senator from Georgia for his articulate explanation and promotion of this legislation. I am delighted and honored just to have this moment to share this story with the people in this body and the people in the United States because I think it says in a very real way that this man symbolized the American democratic free enterprise victory over the totalitarian atheistic Communist government.

I appreciate the leadership of Senator COVERDELL and thank him for yielding me this time.

Mr. COVERDELL addressed the Chair.

The PRESIDING OFFICER. The Senator from Georgia is recognized.

Mr. COVERDELL. Mr. President, it is interesting to hear the good Senator from Alabama, and I appreciate the personal experience he had confronting these people that were being made free for the first time.

I had the opportunity to do that as well. I will never forget the faces of those people who had never been free or had not been for so long they couldn't remember. If you will bear with me one second, I am going to yield. One afternoon I was in Soviet Bulgaria. It was on the eve of this epic realignment of all Soviet Union and Eastern Europe. I decided to break away, and I did and walked about 5 miles back through the neighborhoods. Do you know what struck me? This is before the freedom had hit. I never saw a single adult ever smile. Never, not one, not one person smiled because of the weight of the oppression. Fortunately, the children were smiling. So you could say, "There is hope here." But it had been beaten out of them—the natural nature of human mind.

The man that brought the wall down—the Senator from Alabama said it and we will never be able to say it enough—how many people he freed through that show of force. He didn't do it alone. He would be the first one to say so. In fact, he would deny it. He would put somebody else far ahead of him in terms of having created that freedom. But when you walk through those streets today and you talk to those people and in all of those countries, they know the force of President Ronald Reagan and they know when he said, "Gorbachev, you tear this wall down" that that was not just rhetoric. That wall came down.

I yield to the Senator from Alabama.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SESSIONS. I think the Senator from Georgia is so correct. I think back on that example and I think that it really sort of symbolizes the difference between a totalitarian government where freedom is denied, where people are not allowed to worship, and are not allowed to be baptized, and the wonder of the democracy that we are blessed with having.

I think also that it is fitting for us to recognize him in this manner. I have on my desk a plaque which is imprinted with one of President Reagan's quotes, a quote which I think is most appropriate especially as we discuss naming National Airport after him at this late point in his life. It says, "There is no limit what a man can do or where he can go if he doesn't mind who gets the credit."

I think it is time to give Ronald Reagan credit. This is a fitting tribute to him. I salute the Senator from Georgia for his efforts, and I support his steadfastness in that.

Mr. COVERDELL addressed the Chair.

The PRESIDING OFFICER. The Senator from Georgia.

Mr. COVERDELL. Mr. President, of course, during the course of the afternoon we have been talking about very personal praise for his family and the First Lady. But for Ronald Reagan there is a lot of unlikely praise that needs to be acknowledged here today from Republicans and Democrats alike. While my friends on the other side of the aisle may disagree with him on certain policies, I hope they will agree that he stood fast on conviction and provided leadership for America at a very critical time. Ronald Reagan did after all begin his career as a Democrat. He truly was a man of both sides of the aisle. He cast his first vote for Franklin Delano Roosevelt, whose name has been evoked in this debate because when we were talking about the need to have an appropriate not designation but memorial for President Roosevelt, we did not enter into any of this kind of bickering. It was done. It should be done. Now citizens from all across the country can be reminded of that era of our Nation's history.

Here are some words of tribute from some unlikely sources.

Former California Governor and Presidential candidate, Jerry Brown, said, "He was not just the guy across the table. He had a presence. He had the quality of being able to tell a story. . ." And, as Senator SESSIONS just said, ". . . and then smile and laugh. There was a sort of magic there, and I could see it at work."

Or former majority whip of the House, Representative Coehlo, "Ronald Reagan believed a few things and he really stood for them. He was Presidential. He did not get down in the gutter."

I want to repeat that. "He did not get down in the gutter. Indeed, he would let people accuse him of anything. We did. But these things never got a response."

Even Sam Donaldson has good things to say about President Reagan. He said, "I don't think we have ever had a President who used the bully pulpit better than he did. He was its master. Reagan's most outstanding leadership quality was that you knew where he stood on a matter. You didn't have to agree with him. He got into some of the most contentious issues for our country. I never had to figure out what kind of a speech he would give tomorrow or worry that he would change his mind from the views he expressed today."

That is Sam Donaldson talking about Ronald Reagan.

Donaldson, further quoting, "Reagan is the most dynamic President I have seen."

So, as I said, whether you agreed with him or not, Ronald Reagan defined leadership in our time.

Mr. President, I am going to suggest the absence of a quorum. I think Senator HUTCHINSON is here from Arkansas. I will determine whether that is so.

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. COVERDELL. 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. HUTCHINSON addressed the Chair.

The PRESIDING OFFICER. The Senator from Arkansas.

Mr. HUTCHINSON. Mr. President, I ask unanimous consent to speak for up to 5 minutes.

The PRESIDING OFFICER. The Senator already has that right.

Mr. HUTCHINSON. Mr. President, as I listened to the speeches and the various tributes to Ronald Reagan and the speeches that are in favor of this legislation to name the Washington National Airport after former President Ronald Reagan, I had not intended to speak today. But I was moved by some of the tributes that I have heard. I was dismayed by noticing the opposition to this legislation—surprised and dismayed. And I thought there was little I could add to some of the glowing tributes that we have heard except my own personal experience because I think in many ways I like many of my generation owe to Ronald Reagan the inspiration and the motivation to go into the whole sphere of the political arena.

In 1964 I was in junior high school living in the northwest corner of Arkansas. My parents were not particularly political. But I watched the news and followed closely the political events that year and the election campaign between Lyndon Johnson and Barry Goldwater. I remember—I think it was about 10 days before the election that year—watching on our black-and-white television in Arkansas a speech by an actor by the name of Ronald Reagan. I remember sitting on the floor in front of the black-and-white television mesmerized as I listened to what later became known to a whole generation of young people as "The Speech"—"A time for choosing," it was called—in which Ronald Reagan so eloquently laid out for the Nation the choice that faced America in that campaign and a philosophic choice that faced Americans down through the ages.

And there is a junior high schooler listening to Ronald Reagan make that speech, a speech that historians say was the launching pad, if you will, for his political career, a speech that propelled him to a meteoric rise in politics, from the Governorship of California to the Presidency of the United States. I think it also propelled a whole generation of young people to look at politics as something noble, as something of a great adventure, as an arena in which truly a difference could be made in the lives of our fellow citizens and the future of our Nation.

And so when young people write me today, and I so frequently get asked by elementary students and high school students: Senator, how did you get started in politics and who is your favorite President? I answer it in reverse order. I say, "My favorite President is Ronald Reagan, and let me tell you how I got started in politics." And then we enclose in that letter a copy of the speech, the 1964 address by Ronald Reagan that started his political career and that started the political careers of a host of other individuals as well and made a great difference in America. I will not take time to read all of the speech, "A Time for Choosing." I ask unanimous consent to have it printed in the RECORD.

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

A TIME FOR CHOOSING

(By Ronald Reagan)

[Given as a stump speech, at speaking engagements, and on a memorable night in 1964 in support of Barry Goldwater's presidential campaign. This version is from that broadcast.]

I am going to talk of controversial things. I make no apology for this.

It's time we asked ourselves if we still know the freedoms intended for us by the Founding Fathers. James Madison said, "We base all our experiments on the capacity of mankind for self government."

This idea that government was beholden to the people, that it had no other source of power is still the newest, most unique idea in all the long history of man's relation to man. This is the issue of this election: Whether we believe in our capacity for self-government or whether we abandon the American Revolution and confess that a little intellectual elite in a far-distant capital can plan our lives for us better than we can plan them ourselves.

You and I are told we must choose between a left or right, but I suggest there is no such thing as a left or right. There is only an up or down. Up to man's age-old dream—the maximum of individual freedom consistent with order or down to the ant heap of totalitarianism. Regardless of their sincerity, their humanitarian motives, those who would sacrifice freedom for security have embarked on this downward path. Plutarch warned, "The real destroyer of the liberties of the people is he who spreads among them bounties, donations and benefits."

The Founding Fathers knew a government can't control the economy without controlling people. And they knew when a government sets out to do that, it must use force and coercion to achieve its purpose. So we have come to a time for choosing.

Public servants say, always with the best of intentions, "What greater service we could render if only we had a little more money and a little more power." But the truth is that outside of its legitimate function, government does nothing as well or as economically as the private sector.

Yet any time you and I question the schemes of the do-gooders, we're denounced as being opposed to their humanitarian goals. It seems impossible to legitimately debate their solutions with the assumption that all of us share the desire to help the less fortunate. They tell us we're always "against," never "for" anything.

We are for a provision that destitution should not follow unemployment by reason of old age, and to that end we have accepted Social Security as a step toward meeting the problem. However, we are against those entrusted with this program when they practice deception regarding its fiscal shortcomings, when they charge that any criticism of the program means that we want to end payments. . . .

We are for aiding our allies by sharing our material blessings with nations which share our fundamental beliefs, but we are against doling out money government to government, creating bureaucracy, if not socialism, all over the world.

We need true tax reform that will at least make a start toward restoring for our children the American Dream that wealth is denied to no one, that each individual has the right to fly as high as his strength and ability will take him. . . . But we can not have such reform while our tax policy is engineered by people who view the tax as a means of achieving changes in our social structure. . . .

Have we the courage and the will to face up to the immorality and discrimination of the progressive tax, and demand a return to traditional proportionate taxation? . . . Today in our country the tax collector's share is 37 cents of every dollar earned. Freedom has never been so fragile, so close to slipping from our grasp.

Are you willing to spend time studying the issues, making yourself aware, and then conveying that information to family and friends? Will you resist the temptation to get a government handout for your community? Realize that the doctor's fight against socialized medicine is your fight. We can't socialize the doctors without socializing the patients. Recognize that government invasion of public power is eventually an assault upon your own business. If some among you fear taking a stand because you are afraid of reprisals from customers, clients, or even government, recognize that you are just feeding the crocodile hoping he'll eat you last.

If all of this seems like a great deal of trouble, think what's at stake. We are faced with the most evil enemy mankind has known in his long climb from the swamp to the stars. There can be no security anywhere in the free world if there is no fiscal and economic stability within the United States. Those who ask us to trade our freedom for the soup kitchen of the welfare state are architects of a policy of accommodation.

They say the world has become too complex for simple answers. They are wrong. There are no easy answers, but there are simple answers. We must have the courage to do what we know is morally right. Winston Churchill said that "the destiny of man is not measured by material computation. When great forces are on the move in the world, we learn we are spirits-not animals." And he said, "There is something going on in time and space, and beyond time and space, which, whether we like it or not, spells duty."

You and I have a rendezvous with destiny. We will preserve for our children this, the last best hope of man on earth, or we will sentence them to take the first step into a thousand years of darkness. If we fail, at least let our children and our children's children say of us we justified our brief moment here. We did all that could be done.

Mr. HUTCHINSON. I would like to read just the closing two paragraphs of Ronald Reagan's speech in 1964 on behalf of Barry Goldwater, a speech that obviously did not turn the tide in that election but a speech that started his

political career, a speech that inspired me to become involved in the political process. He concluded that speech, the speech in 1964 with these words:

They say the world has become too complex for simple answers. They are wrong. There are no easy answers, but there are simple answers. We must have the courage to do what we know is morally right.

You and I have a rendezvous with destiny. We will preserve for our children this, the last best hope on Earth, or we will sentence them to take the first step into a thousand years of darkness. If we fail, at least let our children and our children's children say of us we justified our brief moment here. We did all that could be done.

I cannot say it as Ronald Reagan said it, but his words still have the power of great meaning, and what an inspiration it was to a Nation. And so when he became President of the United States, this great communicator and great optimist infused in us again the feeling that America can be and is a great Nation.

With the Reagan tax cuts, the economic recovery that it spawned, with his repair of our neglected defenses, with his courageous and bold stand to say the words that everybody criticized him for when he called communism, "The Evil Empire," as a result of that and his willingness to stand at the Berlin wall and say to Mr. Gorbachev, "Tear this wall down," it sewed the seeds for what became the collapse of the old Soviet Union and most of communism in the world.

And then perhaps no incident I think reflects the greatness of this man and his impact upon us and how he buoyed us as a people: Republicans, Democrats, and Independents, all Americans how he raised our spirits, inspired us and inspired a Nation than when on January 28, 1986, the space shuttle Challenger exploded just after takeoff, disintegrating into a ball of flame before a world television audience. The disaster understandably stunned America. Never before had the dangers of space exploration been brought home as graphically and as visibly as they were that day. The intensive prelaunch media attention had caused the world to know these seven crew members as we knew few other astronauts. We knew them with an unusual intimacy, and now they were gone. The Nation was staggered.

Then Ronald Reagan took to the airwaves. The President of the United States delivered a 5-minute speech, and he concluded his 5-minute speech by quoting the words written by a Royal Air Force pilot shortly before his death in the battle of Britain, those words that we will remember:

For I have slipped the surly bonds of Earth and touched the face of God.

President Reagan's short speech of 5 minutes, concluding with those words, unified and uplifted and encouraged a heartbroken America.

Tip O'Neill, who was Reagan's political adversary, tough political adversary, with whom he had many fierce arguments and disagreements, later that very day described the moment in which Reagan made that inspiring speech to America. He said, and I quote Tip O'Neill, "Reagan at his best." It was a trying day for all Americans and Ronald Reagan spoke to our highest ideals.

May I say, Tip O'Neill said it right because Ronald Reagan always spoke to our highest ideals. This is a very small tribute but a very fitting and appropriate tribute that we name this airport after one of our greatest Presidents and one of our greatest living Americans, Ronald Reagan.

I thank Senator COVERDELL for his leadership and his willingness to take on this project, and I yield the floor.

Mr. COVERDELL addressed the Chair.

The PRESIDING OFFICER. The Senator from Georgia.

Mr. COVERDELL. The Senator from Arkansas was here yesterday and gave a very inspiring commentary on his legislation to improve American education, but he has matched yesterday. Those were remarkable words, and the personal feeling in connection with the former President is obvious. I watched the same speech and remember just being stunned by it. I didn't really know that much about him, but I remember turning to my mother and saying, "You ought to have heard that speech." Anybody who heard it I think was moved by it. But I really do believe the Senator has captured his optimism, and I commend the Senator for it.

Mr. President, we have been joined by my good colleague from Nevada, who has other matters to talk about. I am going to yield the floor so that he might proceed with his piece of business.

Mr. BRYAN addressed the Chair.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. BRYAN. I ask unanimous consent to speak as if in morning business for a period of time not to exceed 8 minutes.

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

Mr. BRYAN. Let me preface my comments by thanking the senior Senator from Georgia. I am delighted to have a chance to be down here today to talk on an issue. And his willingness to accommodate me is something I appreciate very much.

NUCLEAR WASTE POLICY ACT

Mr. BRYAN. Mr. President, in the Chamber this week and I am sure in the next week a number of my colleagues will be talking about a January 31, 1998, deadline under the Nuclear Waste Policy Act. And as I am sure my colleagues will know, there has been a recent flurry of newspaper ads and radio commercials indicating that was the deadline under the Nuclear Waste Policy Act for high-level nuclear waste to be accepted by the Department of Energy. I want to put those comments and those ads in some perspective so that no one should be misled by the assertions of the nuclear utility industry.

The genesis of our current policy with respect to disposal of high-level waste traces its origins to the Nuclear Waste Policy Act of 1982. It is true that in that piece of legislation it was contemplated the Department of Energy would be in a position to accept high-level nuclear waste, that a period of characterization and study would ultimately send three sites to the President of the United States and the President would select one of those sites.

I think it is important to mention at the outset that even in 1982 a number of Department of Energy experts were uncomfortable, indeed, some were skeptical, that the 1998 deadline could be met, but they were overruled by politicians and the Department of Energy and others.

My colleagues know from my previous statements in the Chamber that this process, whatever its original intent may have been, was politicized immediately. Within the first few weeks after the legislation was enacted, States such as my own, and at that time the State that the distinguished occupant of the Chair represents, the State of Washington, the State of Texas, and others, were denied oversight funds as contemplated in the act and litigation was commenced to gather those funds.

That was an ominous beginning of what later turned out to be an entirely political nonscientific process. The original law contemplated that the entire country would be examined and that, indeed, various types of geological formations would be considered for high-level nuclear waste, and as I have indicated previously that three sites would be chosen and the President of the United States would then make a final determination.

None of that was to be. Shortly after the legislation was enacted, in the following year during the Presidential campaign one region of the country was assured it would not be considered for high-level nuclear waste. An internal memorandum within the Department of Energy indicated that another region would be excluded because of political opposition, and then the ultimate indignity came in 1987 with a piece of legislation that Nevadans will forever regard as the "screw Nevada" bill which completely altered the thrust of the process and said, look, we will choose one State, one site, and that will be the place that we will concentrate our efforts.

That site was at Yucca Mountain. The utilities are now contending that because no site would be available in

1998 to accept all of the high-level nuclear waste, indeed, a crisis atmosphere exists, that there is a call for action and they have proposed an ill-conceived piece of legislation that is S. 104 in our Chamber and H.R. 1270 in the other Chamber.

Let me emphasize that this is not a proposal favored by the scientific community through the Nuclear Waste Technical Review Board, a board established by act of Congress; it is not supported by the Department of Energy. It is the brainchild of the Nuclear Energy Institute, the overarching trade association that purports to advance the interests of nuclear utilities in America.

There is no science involved in this legislation. The utilities argue speciously that because the nuclear waste will not be available for shipment to a repository, indeed, there will be an enormous cost incurred by the Federal Government, that damage claims will approximate as much as $80 billion. This is totally specious, a fictitious number that is spun out of whole cloth. But the solution that has been advanced is much more disturbing and that is S. 104–H.R. 1270. This is a piece of legislation that would emasculate most of the environmental laws that have enjoyed bipartisan support for a quarter of a century, all in the interest of advancing the nuclear utilities' argument. It would create a temporary nuclear waste dump at the Nevada test site, a separate geographical location from Yucca Mountain which is where the permanent storage facility is currently being characterized.

Now, make no mistake that if H.R. 1270 and S. 104 were enacted tomorrow, under no conceivable scenario could any shipments occur in this year or, indeed, for some years into the future.

This interim storage proposal is not only a direct threat to the environmental legislation in this country. It would establish a health and safety standard for us in Nevada with respect to the level of radioactive emissions measured in millirems that would be 25 times the level allowed for safe drinking water. That standard is 4 millirems. By statute this legislation would propose that the acceptable standard for Nevadans, where this waste would be shipped, would be 25 times that level or 100 millirems. No conceivable argument in terms of sound public policy or science would justify such a legislative mandate.

For those who feel, as I do, that progress is being made in balancing the budget, with the possibility of a budget surplus for the first time in nearly three decades, the utilities have crafted a very clever bailout provision. Under the terms of the 1982 act, for each kilowatt of nuclear power generated, there is a mill tax levied. That mill tax goes into a nuclear waste fund, and out of that fund would be the expenses of maintaining a high-level nuclear waste repository, an obligation which would go far beyond the current life expectancy of any currently operating utilities.

Actuarial experts tell us that even under current law that fund is underfunded. That is to say that eventually the taxpayers are going to have to bail that fund out. At no time did the Nuclear Waste Trust Fund financial formula contemplate that it would also pay for a so-called temporary dump, the one that is contemplated in S. 104 and H.R. 1270, so an additional financial burden would be added.

The utilities are not content, however, with destroying that part of the financial basis for the legislation. They would impose a cap or a limitation on the amount of money that could be paid into that fund that would approximate the amount of money spent the previous year from the nuclear waste fund for purposes of this act. Remember that currently that fund, the nuclear waste fund, is underfunded actuarially. They would further limit the amount that goes into the fund, an amount which is going to be necessary for decades ahead, well beyond the life of any nuclear utility. So, by adding the expense of a temporary waste dump, putting a cap on the amount of the fees that are paid into that fund, they guarantee that the American taxpayers will have to come up with tens, perhaps hundreds of millions of dollars from general taxpayer revenue in the outyears. That is simply financially irresponsible. Whatever one thinks of nuclear waste policy, we all ought to be able to agree that we ought not to build into legislation a financial time bomb which would begin ticking upon the enactment of this piece of legislation. This is a utility bailout provision and is bad policy.

The nuclear utilities have litigated this issue. In November 1987 they argue that the Department of Energy must, under the 1982 act, accept immediately delivery of the high-level nuclear waste. That was rejected by the Court. As I have indicated, the Court in deciding the case indicates that there is an appropriate remedy. I think all of us would fairly recognize that the utilities will incur some additional expense as a result of any additional storage capacity that they need to construct on site. So it is conceded by all that the utilities would be entitled to an offset; that is, a reduction in the amount of the mill tax levy paid into the nuclear waste trust fund. Indeed, Secretary Peña has initiated discussion along those lines. But the utilities have rejected that. They have rejected that because that's not what they want. They don't want fairness or an offset. What they want is a bailout, the provisions contained in this legislation, which shift the burden from the utilities to the American taxpayers in staggering amounts in the outyears.

As I have indicated, the Department of Energy does not favor this legislation to establish a temporary waste dump at the Nevada test site. The Nuclear Waste Technical Review Board created by this Congress, comprised of scientists—parenthetically, none of them from my home State—reject the necessity for this action. We would, in effect, be transporting 77,000 tons of high-level nuclear waste to Nevada. That doesn't just get there miraculously. It would pass through 43 States. Fifty million people live within a mile or less of the highway and rail shipment corridors—some of the largest cities in America. Accidents do happen. The potential could be catastrophic. We cannot be unmindful of the fact that in America today we face the threat of terrorist activity. Such was the tragedy of the World Trade Center in New York City, and we have seen other evidences of terrorist activity in our country. What an inviting target, 77,000 tons of high-level nuclear waste being transported across the highways and rail corridors of America.

Finally, the kind of storage that is contemplated at the Nevada test site in this so-called "temporary" facility is known as dry cask storage. That storage is currently available and in use in a number of the utilities in America today, on site, approved by the Nuclear Regulatory Commission with a storage life of 100 years. So, if it is safe for Nevada, why would it not be safe to leave it at its current location—that technology has been approved—and to leave it there until such time as the ultimate issue is resolved of how to deal with this most dangerous and toxic substance known to mankind?

For those who have followed this debate for a number of years, it will come as no surprise that the utilities again have raised this crisis potential or scenario. Two decades ago, before this Senator came to the Chamber, the nuclear power industry was seeking, once again, to try to get the Congress to enact legislation to remove the high-level waste from the reactor sites. That program was then known as the AFR program, away-from-reactor site. If one looks at the arguments in the 1980s in which it was forecast that there would be a brownout, there would be a shortage of electricity in America, that all kinds of catastrophic things would happen to our economy—that was predicted by the mid-1980s if this legislation that was being proposed in the early eighties was not enacted. None of that far-fetched scenario came to be fact. In fact, no utility has suffered a brownout or a failure because of the absence of storage capacity. Many reactors have gone off line because they are no longer safe and others because they are not economically viable. That continues to be the case as recently as earlier this month with the reactor that is intended to be closed within the State of Illinois.

So, there is storage capacity available on site through dry cask storage that avoids the necessity of moving 77,000 metric tons across the highways and rail systems of America, through 43 States, with all of the potential for risk and accident that is inherent in that kind of volume. There is no need to take action. That is the view of the scientific community. That is the view of the Department of Energy. And that is the view of the President, who has indicated, should this legislation reach his desk, he will veto it because it makes no sense in terms of policy.

This is all about nuclear politics, not about nuclear energy policy. I urge my colleagues to be very careful when they listen to some of the advertisements that are currently airing on the radio and in the newspaper. The reality is that there is no crisis. We have been to this play before; same arguments, same results. Not necessary. Bad policy. And we should reject S. 104, H.R. 1270.

I again express my appreciation to the distinguished senior Senator from Georgia for his courtesy and yield the floor.

The PRESIDING OFFICER. The Senator from Arizona.

RENAMING WASHINGTON NATIONAL AIRPORT "RONALD REAGAN NATIONAL AIRPORT"

Mr. McCAIN. Mr. President, I wanted to update my colleagues on this issue of the cost of the renaming of Washington National Airport. C-SPAN viewership is up today because our phones have been ringing quite a bit, both in my office and Senator COVERDELL's office and others. This is a fax that I received just an hour or so ago. It says:

> Dear Senator, I'm watching today's coverage of the Senate on C-SPAN. I note an objection to renaming Washington National Airport the Ronald Reagan National Airport was the $60,000 cost of new signs. In the way that I honor President Reagan and you, I humbly offer the $60,000 cost of these signs.

I will repeat that, Mr. President.

> I honor President Reagan. . . . I humbly offer the $60,000 cost of these signs. Having lived in Alexandria for 5 years, I know that the Washington airport has always been considered the Washington, DC, National Airport, and any argument otherwise is simply partisan and specious. I support you and Senator COVERDELL in your effort to honor President Reagan on his birthday, which sadly could be his last.

Mr. President, I am not, obviously, going to give the name of the individual because of privacy considerations. But we are receiving call after call.

Let's not, as we go through these arguments one by one concerning the airport, let's be sure that the cost of renaming the signs—I find it interesting. They just went through a $1-point-some billion remodeling without a single additional flight going in or out of the airport, yet the question is raised about a $60,000 renaming.

Second, I want to point out again, it in no way affects the founder of our country, the father of our country, George Washington. I know Senator COVERDELL and I—Senator COVERDELL obviously speaks for himself, but I know of no objection if it was Ronald Reagan Washington National Airport. I'm sure we could work out that difficulty.

I yield to the Senator from Georgia.

Mr. COVERDELL. In the original legislation it's the Ronald Reagan Washington National Airport. The House removed the "Washington"—Ronald Reagan National Airport. My amendment was simply in conjunction with that. Yes, just to make it absolutely clear, the original concept of the sponsor was that it was the Ronald Reagan Washington National Airport. If that needed any further clarification, I wanted to add it.

Mr. McCAIN. Let me just finally say I am sorry this controversy has erupted. I hope we can work it out. I hope we can work it out within the next 24 hours amongst all of our colleagues in the Senate. I would like to move forward with it. As I said earlier, I regret we are starting out this year, the first real day of our session, in this kind of a difference of view.

Let me just make one additional point. I cannot speak for the Members on this side of the aisle, but I understand the reverence that many Americans—not just Democrats but also Republicans—have for Robert Kennedy and Jack Kennedy and the entire Kennedy family. If there is some proposal to name the Justice Department building after Robert Kennedy, I would strongly support such an effort. And I would support such a thing in any way. Obviously, he was a former Attorney General of the United States.

But let's not set up these straw men to kind of, certainly not poison the atmosphere here, but it's not a good way for us to begin. I know everyone knows how those of us who knew Ronald Reagan, and the vast majority of Americans, feel about him. So I hope we can get this thing resolved. Again, I thank Senator COVERDELL, who served under President Reagan and knew him as well as anyone and whose idea this was for this very appropriate action. I just hope Senator COVERDELL will be able to make a phone call out to California very soon, at the time of President Reagan's birthday, and inform both President Reagan and Mrs. Reagan that we are honoring him in this very small way. There really is no way we can ever fully honor him for what he has done for the Nation and the world.

I yield the floor.

The PRESIDING OFFICER. The Senator from Georgia.

Mr. COVERDELL. Mr. President, I thank the Senator from Arizona for returning to the floor, for reading this very emotional letter. You know, in a sense the remarks that we have heard here this afternoon all have this common thread of admiration running through them, such as is expressed in this letter, almost as if there is—just during that period of time there was a connection between this man and his call for optimism, his belief in the country. And it evokes these kinds of emotions that were just expressed to us by Senator McCAIN.

I appreciate the Senator's, in a sense, admonition that if there is some common ground here, that would be useful to pursue. At this point, in my view, a statement like this about a figure such as President Reagan stands on its own. That takes nothing away from anyone else or other heroes and heroines. But, if the other side has a goal or something of this nature, I am sure they would find many Republicans who would join with them in honoring that person. We have.

I mention my good friend and colleague from my own State for whom we have named a very prominent new courthouse. I mentioned the Roosevelt Memorial and others. This has not been, as Senator McCAIN indicated, a very good way to begin this session of the Congress.

He has mentioned cost. He has mentioned this article that we are renaming an airport that was named for George Washington. That is not the case. These are roadblocks, and they can only be viewed as an attempt to either throttle the legislation or to extract something from it, which I think diminishes what we are trying to do here.

The suggestion that we are naming a building downtown and that somehow that is all that needs to be done to honor this man—if you go to Eastern Europe and ask the people if that is enough, they would tell you in a hurry, no.

It is surprising to me that, given all that historical period, fewer than a dozen landmarks in our country are dedicated to Ronald Reagan. Fewer than a dozen. Because of President Reagan's enduring legacy and the American people's continuing respect and affection for him, it is fitting that the national airport bear his name for all those who come here, all those from our own country and all those who visit our country. This is a fitting acknowledgment of a massive role in American history.

Many airports are named after famous people. From San Diego's Lindbergh to New York's LaGuardia, Chicago's O'Hare, Washington's Dulles. I might point out that often we refer to it as Washington Dulles Airport. If you look at the little marker for arrivals and destinations, it doesn't just say "D," it alludes to the city, Dulles Washington. It is not because of George

Washington, but because of the Capital City.

The airport is named after former Secretary of State Dulles.

Orange County's John Wayne; and currently there is an effort underway to rename the Los Angeles airport after actor and World War II aviator Jimmy Stewart. President John F. Kennedy was honored by having the Nation's largest international airport named after him in 1964. Sponsors contend that no American statesman of this century deserve this honor more than former President Reagan, our Nation's 40th President. The Reagan era, fondly remembered by tens of millions of Americans, marked the turning point in America's declining fortunes after our defeat in Vietnam and the oil crisis of the seventies.

Buoyed by the contagious optimism of what they call "the Great Communicator"—I never really bought into that term. I accept it, but I always thought some of the people who communicated it were taken aback by his ability to overpower them through his communications, and they would write it off that he is just a great communicator. As history bore out, he was a great leader who had the skill of communicating—Americans were reawakened to their image of themselves and to a great people with a great future. The far-reaching Reagan tax cuts ignited what remains the longest post-World War II economic recovery, a sharp reversal from stagflation of the high tax, high inflation seventies. How quickly we forget the millions and millions and millions of people who secured economic independence because of the economic boom that he unleashed by the argument that if we lower the tax burden on the American people, they will respond with entrepreneurship and hard work, and it will make America strong again. And that is exactly what they did.

His restoration of America's neglected defenses—of course, the Persian Gulf war was led by President George Bush, but I am sure that former President Bush, my good friend, would acknowledge that he had the tools to use that were prepared for by his predecessor for whom he served as Vice President, President Ronald Reagan, the buildup that occurred that allowed us to so successfully vanquish Saddam Hussein.

His restoration of America's neglected defenses, combined with his forceful and eloquent advocacy of American values against the failed ideology of communism, epitomized by his demand in Berlin, "Mr. Gorbachev, tear down this wall," set the stage for the collapse of the evil empire.

How many of us remember the ridicule when he came up with SDI and how fearful it made the Soviet Union, probably one of the single greatest strokes to bring down what he characterized as the evil empire?

According to Russian sources, the technological challenge of the Strategic Defense Initiative, as I just referred to, SDI, envisioned by President Reagan to defend the American people from nuclear attack forced the Soviet regime to adopt policies, like glasnost and perestroika, in a vain attempt to keep up, and instead unleashed the social forces that brought down the system built by Lenin and Stalin.

In short, President Reagan's commitment to restoring the fundamental ideals of the Founding Fathers and the traditional beliefs of the American people to the helm of American national policy at home and abroad marks him as one of America's greatest leaders and a central figure of the 20th century.

Mr. President, throughout the day, as this debate has progressed, beginning with Majority Leader LOTT, who quoted former Prime Minister Margaret Thatcher and her genuine deep-felt respect for President Reagan, I want to read—there was recently a book published where they had world figures comment on President Reagan's Presidency. It would, of course, been incomplete without a statement from Margaret Thatcher. She says:

I . . . met Governor Reagan shortly after my becoming Conservative leader in 1975.

This is long before she was Prime Minister and long before Governor Reagan had been elected President, 5 years.

Even before then, I knew something about him because Denis—

Her husband—

had returned home one evening in the late 1960s full of praise for a remarkable speech Ronald Reagan had just delivered to the Institute of Directors. I read the text myself and quickly saw what Denis meant. When we met in person, I was immediately won over by his charm, sense of humour—

We have heard references all day long to that disarming sense of humor and the ability to communicate by that disarming smile.

. . . I was immediately won over by his charm, sense of humour and directness.

Firmness.

In the succeeding years I read his speeches, advocating tax cuts as the root to wealth creation and stronger defenses as an alternative to detente.

You see, SDI, which we have just heard from Russian authorities broke their back, was not detente. That is not saying we both can obliterate each other. We are saying we are going to protect ourselves from you and we consider yours to be an evil force and we won't accept it. Look how different the world is.

Remember when they met in a summit and the Russians were endeavoring to do SDI in, and it had been built up. He was under enormous pressure to come to an agreement. But when he realized he could not have the agreement, President Reagan, without undoing this new tool to defend the country, said, "I'm leaving." Because despite the embarrassment that might have been to have left without anything productive, the principle outweighed his own fortunes, and he was ready to get on a plane and fly home, having failed but having kept his commitment. That is what she is alluding to here.

In the succeeding years I read his speeches, advocating tax cuts as the root of wealth . . . I also read many of his . . . [radio] broadcasts. . .which his Press Secretary sent over regularly for me. I agreed with them all. In November 1978 we met again in my room in the House of Commons.

In the early years Ronald Reagan had been dismissed by much of the American political elite—

Which, I might add, is probably the reason I read a moment ago that there are fewer than a dozen landmarks to this great American figure—fewer than a dozen. I think we are still dealing with America's political elite.

. . . though [Ronald Reagan was] not [dismissed] by the American electorate, [the political elite saw him] as a right-wing maverick who could not be taken seriously. Now he was seen by many thoughtful Republicans as their best ticket back to the White House. Whatever Ronald Reagan had gained in experience, he had not done so at the expense of his beliefs—

Taking you back to the meeting he had with the Russians over SDI. His beliefs were more important to him than his political fortunes, returning without an agreement. Of course, at the end, as you know, he got the agreement.

I found [his beliefs] stronger than ever. When he left my study, I reflected on how different things might look if such a man [Ronald Reagan] were President of the United States. But, in November 1978, such a prospect seemed a long way off.

The so-called Reagan Doctrine, which Ronald Reagan developed in a speech to both Houses of Parliament in 1982, demonstrated just how potent a weapon in international politics human rights could be. His view was that we should fight the battle of ideas for freedom against communism throughout the world, and refuse to accept the permanent exclusion of the captive nations from the benefits of freedom.

Ronald Reagan understood that America's glory was founded in freedom. And he wanted all the world to be able to enjoy these same benefits.

This unashamedly philosophical approach and the armed strength supporting it transformed the political world. President Reagan undermined the Soviet Union at home by giving hope to its citizens, directly assisted rebellions against illegitimate Communist regimes in Afghanistan and Nicaragua, and facilitated the peaceful transition to democracy in Latin American countries and the Philippines. Of course, previous American Governments had extolled human rights, and President Carter had even declared that they were the "soul" of U.S. foreign policy. Where President Reagan went beyond [he went beyond] these, however, was in making the Soviets the principal target of his human rights campaign, and in moving from rhetorical to material support for anti-Communist

guerrillas in countries where Communist regimes had not securely established themselves. The result [the result] was a decisive advance for freedom in the world. . . . In this instance, human rights and wider American purposes were in complete harmony.

And yet here we are at 4:15 in January 1998, in the twilight of his years, and we are in an argument over whether we ought to name the Nation's Capital airport for him.

How nice it would be if all these new people from Nicaragua to Poland, from East Germany to Afghanistan could have a presence here this afternoon. And we could ask them, "Do you think we ought to name this National Airport for this man of freedom?" I think the resounding ovation would be so loud as to have been heard around the world.

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. GRAMS. 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. GRAMS. Thank you very much.

Mr. President, I just wanted to come to the floor here for a few minutes this afternoon to somewhat join in the debate, but also to add my support to Senate bill S. 1297, that is, renaming the Washington National Airport to the Ronald Reagan National Airport.

I have been kind of saddened by the debate that I have been hearing today on S. 1297 and, again, to rename Washington National Airport as the Ronald Reagan National Airport. I simply cannot believe some of the things I have heard on the floor, that somehow this effort would require a quid pro quo.

Mr. President, in diluting this effort, I think it is insulting that this legislation is being demagoged in this way. This should be a noncontroversial bill. It is a very fitting tribute to a very wonderful American hero. He was a President not just for Republicans, but he was a President for all people. And it should be passed.

This bill should be passed before President Reagan's birthday, which occurs just a week from tomorrow, that is, February the 6th. What a great tribute it would be. You know, I am very proud that this Senate has taken the time to propose that such a fitting tribute be paid to Ronald Reagan. Again, I do not think that it should be turned in any way into a petty or partisan tirade.

I have heard and had a chance to listen to a few of my other colleagues who have been to the floor. And they have delivered some real eloquent statements on what Ronald Reagan has done, what it has meant to them, what they feel that he has done for America.

President Reagan inspired or maybe we could say reinspired a whole generation of Americans, millions of Americans, much in the same way that John F. Kennedy inspired Americans 20 years earlier in 1960. I believe that President Reagan is a man who wanted to leave a legacy, but not a legacy to himself. President Reagan was a man who wanted to leave a legacy to his children and grandchildren and to all Americans that America can be a better place if we only believe in ourselves and what we can do and strive to do better.

I remember listening to him way back in 1976 when he first appeared on the national scene. And I listened to him—and this was at a time when I was not actively involved in politics —but the things he was saying in 1976 were things that I brought to my campaign as late as 1992 and again in 1994. And that was for a better America, a more responsible America, one that was going to deevolutionize Washington, DC, and put more of the control and power back into the hands of State and local governments, but most importantly back into the hands of individuals.

He talked then about a tax cut, balancing the budget, which is all kind of the legacy that we now have the great opportunity to be talking about here as we begin the second half of the 105th Congress in 1998. I think he filled a void in many of us with those words and that inspiration.

I am very proud that this Senate is proposing this fitting tribute. Again, we are not renaming an airport that was originally named in honor of another individual. This is Washington National Airport. It is named after the City of Washington. Renaming the airport does not somehow politicize it. It would not convey some sort of partisan advantage, but it would simply provide, again, a tribute to a great American who has been honored by so many on both sides of the aisle.

This isn't a time to count how many Republicans and how many Democrats have buildings or public facilities that are named after them. This legislation has been around for some time. It simply is not appropriate to make demands at the last minute to hold up this legislation.

Mr. President, the City of Washington has a new airport terminal. It is a magnificent structure that speaks volumes about the pride that Washingtonians feel for this city. It is a fitting reflection of the pride that Americans feel as well for their National Capital.

So again, I cannot think of a more appropriate time than now to give our airport a new name, especially when it is the name of a man who represents such hope and inspiration. Ronald Reagan embodies America, and by giving his name to that of our Capital City airport I think is an honor that he has earned and one that he deserves.

So I am very proud to be a cosponsor of this legislation. And I strongly urge my colleagues to end this debate, to come to the floor and support this legislation and let us pass it.

So I compliment Senator COVERDELL on his efforts on this. And again, I hope we can move this legislation forward and make sure that it is passed by the Senate and the House and signed by the President by next week so we can honor Ronald Reagan on his birthday on February the 6th.

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

Mr. COVERDELL addressed the Chair.

The PRESIDING OFFICER. The Chair recognizes the distinguished Senator from Georgia.

Mr. COVERDELL. Mr. President, I ask unanimous consent that the Senator from New Mexico, Senator DOMENICI, be added as a cosponsor of this legislation.

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

Mr. COVERDELL. Mr. President, I want to thank the Senator from Minnesota for his very fitting and gracious remarks.

I think Senator MCCAIN of Arizona has properly framed a certain sadness about this afternoon. This is a surprising way to start this new session of Congress with the other side constructing roadblocks in front of this type of legislation or trying to exact a quid pro quo, "Well, you can name this if we name that," as we approach, as he calls it, the sunset of his life. He has a birthday next month.

While you might not have always agreed with him, it is clear that former President Reagan was a giant in our time, a giant on the world stage. If you are going to fight him even at this moment, don't do it by minimalist activity, don't do it by some nuance argument over whether or not the name "Washington" is for the city or for former President George Washington. Don't fight an epic world figure by disputing whether or not it will take $60,000 to repaint the signs. What a classic disconnect. Don't do it by saying, "There is another building downtown that has his name on it, isn't that enough?"

I frankly think the former President would feel as Maggie Thatcher suggested, complimented, if you just said we don't want to do it; we just don't want to do that—rather than all these minimalist, ineffective, of absolutely nonequal standing diminutive assertions. It is OK to disagree about doing it or not, but don't do it in this way. Let's at least have respect.

Mr. GORTON. Mr. President, I am pleased to join my colleagues in supporting S. 1297, Senator COVERDELL's bill to rename Washington National Airport in honor of former President Ronald Reagan. As we seek to pay tribute to him, it is important for us to reflect upon President Reagan's place in

history. Few modern leaders have had such an enduring impact on our lives.

President Reagan was elected at a critical time in the history of our nation and our world. In the early 1980s, the country was struggling with an economy plagued with high inflation and unemployment. In the wake of Watergate, the Vietnam War, and the oil crisis, society at large was told by President Carter we were subject to a "national malaise," not without reason. In addition, our armed forces were underfunded and low in morale. The Cold War still dominated our view of the world.

Into this unsettled environment, Ronald Reagan was elected president. His determined leadership, strength of conviction, positive attitude, and faith in his fellow Americans helped change the nation and the world profoundly during his two terms. President Reagan's commitment to national security and the men and women of the armed forces gave our military renewed respect and self-confidence. The nation then took a strong stand against the Soviet Union and helped peaceably to bring about the end of the Cold War and the demise of communism.

President Reagan's view of the role of government still defines the debates we hold in this chamber on a daily basis. He firmly believed that Americans were far better than the government at running their own lives. He also was committed to the free enterprise system and the dynamic spirit of the entrepreneur. Today there are few legislators or other policymakers who cling to the idea that bigger government and more federal spending is good for our economy or the freedom of our citizens.

Mr. President, one of the more important and lasting contributions of our 40th president was the way in which he was able to restore the confidence and optimism of the United States. President Reagan transformed the so-called "malaise" of the late 1970s into a positive attitude that helped give the country faith in its institutions and its future. That is why he justly remains an immensely popular figure in our history.

The foregoing account of President Reagan's achievements is only the beginning of a long list of accomplishments that highlight his time as leader of the free world. One more effort he undertook, however, is worthy of note in this debate. As others have mentioned, it was the Reagan Administration that was able to remove the federal bureaucracy from direct control over National and Dulles Airports. By releasing these airports to local control, they were able to go to the private sector for funding and begin needed improvements. The idea of devolving federal control to the States and localities was at the very core of the president's political philosophy.

For these and many other reasons, I urge my colleagues to support Senator COVERDELL's proposal to rename Washington National Airport as "Ronald Reagan National Airport." Visitors who fly to our nation's capital will always be reminded of the lasting and important contributions made to our country and the world by President Ronald Reagan. I thank the leadership for trying to let us address this bill in time for President Reagan's 87th birthday on February 6, 1998.

Mr. ABRAHAM. Mr. President, I rise today to add my voice to the chorus calling on us to honor a great American and one of our greatest Presidents, Ronald Reagan; a man who in his own words "meant to change a nation and instead changed the world."

President Reagan indeed changed the world in which we live, and much for the better. It is only right, in my view, that we add to the many honors bestowed upon him since his leaving office the important recognition involved in renaming Washington National Airport, in an important sense the nation's airport, the Ronald Reagan National Airport.

It is, of course, a long-standing tradition for us to name important buildings and facilities after those who have rendered extraordinary service to our country. Indeed, the monuments just outside this Chamber were constructed to show our gratitude toward and to honor the memory of great men like George Washington, Abraham Lincoln and Thomas Jefferson, Presidents who helped build America, and led her to safety in time of peril.

These monuments testify to our recognition, as a people, of the greatness of certain leaders; of their contributions and of their character. By these standards, Mr. President, Ronald Reagan well deserves the undoubted honor of having his name affixed to our national airport.

Born of poor parents in America's heartland, Ronald Wilson Reagan worked to put himself through school, to forge for himself a career in Hollywood, the land of American dreams, and finally to rise to the highest office in the land. By the time he left office in 1989, President Reagan had shown his dedication to our nation, her people, her principles and her dreams. He restored our economic health, revived the American spirit, and won the Cold War.

Now in his twilight years, Ronald Reagan can look back on a life of great success, made all the more worthy because it was imbued with what the eminent statesman Edmund Burke called the moral imagination. Few called him an intellectual. But he was blessed with an instinctive sense of right and wrong and the prudence to apply this instinct for himself and the nation he led.

Mr. President, many people find it difficult to fully appreciate the debt we owe Ronald Reagan. But why is this difficult? Because he was so successful at facing down the crises of his time.

Today we find interest rates of 21 percent almost unimaginable. But that is what we had when Ronald Reagan took office. We think of double digit inflation as something only developing nations must face. But Ronald Reagan faced it when he became President. Communism seems a nightmare from the past, best forgotten. But we should not forget that, when Ronald Reagan came to office, it enslaved more than half the people of the world.

America was in peril in 1981. Buffeted by the blows of economic stagflation, mired in spiritual malaise, on the defensive in a hostile world, our nation was in need of a leader with the moral imagination, the faith in himself, our people and God's will necessary to get us back on course. And this Ronald Reagan provided.

With his economic plan emphasizing tax cuts, sound money, deregulation, and free trade, he produced the longest peacetime expansion since World War II. He slew the dragon of inflation, reducing it to a steady 3 percent through his second term. He brought interest rates down into single digits. He put nearly 30 million Americans into new jobs. He increased our national income by nearly a third.

He saved family savings from the ravages of inflation, allowed us once again to make real our dreams of owning our own homes, put us to work and renewed our confidence in our future. In the process he renewed America, and by so doing he literally changed the world.

Mr. President, now that the United States enjoys the luxury of being the world's only superpower, it is easy to forget the world we faced less than two decades ago. But it was a grim prospect, as illustrated by the pundits of the era who encouraged us to get used to an era of "limits" in which we would steadily lose power and influence to an ever-expanding ideology of centralized state power.

Ronald Reagan was considered foolish, even dangerous, because he refused to accept the inevitable spread of communism. He called the Soviet Union an evil empire and predicted its demise within his lifetime. Sheer lunacy, said his critics. And in a sense one can understand this perspective. America's policy elites had been accustomed to a "pragmatic" approach in foreign affairs; one in which America would seek to accommodate Soviet demands and aspirations in the interests of stability. This approach characterized the 1970's—an era during which democracy and freedom were on the run worldwide. Marxist governments gained power in Afghanistan, Nicaragua, Vietnam, Cambodia, Laos, South Yemen, Angola, Mozambique, Ethiopia, and Grenada. For the first time the Soviet

nuclear arsenal surpassed America's. And even our allies seemed leery of identifying themselves too closely with us. Surely, if hard-nosed realism had produced such a disastrous decade, a moral crusade aimed at freeing peoples from the chains of communism would produce Armageddon.

We now know, Mr. President, that moral conviction, combined with determination and a prudent use of national power, need not produce Armageddon. Under President Reagan it produced the single greatest outpouring of human freedom ever seen on this planet.

We live in a freer, safer, more humane world because Ronald Reagan won the Cold War. His insistence, against strong resistance from a Democratic Congress, that we restore our military power rolled back the Soviet legions and bankrupted their economy. His tough bargaining and his willingness to call evil by its name disoriented our Soviet adversaries and eventually brought their downfall.

By 1991, a broken and dispirited Soviet Union collapsed and disintegrated. President Reagan went to Berlin and called on Mikhail Gorbachev to "tear down this wall." Mr. Gorbachev deserves credit for his role in bringing down the Soviet empire. Unfortunately, he had neither the courage nor the foresight to tear down that wall. But the people of Berlin, thanks to Ronald Reagan, had that courage, and they tore down that wall, freeing half a continent, and eventually nearly half the world.

Without firing a shot, Ronald Reagan changed our world for the better. He freed us from fear of nuclear conflagration. He freed us from the dreary acceptance of declining standards of living and the loss of our way of life through slow attrition. He brought America back from the brink of despair, into the shining light of a new dawn of freedom and prosperity.

Ronald Reagan has earned the eternal gratitude of every American, and of every lover of freedom the world over. He has earned his place in the history books as a leader of vision and a man of moral imagination. His name should adorn our national airport.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. FAIRCLOTH). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

A MUST: REFORM OF THE FOREIGN SERVICE ACT OF 1980

Mr. HELMS. Mr. President, my purpose today is to discuss a highly disturbing pattern of abuse and professional misconduct by members of the U.S. Foreign Service and a grievance process that does not adequately penalize individuals who engage in such actions.

This week, Mr. President, I wrote to our friend, the distinguished Secretary of State, Madeleine Albright, regarding the investigation that I have instructed the Foreign Relations Committee staff to undertake during the coming months.

It will be instructive to examine the serious allegations—all documented by the State Department's Inspector General—that have come to my attention during the Foreign Relation Committee's routine review of ambassadorial appointments and the Foreign Service promotion lists submitted to the Senate by the White House.

Now, perhaps the most serious allegation that so far has been brought to my attention involves a United States Ambassador—a career Foreign Service officer, who was forced to resign his ambassadorial post for repeated episodes of sexually harassing female employees under his supervision.

This case was documented by the State Department Inspector General in a 26 page report made available to the Senate Foreign Relations Committee.

In response, the Secretary of State promptly and properly fired this Ambassador this past September. Yet to this day, the U.S. Agency for International Development—our Government's $6 billion foreign aid giveaway agency—continues to employ this former ambassador and, to date, has recommended no reprimand whatsoever for his actions.

The abuses, Mr. President, do not end there. In another instance, a Foreign Service officer in India provided visas to foreign female applicants in return for sex. This reprehensible behavior led to the officer's being suspended without pay for five days. However, the suspension was in effect during the Christmas holiday; therefore his co-workers were unaware of his having been suspended.

Incredibly, Mr. President, despite this gross misconduct and abuse of taxpayers' trust, the Foreign Service officer has been recommended for promotion by the President Clinton of the United States.

In another case, four Foreign Service officers in Manila carried out an elaborate scheme to divert $94,200 in federal government funds to build a squash and racquetball court. For this fraud—which forced the U.S. embassy into violation of U.S. anti-deficiency laws—these Foreign Service officers each received mere seven day suspensions. (and at least one of them has been recommended for promotion!)

In yet another case, a Foreign Service officer remains in the employ of the State Department even after having twice pleaded guilty to, and being convicted of, theft of State Department funds.

The Director General of the Foreign Service recommended that the officer be fired but the Foreign Service Grievance Board (made up of colleagues of the guilty employee) overruled the Director General and overturned the officer's termination. The Secretary of State at the time rightly sought to overrule the Grievance Board, but the courts ruled that the Foreign Service Act of 1980 did not give the Secretary authority to overrule the Grievance Board.

So something is amiss, and I for one propose to try to do something about it because the list goes on and on. A senior career USIA Foreign Service officer in Bangkok, Thailand, falsified an $18,000 grant and thereby violated agency guidelines by approving an expenditure of $19,000 to repair her personal residence. And what do you suppose the officer's penalty was? A one-day suspension! Moreover, after all of that, this FSO was recommended by the President for promotion to the highest ranking Foreign Service position within USIA, despite strong objections from the USIA Inspector General. And to add further insult to American taxpayers, this officer, to this day, has never even been required to repay the stolen $18,000.

By this point, I suspect most Americans would be appalled by such outrageous misbehavior. So, my final example involves a senior career USIA Foreign Service officer nominated by the President to serve as a U.S. ambassador even though the officer received two letters of admonishment for violating USIA regulations.

Despite these letters of admonishment—one for nepotism in 1990, and a second, in 1991, for engaging in extramarital affairs with two journalists while carrying out official U.S. government activities supported by the taxpayers—USIA did not suspend this officer for his actions.

I informed the Secretary of State in my letter that I fear these cases may be merely the tip of a very corrupt iceberg. The fact is that the Department of State continues to employ, and the White House continues to recommend to the Senate for promotion, Foreign Service officers who not only have grossly abused the trust placed in them by American taxpayers, but who, when judged by their peers, have received only the lightest of punishment.

While these abuses themselves are, to say the least, unacceptable, so too are the Foreign Service's responses to them. As I understand it, allowing these individuals—who have committed moral, ethical, and/or professional abuses, or who have defrauded the Federal Government—to remain unscathed in their jobs is being tolerated under the arcane, self-protecting

Foreign Service employment laws. I propose to try to do something about that.

More startling, perhaps, is that the Foreign Service and the President continue to recommend some of these individuals for promotion!

I have recommended to Secretary Albright that we work together to address this issue in legislation. Specifically the Foreign Relations Committee will examine the numerous moral, ethical, and professional lapses of Foreign Service officers and the personnel grievance process to determine whether the cases I have referenced are symptomatic of more severe and pervasive behavior within the Foreign Service. I suspect that deeper investigation will, in fact, show just how widespread these abuses are.

I assure you, Mr. President, that the Foreign Relations Committee will review the punishment given to those Foreign Service officers violating U.S. laws and regulations and how that punishment compares to the way in which similar cases are resolved involving military officers in the Department of Defense and other career officers in federal agencies. The Committee will study the Grievance Board process and recommend necessary amendments to the laws governing the Foreign Service and its grievance procedures.

Mr. President, the point is this, and I shall conclude on this note.

Americans deserve the finest diplomatic representation around the world. Our nation is ill-served when the U.S. career diplomatic corps tolerates moral, ethical, and professional abuses within its ranks and fails adequately to deal with those who are guilty of such abuses.

I say again, Mr. President, that it is my intent to find out the full scope of all of this and to try to do something about it.

I thank the Chair. I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Williams, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting a treaty, two withdrawals, and sundry nominations which were referred to the Committee on Armed Services.

(The nominations received today are printed at the end of the Senate proceedings.)

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. BREAUX:

S. 1583. A bill to suspend temporarily the duty on B-Bromo-B-nitrostyrene; to the Committee on Finance.

By Mr. FRIST (for himself and Mr. DORGAN):

S. 1584. A bill to direct the Administrator of the Federal Aviation Administration to reevaluate the equipment in medical kits carried on, and to make a decision regarding requiring automatic external defibrillators to be carried on, aircraft operated by air carriers, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. MACK (for himself and Mr. GRAHAM):

S. 1585. A bill to provide for the appointment of additional Federal district judges in the State of Florida, and for other purposes; to the Committee on the Judiciary.

By Mr. BUMPERS (for himself, Mr. GRAHAM, Mr. CONRAD, and Mr. INOUYE):

S. 1586. A bill to authorize collection of certain State and local taxes with respect to the sale, delivery, and use of tangible personal property; to the Committee on Finance.

By Mr. HOLLINGS:

S. 1587. A bill to amend the Balanced Budget and Emergency Deficit Control Act of 1985 to ensure the continued enforcement of the pay-as-you-go budget requirement until such time as the budget is balanced in order to protect the social security trust funds, the Federal military retiree trust fund, the highway trust funds, the medicare trust fund, the civil service retirement trust fund, the unemployment trust fund, and the airports trust fund; to the Committee on the Budget and the Committee on Governmental Affairs, jointly, pursuant to the order of August 4, 1977, as modified by the order of April 11, 1986, with instructions that if one Committee reports, the other Committees have thirty days to report or be discharged.

S. 1588. A bill to exclude the social security trust funds, the Federal military retiree trust fund, the highway trust funds, the medicare trust fund, the civil service retirement trust fund, the unemployment trust fund, and the airports trust fund from the annual Federal budget baseline for all purposes including budget enforcement; to the Committee on the Budget and the Committee on Governmental Affairs, jointly, pursuant to the order of August 4, 1977, as modified by the order of April 11, 1986. With instructions that if one Committee reports, the other Committees have thirty days to report or be discharged.

By Mr. HUTCHINSON (for himself, Mr. NICKLES, Mr. COVERDELL, Mr. SESSIONS, Mr. DEWINE, and Mr. MURKOWSKI):

S. 1589. A bill to provide dollars to the classroom; to the Committee on Labor and Human Resources.

By Mr. COVERDELL (for himself, Mr. LOTT, Mr. NICKLES, Mr. MACK, Mr. CRAIG, Mr. MCCONNELL, Mr. GREGG, Mr. COATS, Mr. INHOFE, Mr. MURKOWSKI, Mr. ABRAHAM, Mr. KYL, and Mr. WARNER):

S. 1590. A bill to improve elementary and secondary education; to the Committee on Finance.

By Mr. CAMPBELL:

S. 1591. A bill entitled the "Bulletproof Vest Partnership Grant Act of 1998"; to the Committee on the Judiciary.

By Mr. WARNER:

S. 1592. A bill to amend section 40102(a)(37)(B)(ii) of title 49, United States Code, to modify the definition of the term "public aircraft" to provide for certain transportation by government-owned aircraft; to the Committee on Commerce, Science, and Transportation.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. SPECTER (for himself, Mr. HARKIN, Mr. FRIST, Mr. REED, Ms. SNOWE, Mr. DEWINE, and Mr. D'AMATO):

S. Res. 170. A resolution expressing the sense of the Senate that the Federal investment in biomedical research should be increased by $2,000,000,000 in fiscal year 1999; to the Committee on the Budget.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. FRIST (for himself and Mr. DORGAN):

S. 1584. A bill to direct the Administrator of the Federal Aviation Administration to reevaluate the equipment in medical kits carried on, and to make a decision regarding requiring automatic external defibrillators to be carried on, aircraft operated by air carriers, and for other purposes; to the Committee on Commerce, Science, and Transportation.

THE AVIATION MEDICAL ASSISTANCE ACT OF 1998

Mr. FRIST. Mr. President—I rise today, along with my colleague Senator DORGAN from North Dakota, to introduce the Aviation Medical Assistance Act of 1998.

Thirty years ago the first battery powered portable defibrillator was approved for use. A defibrillator is a medical device that electrically converts an abnormal heart rhythm to a normal rhythm. It can and does save lives. The time between the onset of abnormal rhythm and the application of electrical defibrillatory current is critical. If the time of first defibrillation is between five and six minutes after the onset of abnormal rhythm, the patient survival rate is greater than 40 percent.

One clear example is that of Graeme Seiber of Tennessee. As my colleagues may recall on September 14, 1995, Mr. Seiber went into full cardiac arrest as he stepped off an elevator in the Dirksen building, and collapsed in the corridor near my Senate office.

After heroic actions by members of Senator Chafee's staff, I performed

CPR on Mr. Seiber and when the Capitol Physician's Emergency Response Team arrived, I was able to insert a tube directly into Mr. Seiber's lungs to aid the flow of oxygen. But, most importantly, the team had a portable defibrillator that I used to shock his heart back into a normal rhythm. A team of emergency medical technicians arrived shortly thereafter, and Mr. Seiber was taken to George Washington University Hospital by ambulance.

Because of the quick action of those involved and the use of a portable defibrillator, Graeme Seiber is alive today as one of a very small percentage of patients who actually survive sudden cardiac arrest.

But that was in the United States Senate, which has a competent medical team that responds quickly with the proper medical equipment, like a defibrillator. What would have happened to Mr. Seiber if he suffered cardiac arrest in a setting in which medical care and a defibrillator was not readily available.

This past May, my friend, colleague and fellow Tennessean, Representative JIMMY DUNCAN held a hearing before the House Subcommittee on Aviation, which he chairs, on the quality of medical kits used by the airlines. On November 6, 1997 Representative DUNCAN introduced the Aviation Medical Assistance Act to address concerns that arose from the hearing.

The Aviation Medical Assistance Act of 1997 directs the Administrator of the Federal Aviation Administration to reevaluate regulations regarding the medical equipment and flight attendant training for commercial airlines.

To address the lack of information regarding fatalities on aircraft, the airlines would be required to make an effort to report monthly to the Administrator of the FAA over the course of a year regarding deaths on aircrafts.

The bill also addresses the critical issue of liability arising from individuals assisting in an in-flight medical emergency. The bill declares that the individual rendering aid shall not be liable when attempting to provide medical assistance, except in the case of gross negligence or willful misconduct.

Finally, the bill requires the FAA Administrator to decide whether or not to require automatic external defibrillators on aircraft and in airports. To their credit, two major airlines, Delta Airlines and American Airlines have already initiated a plan to equip their entire fleet with defibrillators and upgrade their medical equipment.

It is critical that individuals who suffer cardiac arrest or other medical emergencies receive quick and proper attention to increase their odds of survival. It is my hope that this legislation will improve emergency medical care for all in-flight emergencies. I would like to thank Congressman DUNCAN for his leadership in the House of Representatives on this important issue. I am also grateful to Senator DORGAN for partnering with me on this potentially lifesaving legislation. I am proud to introduce the companion legislation in the Senate.

By Mr. MACK (for himself and Mr. GRAHAM):

S. 1585. A bill to provide for the appointment of additional Federal district judges in the State of Florida, and for other purposes; to the Committee on the Judiciary.

THE FLORIDA FEDERAL JUDGESHIP ACT OF 1998

Mr. MACK. Mr. President, I come before the Senate today to introduce with my esteemed colleague and friend, Senator Graham, the Florida Federal Judgeship Act of 1998. This legislation will provide the Middle and Southern Districts of Florida with the judgeships which have been recommended for them by the Judicial Conference of the United States. The Middle District would receive three new permanent judgeships and one temporary judgeship (the highest number of new judgeships recommended for any district in the country), while the Southern District would receive two new permanent judgeships.

I would not be introducing this bill if I did not believe there is a real need for increased judicial resources in Florida. The pressures upon our court system, particularly in the Middle District, are some of the most acute in the entire country. The Middle District currently contains 55% of Florida's population, projected to grow to two-thirds of the population by the year 2005; and yet this District has only one-third of Florida's judges. This District also contains the federal correctional center at Coleman. When construction of this facility is completed in FY 1999, it will be the largest prison complex in the country. The increased prisoner petitions which come with this will stretch judicial resources even further.

To add to the problem, a portion of the Middle District has been designated a High Intensity Drug Trafficking Area. While I am pleased that Florida will be receiving additional assistance in the war against drugs, we must also recognize and anticipate the increased demands that this will put upon this district as more criminals are apprehended and prosecuted.

Both districts contain major tourist attractions in frequently visited cities, including Disney World, Universal Studios, and Busch Gardens in Tampa and Orlando and the international playground of South Beach in Miami. This heavy flow of both tourism and winter residents serve to make the needs of these two judicial districts unique in our nation.

The statistics kept by the Administrative Office of the US Courts demonstrate the compelling need for new judges in these districts. The numbers for the latest twelve month period show that the Middle District ranks second in the nation in average cases (adjusted for complexity) filed per judge, with a crushing 855. The Southern District averages 605 per judge. To put this in perspective, the national average for this time period was 519. Clearly, both of these districts are in need of relief.

I urge the Judiciary Committee and the full Senate to consider and pass this legislation expeditiously. I would also like to take this opportunity to express my gratitude to Chairman Hatch for his swift consideration of all of the judicial nominees from Florida last year. The Southern and Middle Districts of Florida received three excellent new district judges, Donald Middlebrooks of West Palm Beach, Alan Gold of Miami, and Richard Lazzara of Tampa. In addition, Judge Stanley Marcus was nominated to the federal appeals court and confirmed by the full Senate in only six weeks. I know I speak for both Senator Graham and myself in saying that we are grateful for Chairman Hatch's responsiveness to the needs of these districts.

It will not be possible to provide Floridians with a safe environment and access to justice unless there is a court system in place which can handle the demands of this dynamic and growing part of our country. This legislation is integral to providing that court system.

Mr. GRAHAM. Mr. President, I am extremely pleased to join with my distinguished colleague from Florida, Senator MACK, in introducing the Florida Federal Judgeship Act of 1998.

This legislation will create six additional U.S. District Court judgeships in Florida—two in the Southern District and four—three permanent and one temporary—in the fast-growing Middle District of Florida.

Mr. President, make no mistake: Florida's federal courts are in the midst of a full-blown crisis. Currently, the Miami-based Southern District has sixteen judges. The Middle District, which also includes the Jacksonville, Tampa, St. Petersburg, Orlando, Sarasota, and Fort Myers metropolitan areas, has eleven.

Because this number of judgeships is too small to meet the increasing demand of Florida's rapidly growing population, judges face overwhelming caseloads, and the public faces a denial of justice.

Prosecutors and law-enforcement personnel are stymied in their efforts to mete out swift justice.

Civil litigants are forced to endure unreasonable waits to bring their cases to resolution.

Prominent legal and judicial officials all over Florida have told us that this is not a tenable situation.

For example, Middle District U.S. Attorney Charles Wilson, whose office is responsible for bringing alleged criminals to trial, has said that the judicial shortage has a "negative and severe" effect on the work of federal prosecutors and law enforcement officials.

Floridians are not alone in their concern about overcrowded court dockets.

In September 1996, the Judicial Conference of the United States—the principal policy-making body of the Federal judiciary, which is chaired by the Chief Justice of the Supreme Court of the United States and comprised of Federal judges from throughout the United States—asked Congress to create four new judgeships in the Middle District and two in the Southern—precisely what our legislation would authorize.

Senator MACK and I are introducing our bill so that Congress can meet the urgent request of the Judicial Conference, and provide the additional judicial resources needed for these two U.S. District Courts to meet their increasing caseload.

We are certain that many States have justifiable concerns about overcrowded Federal District Court dockets. I hope that this Congress this year will meet those needs by considering and adopting the recommendations that the Judicial Conference of the United States submitted to us almost a year and a half ago.

But we also believe that the urgent nature of Florida's judicial crisis makes our State a special case.

I am going to be saying some things about Florida of which I am not proud. They are not positive. But they happen to be the facts as to the circumstances that our Federal courts face.

First, Florida has one of the highest caseloads per judge in the Nation.

For the last several years, the Judicial Conference has proposed all recommendations for increased judgeship based on weighted filings—a number that takes into account both the total number of cases filed per judge and the level of case complexity.

I would like to note that this is a retrospective look. The Judicial Conference looks at prior history, in terms of evaluating future needs. In the case of the State of Florida, because of the rapid growth, which I will soon detail, and because of the time required—a year and a half has already passed since the Judicial Conference did the calculations that I will soon review—Congress has not yet acted on its recommendation to authorize these additional positions. It would then require the process of actually filling those vacancies. So, there will be a gap of many months between the time that the numbers were calculated based on past history, as to what the need was, before relief in the form of an actual human being sitting at a bench to render justice will be in place.

But looking back to the 1996 numbers, the Southern District's weighted filings stood at 588 per judge.

This was 33 percent above the national average of 435 weighted filing per judge.

In the Middle District, the story was even worse—623 weighted filings per judge, a figure that represented one of the highest in the entire nation.

As a result, nearly 1,800 criminal defendants have cases pending in the Middle District.

The story is even worse on the civil side of the docket, where more than 6,200 cases have yet to receive final disposition.

In fact, the situation is so dire that Middle District Chief Judge Elizabeth Kovachevich has announced plans to shut down the Federal courthouses in Jacksonville and Orlando for 3 months this summer and recruit their judges, and any others from around the Nation who can spare the time, to tackle the growing civil case backlog in the Tampa Bay area.

Innovative measures like this may help to alleviate the problem in the short-term.

But the Florida caseload is not going to experience a slowdown in growth anytime soon, and the judicial backlog will get worse unless Congress takes preventative action for the long term.

Second, this legislation recognizes that Florida's largest Federal judicial districts are responsible for a massive area that includes nearly 80 percent of Florida's 15 million residents.

The Southern and Middle Districts combined jurisdiction stretches from Key West—the southernmost city in the continental United States—north to include Miami, Ft. Lauderdale, West Palm Beach, Melbourne, Fort Myers, Sarasota, Tampa, St. Petersburg, Orlando, and Jacksonville.

Florida adds over 200,000 new permanent residents every year.

Between 1980 and 1995, for example, the middle district grew by 52 percent, and it is expected to increase even from this elevated new level by an additional 21 percent in the next decade.

However, since 1990, the last time Congress approved more judges for Florida, our United States district courts have not received any additional resources from the Federal Government to cope with this growth.

Third, this proposal will assist the work of law enforcement officials. If we are committed to assuring that criminals face punishment that is both just but swift, we must be willing to provide resources to all aspects of the judicial system.

In both the southern and middle districts, drug prosecutions and other serious criminal cases make up a large percentage of the total case files. For example, both the southern and middle districts have been designated by this Congress as high-intensity drug trafficking areas. These antidrug zones generate a substantial number of lengthy multidefendant prosecutions, and the addition of judges will help law enforcement officials and prosecutors in their fight against drug crimes.

In addition, the Federal prosecutors and law enforcement officials throughout Florida, but especially in the southern and middle districts, are being forced to spend more time combating the cheats, the fly-by-night operators and the other criminals who are engaged in a systematic campaign to defraud and plunder our Medicare and other health care programs.

Mr. President, as shocking as it is, it has been estimated that nearly 20 percent of all Medicare expenditures in the Southern District of Florida are lost to fraud. Nearly 30 percent of all Medicare fraud nationwide takes place in the State of Florida.

In November of 1997, the new southern district U.S. Attorney Tom Scott pledged to create a comprehensive antifraud task force made up of local, State and Federal law enforcement officials to fight health care fraud. I am optimistic that this new effort will be successful in increasing the number of fraud offenders brought to justice. I am hopeful that it will deter others from entering this pernicious activity. But I am very concerned that unless the southern and middle districts have the adequate number of judges, many of these charlatans will not receive the swift and severe punishment they deserve.

It is vital that we act quickly to resolve this crisis. Since 1991, filings have gone up 21 percent in the middle district; 30 percent in the southern district. Congress and the White House must be vigilant in their shared responsibility for recommending, nominating and confirming Federal judicial nominees.

Mr. President, I commend Chairman ORRIN HATCH, of the Judiciary Committee, and its membership, including our current Presiding Officer, for their recognition of the overcrowding problems facing Florida's Federal district courts.

Last year, the Senate confirmed three Federal district judges—Donald Middlebrooks of West Palm Beach, Alan Gold of Miami, and Richard Lazzara of Tampa—to replace three judges who had retired or taken senior status. From late September of 1997, when Judge Lazzara was confirmed, until yesterday when the President nominated William P. Dimitrouleas of Fort Lauderdale and Judge Steven Mickle of Gainsville to fill openings in the Southern and Northern Districts of Florida, we had no judicial nominations pending before the Senate.

Senator HATCH's and Members' leadership and understanding and their determination to address Florida's special needs are very much appreciated by the residents of our State.

U.S. Federal district courts are the first stop for most citizens involved in the Federal judicial system. Most Federal cases are disposed of at the district court level. It is essential that these citizens have their claims heard in a timely manner.

As the court caseload increases nationally, the Senate must be willing to expand judicial positions where they are needed.

Our legislation is simple, sound and will serve the interest of America and will serve the interest of our State of Florida.

I look forward to working with Senator MACK, with yourself and with the other members of the Judiciary Committee on this matter, Mr. President. I urge all my colleagues to support the passage of this much-needed legislation. For thousands of crime victims, for thousands of civil litigants in Florida's southern and middle judicial districts, justice delayed is rapidly becoming justice denied.

Mr. President, I appreciate the opportunity to join my colleague, Senator MACK, in introducing this legislation.

I ask unanimous consent that two letters which I have received—one from the middle district chief judge, Judge Elizabeth Kovachevich, and one from the U.S. Department of Justice, the U.S. Attorney for the Middle District of Florida, Mr. Charles Wilson—be printed in the RECORD.

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

U.S. DISTRICT COURT,
MIDDLE DISTRICT OF FLORIDA,
Tampa, FL, December 17, 1997.

Hon. BOB GRAHAM,
U.S. Senate, Washington, D.C.

Hon. CONNIE MACK,
U.S. Senate, Washington, D.C.

DEAR SENATORS GRAHAM AND MACK: Initially, I wish to sincerely thank both of you for your respective participations in several of the events scheduled in Tampa on December 12, 1997. Each of you attended two of the four activities, and it certainly was greatly appreciated, and noted, by the other participants and attendees of those respective celebrations. Your presence was a significant contribution toward the success of that day.

Further, your joint letter that was published in the Tampa Tribune last week on December 12 produced great positive reaction on this West Coast of Florida! The Accelerated Trial Calendar is the "last hurrah" for Tampa/Fort Myers by the eleven judges of the Middle District of Florida before senior status claims two of our eleven by the year 2000. If we are successful, we must be prepared to utilize the same tactic in the future in Jacksonville and Orlando.

Consistent with the foregoing, and our efforts to help ourselves, we enclose a *conservative* statistical compilation prepared by our Clerk's office in MD/FL, which graphically demonstrates what would occur *without* the ATC, and, what will happen when we go from eleven to nine active United States District Judges. I remind you that our previous Tampa/Fort Myers chart shows that as of October 31, 1997, our *real* projections for July 1998, without the ATC, would have been 4,400 civil cases and 1,000 criminal cases pending, totaling 5,400 cases for the Tampa/Fort Myers judges!

These next five years will see a congressional election, with consequences in 1999, and, a presidential and congressional election, with consequences in 2001. If this district must wait for national political machinations, we will collapse! Just the plans for H.I.D.T.A. in Tampa and Orlando, during the next three years, and the funding for same, will generate substantial multi-defendant, multi-month prosecutions of persons "targeted for federal sentencing guideline implications;" these are *not* in *any* of our present calculations!

I would hope that the Senate Judiciary Committee will provide us with a hearing to answer any questions regarding your proposed legislation to provide us with *new judgeships* as soon as reasonably possible, perhaps in February 1998.

With warmest personal regards, I am

Sincerely yours,

ELIZABETH A. KOVACHEVICH,
Chief Judge, Middle District of Florida.

U.S. DEPARTMENT OF JUSTICE,
Tampa, FL, May 21, 1997.

Hon. BOB GRAHAM,
U.S. Senate, Washington, D.C.

Hon. CONNIE MACK,
U.S. Senate, Washington, D.C.

DEAR SENATORS GRAHAM AND MACK: You have requested comment from the United States Attorney regarding the impact of the shortage of resident District Court Judges on the U.S. Attorney's Office for the Middle District of Florida. I write to report that the impact is negative and severe.

For our Criminal Division, the most direct effect of the judicial shortage is the assignment of cases to visiting judges for trial. Although visiting judges provide a great service to the Middle District, the use of them for a substantial number of criminal trials poses several problems. First, the very fact that a case is transferred to a visiting judge's docket often causes unnecessary delay. Secondly, I am advised by Assistant United States Attorneys that visiting judges are, understandably, not as well-versed in Eleventh Circuit case law, requiring the expenditure of additional time by both prosecution and defense attorneys in addressing significant legal issues during the course of a case. Finally, the Middle District of Florida is one of the leaders in the country in the filing of multiple-defendant and complex white collar crime litigation characterized by longer trials. For example, last year, our office prosecuted 16 members of the Outlaws Motorcycle Gang for conspiracy, racketeering and other offenses. The trial lasted for eighteen weeks. During that period of time, the cases assigned to the presiding judge accumulated without the judicial attention that they would have ordinarily received. Given our present prosecution priorities (i.e., drug trafficking, violent crime, health care fraud and telemarketing fraud), we expect that the number of multiple-defendant and sophisticated white collar criminal cases will continue to increase in the future. In fact, many such cases are awaiting trial at the present time.

Thus far in Fiscal Year 1997, 32 per cent of criminal jury trials (8/25) in the Tampa Division of the Middle District of Florida were conducted by visiting judges. Another 20% of these trials (5/25) were conducted by a judge on senior status. In our Ft. Myers Division, where we presently have seven criminal AUSAs but no resident district Court Judge, fully 91% (10/11) of the criminal trials were conducted by a visiting judge.

Our Ft. Myers Division is most severely impacted by the judicial shortage. Because of the absence of a resident judge, Ft. Myers cases are assigned to Tampa judges. As a result, some cases that should be tried in Ft. Myers are moved to Tampa to accommodate the judges' busy schedules. This includes many cases that are important to the citizens in and around Ft. Myers. In fact, the bigger the case (and thus the more local attention warranted by it) the more likely it is to be transferred to Tampa for no other reason than the Court's schedule. Transfers are also expensive. Even for relatively insignificant hearings in a case, if there is a disputed issue, all attorneys, parties and witnesses must take an entire day to drive to Tampa and back. If a Ft. Myers case is tried by a Tampa Judge in Tampa, my office must incur the travel and accommodation expense of the Ft. Myers AUSA originally assigned to the case.

Our Civil Division is also impacted quite directly by the shortage of Article III judges in our District. First, in light of their heavy caseload, District Court judges typically do not have the time to grant oral argument in connection with sophisticated motions to dismiss or motions for summary judgment in civil cases. The result is that the judges take several months to decide motions that might otherwise be disposed of quite promptly if oral argument were heard. In those cases where the motions are meritorious, the delay results in unnecessary expenditures on expert witnesses and other pretrial matters, all to the great detriment of the parties even if the correct result is ultimately reached. Worse yet, meritorious motions are sometimes denied only to have the court adopt the movant's legal position after trial (the first time the judge has had a real chance to ponder the case), suggesting that trial was in fact unnecessary. We believe that these problems would be avoided by oral argument in many instances, but we recognize that our overburdened judiciary simply does not have the luxury to grant oral argument very often.

Second, the lack of a judge in Fort Myers has a serious negative impact on civil cases there. By way of illustration, we are presently prosecuting a complex "fair housing" case in the Fort Myers Division. At one point the District Court judge transferred the case to Tampa, notwithstanding that numerous victims reside in south or southwest Florida and would have been substantially inconvenienced by a Tampa trial. On our motion, the case was transferred back to Fort Myers, but it cannot be tried for many months. If a judge were resident there, this case would probably have been tried already.

FInally, civil cases which for some reason are not reached on the calendar of one of the visiting judges usually roll to the next month in which a nonresident judge will be visiting, as opposed to the next calendar month. This causes significant unwarranted delay. For example, in a large pending discrimination case, an opposing counsel who appears particularly reluctant to go to trial was able to obtain a continuance, thereby delaying the case not for one month, but for approximately five. This phenomenon would also be eliminated by additional judgeships.

I hope the information supplied herein is helpful. If I can be of further assistance, please let me know.

Sincerely yours,

CHARLES R. WILSON,
U.S. Attorney.

By Mr. BUMPERS (for himself, Mr. GRAHAM, Mr. CONRAD, and Mr. INOUYE):

S. 1586. A bill to authorize collection of certain State and local taxes with respect to the sale, delivery, and use of tangible personal property; to the Committee on Finance.

THE CONSUMER AND MAIN STREET PROTECTION ACT OF 1998

Mr. BUMPERS. Mr. President, I rise today to introduce legislation to resolve a serious problem facing consumers and Main Street businesses in America. This problem allows consumers to be misled regarding their tax liabilities and puts Main Street businesses at a competitive disadvantage vis-a-vis out-of-State companies. The problem of which I speak is the loophole that allows companies to ship goods across State lines without collecting the taxes due on those goods.

My bill, The Consumer and Main Street Protection Act of 1998, will give States the option if they choose, of removing this unfair advantage enjoyed by out-of-State companies. The legal effect will be to authorize a State or local jurisdiction to require out-of-State companies to collect use taxes on sales of personal property delivered into that State or local jurisdiction, if that State taxes its own citizens on retail sales.

This bill does not create a new tax. Indeed, it doesn't create a tax at all. It merely deals with how existing taxes are collected. Specifically, it would allow States, if they choose, to shift the burden of collecting and remitting use taxes from the consumer to the company.

At this point, I should clarify the meaning of the term "use tax." A use tax is a tax on goods purchased in one jurisdiction for use in another jurisdiction. For example, goods purchased in Tennessee for use in Arkansas are subject to an Arkansas use tax. Use taxes are used to keep people from avoiding sales taxes. If a State doesn't have a use tax, its citizens can avoid paying sales taxes by making purchases in another State. By imposing a use tax equal to its sales tax, States can remove the incentive to engage in tax circumvention.

Therefore, in the 45 States which presently have sales and use taxes, consumers are legally obligated to pay those taxes, whether the purchases are made at a local department store, via mail order, or over the internet. Unfortunately, catalog companies typically do not make their customers aware of this obligation—in fact, some mislead customers into believing that out-of-State purchases are "tax free." This, of course, is patently false. The company may be exempt from collecting use taxes, but the customer is still liable for paying those taxes directly to the State revenue department on every out-of-State purchase.

This situation causes three serious problems. First, consumers are often shocked to discover that their "tax-free" purchase is not really tax free. State revenue departments inform tens of thousands of consumers every year of this sad fact. The consumer finds he is liable for back taxes, interest and penalties.

Second, Main Street retailers are placed in an unfair position vis-a-vis mail order houses. This occurs because mail order products if no tax is collected, are cheaper than if bought in Main Street department stores. Not only do most mail order houses not collect use taxes, they don't tell their customers that they are legally liable to pay the tax.

Third, State and local governments lose revenues because billions of dollars of the taxes are never collected. According to the Advisory Commission on Intergovernmental Relations, State and local governments lose over $3.3 billion a year for this reason. This occurs, even as mail order companies impose significant costs on State and local governments by sending an avalanche of catalogs and product packaging to municipal landfills. Every year over 3 million tons of third class mail, most of which is catalogs, goes to landfills in this country. This is not surprising considering the billions of catalogs which consumers receive in the mail every year. One company alone, Fingerhut, Inc., mails out nearly 500 million catalogs annually. With mail order sales growing by approximately 6 percent per year, this burden on State and local government will increase significantly in coming years.

THE BELLAS HESS AND QUILL CASES

A short discussion of case law is in order to explain why this matter requires Congressional intervention. The Supreme Court has twice considered the question of whether a State may impose tax collections duties on an out-of-State mail order company. In 1967, the Court ruled in National Bellas Hess v. Department of Revenue that such a State action violated both the Due Process Clause and the Commerce Clause of the United States Constitution. Bellas Hess therefore made it impossible for Congress to craft a legislative solution to the problem: although the Commerce Clause is the exclusive domain of Congress, the Due Process Clause is not subject to Congressional discretion. As long as the due process holding from Bellas Hess remained good law, Congress' hands were tied.

In 1992, however, the Supreme Court overruled the due process portion of Bellas Hess. In Quill Corporation versus North Dakota, the Court revisited the issue of mail order tax collection and, applying a more modern due process analysis, concluded that mail order activities now constitute a sufficient connection to the State to justify the tax collection requirement. In other words, a State's imposition of tax collection requirements on an out-of-State mail order company no longer offends due process.

The Quill case therefore clears the way for Congress to act on this issue.

Although Quill did not overrule the Commerce Clause portion of Bellas Hess, that holding does not preclude Congressional action. As I mentioned earlier, because the Commerce Clause grants Congress exclusive authority over interstate commerce, Congress may, if it chooses, grant the States the authority to require out-of-State tax collection. Indeed, the Supreme Court expressly acknowledged in Quill that "Congress is now free to decide whether, when, and to what extent the States may burden interstate mail-order concerns with a duty to collect use taxes."

PROTECTIONS AGAINST UNDUE BURDENS ON BUSINESS

In writing this bill, I have taken great care to insure that it does not place an undue burden on business—particularly small business. I have included four provisions designed to protect against an overburdensome effect: (1) De minimus provision—The Act expressly exempts any company whose total U.S. revenue is less than $3 million. The exemption will not apply, however, in any State where the company's revenue exceeds $100,000; (2) One-rate-per-State provision—In situations where an out-of-State company is subject to multiple local tax rates in a single State, the company will have the option of paying each applicable local rate or paying one standard rate, called an "in-lieu fee;" (3) Filing frequency limitation—States may not require out-of-State companies to file tax returns more than once per quarter; (4) Mandatory information service—States must maintain a toll-free telephone service to provide out-of-State companies with necessary tax information and forms.

WHAT THE BILL DOES NOT DO

The intent of this bill is not to injure the mail order industry. There are many fine mail order companies in America which offer many useful products, and I have no quarrel with any of them aside from their exemption from collecting use taxes. The intent of the bill is merely to insure that consumers are protected and Main Street businesses are treated equitably in relation to companies located out-of-State.

Let me repeat, this bill does not create a new tax. It merely allows for the fair and equitable collection of existing taxes. If the residents of a State do not wish to pay a use tax, then they can repeal that use tax. That is their prerogative. But if they choose to have a use tax, the Federal Government should allow them to enforce it. That is what this bill does—it authorizes the States to collect taxes fairly and evenly from all who conduct business in the State.

Finally, this bill is not a preemption of the States' power to tax. In fact,

States are not required to take any action as a result of this bill. They may completely ignore this legislation and continue their present tax collection methods. This bill merely grants the States a power presently denied under the Commerce Clause and imposes the limitations on that power which are necessary to insure that the resulting burden on out-of-State companies is not unreasonable.

BROAD SUPPORT

This measure has already gained extensive support. The legislation was crafted with the input of a broad-based coalition of business and governmental associations. They represent large constituencies in every State, all of which actively and vocally support the bill. Mr. President, I ask unanimous consent that a list of these organizations be printed in the RECORD.

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

SUPPORTERS OF THE CONSUMER AND MAIN STREET PROTECTION ACT OF 1998

BUSINESS ASSOCIATIONS

Home Furnishing International
International Council of Shopping Centers
Jewelers of America
Marine Operators Association of America
Marine Retailers Association of America
National Floor Covering Association
National Home Furnishings Association
North American Retail Dealers Association
Performance Warehouse Association
Computing Technology Industry Association
National Association of Retail Druggists
National Office Products Association
National Small Business United
International Home Furnishings Representatives Association

STATE AND LOCAL GOVERNMENT ASSOCIATIONS

National Governors' Association
National Conference of State Legislatures
National Association of Counties
National League of Cities
U.S. Conference of Mayors
Multistate Tax Commission
Federation of Tax Administrators
Government Finance Officers Association
National Association of State Budget Officers
National Association of State Auditors, Comptrollers and Treasurers
National Association of State Treasurers

EDUCATION AND LABOR ORGANIZATIONS

AFL-CIO Public Employees Department
American Federation of State, County and Municipal Employees
American Federation of Teachers
National School Boards Association
American Association of School Administrators
National Education Association

Mr. BUMPERS. Mr. President, I urge my colleagues in the Senate to carefully consider this issue. It is very important for the continued vitality of Main Street America, and I invite you to join in this effort to ensure fair competition in American business.

Mr. President, I ask unanimous consent that the bill and outline be printed in the RECORD.

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

S. 1586

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 "Consumer and Main Street Protection Act of 1997".

SEC. 2. FINDINGS.

The Congress finds that—

(1) merchandise purchased from out-of-State firms is subject to State and local sales taxes in the same manner as merchandise purchased from in-State firms,

(2) State and local governments generally are unable to compel out-of-State firms to collect and remit such taxes, and consequently, many out-of-State firms choose not to collect State and local taxes on merchandise delivered across State lines,

(3) moreover, many out-of-State firms fail to inform their customers that such taxes exist, with some firms even falsely claim that merchandise purchased out-of-State is tax-free, and consequently, many consumers unknowingly incur tax liabilities, including interest and penalty charges,

(4) Congress has a duty to protect consumers from explicit or implicit misrepresentations of State and local sales tax obligations,

(5) small businesses, which are compelled to collect State and local sales taxes, are subject to unfair competition when out-of-State firms cannot be compelled to collect and remit such taxes on their sales to residents of the State,

(6) State and local governments provide a number of resources to out-of-State firms including government services relating to disposal of tons of catalogs, mail delivery, communications, and bank and court systems,

(7) the inability of State and local governments to require out-of-State firms to collect and remit sales taxes deprives State and local governments of needed revenue and forces such State and local governments to raise taxes on taxpayers, including consumers and small businesses, in such State,

(8) the Supreme Court ruled in Quill Corporation v. North Dakota, 112 S. Ct. 1904 (1992) that the due process clause of the Constitution does not prohibit a State government from imposing personal jurisdiction and tax obligations on out-of-State firms that purposefully solicit sales from residents therein, and that the Congress has the power to authorize State governments to require out-of-State firms to collect State and local sales taxes, and

(9) as a matter of federalism, the Federal Government has a duty to assist State and local governments in collecting sales taxes on sales from out-of-State firms.

SEC. 3. AUTHORITY FOR COLLECTION OF SALES TAX.

(a) IN GENERAL.—A State is authorized to require a person who is subject to the personal jurisdiction of the State to collect and remit a State sales tax, a local sales tax, or both, with respect to tangible personal property if—

(1) the destination of the tangible personal property is in the State,

(2) during the 1-year period ending on September 30 of the calendar year preceding the calendar year in which the taxable event occurs, the person has gross receipts from sales of such tangible personal property—

(A) in the United States exceeding $3,000,000, or

(B) in the State exceeding $100,000, and

(3) the State, on behalf of its local jurisdictions, collects and administers all local sales taxes imposed pursuant to this Act.

(b) STATES MUST COLLECT LOCAL SALES TAXES.— Except as provided in section 4(d), a State in which both State and local sales taxes are imposed may not require State sales taxes to be collected and remitted under subsection (a) unless the State also requires the local sales taxes to be collected and remitted under subsection (a).

(c) AGGREGATION RULES.—All persons that would be treated as a single employer under section 52 (a) or (b) of the Internal Revenue Code of 1986 shall be treated as one person for purposes of subsection (a).

(d) DESTINATION.—For purposes of subsection (a), the destination of tangible personal property is the State or local jurisdiction which is the final location to which the seller ships or delivers the property, or to which the seller causes the property to be shipped or delivered, regardless of the means of shipment or delivery or the location of the buyer.

SEC. 4. TREATMENT OF LOCAL SALES TAXES.

(a) UNIFORM LOCAL SALES TAXES.—

(1) IN GENERAL.—Sales taxes imposed by local jurisdictions of a State shall be deemed to be uniform for purposes of this Act and shall be collected under this Act in the same manner as State sales taxes if—

(A) such local sales taxes are imposed at the same rate and on identical transactions in all geographic areas in the State, and

(B) such local sales taxes imposed on sales by out-of-State persons are collected and administered by the State.

(2) APPLICATION TO BORDER JURISDICTION TAX RATES.—A State shall not be treated as failing to meet the requirements of paragraph (1)(A) if, with respect to a local jurisdiction which borders on another State, such State or local jurisdiction—

(A) either reduces or increases the local sales tax in order to achieve a rate of tax equal to that imposed by the bordering State on identical transactions, or

(B) exempts from the tax transactions which are exempt from tax in the bordering State.

(b) NONUNIFORM LOCAL SALES TAXES.—

(1) IN GENERAL.—Except as provided in subsection (d), nonuniform local sales taxes required to be collected pursuant to this Act shall be collected under one of the options provided under paragraph (2).

(2) ELECTION.—For purposes of paragraph (1), any person required under authority of this Act to collect nonuniform local sales taxes shall elect to collect either—

(A) all nonuniform local sales taxes applicable to transactions in the State, or

(B) a fee (at the rate determined under paragraph (3)) which shall be in lieu of the nonuniform local sales taxes described in subparagraph (A).

Such election shall require the person to use the method elected for all transactions in the State while the election is in effect.

(3) RATE OF IN-LIEU FEE.—For purposes of paragraph (2)(B), the rate of the in-lieu fee for any calendar year shall be an amount equal to the product of—

(A) the amount determined by dividing total nonuniform local sales tax revenues collected in the State for the most recently completed State fiscal year for which data is available by total State sales tax revenues for the same year, and

(B) the State sales tax rate.

Such amount shall be rounded to the nearest 0.25 percent.

(4) NONUNIFORM LOCAL SALES TAXES.—For purposes of this Act, nonuniform local sales taxes are local sales taxes which do not meet the requirements of subsection (a).

(c) DISTRIBUTION OF LOCAL SALES TAXES.—

(1) IN GENERAL.—Except as provided in subsection (d), a State shall distribute to local jurisdictions a portion of the amounts collected pursuant to this Act determined on the basis of—

(A) in the case of uniform local sales taxes, the proportion which each local jurisdiction receives of uniform local sales taxes not collected pursuant to this Act,

(B) in the case of in-lieu fees described in subsection (b)(2)(B), the proportion which each local jurisdiction's nonuniform local sales tax receipts bears to the total nonuniform local sales tax receipts in the State, and

(C) in the case of any nonuniform local sales tax collected pursuant to this Act, the geographical location of the transaction on which the tax was imposed.

The amounts determined under subparagraphs (A) and (B) shall be calculated on the basis of data for the most recently completed State fiscal year for which the data is available.

(2) TIMING.—Amounts described in paragraph (1) (B) or (C) shall be distributed by a State to its local jurisdictions in accordance with State timetables for distributing local sales taxes, but not less frequently than every calendar quarter. Amounts described in paragraph (1)(A) shall be distributed by a State as provided under State law.

(3) TRANSITION RULE.—If, upon the effective date of this Act, a State has a State law in effect providing a method for distributing local sales taxes other than the method under this subsection, then this subsection shall not apply to that State until the 91st day following the adjournment sine die of that State's next regular legislative session which convenes after the effective date of this Act (or such earlier date as State law may provide). Local sales taxes collected pursuant to this Act prior to the application of this subsection shall be distributed as provided by State law.

(d) EXCEPTION WHERE STATE BOARD COLLECTS TAXES.—Notwithstanding section 3(b) and subsections (b) and (c) of this section, if a State had in effect on January 1, 1995, a State law which provides that local sales taxes are collected and remitted by a board of elected States officers, then for any period during which such law continues in effect—

(1) the State may require the collection and remittance under this Act of only the State sales taxes and the uniform portion of local sales taxes, and

(2) the State may distribute any local sales taxes collected pursuant to this Act in accordance with State law.

SEC. 5. RETURN AND REMITTANCE REQUIREMENTS.

(a) IN GENERAL.—A State may not require any person subject to this Act—

(1) to file a return reporting the amount of any tax collected or required to be collected under this Act, or to remit the receipts of such tax, more frequently than once with respect to sales in a calendar quarter, or

(2) to file the initial such return, or to make the initial such remittance, before the 90th day after the person's first taxable transaction under this Act.

(b) LOCAL TAXES.—The provisions of subsection (a) shall also apply to any person required by a State acting under authority of this Act to collect a local sales tax or in-lieu fee.

SEC. 6. NONDISCRIMINATION AND EXEMPTIONS.

Any State which exercises any authority granted under this Act shall allow to all persons subject to this Act all exemptions or other exceptions to State and local sales taxes which are allowed to persons located within the State or local jurisdiction.

SEC. 7. APPLICATION OF STATE LAW.

(a) PERSONS REQUIRED TO COLLECT STATE OR LOCAL SALES TAX.—Any person required by section 3 to collect a State or local sales tax shall be subject to the laws of such State relating to such sales tax to the extent that such laws are consistent with the limitations contained in this Act.

(b) LIMITATIONS.—Except as provided in subsection (a), nothing in this Act shall be construed to permit a State—

(1) to license or regulate any person,

(2) to require any person to qualify to transact intrastate business, or

(3) to subject any person to State taxes not related to the sales of tangible personnel property.

(c) PREEMPTION.—Except as otherwise provided in this Act, this Act shall not be construed to preempt or limit any power exercised or to be exercised by a State or local jurisdiction under the law of such State or local jurisdiction or under any other Federal law.

SEC. 8. TOLL-FREE INFORMATION SERVICE.

A State shall not have power under this Act to require any person to collect a State or local sales tax on any sale unless, at the time of such sale, such State has a toll-free telephone service available to provide such person information relating to collection of such State or local sales tax. Such information shall include, at a minimum, all applicable tax rates, return and remittance addresses and deadlines, and penalty and interest information. As part of the service, the State shall also provide all necessary forms and instructions at no cost to any person using the service. The State shall prominently display the toll-free telephone number on all correspondence with any person using the service. This service may be provided jointly with other States.

SEC. 9. DEFINITIONS.

For the purposes of this Act—

(1) the term "compensating use tax" means a tax imposed on or incident to the use, storage, consumption, distribution, or other use within a State or local jurisdiction or other area of a State, of tangible personal property;

(2) the term "local sales tax" means a sales tax imposed in a local jurisdiction or area of a State and includes, but is not limited to—

(A) a sales tax or in-lieu fee imposed in a local jurisdiction or area of a State by the State on behalf of such jurisdiction or area, and

(B) a sales tax imposed by a local jurisdiction or other State-authorized entity pursuant to the authority of State law, local law, or both;

(3) the term "person" means an individual, a trust, estate, partnership, society, association, company (including a limited liability company) or corporation, whether or not acting in a fiduciary or representative capacity, and any combination of the foregoing;

(4) the term "sales tax" means a tax, including a compensating use tax, that is—

(A) imposed on or incident to the sale, purchase, storage, consumption, distribution, or other use of tangible personal property as may be defined or specified under the laws imposing such tax, and

(B) measured by the amount of the sales price, cost, charge or other value of or for such property; and

(5) the term "State" means any of the several States of the United States, the District of Columbia, the Commonwealth of Puerto Rico, and any territory or possession of the United States.

SEC. 10. EFFECTIVE DATE.

This Act shall take effect 180 days after the date of the enactment of this Act. In no event shall this Act apply to any sale occurring before such effective date.

OUTLINE OF THE CONSUMER AND MAIN STREET PROTECTION ACT OF 1998

Effect: Congress would give states the authority to require out-of-state sellers to collect the sales taxes due on goods shipped into the state. Under current law, out-of-state companies are exempt from collecting these taxes, even though consumers must pay them. This places an inappropriate burden on the consumer and places local retailers at a competitive disadvantage.

Not a New Tax: The Act does not create a new tax. It merely deals with how existing taxes are collected, shifting the burden of collecting those taxes from the consumer to the company.

Small Companies Exempted: A company will be exempt if its nationwide sales are less than $3 million. The exemption will not apply in any state where the company's sales exceed $100,000.

One Rate Per State: The Act will not require complicated tax calculations. Rather than dealing with a variety of state and local rates, companies will have the option of collecting a single blended rate for each state into which products are shipped.

Filing Frequency: Under the Act, out-of-state companies will only have to file tax returns once per quarter.

Toll-Free Information Service: To utilize the Act, states must establish a toll-free information service to provide out-of-state companies with necessary information and forms.

Distribution of Local Sales Taxes: State governments must remit to local jurisdictions the appropriate local share of taxes collected from out-of-state companies. To ensure this, the Act requires states to distribute local taxes collected out-of-state in the same proportion as local taxes collected in-state. Distributions must occur at least once every calendar quarter.

Uncollected Sales Taxes on Mail Order Goods, 1994

	Millions
Alabama	$48.6
Arizona	44.4
Arkansas	19.6
California	482.8
Colorado	47.9
Connecticut	50.4
D.C.	9.9
Florida	168.9
Georgia	72.9
Hawaii	9.8
Idaho	9.7
Illinois	233.1
Indiana	54.5
Iowa	28.3
Kansas	33.5
Kentucky	41.7
Louisiana	61.9
Maine	13.3
Maryland	60.1
Massachusetts	69.0
Michigan	108.4
Minnesota	53.1
Mississippi	28.0
Missouri	63.5
Nebraska	17.4
Nevada	17.4

	Millions
New Jersey	112.2
New Mexico	16.8
New York	359.4
North Carolina	71.1
North Dakota	5.8
Ohio	116.3
Oklahoma	41.8
Pennsylvania	145.0
Rhode Island	14.2
South Carolina	31.3
South Dakota	7.3
Tennessee	68.8
Texas	235.2
Utah	16.8
Vermont	6.0
Virginia	59.9
Washington	76.2
West Virginia	18.6
Wisconsin	46.6
Wyoming	4.4
Total	3,301.5

Source: Advisory Commission on Intergovernmental Relations.

By Mr. CAMPBELL:

S. 1591. A bill entitled the "Bulletproof Vest Partnership Grant Act of 1998"; to the Committee on the Judiciary.

THE BULLETPROOF VEST PARTNERSHIP GRANT ACT OF 1998

Mr. CAMPBELL. Mr. President, today I am introducing the Bulletproof Vest Partnership Grant Act of 1998, a bill to establish a matching grant program to help State, Tribal and local jurisdictions purchase armor vests for the use by law enforcement officers. I also am working with my colleague, Senator LEAHY, on an expanded version of body armor legislation.

There are far too many law enforcement officers who patrol our streets and neighborhoods without the proper protective gear against violent criminals. As a former deputy sheriff, I know first-hand the risks which law enforcement officers face everyday on the front lines protecting our communities.

Today, more than ever, violent criminals have bulletproof vests and deadly weapons at their disposal. In fact, figures from the U.S. Department of Justice indicate that approximately 150,000 law enforcement officers—or 25 percent of the nation's 600,000 state and local officers—do not have access to bulletproof vests.

The evidence is clear that a bulletproof vest is one of the most important pieces of equipment that any law enforcement officer can have. Since the introduction of modern bulletproof material, the lives of more than 1,500 officers have been saved by bulletproof vests. In fact, the Federal Bureau of Investigation has concluded that officers who do not wear bulletproof vests are 14 times more likely to be killed by a firearm than those officers who do wear vests. Simply put, bulletproof vests save lives.

Unfortunately, many police departments do not have the resources to purchase vests on their own. The Bulletproof Vest Partnership Grant Act of 1998 would form a partnership with state and local law enforcement agencies in order to make sure that every police officer who needs a bulletproof gets one. It would do so by authorizing up to $25 million per year for a new grant program within the U.S. Department of Justice. The program would provide 50–50 matching grants to state and local law enforcement agencies and Indian tribes to assist in purchasing bulletproof vests and body armor. To make sure that no police department is left out of the program, the matching requirement could be waived for those jurisdictions that cannot afford it.

This bill is a companion to legislation introduced in the House of Representatives by Congressman PETER J. VISCLOSKY from Indiana. That legislation already has over 200 cosponsors.

This bill has been endorsed by the Fraternal Order of Police, the National Sheriffs' Association, the International Union of Police Associations, the Police Executive Research Forum, the International Brotherhood of Police Officers, and the National Association of Police Organizations.

While we know that there is no way to end the risks inherent to a career in law enforcement, we must do everything possible to ensure that officers who put their lives on the line every day also put on a vest. Body armor is one of the most important pieces of equipment an officer can have and often means the difference between life and death.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 1591

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 "Bulletproof Vest Partnership Grant Act of 1998".

SEC. 2. FINDINGS; PURPOSE.

(a) FINDINGS—Congress finds that—

(1) too many law enforcement officers die, while protecting the public, as a result of gunshot wounds;

(2) according to studies, between 1985 and 1994, 709 law enforcement officers in the United States were feloniously killed in the line of duty;

(3) more than 92 percent of such law enforcement officers were killed by firearms;

(4) the number of law enforcement officers who die as a result of gunshot wounds has declined significantly since the introduction of modern bulletproof material;

(5) according to studies, between 1985 and 1994, bullet resistant materials helped save the lives of more than 2,000 law enforcement officers in the United States;

(6) the number of law enforcement officers who were killed in the line of duty would significantly decrease if every law enforcement officer in the United States has access to an armor vest; and

(7) the Executive Committee for Indian Country Law Enforcement Improvements reports that violent crime in Indian country has risen sharply, despite decreases in the national crime rate, and has concluded that there is a "public safety crisis in Indian country.

(b) PURPOSE.—The purpose of this Act is to save lives of law enforcement officers by helping State and local law enforcement departments provide officers with armor vests.

SEC. 3. PROGRAM AUTHORIZED.

(a) GRANT AUTHORIZATION.—The Director of the Bureau of Justice Assistance is authorized to make grants to States, units of local government, and Indian tribes to purchase vests for use by law enforcement officers.

(b) USES OF FUNDS.—Awards shall be distributed directly to the State, unit of local government or Indian tribe and shall be used for the purchase of not more than 1 armor vest for each police officer in a jurisdiction.

(c) PREFERENTIAL CONSIDERATION.—In awarding grants under this Act, the Director of the Bureau of Justice Assistance may give preferential consideration, where feasible, to applications from jurisdictions that—

(1) have the greatest need for armor vests based on the percentage of officers in the department who do not have access to a vest;

(2) have a mandatory wear policy that requires on-duty officers to wear armor vests whenever feasible; and

(3) have a violent crime rate at or above the national average as determined by the Federal Bureau of Investigation.

(d) MINIMUM AMOUNT.—Unless all applications submitted by any State or unit of local government pursuant to subsection (a) have been funded, each qualifying State or unit of local government shall be allocated in each fiscal year pursuant to subsection (a) not less than 0.25 percent of the total amount appropriated in the fiscal year for grants pursuant to that subsection.

(e) MAXIMUM AMOUNT.—A qualifying State or unit of local government may not receive more than 5 percent of the total amount appropriated in each fiscal year for grants pursuant to subsection (a).

(f) MATCHING FUNDS.—The portion of the costs of a program provided by a grant under subsection (a) may not exceed 50 percent, unless the Director of the Bureau of Justice Assistance determines a case of fiscal hardship and waives, wholly or in part, the requirement under this subsection of a non-Federal contribution to the costs of a program.

(g) ALLOCATION OF FUNDS.—At least half of the funds awarded under this program shall be allocated to units of local government or Indian tribes with fewer than 100,000 residents.

SEC. 4. APPLICATIONS.

(a) STATE AND TRIBAL APPLICATIONS.—To request a grant under this Act, the chief executive of a State shall submit an application to the Director of the Bureau of Justice Assistance, signed by the Attorney General of the State requesting the grant, or Indian tribe shall submit an application to the Director, in such form and containing such information as the Director may reasonably require.

(b) LOCAL APPLICATIONS.—To request a grant under this Act, the chief executive of a unit of local government shall submit an application to the Director of the Bureau of Justice Assistance, signed by the chief law enforcement officer of the unit of local government requesting the grant, in such form and containing such information as the Director may reasonably require.

(c) RENEWAL.—A State, unit of local government, or Indian tribe is eligible to receive a grant under this Act every 3 years.

(d) REGULATIONS.—Not later than 90 days after the date of enactment of this Act, the Director of the Bureau of Justice Assistance shall promulgate regulations to implement this section (including the information that must be included and the requirements that the States and units of local government must meet) in submitting the applications required under this section.

SEC. 5. PROHIBITION OF PRISON INMATE LABOR.

Any State, unit of local government, or Indian tribe that receives financial assistance provided using funds appropriated or otherwise made available by this Act may not purchase equipment or products manufactured using prison inmate labor.

SEC. 6. DEFINITIONS.

For purposes of this Act—

(1) The term "armor vest" means—

(A) body armor which has been tested through the voluntary compliance testing program operated by the National Law Enforcement and Corrections Technology Center of the National Institute of Justice (NIJ), and found to comply with the requirements of NIJ Standard 0101.03, or any subsequent revision of such standard; or

(b) body armor which exceeds the specifications stated in subparagraph (A), and which the law enforcement officer's agency or department permits the officer to wear on duty.

(2) The term "State" means each of the 50 States, the District of Columbia, Puerto Rico, the United States Virgin Islands, American Samoa, and the Northern Mariana Islands.

(3) The term "qualifying State or unit of local government" means any State or unit of local government which has submitted an application for a grant, or in which an eligible entity has submitted an application for a grant, which meets the requirements prescribed by the Director of the Bureau of Justice Assistance and the conditions set out in section 3.

(4) INDIAN TRIBE.—The term "Indian tribe" has the same meaning as in section 4(e) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b(e)).

SEC. 7. AUTHORIZATION FOR APPROPRIATIONS.

There are authorized to be appropriated $25,000,000 for each fiscal year to carry out this program.

SEC. 8. SENSE OF THE CONGRESS.

In the case of any equipment or products that may be authorized to be purchased with financial assistance provided using funds appropriated or otherwise made available by this Act, it is the sense of the Congress that entities receiving the assistance should, in expending the assistance, purchase only American-made equipment and products.

ADDITIONAL COSPONSORS

S. 971

At the request of Mr. LAUTENBERG, the name of the Senator from California [Mrs. FEINSTEIN] was added as a cosponsor of S. 971, A bill to amend the Federal Water Pollution Control Act to improve the quality of coastal recreation waters, and for other purposes.

S. 1208

At the request of Mrs. BOXER, the name of the Senator from Massachusetts [Mr. KENNEDY] was added as a cosponsor of S. 1208, A bill to protect women's reproductive health and constitutional right to choice, and for other purposes.

S. 1214

At the request of Mr. ALLARD, the name of the Senator from Wisconsin [Mr. FEINGOLD] was added as a cosponsor of S. 1214, A bill to amend the Line Item Veto Act of 1996 to eliminate the requirement that a Federal budget deficit must exist in order for the President to use the line-item veto authority.

S. 1251

At the request of Mr. D'AMATO, the names of the Senator from Idaho [Mr. KEMPTHORNE], and the Senator from Nebraska [Mr. KERREY] were added as cosponsors of S. 1251, A bill to amend the Internal Revenue Code of 1986 to increase the amount of private activity bonds which may be issued in each State, and to index such amount for inflation.

S. 1252

At the request of Mr. D'AMATO, the name of the Senator from Illinois [Mr. DURBIN] was added as a cosponsor of S. 1252, A bill to amend the Internal Revenue Code of 1986 to increase the amount of low- income housing credits which may be allocated in each State, and to index such amount for inflation.

S. 1260

At the request of Mr. NICKLES, his name was added as a cosponsor of S. 1260, A bill to amend the Securities Act of 1933 and the Securities Exchange Act of 1934 to limit the conduct of securities class actions under State law, and for other purposes.

At the request of Mr. GRAMM, the name of the Senator from Mississippi [Mr. COCHRAN] was added as a cosponsor of S. 1260, supra.

S. 1297

At the request of Mr. COVERDELL, the names of the Senator from Rhode Island [Mr. CHAFEE], the Senator from Texas [Mr. GRAMM], the Senator from Texas [Mrs. HUTCHISON], the Senator from Wyoming [Mr. THOMAS], the Senator from Oklahoma [Mr. INHOFE], and the Senator from New Mexico [Mr. DOMENICI] were added as cosponsors of S. 1297, A bill to redesignate Washington National Airport as "Ronald Reagan Washington National Airport."

S. 1384

At the request of Mr. DASCHLE, the name of the Senator from Maryland [Ms. MIKULSKI] was added as a cosponsor of S. 1384, A bill to amend title 5, United States Code, to make the Federal Employees Health Benefits Program available to the general public, and for other purposes.

S. 1427

At the request of Mr. FORD, the names of the Senator from Oregon [Mr. WYDEN], the Senator from Alaska [Mr. MURKOWSKI], the Senator from Mississippi [Mr. LOTT], the Senator from Georgia [Mr. COVERDELL], and the Senator from Nevada [Mr. BRYAN] were added as cosponsors of S. 1427, A bill to amend the Communications Act of 1934 to require the Federal Communications Commission to preserve lowpower television stations that provide community broadcasting, and for other purposes.

S. 1480

At the request of Ms. SNOWE, the name of the Senator from Texas [Mrs. HUTCHISON] was added as a cosponsor of S. 1480, A bill to authorize appropriations for the National Oceanic and Atmospheric Administration to conduct research, monitoring, education and management activities for the eradication and control of harmful algal blooms, including blooms of Pfiesteria piscicida and other aquatic toxins.

S. 1575

At the request of Mr. COVERDELL, the names of the Senator from Maine [Ms. COLLINS], the Senator from Alabama [Mr. SHELBY], the Senator from Alaska [Mr. MURKOWSKI], the Senator from Pennsylvania [Mr. SPECTER], the Senator from Alaska [Mr. STEVENS], the Senator from New Hampshire [Mr. SMITH], the Senator from Oklahoma [Mr. INHOFE], and the Senator from New Mexico [Mr. DOMENICI] were added as cosponsors of S. 1575, A bill to rename the Washington National Airport located in the District of Columbia and Virginia as the "Ronald Reagan Washington National Airport."

SENATE CONCURRENT RESOLUTION 12

At the request of Mr. TORRICELLI, the name of the Senator from Maryland [Ms. MIKULSKI] was added as a cosponsor of Senate Concurrent Resolution 12, A concurrent resolution expressing the sense of the Congress with respect to the collection on data on ancestry in the decennial census.

SENATE CONCURRENT RESOLUTION 65

At the request of Ms. SNOWE, the names of the Senator from Delaware [Mr. BIDEN], the Senator from Maine [Ms. COLLINS], the Senator from Iowa [Mr. HARKIN], the Senator from Massachusetts [Mr. KENNEDY], the Senator from Connecticut [Mr. LIEBERMAN], and the Senator from Pennsylvania [Mr. SPECTER] were added as cosponsors of Senate Concurrent Resolution 65, A concurrent resolution calling for a United States effort to end restriction on the freedoms and human rights of the enclaved people in the occupied area of Cyprus.

SENATE CONCURRENT RESOLUTION 71

At the request of Mr. REED, his name was added as a cosponsor of Senate Concurrent Resolution 71, A concurrent resolution condemning Iraq's threat to international peace and security.

At the request of Mr. LOTT, the names of the Senator from Arkansas [Mr. HUTCHINSON], the Senator from Oklahoma [Mr. NICKLES], the Senator from Alabama [Mr. SHELBY], the Senator from Colorado [Mr. ALLARD], the Senator from Ohio [Mr. DEWINE], the Senator from Missouri [Mr. BOND], the

Senator from Kentucky [Mr. MCCONNELL], the Senator from Alabama [Mr. SESSIONS], the Senator from Indiana [Mr. LUGAR], and the Senator from Indiana [Mr. COATS] were added as cosponsors of Senate Concurrent Resolution 71, supra.

At the request of Mr. ENZI, his name was added as a cosponsor of Senate Concurrent Resolution 71, supra.

At the request of Mr. COCHRAN, his name was added as a cosponsor of Senate Concurrent Resolution 71, supra.

At the request of Mr. KYL, his name was added as a cosponsor of Senate Concurrent Resolution 71, supra.

At the request of Mr. SANTORUM, his name, and the name of the Senator from Nebraska [Mr. KERREY] were added as cosponsors of Senate Concurrent Resolution 71, supra.

At the request of Mr. CLELAND, his name was withdrawn as a cosponsor of Senate Concurrent Resolution 71, supra.

SENATE RESOLUTION 168

At the request of Mr. HUTCHINSON, the name of the Senator from New York [Mr. D'AMATO] was added as a cosponsor of Senate Resolution 168, A resolution expressing the sense of the Senate that the Department of Education, States, and local educational agencies should spend a greater percentage of Federal education tax dollars in our children's classrooms.

AMENDMENT NO. 1397

At the request of Mr. GRAMM the names of the Senator from Oklahoma [Mr. NICKLES], and the Senator from Texas [Mrs. HUTCHISON] were added as cosponsors of Amendment No. 1397 intended to be proposed to S. 1173, A bill to authorize funds for construction of highways, for highway safety programs, and for mass transit programs, and for other purposes.

SENATE RESOLUTION 170—RELATIVE TO BIOMEDICAL RESEARCH

Mr. SPECTER (for himself, Mr. HARKIN, Mr. FRIST, Mr. REED, Ms. SNOWE, Mr. DEWINE, and Mr. D'AMATO) submitted the following resolution; which was referred to the Committee on the Budget:

S. RES. 170

Whereas past investments in biomedical research have resulted in better health, an improved quality of life for all Americans and a reduction in national health care expenditures;

Whereas the Nation's commitment to biomedical research has expanded the base of scientific knowledge about health and disease and revolutionized the practice of medicine;

Whereas the federal government represents the single largest contributor to biomedical research conducted in the United States;

Whereas biomedical research continues to play a vital role in the growth of this Nation's biotechnology, medical device, and pharmaceutical industries;

Whereas the origin of many of the new drugs and medical devices currently in use is based in biomedical research supported by the National Institutes of Health;

Whereas women have traditionally been underrepresented in medical research protocols, yet are severely affected by diseases including breast cancer, which will kill over 44,000 women this year; ovarian cancer which will claim another 14,800 lives; and, osteoporosis and cardiovascular disorders;

Whereas research sponsored by the National Institutes of Health is responsible for the identification of genetic mutations relating to nearly 100 diseases, including Alzheimer's disease, cystic fibrosis, Huntington's disease, osteoporosis, many forms of cancer, and immune deficiency disorders;

Whereas many Americans still face serious and life-threatening health problems, both acute and chronic;

Whereas neurodegenerative diseases of the elderly, such as Alzheimer's and Parkinson's disease threaten to destroy the lives of millions of Americans, overwhelm the Nation's health care system, and bankrupt the Medicare and Medicaid programs;

Whereas 33 million Americans annually suffer from injuries resulting from trauma;

Whereas 4 million Americans are currently infected with the hepatitis C virus, an insidious liver condition that can lead to inflammation, cirrhosis, and cancer as well as liver failure;

Whereas 200,000 Americans are now suffering from AIDS and hundreds of thousands more with HIV infection;

Whereas cancer remains a comprehensive threat to any tissue or organ of the body at any age, and remains a top cause of morbidity and morality;

Whereas the extent of psychiatric and neurological diseases poses considerable challenges in understanding the workings of the brain and nervous system;

Whereas recent advances in the treatment of HIV illustrate the promise research holds for even more effective, accessible, and affordable treatments for persons with HIV;

Whereas infants and children are the hope of our future, yet they continue to be the most vulnerable and underserved members of our society;

Whereas approximately one out of every five American men will develop prostate cancer and over 40,000 men will die from prostate cancer each year;

Whereas diabetes, both insulin and non-insulin forms, afflict 16 million Americans and places them at risk for acute and chronic complications, including blindness, kidney failure, atherosclerosis and nerve degeneration;

Whereas the emerging understanding of the principles of biomimetrics have been applied to the development of hard tissue such as bone and teeth as well as soft tissue, and this field of study holds great promise for the design of new classes of biomaterials, pharmaceuticals, diagnostic and analytical reagents;

Whereas research sponsored by the National Institutes of Health will map and sequence the entire human genome by 2005, leading to a new era of molecular medicine that will provide unprecedented opportunities for the prevention, diagnoses, treatment, and cure of diseases that currently plague society;

Whereas the fundamental way science is conducted is changing at a revolutionary pace, demanding a far greater investment in emerging new technologies, research training programs, and in developing new skills among scientific investigators;

Whereas most Americans show overwhelming support for an increased federal investment in biomedical research: Now, therefore, be it

Resolved,

SECTION 1. SHORT TITLE.

This resolution may be cited as the "Biomedical Revitalization Resolution of 1998".

SEC. 2. SENSE OF THE SENATE.

It is the sense of the Senate that funding for the National Institutes of Health should be increased by $2,000,000,000 in fiscal year 1999 and that the budget resolution appropriately reflect sufficient funds to achieve this objective.

Mr. SPECTER. Mr. President, I have sought recognition today for the purpose of submitting a resolution calling for the Budget Committee to add $2 billion for the National Institutes of Health, and I do so because of the unanimous view expressed by the Senate last year on a resolution that NIH funding should be doubled over the course of the 5 years following the date of the introduction of the resolution by our distinguished colleague, Senator MACK. That resolution was introduced on January 22, 1997. Regrettably, even though that resolution was passed 98 to nothing, when the budget resolution was returned, the appropriate health account has a reduction of $100 million. So that even though the Senate had spoken on its intent to see NIH funding raised, doubling over 5 years, and that was from a figure of about $13 billion, the funds simply were not there. That led to the introduction of an amendment to the budget resolution by Senator HARKIN and myself, Senator HARKIN being my distinguished colleague and ranking member of the subcommittee which I chair on Labor, Health, Human Services and Education. And we sought to add in $1.1 billion to carry out the expressed sense of the Senate. That was defeated 63 to 37. So that, while the Senate had expressed its druthers on a resolution, when it came to the dollars they simply were not there.

Senator HARKIN and I then went to work with our subcommittee and we were able, by making economies and establishing priorities, to add $952 million to the NIH account for an increase of 7.5 percent. After the conference we did increase the figure by some $907 million, so that now the National Institutes of Health has $13,647,843,000. And the National Institutes of Health, I suggest to my colleagues, and the country—anybody who is watching on C-SPAN2—is the crown jewel of the Federal Government. The funding has been increased steadily during my tenure in the Senate, regardless of who was chairing the subcommittee. Although the budgets were always high, frequently had cuts called for by the administration, when the chairman was Senator Weicker, when the chairman was Lawton Chiles, when the chairman was TOM HARKIN, or more recently under my chairmanship, we

have increased the funding tremendously. And the National Institutes of Health has responded with really extraordinary advances in research identifying genes. Now the work has to be pushed forward to see exactly what can be accomplished in the next century.

The President said on Tuesday night that someone born today would have a good chance of living into the 22nd century, 100 years. I think that is a possibility. But only if we maintain the phenomenal advances of the NIH.

I personally have been the beneficiary of the tremendous advances of the National Institutes of Health. Two decades ago there was no such thing as an MRI. That device detected a problem for me. And other advances led to good results for me. I know millions of people have benefited from the research and the investment which we have made in the National Institutes of Health. But that takes money, and that is why this resolution is being offered by Senator HARKIN, Senator FRIST, Senator REID, Senator SNOWE and myself, to call upon the Budget Committee to add in $2 billion so we can carry forward the important work of the National Institutes of Health.

Last year I attended the dedication of a building named in honor of Senator Hatfield, who has been a tremendous leader on NIH, and many other items, the distinguished chairman of the Appropriations Committee for many years. When I was there, I talked to Dr. Varmus, who is the head of NIH. I said, "Dr. Varmus, what would it really take?" As I asked Dr. Klausner, who heads the cancer research, "Tell us what you can really appropriately use?" Because many grant applications are turned down. He said, "Well, Senator, I can't really tell you that because we have to file the wish list with the Office of Management and Budget." He didn't quite put it that way. But there are limitations.

I said to Dr. Varmus, "This year the Senate is going to want to know in an unvarnished form what you really think could be appropriately used for the National Institutes of Health." Then I made a comment that we still have the subpoena power, to really find out what it would take. And I suspect that it is a very large figure. But when you have a Federal budget of $1.7 trillion, I believe it is possible to establish priorities to make NIH a top priority.

In the last few years, Senator HARKIN and I have consolidated and eliminated 135 programs to enable us to save $1.5 billion. It's pretty hard to eliminate a program in Washington, DC, but we have been able to do that. With that $1.5 billion we have allocated those funds to NIH, guaranteed student loans, and many, many other important projects.

So, with those brief comments I send this resolution to the desk. I ask it be held at the desk. I ask my colleagues who are listening on C–SPAN2, or their staffs, to take a look at the resolution because I would like to see cosponsors. I think we ought to have the 98 who voted last year for the resolution which I cosponsored with Senator MACK, and perhaps the two absentees as well.

Mr. FRIST. Mr. President, I am pleased to rise in support of the resolution before us today to express the Sense of the Senate that the Federal commitment to biomedical research at the National Institutes of Health is one of our highest priorities in fiscal year 1999. This resolution states that Congress should increase the NIH budget by $2 billion next year.

I would like to commend my colleague, Senator SPECTER, for his leadership in bringing this resolution forward today to ensure our commitment to biomedical research. I was an original cosponsor with Senator MACK of similar legislation, Senate Resolution 15, introduced on the first day of the 105th Congress. The "Biomedical Research Commitment Resolution of 1997," expressed the Sense of the Senate that the NIH budget should be doubled over the next five years. The resolution before us today puts us one step closer to achieving that goal.

I have struggled with the effort to balance the budget and preserve a strong federal role in biomedical research during times of fiscal restraint. As a member of the Senate Budget Committee, it will be my goal to increase the NIH budget within the context of the overall budget agreement reached by Congress last year.

Historically, Congress has demonstrated strong support for increased funding for the important work of the National Institutes of Health. The scientific and medical breakthroughs supported by the National Institutes of Health in the last 50 years have improved vastly our capacity to prevent, diagnose, and treat human disease. As a heart and lung transplant surgeon, I know that biomedical research is fundamentally important in our battle against disease. As Americans, we have the benefit of one of the finest health care systems in the world, and it is vital that we continue to invest in our research efforts to maintain this health care system.

As chairman of the Senate Subcommittee on Public Health and Safety with jurisdiction over the NIH, I believe that one of the federal government's primary duties is to ensure our investment in long-term biomedical research as a public good. The commitment to this investment allows us to reap many benefits in improving the quality of life for our citizens. It is in this spirit that I urge my colleagues on both sides of the aisle to support the passage of this resolution in recognition that the future of our nation's health is dependent on our strong investment in biomedical research.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Mr. GRAMS. Mr. President, I ask unanimous consent that the committee on Armed Services be authorized to meet at 2:30 p.m. on Thursday, January 29, 1998, in open session, to receive testimony on the national security implications of enlarging NATO and the continued deployment of U.S. forces in Bosnia.

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

COMMITTEE ON ARMED SERVICES

Mr. GRAMS. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet at 10:00 a.m. on Thursday, January 29, 1998, in open session, to receive testimony on the report and recommendations of the national defense.

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

SUBCOMMITTEE ON SECURITIES

Mr. GRAMS. Mr. President, I ask unanimous consent that the Subcommittee on Securities of the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on Thursday, January 29, 1998, to conduct an oversight hearing on market circuit breakers.

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

COMMITTEE ON FINANCE

Mr. GRAMS. Mr. President, the Finance Committee requests unanimous consent to conduct a hearing on Thursday, January 29, 1998 beginning at 10:00 a.m. in room 215 Dirksen.

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

SUBCOMMITTEE ON INVESTIGATIONS

Mr. GRAMS. Mr. President, I ask unanimous consent that the Permanent Subcommittee on Investigations of the Committee on Governmental Affairs, be authorized to meet during the session of the Senate on Thursday, January 29, 1998, to hold a hearing at 9:30 a.m. in SD–342 entitled *Medicare Fraud Prevention: Improving The Medicare Enrollment Process.*

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

ADDITIONAL STATEMENTS

CUBAN WOMEN AND CHILDREN HUMANITARIAN RELIEF ACT

• Mr. LEAHY. Mr. President, I am pleased to be an original cosponsor of Senator DODD's legislation, the "Cuban Women and Children Humanitarian Relief Act."

This bill, which is long overdue, authorizes the President to permit the sale of food, medicine, and medical equipment to the Cuban people. One would think that this would not be

necessary. The United States has a long history of providing humanitarian assistance to needy people even when we differ with their government. North Korea is an example. Yet, because of our obsessive antipathy toward Fidel Castro, we have applied a different standard to Cuba. Unfortunately, it is the Cuban people who have suffered as a result, not their government. In fact, it has given Fidel Castro a convenient excuse to blame the United States for whatever goes wrong there.

The American Association for World Health reports that malnutrition, deterioration of water quality, and serious deficiencies in medicines, equipment and medical information have resulted from American restrictions severely limit the sale of medicines they actually prohibit the sale of food. Not even the sanctions against Libya, Iran, and Iraq contain such extreme measures. This outright ban on food has been especially harmful to women and children, contributing to nutritional deficits among pregnant women and low birth-weight babies, as well as a high incidence of neurological disease.

I have long believed that the way to encourage democratic reforms and respect for human rights in Cuba is not through isolation of this tiny island nation, but through the normalization of our relationship by relaxing the embargo. One would think that after thirty-seven years, with Castro still in power, we would try another approach. Many Americans share this view. Over $60 million in medicine and medical supplies have been donated by U.S. citizens over the past five years. Unfortunately, this great display of generosity represents only a tiny portion of the over $400 million in medicines and food that Cuba imported from the United States prior to the passage of the restrictive 1992 Cuban Democracy Act.

I urge all Members of Congress to reconsider the reasons behind our embargo against Cuba. The Cold War ended years ago. Easing the restrictions on the sale and donation of medicines and food to Cuba will not, in any way, compromise our nation's security. While Pope John Paul's visit may not signal a political change in Cuba, it does illustrate a new opening by the Castro regime for religious expression that the United States should encourage. Passage of the Cuban Women and Children Humanitarian Relief Act would not only ease the suffering of the Cuban population, it would reaffirm to the world that the United States is the humanitarian nation we hold ourselves out to be.•

TRIBUTE TO CHARLES H. CUFFELD

• Mr. SANTORUM. Mr. President, I rise today to honor a distinguished public servant upon his retirement as President Judge of the Philadelphia Traffic Court. Born and raised in Philadelphia, Charles Cuffeld devoted his life to the city. Charles will be sincerely missed not only for the vision and leadership he brought to his office, but also for his integrity and character.

On December 24, 1991, Governor Robert Casey appointed Charles President Judge of the Philadelphia Traffic Court. Charles became the first African-American President Judge to serve in either the Traffic Court or the Commonwealth of Pennsylvania. Prior to this appointment, he had served as an elected Traffic Court judge since 1982.

Early in his tenure, President Judge Cuffeld established goals to improve the Court's productivity, increase public accessibility, and foster public respect for the law. Most would agree that great strides were achieved in each of these areas. For instance, President Judge Cuffeld modernized the Court's operations. Internal communication was enhanced through technological improvements. A clear chain of command was established for the Traffic Court departments. Supervisors were educated on personnel regulations. Several departments were reorganized, and employees were cross-trained in all departments. Even the judges were sent to annual training and recertification programs. Likewise, the Traffic Court under President Judge Cuffeld developed working relationships with other law enforcement agencies, interdepartmental units, and the local media. Other initiatives made Traffic Court more accessible. Expanded payment operations, night court, motion court, and outreach court, in which surrounding neighborhood police stations hosted Traffic Court, were among these important programs. Finally, President Judge Cuffeld strengthened traffic law enforcement programs. In fact, some initiatives have been so successful that Canadian and other foreign officials have expressed interest in duplicating them.

Beyond his judicial service, Charles has participated in many community-oriented organizations. He has served on the Mayor's Office of Community Services Advisory Board and the Boy Scouts Unity District Council. Currently, Charles is a member of the Salvation Army Advisory Board and a Director of Concerned Black Men, Inc. I am also very proud to note that Charles serves on my own Military Academy Review Board.

An even more revealing testament of Charles' commitment to public service is the fact that organizations across the political and ideological spectrum have honored him. Both the V.F.W. and the N.A.A.C.P. named him Man of theYear. For outstanding community service, he received a Congressional Certificate of Merit. He is a two-time recipient of the Governor of the Commonwealth of Pennsylvania Highway Safety Award. WCAU-TV Channel 10 presented him the Spirit of Philadelphia News Award. He has received a Certificate of Appreciation from the Philadelphia Police Department. Finally, Charles has also been honored with the North Philadelphia Youth Investment Award.

In closing, Mr. President, Charles Cuffeld set a new standard for the Philadelphia Traffic Court. He worked to raise awareness of the law, to enforce the law, and to bring justice to the people. During his tenure as President Judge, Charles bought the same passion for the law to his work as an administrator. He skillfully modernized the court, handled personnel matters, ensured his judges kept up to date on legal developments, and improved communication operations. Equally important is the care and compassion he has shown for the community. Charles is the product of hard work, focused determination, and a strong sense of civic responsibility. He is a fine role model for those who have been fortunate enough to know him. As President Judge Charles Cuffeld retires from public life, I ask my colleagues to join me in extending the Senate's best wishes to him and his family.•

TOUGH, SMART WOMEN WORKING TO BETTER IRAN

Mr. LEAHY. Mr. President, it has been almost twenty years since the overthrow of the Shah of Iran and the year-long ordeal of the American hostages in Tehran. The U.S. swiftly responded to those incidents by isolating Iran diplomatically, militarily, and economically. Today our policy of isolation continues.

The U.S. has legitimate, serious concerns about the Iranian Government's support for international terrorism, its efforts to undermine the Arab-Israeli peace process, and its acquisition of weapons of mass destruction. We must continue to vigorously pressure Iran to modify its conduct in each of these areas.

However, rather than adhere blindly to all aspects of a policy that was conceived in response to events in 1979, it is time to reevaluate our relationship with Iran and its people and consider the advantages that might result from a more open dialogue.

Too often our antagonism toward Iran obscures the fact that many Iranian citizens desire better relations with the United States. On January 7, 1998 Iranian President Mohammad Khatemi said in an interview with CNN that he wanted people-to-people exchanges to "crack the wall of mistrust" between the United States and Iran. A December 10, 1997 article in the "International Herald Tribune" by Ms. Catherine O'Neill, who recently visited Iran on behalf of UNICEF, entitled, "Tough, Smart Women, Working to

Better Iran," illustrates that there are many similarities between us and the Iranian people and that citizens of both countries could benefit from the regular sharing of ideas and academic and professional advances if only the opportunity were there.

Mr. President, I ask that excerpts from Ms. O'Neill's article be printed in the RECORD.

The excerpts follow:

[From the Herald Tribune, Dec. 10, 1997]

TOUGH, SMART WOMEN, WORKING TO BETTER IRAN

(By Catherine O'Neill)

TEHRAN.—Somehow I had always felt that women who adopted the chador had shut me out. That black cloak seemed a way of saying: "Don't approach! My values are different."

A recent visit to Iran has proved how wrong I was. It also has taught me something about not imposing my values on tough, smart women who are working to make changes in their country.

At the invitation of Unicef, I went to Tehran to attend a conference on the UN Convention on the Rights of the Child. The conference was organized by a group of Iranian women who want to change some of Iran's laws affecting children and women.

Almost no non-Iranians were present in the hotel ballroom as several hundred chador-clad women, and some men, discussed, debated and criticized aspects of Iran's laws.

One speaker criticized Iranian companies that profit from cheap child labor.

Another talked about the illogic of a 30-year-old woman professor's being unable to choose a spouse without the approval of a father or grandfather—while a 15-year-old boy needs no approval to get married.

Speakers noted Iran's effective village health care programs, universal immunization for children and the high percentage of girls and boys attending school.

But the speakers wanted more for Iran's children and women.

During breaks, women approached me to talk. They were doctors, lawyers, teachers, psychologists, professors, child education experts and mothers. We cared about the same things: drug abuse among young people, child custody issues, child abuse, juvenile delinquency, homeless children, foster care and child labor.

My experiences in Iran should not be so rare for Americans. A new generation has arrived and almost two decades have passed since the hostage crisis of 1979-80. The United States is the only major power with no contact with Iran. But the Iranian people have given a signal: They voted in a new president against the recommendations of their religious leaders.

It's time for us in the United States to reach out to the 70 million children, men and women in Iran, who, I've found, have much in common with us.•

NATIONAL RADIO MONTH

• Mr. GRAMS. Mr. President, I rise today to recognize the role of the radio broadcasting community in my home state of Minnesota. I cannot think of a more appropriate time to reflect upon how radio affects our daily lives than during "National Radio Month."

This year marks the 78th anniversary of radio in the United States. Throughout this time, radio has become an influential medium in the lives of most Americans. Today, there are over 12,200 radios in the U.S. According to the Radio Advertising Bureau, people listen to radio an average of 3 hours and 12 minutes on weekdays, and 4 hours and 42 minutes on weekends. Four out of five motorists are listening to the radio while driving, and 61.7 percent are tuned into radio during TV's prime-time hours.

As a former broadcaster, I certainly understand the extraordinary influence and unselfish nature of radio. Radio broadcasts serve a variety of purposes. Radio communicates with listeners during time of emergency, informs them of noteworthy community events such as fundraising drives, educates them about developing stories and current events, entertains during long drives across our states, and serves as a calming influence during the most trying times in our lives. Finally, radio plays a key role in preserving our vibrant democracy by encouraging their audiences to vote, and running special segments about candidates and their platforms.

The public affairs activities of Minnesota's radio stations have been underscored by a recent Minnesota Broadcasters Association survey of radio executives in which 50 percent of radio stations responded. First, 95 percent of radio stations have helped charities, charitable causes or needy individuals through fundraising and other types of support. Second, radio stations run a median of 100 public service announcements each week, highlighting issues such as flood and disaster relief efforts, AIDS awareness, safety campaigns, drunk driving, and drug and crime education programs. Finally, 71 percent of radio stations aired a local political affairs program or segment dealing with the 1996 elections.

Mr. President, there are 242 radio stations in Minnesota. Each of these stations has made unique and vital contributions toward serving their communities and interacting with listeners. I am proud to say that in some instances, these efforts have been recognized by the Minnesota Broadcasters Association through their "Media Best Awards" and by the National Association of Broadcasters (NAB) annual "Crystal Radio Awards."

The "Crystal Radio Awards" have been issued by NAB since 1987 to shine the national spotlight on those radio stations that have demonstrated a year-round commitment to providing responsive, individual service to the cities, counties and towns they serve. I am pleased to note that since 1989, Minnesota radio stations have received this great honor on eleven different occasions. These stations are WJON–AM in St. Cloud, KBHP–FM in Bedmidji (twice), KSJN–FM in St. Paul, WWTC–AM, WCCO–AM, KQRS–FM/AM in Minneapolis (twice), KCUE–AM in Red Wing, KWOA–AM in Worthington, and WLTE–FM in Minneapolis.

The Minnesota Broadcasters Association recently recognized public service announcements broadcast by KAUS and KDWB, the "Flood of '97" community service program by KDMA/KMGM, and MNN Radio Networks hard news coverage during this past years' floods which disrupted the lives of hundreds of thousands of Minnesotans. And for those fans who have agonized over a potential departure of our beloved Twins, WMNN provided an important venue for people to voice their opinions through the station's "Twins Stadium Open Forum."

Additional past noteworthy accomplishments include efforts by WJON–AM and its two sister stations in St. Cloud to raise money to buy bulletproof vests for the police departments. Its goal was $50,000, but ultimately raised $75,000. And stations 92 KQRS–FM and 93.7 KEGE–FM in Minneapolis have worked with Minnesota Job Services to set up a free interactive telephone hotline to connect employers with qualified applicants. Amazingly, this service registers 10,000 calls each month. Last year, Minnesota radio and television stations raised $1.6 million for flood relief efforts and produced a video titled "Beyond the Flood" donating the profits to flood victims.

Through disaster relief efforts, holiday safety initiatives, fund-raising drives, school announcements, and weather emergencies, Minnesota radio broadcasters have demonstrated their commitment and dedication to public service. I am proud of the leadership shown by each of these stations, and am pleased to have shared their accomplishments with the Senate.•

UNIVERSITY OF SOUTH DAKOTA MEN'S CROSS COUNTRY TEAM WINS NATIONAL CHAMPIONSHIP

• Mr. JOHNSON. Mr. President, I want to take this opportunity today to recognize an extraordinary group of young athletes from my alma mater, the University of South Dakota. The University of South Dakota Men's Cross Country Team recently won the 1997 NCAA Division II Men's Cross Country Championship held on Saturday, November 22, 1997 in Kenosha, Wisconsin. This victory was accomplished against a talented nation-wide field of competition and was the second national athletic championship ever won by USD athletes.

All the time, effort, and dedication these talented student athletes put into this winning season reaped great rewards for the team and USD. This honor is a result of a great team effort along with individual commitment, talent, and perseverance.

I would also like to commend head coach Scott Munsen for providing outstanding leadership to the USD men's

cross country team during the last four years.

The State of South Dakota has much to be proud of. I want to again congratulate all of our fine young athletes and the University of South Dakota on this great accomplishment.•

TRIBUTE TO PAUL HOLLOWAY ON BECOMING PRESIDENT OF THE NATIONAL AUTOMOBILE DEALERS ASSOCIATION

• Mr. SMITH of New Hampshire. Mr. President, I rise today to congratulate Paul Holloway, a distinguished individual and good friend, on being selected to become the President of the National Automobile Dealers Association (NADA). As a friend of Paul's for over a decade, I commend his outstanding achievement and compliment him on this well-deserved honor.

Paul will be the first New Hampshire automobile dealer to serve as President of NADA. This is a great honor not only for Paul, but for the Granite State. It is Paul's strong work ethic and Yankee ingenuity that have catapulted he and his wife, Anna Grace, from the first Buick-Pontiac dealership they bought in 1967 to the five dealerships they have today.

Paul's strong drive and spirit was exhibited forty years ago when Paul passed up a career in professional football to finish his bachelor of science degree in business at Temple University in Philadelphia. Paul was drafted as a linebacker by several teams, but instead decided to pursue his career in the automobile industry. New Hampshire is fortunate that he made the choice he did.

I am certain Anna Grace, along with their children Scott and Debra, are as proud of Paul's achievements as are his friends and colleagues in New Hampshire. Paul's commitment and dedication to excellence will benefit the members of NADA as much as it has the people of New England. Paul Holloway will be a vibrant and effective leader for NADA.

Congratulations, Paul, on this outstanding recognition by your colleagues in the industry. I know you will meet this new challenge with honor and distinction. I am proud to represent you in the U.S. Senate and proud to call you a friend.•

Y2K, THE FAA, AND INFRASTRUCTURE IN THE UNITED STATES

• Mr. MOYNIHAN. Mr. President, today's New York Times has confirmed what many on the forefront of fixing the Year 2000 Computer Problem have already learned. Namely, that the problem is not just a programming glitch within software (programs run on the computer), but a larger crisis of identifying and renovating hardware (the computer itself).

As the Times story relates: "The problem was first thought to be a programming glitch. But as the F.A.A. is demonstrating, the line between hardware and software is not so clear, because of computer instructions, called micro-code, that are built in and are more basic than the programs the computer runs. In some instances, the answer may be the wholesale replacement of computers that might otherwise have run for years. Early indications are that many airlines will also throw out numerous computers."

Like many private sector businesses, the FAA is finding that it may have to replace the interrelated computer systems themselves—in this case, systems that provide for the safety of air flight in America. While some programmers at the FAA believe the systems can be debugged without replacing them, the company which built the hardware, IBM, has recommended replacing the machines.

There is a lesson to be learned here. Consultants confronted with this problem have told me this all along. The problem is deeper than the programs. It deals with the micro-code beneath the programs. This micro-code is in everything from our telecommunications systems to the personal computer on your desk—essentially the infrastructure of the company or agency.

Thus, we peel back another layer of the onion. The FAA is taking multiple approaches to its fix: a combination of debugging and replacement. On the one hand, debugging old systems risks that they won't be fully tested until after the year 2000. On the other hand, replacing them costs millions upon millions. When the maker of the machines—in this case IBM—recommends replacement, and a failed effort to debug the machines could mean lives lost in air accidents across the country, I would prefer we lean heavily on the replacement approach.

With fewer than two years until January 1, 2000, this lesson must be learned quickly and throughout the Federal Government. A few Chief Information Officers who are ahead of the curve on this issue are similarly discovering they not only have to fix the application codes, but they also have to make their infrastructure—telecommunication systems, micro-computers, and electrical components—year 2000 compliant.

In the few months ahead, agencies must be ready and willing to admit the extent of their problems, and find solutions that will be balanced between debugging and replacement. At the same time, we in Congress must be ready and willing to assist agencies in what is beginning to look a lot like a matter of damage control.

I ask that today's Times article, "F.A.A. to Fix and Replace Aging Computers," be printed in the RECORD.

The article follows:

[From the New York Times, Jan. 29, 1998]

F.A.A. TO FIX AND REPLACE AGING COMPUTERS

(By Matthew L. Wald)

WASHINGTON, Jan. 28—The Federal Aviation Administration said today that it would hunt down and remove the "year 2000" bugs from 40 crucial, aging air traffic control computers, and then throw out the computers themselves.

One team at the F.A.A. has promised to have the bugs fixed within 90 days. The leader of a second team announced today that the agency would replace the computers anyway, at a cost of about $100 million, because of uncertainty over whether the software changes can ever be tested adequately. But since there is also uncertainty over whether all the computers can be replaced within the next 23 months, the de-bugging will continue.

Around the world, the issue, known in data processing as "Y2K," is perplexing companies because computers that record the date as a 2-digit number will conclude that the year after 1999 is 1900.

The problem was first thought to be a programming glitch. But as the F.A.A. is demonstrating, the line between hardware and software is not so clear, because of computer instructions, called micro-code, that are built in and are more basic than the programs the computer runs.

In some instances, the answer may be the wholesale replacement of computers that might otherwise have run for years. Early indications are that many airlines will also throw out numerous computers.

George L. Donohue, associate administrator of the F.A.A. for research and acquisitions, said, "Some of the software people now say that even if you think you've fixed all the micro-code, there's no way to be sure."

But, speaking today at an air traffic control conference, Dr. Donohue said that trying simultaneously to de-bug the system and replace it was a good "belt and suspenders approach," because it was impossible to be sure the F.A.A. could replace the aging computers in the next 23 months.

Drucella Andersen, a spokeswoman for the agency, said, "We're trying to do both because it gives us the highest assurance and insurance."

Just last week the F.A.A. invited reporters to tour a "war room" where a team of software engineers is coordinating the de-bugging of 297 interrelated computer systems that make up the National Airspace System.

The machines are at the heart of the 20 air traffic control centers that handle high-altitude, long-distance flights, and officials said they were confident that their replacement would not be necessary. The software changes are projected to cost $91 million, and involve 22 million lines of software.

The International Business Machines Corporation, which made the computers, warned the F.A.A. last fall that it no longer had the engineers or software tools to find the bugs, and recommended replacing the machines.

Dr. Donohue said the computers were about 14 years old, which he termed old by the standards of private industry but young for the F.A.A.

The agency's budget does not include the estimated $100 million to replace the computers, but officials said they could delay other modernization projects.•

CONDEMNING IRAQ'S THREAT TO INTERNATIONAL PEACE AND SECURITY

Mr. BOND. Mr. President, the crisis in Iraq has been created because of the appalling behavior of a man bent on defying the legitimate directives he agreed to as the defeated leader of a ruthless and rogue army. For months, if not years, Saddam Hussein has been developing and hiding the very weapons he explicitly vowed to excise from his country's arsenal. These are weapons which he has demonstrated the will to use and which, in a slightly more sophisticated delivery system, may threaten the entire world. He has starved his people in order to gain sympathy from a compassionate world community, he has gassed his own citizens to silence their cries for freedom, he has ruthlessly attacked his neighbors, massacring thousands through chemical warfare, and he has threatened to incinerate an entire people of a neighboring sovereign nation.

This crisis needs to be ingrained into our psyche as a case study of how a bellicose and unrepentant government can circumvent its obligations to the world community and world peace, and avoid the reasonable consequences for those actions. Even more so, this is an object lesson of how our "allies" will respond to such behavior. They seem willing to curry favor with a dictator by compromising and redefining critical enforcement procedures. Compromise? What is there to compromise? Saddam has broken his covenant with the world. We know it. The world knows it, and our collective governments have been ineffectual in dealing with him. To the President and the leaders of the other nations of the world, I ask three very basic questions and give you three very basic "heartland of America" responses.

First, has Saddam honored his commitment to the world in freely and openly ridding Iraq of weapons of mass destruction? No.

Second, will he? Not if we don't have the courage to force him, with extreme prejudice to his military, if necessary.

And third, is he more dangerous today than yesterday because of a basic weakness and willingness to compromise something which should be enforced without compromise? And that answer is, yes he is more dangerous.

We have wasted critical time. We have allowed Saddam the opportunity to develop the very things he has sworn not to and the very things we swore we wouldn't permit. The current situation must not continue. We must and I believe we can, convince a nervous and wary cadre of allied nations to stand up for what is right and what is demanded to preserve the stability of the world. But if not Mr. President we may have to go it alone or with but a few courageous colleagues from the league of nations.

I am sure we will support the President's decision for decisive action, whatever it may be. Therefore, I join with the majority and minority leaders of this great body and ask that they would consider adding me to the list of co-sponsors of their concurrent resolution number 71 concerning the current crisis in Iraq.•

VIOLENT AND REPEAT JUVENILE OFFENDER ACT OF 1997

• Mr. LEAHY. Mr. President, I want to speak briefly about juvenile crime legislation pending before the Senate. The "Violent and Repeat Juvenile Offender Act," S. 10, was reported by the Judiciary Committee last year and may be among the bills we consider early in this session. While the measure was improved during the course of the Judiciary Committee markup, unfortunately, as explained more fully in the minority views to the Committee report, there is much work that still needs to be done and much that still needs to be improved.

The bill reported by the Committee to the Senate would mandate massive changes in the juvenile justice systems in each of our States, and would allow an influx of juvenile cases in Federal courts around the country. The repercussions of this legislation would be severe for any State seeking federal juvenile justice assistance.

I look forward to the Senate taking up these matters and to a full and open debate on exactly what this bill will do. Those aspects that will do more harm than good ought to be rejected. Those aspects that can be improved, should be. Those aspects that fail to respect the role and judgment of the States, their legislatures and their people ought be changed. This can only be done if the Senate is willing to do the work still unfinished and do so in our greatest tradition of full, fair and open debate.

Washington Does Not Know Best. I am very concerned about the stringent mandates with which States must comply before they qualify for the $500 million per year in new funding under S. 10. This new block grant program sounds great until you look closely. The extensive new requirements created by this program make this money inaccessible to the States. In fact, no State currently qualifies for the new grant money. Consequently, while this bill is touted as helping the nation's juvenile justice systems, States that accept the help will have to surrender their State legislative judgment and change their laws to comport with Washington mandates.

For example, to qualify for this new source of funds, States would have to change their laws to ensure, for example, that they make accessible to the FBI all juvenile disposition or adjudication records, whether the juvenile was brought in for shoplifting, graffiti or more serious felonies. In addition, the States must make sure they make those records available, not only to elementary or high schools in which the juvenile is enrolled, but also to any college to which the juvenile may later apply. Many of our home States will find these requirements too intrusive and costly to make it worth their while to change their laws.

We Should Avoid the "Federalization" of Juvenile Crime. By imposing on the States a one-size-fits-all approach to juvenile crime, this bill turns federalism on its head. As reported, S. 10 would repeal the presumption in current Federal law that the State has primary responsibility for dealing with juvenile offenders. Changing that presumption to get the federal government and the federal courts involved is neither necessary nor wise.

Chief Justice Rehnquist and the Administrative Office of the U.S. Courts have expressed serious concerns about the efforts in S. 10 to shift juveniles to the federal court system. As the Chief Justice noted in his 1997 Year-End Report:

> The Judicial Conference of the United States has raised concerns about legislation pending in Congress to 'federalize' certain juvenile crimes, maintaining its longstanding position that federal prosecutions should be limited to those offenses that cannot or should not be prosecuted in state courts.

The Chief Justice clearly recognizes what so many other law enforcement and court personnel know: The federal courts are not equipped to handle the expected increase in federal juvenile cases if S. 10 is not modified.

We should preserve the core protections for juveniles in custody. Regrettably, S. 10 would gut the core protections that have been in place for over 20 years to protect children who come in contact with the criminal justice system and to keep abused, neglected and mistreated children out of detention altogether. Every Vermonter who has contacted me about this issue has said the same thing: dismantling these core protections is an ill-conceived move.

Back-sliding on the protections against putting children in adult jails flies in the face of research showing that children who spend time around bad influences, like adult criminals, have a higher recidivism rate. The co-chair of Vermont's Children and Family Council for Prevention Programs has explained: "If even intermittent contact is allowed, youth will certainly learn more and better ways to act out inappropriately and aggressively."

We should focus on prevention. Right now, S. 10 lacks balance. The bill is chock full of punitive measures to prosecute and lock-up children, but skimps on efforts to stop children from getting into trouble in the first place. Focusing on the back end of the juvenile justice system—after children get

into trouble—is short-sighted. Any police chief or cop-on-the-beat will tell you that. We should also focus efforts on preventing kids from getting into trouble and intervening at the first warning signs before they enter into criminal activity.

I have heard from numerous law enforcement officials who support a clear earmark for juvenile delinquency prevention programs. They know that prevention programs are key to reducing our Nation's juvenile crime rates. This bill earmarks new federal grant money for a number of enforcement uses, including increasing sanctions, improving juvenile record keeping, mandating drug testing, and juvenile prison construction. No earmark is made for prevention. This is a mistake and will turn out to be a costly one unless we can modify the bill to bring it into balance. If we are going to have earmarks, we must dedicate money for prevention. Prevention programs enhance the skills and competency of troubled juveniles. Such programs help teenagers stay in school and stay out of trouble. Without an earmark, in the competition for dollars, prevention programs will surely lose out.

I urge my colleagues to talk to the police and prosecutors in their home states. I am confident you will hear, as I have, that well-crafted crime prevention and youth development programs do make a difference. I am also sure that you will hear how critical it is to keep juveniles separate from adult inmates and to allow teenagers who have committed a minor offense a real chance to improve their lives.

We should work together in an open and bipartisan manner to consider and improve this juvenile crime legislation.●

SALUTE TO RON WILSON AND THE 1998 UNITED STATES OLYMPIC HOCKEY TEAM

Mr. CHAFEE. Mr. President, the 1998 United States Olympic Team will soon depart for Nagano, Japan for the 18th Winter Olympic Games. I know I join my colleagues in saluting the American men and women who have worked so hard to compete at this highest level of international competition.

I rise today to salute a son of Rhode Island, Ron Wilson, who will serve as head coach of the American Men's Hockey team. Hockey is not a sport in Rhode Island, it is a passion. That passion enabled Ron Wilson to achieve All-Star status at East Providence High School, and two-time All-American honors at Providence College, where, as a senior, he led the nation in scoring. His college coach, coincidentally, is also a Rhode Islander. Then-coach Lou Lamoriello is now president of the New Jersey Devils and will also serve as general manager of the U.S. Olympic Men's Hockey team.

Ron Wilson went on to a successful professional playing career in the National Hockey League and Europe. Today, he is the very successful coach of the local entry in the National Hockey League, the Washington Capitals. He is well equipped to lead our team next month in Japan, having successfully coached the U.S. Team in the 1996 World Cup to a major upset of Canada to win that prestigious competition. The victory was the biggest win for the United States since the 1980 Winter Olympics.

Hockey is, as I said, a passion in Rhode Island. Indeed, Coach Wilson will look down his bench and see three other Rhode Islanders on his team—Bryan Berard, Keith Carney, and Matthew Schneider. And the U.S. Women's Hockey team will include a majority of players who played their high school or college hockey in Rhode Island.

The Nagano Games will soon begin, and I extend the heartiest best wishes for success to Coach Wilson, his fellow Rhode Islanders, and all Americans wearing our uniform.●

STEVEN N. ADUBATO

● Mr. TORRICELLI. Mr. President, I rise today to extend my best wishes to Stephen N. Adubato on his 65th birthday. Steve's belief in his community and dedication to improving the education standards in New Jersey are just two examples of his lifelong commitment to public service. On his birthday, I would like to convey my thoughts to a good friend and valued colleague.

As the founder and Executive Director of the North Ward Center, Inc., he has created a central location for more than fifteen social service, community education and economic development programs for the Newark community. With the recent opening of the Newark Business Training Institute, Steve has continued his commitment to the community by assisting men and women in the transition from welfare to work.

Steve has made innumerable contributions to the education of New Jersey students. As a teacher and counselor in Newark, his leadership in education reform and superior teaching skills insured that children received the kind of education they deserved. Steve's commitment to education is a true testament to his compassion and desire to help students in the State of New Jersey.

As we search for ways to revitalize the once flourishing city of Newark, I have been impressed by Steve's ideas and goals for the area. The economic and social progress we have seen in Newark's North Ward is a direct result of Steve's efforts. He has single-handedly improved this area of the city so that it now serves as a model for urban development. This is a great deal to have accomplished in 65 short years, but Steve is clearly no stranger to hard work.

Steve Adubato's dedication to the Newark community and the State of New Jersey make it an honor for me to be able to recognize him as he celebrates his birthday. I wish him the best on this special day, and I hope he will enjoy 65 more years of happiness.●

70TH ANNIVERSARY OF THE INVENTION OF SCOTCH TAPE

● Mr. GRAMS. Mr. President, recognizing that January 31 marks the 70th anniversary of the invention of Scotch tape, I wanted to take a moment to honor its developer, Richard Drew, and all the employees of 3M who have followed in Mr. Drew's pioneering footsteps.

Over the years, Minnesota-based 3M has been a leader in many different ventures. I have always appreciated the opportunity to work with 3M's employees on various regulatory, tax, and trade initiatives. Being able to think outside the proverbial "box" has together enabled us to demonstrate to government that given the flexibility, Minnesota companies can succeed as leaders.

Just as Mr. Drew accomplished with his invention of Scotch tape, the employees of 3M continue to push the envelope, tackling real problems and developing common-sense solutions. And as with Scotch tape, society wonders how we ever got along without them.

So on January 31, we will be recognizing the achievements of Richard Drew's achievements, but we also honor the spirit of ingenuity he sparked for all of 3M's employees.●

ENVIRONMENTAL POLICY AND CONFLICT RESOLUTION ACT OF 1997

Mr. NICKLES. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 3042 Calendar No. 302.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

A bill (H.R. 3042) to amend the Morris K. Udall Scholarship and Excellence in National Environmental and Native American Public Policy Act of 1992 to establish the United States Institute for Environmental Conflict Resolution to conduct environmental conflict resolution and training, and for other purposes.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. NICKLES. Mr. President, I ask unanimous consent that the bill be considered, read the third time, passed, and the motion to reconsider be laid upon the table, and that any statements relating to the bill be placed at the appropriate place in the RECORD.

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

The bill (H.R. 3042) was deemed read the third time and passed.

APPOINTMENTS BY MAJORITY LEADER

Mr. NICKLES. Mr. President, I ask unanimous consent that the majority leader be authorized to appoint two Senators to the National Council on the Arts as amended by Public Law 105-83.

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

REMOVAL OF INJUNCTION OF SECRECY—TREATY DOCUMENT NO. 105-35

Mr. NICKLES. Mr. President, as in executive session, I ask unanimous consent the injunction of secrecy be removed from the following treaty transmitted to the Senate on January 29, 1998, by the President of the United States: Trademark Law Treaty, Document No. 105-35.

I further 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 be ordered to be printed, and the President's messages be printed in the RECORD.

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

The message of the President is as follows:

To the Senate of the United States:

I transmit herewith for advice and consent to ratification, the Trademark Law Treaty done at Geneva October 27, 1994, with Regulations. The Treaty was signed by the United States on October 28, 1994. I also transmit for the information of the Senate, the report of the Department of State with respect to the Treaty, accompanied by a detailed analysis of the Treaty and Regulations, prepared by the Department of State and the Patent and Trademark Office of the Department of Commerce.

Ratification of the Treaty is in the best interests of the United States. The Treaty eliminates many of the burdensome formal requirements that now exist in the trademark application and registration maintenance processes of many countries. Those requirements cause considerable expense and delay for trademark owners. The Treaty is aimed at standardizing and simplifying the application process so that the application will be accepted and processed by the trademark offices of all parties to the Treaty.

I recommend, therefore, that the Senate give early and favorable consideration to the Trademark Law Treaty with Regulations and give its advice and consent to ratification.

WILLIAM J. CLINTON.

THE WHITE HOUSE, *January 29, 1998.*

ORDERS FOR MONDAY, FEBRUARY 2, 1998

Mr. NICKLES. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 12 noon on Monday, February 2, 1998, and, immediately following the prayer, the routine requests through the morning hour be granted and the Senate then proceed to 1 hour of morning business not to extend beyond the hour of 1 p.m, with Senators permitted to speak up to 5 minutes each.

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

PROGRAM

Mr. NICKLES. It is my hope that at 1 p.m. on Monday, the minority Members of the Senate will be prepared to enter into an agreement with respect to the renaming of the National Airport after our former President, Ronald Reagan. I also hope that we will be in a position to consider the Iraq resolution and possibly debate nominations from the Executive Calendar. However, Members should be reminded that no votes will occur during Monday's session of the Senate.

The Senate will not be in session on Friday of this week. However, votes could be stacked to occur as early at 10 a.m. on Tuesday, February 3, if agreements can be reached on Monday. Members should be prepared for votes throughout the next 2 weeks in an effort to complete several items prior to the Presidents' Day recess.

ADJOURNMENT UNTIL MONDAY, FEBRUARY 2, 1998

Mr. NICKLES. Mr. President, if there is no further business to come before the Senate, I now ask unanimous consent the Senate stand in adjournment under the previous order.

There being no objection, the Senate, at 6:20 p.m., adjourned until Monday, February 2, 1998, at 12 noon.

NOMINATIONS

Executive nominations received by the Senate January 29, 1998:

DEPARTMENT OF DEFENSE

DAVID R. OLIVER, OF INDIANA, TO BE DEPUTY UNDER SECRETARY OF DEFENSE FOR ACQUISITION AND TECHNOLOGY, VICE R. NOEL LONGUEMARE, JR.

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

KEVIN EMANUEL MARCHMAN, OF COLORADO, TO BE AN ASSISTANT SECRETARY OF HOUSING AND URBAN DEVELOPMENT, VICE JOSEPH SHULDINER, TO WHICH POSITION HE WAS APPOINTED DURING THE LAST RECESS OF THE SENATE.

FEDERAL TRADE COMMISSION

ORSON SWINDLE, OF HAWAII, TO BE A FEDERAL TRADE COMMISSIONER FOR THE TERM OF SEVEN YEARS FROM SEPTEMBER 26, 1997, VICE ROSCOE BURTON STAREK, III, TERM EXPIRED, TO WHICH POSITION HE WAS APPOINTED DURING THE LAST RECESS OF THE SENATE.

MOZELLE WILLMONT THOMPSON, OF NEW YORK, TO BE A FEDERAL TRADE COMMISSIONER FOR THE TERM OF SEVEN YEARS FROM SEPTEMBER 26, 1996, VICE CHRISTINE A. VARNEY, RESIGNED, TO WHICH POSITION HE WAS APPOINTED DURING THE LAST RECESS OF THE SENATE.

UNITED STATES ENRICHMENT CORPORATION

MARGARET HORNBECK GREENE, OF KENTUCKY, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE UNITED STATES ENRICHMENT CORPORATION FOR A TERM EXPIRING FEBRUARY 24, 2003. (REAPPOINTMENT.)

EXECUTIVE OFFICE OF THE PRESIDENT

RICHARD W. FISHER, OF TEXAS, TO BE DEPUTY UNITED STATES TRADE REPRESENTATIVE, WITH THE RANK OF AMBASSADOR, VICE CHARLENE BARSHEFSKY, TO WHICH POSITION HE WAS APPOINTED DURING THE LAST RECESS OF THE SENATE.

UNITED STATES ADVISORY COMMISSION ON PUBLIC DIPLOMACY

CHARLES H. DOLAN, JR., OF VIRGINIA, TO BE A MEMBER OF THE UNITED STATES ADVISORY COMMISSION ON PUBLIC DIPLOMACY FOR A TERM EXPIRING JULY 1, 2000. (REAPPOINTMENT.)

INTERNATIONAL BANKS

STUART E. EIZENSTAT, OF MARYLAND, TO BE UNITED STATES ALTERNATE GOVERNOR OF THE INTERNATIONAL BANK FOR RECONSTRUCTION AND DEVELOPMENT FOR A TERM OF FIVE YEARS; UNITED STATES ALTERNATE GOVERNOR OF THE INTER-AMERICAN DEVELOPMENT BANK FOR A TERM OF FIVE YEARS; UNITED STATES ALTERNATE GOVERNOR OF THE AFRICAN DEVELOPMENT BANK FOR A TERM OF FIVE YEARS; UNITED STATES ALTERNATE GOVERNOR OF THE AFRICAN DEVELOPMENT FUND; UNITED STATES ALTERNATE GOVERNOR OF THE ASIAN DEVELOPMENT BANK; UNITED STATES ALTERNATE GOVERNOR OF THE EUROPEAN BANK FOR RECONSTRUCTION AND DEVELOPMENT, VICE JOAN E. SPERO, RESIGNED.

DEPARTMENT OF STATE

NANCY E. SODERBERG, OF THE DISTRICT OF COLUMBIA, TO BE AN ALTERNATE REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE SESSIONS OF THE GENERAL ASSEMBLY OF THE UNITED NATIONS DURING HER TENURE OF SERVICE AS ALTERNATE REPRESENTATIVE OF THE UNITED STATES OF AMERICA FOR SPECIAL POLITICAL AFFAIRS IN THE UNITED NATIONS, TO WHICH POSITION SHE WAS APPOINTED DURING THE LAST RECESS OF THE SENATE.

Nancy E. Soderberg, of the District of Columbia, to be Alternate Representative of the United States of America for Special Political Affairs in the United Nations, with the rank of Ambassador, to which position she was appointed during the last recess of the Senate.

DEPARTMENT OF JUSTICE

Bill Lann Lee, of California; to be an Assistant Attorney General, vice Deval L. Patrick, resigned.

THE JUDICIARY

Christine O. C. Miller, of the District of Columbia, to be a Judge of the United States Court of Federal Claims for a term of fifteen years (Reappointment), to which position she was appointed during the last recess of the Senate.

DEPARTMENT OF JUSTICE

Paul L. Seave, of California, to be United States Attorney for the Eastern District of California for the term of four years vice Charles Joseph Stevens, resigned.

NATIONAL COMMISSION ON LIBRARIES AND INFORMATION SCIENCE

Rebecca T. Bingham, of Kentucky, to be a Member of the National Commission on Libraries and Information Sciences for a term expiring July 19, 2001, vice Carol K. DiPrete, term expired.

DEPARTMENT OF EDUCATION

SCOTT SNYDER FLEMING, OF VIRGINIA, TO BE ASSISTANT SECRETARY FOR LEGISLATION AND CONGRESSIONAL AFFAIRS, DEPARTMENT OF EDUCATION, VICE KAY CASSTEVENS.

NATIONAL COMMISSION ON LIBRARIES AND INFORMATION SCIENCE

MARTHA B. GOULD, OF NEVADA, TO BE A MEMBER OF THE NATIONAL COMMISSION ON LIBRARIES AND INFORMATION SCIENCE FOR A TERM EXPIRING JULY 19, 2002. (REAPPOINTMENT)

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

PAUL M. IGASAKI, OF CALIFORNIA, TO BE A MEMBER OF THE EQUAL EMPLOYMENT OPPORTUNITY COMMISSION FOR A TERM EXPIRING JULY 1, 2002 (REAPPOINTMENT), TO WHICH POSITION HE WAS APPOINTED DURING THE LAST RECESS OF THE SENATE.

RAILROAD RETIREMENT BOARD

CHERRYL T. THOMAS, OF ILLINOIS, TO BE A MEMBER OF THE RAILROAD RETIREMENT BOARD FOR A TERM EXPIRING AUGUST 28, 2002, VICE GLEN L. BOWER, TERM EXPIRED.

IN THE COAST GUARD

THE FOLLOWING-NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES COAST GUARD RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203(A):

To be captain

STEPHEN W. ROCHON, x...
LOUIS M. FARRELL, x...

THE FOLLOWING INDIVIDUAL FOR PERMANENT APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES COAST GUARD UNDER TITLE 14, U.S.C. SECTION 211:

To be lieutenant

ROBERT L. CLARKE, JR., x...

THE FOLLOWING INDIVIDUAL FOR PERMANENT APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES COAST GUARD UNDER TITLE 14, U.S.C., SECTION 211:

To be lieutenant

KERSTIN B. RHINEHART, x...

THE FOLLOWING INDIVIDUAL FOR PERMANENT APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES COAST GUARD UNDER TITLE 14, U.S.C., SECTION 211:

To be lieutenant

MAURY M. MC FADDEN, x...

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

SUBJECT TO QUALIFICATIONS PROVIDED BY LAW, THE FOLLOWING FOR PERMANENT APPOINTMENT TO THE GRADES INDICATED IN THE NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION.

To be lieutenants (junior grade)

JAMES A. ILLG
JEFFREY C. HAGAN
JOHN K. LONGENECKER
RICHARD T. BRENNAN
MICHELE M. RILEY
GEORGE J. KONOVAL
JACK L. RILEY
DAVID M. BERNHART
MICHAEL L. HOPKINS
ERIC W. BERKOWITZ
JON D. SWALLOW
WILLIAM T. COBB III
JOSEPH A. PICA
KEITH W. ROBERTS
MICHAEL P. SORACCO
HARRY S. KINDLE III
ALEXANDRA R. VON SAUNDER
JONATHAN G. WENDLAND
PHILIP G. HALL
LAWRENCE T. KREPP
BRIAN W. PARKER
JOHN T. CASKEY
TODD A. HAUPT
JASON C. MASTERS
CECILE R. DANIELS
THOMAS E. MARTIN
LAWRENCE P. CHICCHELLY, JR.
JONATHAN A. MANN
SHEPARD M. SMITH
TODD A. BRIDGEMAN
NATHAN L. HILL
ROBERT A. KAMPHAUS
ERIC W. ORT
EDWARD J. VAN DER AMEELE
MARK A. WETZLER
STACY M. MAENNER
ADAM D. DUNBAR
DEBORA A. BARR
ERIC J. SIPOS
PETER C. FISCHEL
WILLIAM R. ODELL
JAMES M. CROCKER
JEREMY M. ADAMS
CHRISTOPHER E. PARRISH
JOEL T. MICHALSKI
DAWN M. WELCHER
RAYMOND A. SANTOS
KURT A. ZEGOWITZ
MARK A. SRAMEK
RUSSELL C. JONES
JENNIFER D. GARTE

IN THE AIR FORCE

THE FOLLOWING AIR NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE, TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be major general

BRIG. GEN. LARRY K. ARNOLD, x...
BRIG. GEN. JAMES. H. BASSHAM, x...
BRIG. GEN. GEORGE F. SCOGGINS, JR., x...

To be brigadier general

COL. JAMES F. BARNETTE, x...
COL. RALPH J. CLIFFT, x...
COL. HAROLD A. CROSS, x...
COL. THOMAS G. CUTLER, x...
COL. GILBERT R. DARDIS, x...
COL. THOMAS P. MAGUIRE, JR., x...
COL. BARBARA J. NELSON, x...
COL. AVRUM M. RABIN, x...
COL. GARY L. SAYLER, x...
COL. ANDREW J. THOMPSON IV, x...
COL. HARRY A. TROSCLAIR, x...
COL. STEPHEN L. VONDERHEIDE, x...

IN THE NAVY

THE FOLLOWING-NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral

REAR ADM. (LH) JAY A. CAMPBELL, x...
REAR ADM. (LH) ROBERT C. CHAPLIN, x...
REAR ADM. (LH) JAMES C. DAWSON, JR., x...
REAR ADM. (LH) MALCOLM I. FAGES, x...
REAR ADM. (LH) SCOTT A. FRY, x...
REAR ADM. (LH) GREGORY G. JOHNSON, x...
REAR ADM. (LH) ALBERT H. KONETZNI, JR., x...
REAR ADM. (LH) JOSEPH J. KROL, JR., x...
REAR ADM. (LH) RICHARD W. MAYO, x...
REAR ADM. (LH) MICHAEL G. MULLEN, x...
REAR ADM. (LH) LARRY D. NEWSOME, x...
REAR ADM. (LH) WILLIAM W. PICKAVANCE, JR., x...
REAR ADM. (LH) WILLIAM L. PUTNAM, x...
REAR ADM. (LH) PAUL S. SEMKO, x...
REAR ADM. (LH) ROBERT G. SPRIGG, x...
REAR ADM. (LH) DONALD A. WEISS, x...
REAR ADM. (LH) RICHARD D. WEST, x...
REAR ADM. (LH) HARRY W. WHITON, x...
REAR ADM. (LH) THOMAS R. WILSON, x...
REAR ADM. (LH) GEORGE R. YOUNT, x...

IN THE AIR FORCE

THE FOLLOWING-NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTIONS 624 AND 628:

To be major

JOHN G. BITWINSKI, x...
SHERRIE L. CASKEY, x...
GARY A. HOWELL, x...

THE FOLLOWING-NAMED OFFICERS FOR A REGULAR APPOINTMENT IN THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, SECTION 2114:

To be captain

KURT W. ANDREASON, x...
RENEE V. BARNHIZER, x...
CHESTER P. BARTON III, x...
JAMES E. BERMUDEZ, 1811
RACHEL A. CALL, x...
KYLE L. CARTER, x...
MICHAEL T. CHARLTON, x...
MARK B. CLINGER, x...
MELISSA M. CORRADO TYREE, x...
DANA K. CRESSLER, x...
SCOTT M. CUMMIS, x...
HEATHER I. DAVIS, x...
LAKEISHA R. DAVIS, x...
MICHAEL R. DAVIS, x...
BRIAN L. DELMONACO, x...
DANIEL S. DIETRICH, x...
KENNETH S. EGERSTROM, x...
SUSAN C. FARRISH, x...
GARY J. FRENCH, x...
WILLIAM HALLIER, x...
KATHY J. JOERS, x...
HELEN N. JOHNSONWALL, x...
JOCELYN A. KILGORE, x...
JEFFERY D. KUETER, x...
MAXIMILIAN S. LEE, x...
JONATHAN D. LOPEZ, x...
PATRICK D. LOWRY, x...
KIMBERLY S. LYONS, x...
KYLE J. MICHAELIS, x...
WILLIAM P. MUELLER, x...
DAVID W. MUNITZ, x...
YVONNE M. NEWBURG, x...
SAMIA A. OCHIA, x...
ROCKEY R. RESTON, x...
JOSEPH R. RICHARDS, x...
ROBERT M. SHIDELER, x...
PETER T. SIPOS, x...
JOHN J. STEELE III, x...
THOMAS G. STRUBLE, x...
DAI A. TRAN, x...
KREANGKAI TYREE, x...
CHRISTOPHER W. WALKER, x...
STEVEN R. WARD, x...
JOHN C. WESKE, x...
RANDY W. WOBSER, x...
RAWSON L. WOOD, x...

IN THE ARMY

THE FOLLOWING-NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTIONS 624 AND 628:

To be lieutenant colonel

JAMES P. NEELY, x...
JOHN C. WARNKE, x...

THE FOLLOWING-NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be colonel

ROLAND G. ALGER, x...
JUDITH M. ALLEN, x...
JOHN P. AUBIN, x...
JIMMY L. BLAND, x...
JEFFREY L. BOND, x...
CARL W. BRAMLITT, x...
JAMES B. CARY, x...
THOMAS P. CICCARIELLA, x...
ARTHUR W. CLEAVES, x...
PAUL D. COSTILOW, x...
IRVINE K. DAMRON, x...
BRUCE E. DAVIS, x...
JOHN M. DAVIS, x...
RICHARD J. DECKER, x...
ROBERT E. DELOACHE, JR., x...
PETER J. DUFFY, x...
JAY D. FOX, x...
THOMAS T. GALKOWSKI, x...
RONALD M. GAY, x...
JAY P. GORDON, x...
JOHN S. HATCHER, x...
BARON G. HIGNITE, x...
JOHN C. HOLLAND, x...
WILLIAM R. HOLT, x...
RICHARD A. HUTCHISON, x...
LANELLE JACKSON, x...
JOHN E. JENNER, JR., x...
JACK F. JONES II, x...
GARY N. LINDBERG, x...
EMERY A. MADDOCKS, x...
DANIEL T. MANEY, x...
JAMES R. MASON, x...
SANDRA J. MILLARD, x...
ROBERT E. MORAN, x...
CHARLES W. NAJACHT, x...
RICHARD C. NASH, x...
WENDELL P. NIERMAN, x...
WILLIAM J. STRANGE, x...
LLOYD L. SUTTON, x...
JACKIE S. SWOPE, x...
MICHAEL L. TODOROVICH, x...
WELLINGTON C. TOPPAN, JR., x...
PATRICIA A. TURNER, x...
KEN J. VAHLE, x...
JOHNNIE L. YOUNG, x...

THE FOLLOWING-NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY IN THE JUDGE ADVOCATE GENERAL'S CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be lieutenant colonel

STEPHEN E. CASTLEN, x...
MICHAEL J. DAVIDSON, x...
RAFE R. FOSTER, x...
AMY M. FRISK, x...
WILLIAM R. GADE, x...
CHRISTOPHER M. GARCIA, x...
SUSAN S. GIBSON, x...
SARAH S. GREEN, x...
ROBIN L. HALL, x...
HERBERT L. HARRY, x...
CHARLES B. HERNICZ, x...
KEVAN F. JACOBSON, x...
SCOTT L. KILGORE, x...
JON L. LIGHTNER, x...
JACQUELINE R. LITTLE, x...
DOUGLAS K. MICKLE, x...
JOHN P. MORAN, x...
STEPHEN M. PARKE, x...
ALLISON A. POLCHEK, x...
DANIEL K. POLING, x...
MARK A. RIVEST, x...
MARITZA S. RYAN, x...
KATHRYN R. SOMMERKAMP, x...
BRADLEY P. STAI, x...
SAMUEL T. STEVENSON, x...
BEDARD M. TALBOT, x...
KELLY D. WHEATON, x...
LAWRENCE J. WILDE, x...
JOHN I. WINN, x...

THE FOLLOWING-NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY AND FOR REGULAR APPOINTMENT AS CHAPLAIN (IDENTIFIED BY AN ASTERISK(*)) UNDER TITLE 10, U.S.C., SECTIONS 624, 531, AND x...:

To be colonel

JOHN P. BARBEE, x...
JOSEPH S. BATLUCK, SR., x...
JAMES B. BISHOP, x...
JAMES K. BLUETT, x...
LLOYD A. BROWN, x...
JAMES A. BUCKNER, x...
JAMES M. COINDREAU, x...
JAMES P. CREWS, x...
JAMES W. DANIELS, JR., x...
TERRY A. DEMPSEY, x...
STEVEN B. DOAN, x...
GENE S. FOWLER, JR., x...
RICHARD H. GRICE, x...
STEPHEN J. HEETLAND, x...
GREG W. HILL, x...
*JAMES J. JAGIELSKI, x...
HERBERT J. MC CHRYSTAL, x...
LEO J. OKEEFFE, x...
JIM M. PHELPS, x...
JAMES W. ROBINSON, x...
SIR W. SCOTT, JR., x...
FRANCISCO D. SOMERA, JR., x...
KERRY M. STEEDLEY, x...
GUSTAF H. STEINHILBER, x...
RONALD STRONG, x...
PAUL L. VICALVI, x...

THE FOLLOWING-NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be colonel

STEVEN G. BOLTON, x...
EVERETT J. BONNER, x...
DAVID C. HARRIS, x...
JORDAN M. HUGHES, x...
VIRGINIA L. LESSERT, x...
WILLIAM C. MARTIN, x...
RICHARD G. MAXON, x...
JAMES C. NANNOS, x...
JOHN R. PENEBACKER, x...
KENNETH J. PROSSICK, x...
RENALDO RIVERA, x...
MARK E. STORER, x...
THOMAS A. VANVEEN, x...
HAROLD M. WEAVER, x...
ROGER D. WILLIAMS, x...
KATHY J. WRIGHT, x...
TIMOTHY J. WRIGHT, x...

THE FOLLOWING-NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTIONS 624 AND 628:

To be lieutenant colonel

BRUCE F. BROWN, x...

THE FOLLOWING-NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be colonel

DONALD E. BALLARD, x...
BRUCE S. BOLLINGER, x...
DAVID M. BROCKMAN, x...
TIMOTHY J. COEN, x...
TERRY R. COUNCIL, x...
MYLES L. DEERING, x...
WILLIAM H. DOUGLAS, III, x...
MICHAEL P. FLEMING, x...
JAMES L. GREENFIELD, x...
THOMAS D. HADDAN, x...
HAL F. HARRINGTON, x...
NEALE C. HIGHTOWER, x...
ROGER A. LALICH, x...
WILLIAM L. LAXTON, x...
GREGG H. MALICKI, x...
MICHAEL T. MCCABE, x...
STEVEN M. MILLER, x...
HERSHELL W. O'DONNELL, x...
BENNIE C. OULDS, x...
JANICE E. PAIGE, x...
STANLEY R. PUTNAM, x...
STEVEN M. SCORZATO, x...
TOM L. SHIRLEY, x...
DANIEL S. SPRING, x...
MATTHEW J. WHITTINGTON, x...
CHARLES S. WOODS, x...
MERREL W. YOCUM, x...

THE FOLLOWING-NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10 U.S.C., SECTIONS 624 AND 628:

To be lieutenant colonel

MORRIS C. MCKEE, JR., x...

THE FOLLOWING-NAMED OFFICERS FOR APPOINTMENT TO THE GRADES INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTIONS 624 AND 628:

To be colonel

EDWARD S. CROSBIE, x...

To be lieutenant colonel

MARTHA A. SANDERS, x...

THE FOLLOWING-NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be colonel

GARY A. DOLL, x...
DAVID P. HAGARMAN, x...
GARY W. LATZ, x...
THOMAS C. MARCELLO, x...
RICHARD W. NICHOLS, x...
JAMES L. PATTERSON, x...
DAVID W. RAES, x...
THOMAS D. SEARGEANT, x...
WILLIAM P. WHITNEY, x...
GORDON E. WISE, x...

THE FOLLOWING-NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be major

HUGH J. BETTENDORF, x...
WILLIAM J. COOK, x...

THE FOLLOWING-NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

CHARLES G. HUGHES II, x...
WILLIAM S. WATKINS, x...

THE FOLLOWING-NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be major

KENT J. KEITH, x...

IN THE NAVY

THE FOLLOWING-NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be captain

ALBERT W. SCHMIDT, x...

THE FOLLOWING-NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVAL RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

To be captain

JEFFERY W. LEVI, x...

THE FOLLOWING-NAMED OFFICERS, FOR TEMPORARY APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 5721:

To be lieutenant commander

DAVID AVENCIO, x...
MICHAEL BADORF, x...
BENITO BAYLOSIS, x...
TODD A. BELTZ, x...
DANIEL BRUNK, x...
JOHN A. CARTER, x...
EDWARD B. CASHMAN, x...
REEVES DAVES, x...
LEONARD DOLLAGA, x...
JOHN EICHELBERGER, x...
ALAN GIBSON, x...
JOSEPH D. GOMBAS, x...
WILLIAM GOSSETT, x...
DAVID GRAEFEN, x...
DALE GREEN, x...
ROBERT A. HICKEY, x...
JOHN JENSON, x...
ERIC A. KELSEY, x...
PAUL LYONS, x...
DOUGLAS MARSHALL, x...
JAMES R. MIDKIFF, x...
MICHAEL MILLER, x...
DALE MINICH, x...
RICHARD M. ODOM, x...
SEAN O'MALLEY, x...
SAMUEL OVERMEYER, x...
PETER PASQUALE, x...
BLANE PENNYBACKER, x...
ERIC PICKEL, x...
JOHN F. RINKO, x...
DAVID SLIGER, x...
WESLEY SMITH, x...
GEORGE L. SNIDER, x...
EHRICH STEINMETZ, x...
KEVIN SUTTON, x...
PARKER W. SWAN, x...
MICHAEL VARNEY, x...
DANIEL WAY, x...

IN THE ARMY

THE FOLLOWING-NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY AND FOR REGULAR APPOINTMENT IN THE MEDICAL CORPS OR DENTAL CORPS (IDENTIFIED BY AN ASTERISK (*)) UNDER TITLE 10, U.S.C. SECTIONS 624, 531 AND 3064:

To be colonel

SUE H. ABREU, x...
CAROL F. ADAIR, x...
*BRENDA J. ALCOVERBALLARD, x...
*ALICIA Y. ARMSTRONG, x...
NAOMI E. ARONSON, x...
STEPHEN J. AWE, x...
PATRICK J. BASQUILL, x...
DANIEL F. BATTAFARANO, x...
WAYNE B. BATZER, x...
CORAZON Y. BLACKWELL, x...
BRUCE A. BORETSKY, x...
TIMOTHY M. CAMPBELL, x...
JOSEPH CARAVALHO, JR., x...
EDWARD R. CARTER, x...
ESTHER L. CHILDERS, x...
CLIFFORD C. CLOONAN, x...
RHONDA L. CORNUM, x...
LAWRENCE M. CORRENTI, x...
FERNANDO L. COSTASNIEVES, x...
MICHAEL F. CUENIN, x...
ERIC L. DOANE, x...
DAVID D. ELLIS, x...
JEFFREY A. ELTING, x...
PAUL J. ENGIBOUS, x...
DONALD E. FANNING, x...
WARNER D. FARR, x...
JAMES G. FISHER, x...
*THOMAS M. FITZPATRICK, x...
*EDWARD FLETCHER, x...
PAUL F. FORTE, x...
JEFFREY D. FOWLER, x...
KENNETH J. FRANKLIN, x...
JONATHAN C. FRUENDT, x...
GEORGE F. FULLER, x...
DONALD L. GEBHART, x...
JAMES A. GEILING, x...
*DAVID GILLINGHAM, x...
JEFFREY R. GINTHER, x...
CHARLES H. GLEATON, x...
CURTIS D. GOHO, JR., x...
DAVID I. GOLDBERG, x...
DAVID M. GONZALEZ, x...
NOEL D. HABIB, x...
*DALLAS C. HACK, x...
TED W. HAMMOND, x...
LARRY J. HANSON, x...
BRADLEY N. HARPER, x...
*BRENDA S. HARPER, x...
JEFFREY L. HARRIS, x...
KIP R. HARTMAN, x...
DAVID A. HERMAN, x...
STEPHEN P. HETZ, x...
WILLIAM C. HORTON, x...
STEVEN L. KENNEY, x...
KARL R. KERCHIEF, x...
*YOUNG O. KIM, x...
TIMOTHY M. KING, x...
RICHARD D. KOPKE, x...
ROBERT D. LARSEN, x...
ROBERT E. LEWIS, x...
FREDERICK R. LIEWEHR, x...
ROBERT K. MANGA, x...
MARY E. MANISCALCOTHEBERGE, x...
RICHARD L. MARPLE, x...
MIKE MCBILES, x...
JAMES S. MCGHEE, JR., x...
JOHN G. MCNEIL, x...
*VICTOR L. MODESTO, x...
ALAN L. MOLOFF, x...
PATRICK H. MOORE, x...
SEAN E. MULLEN, x...
TERRENCE S. MURPHY, x...
EDWARD T. NEELY, x...
JAMES E. NEWMAN, JR., x...
ANN E. NORWOOD, x...
WAYNE L. OLSEN, x...
THOMAS A. PERKINS, x...
*GERALD E. POLEY, JR., x...
ADOLFINA M. POLK, x...
MELVIN S. POLK, JR., x...
DEOGRACIA QUINONES, x...
SHIRLEY E. REDDOCH, x...
*STEVEN E. REISSMAN, x...
*JOHN A. RICHMOND, x...
JOHN F. ROSER, JR., x...
JAMES K. SCHMITT, x...
JOHNETTE J. SHELLEY, x...
ELISABETH M. STAFFORD, x...
RICHARD C. TENGLIN, x...
JAMES C. WARING, JR., x...
ROBERT W. WEIEN, x...
ROGER W. WEYAND, x...
WILLIAM C. WILLIARD III, x...
BENJAMIN G. WITHERS, x...
DANIEL A. WOLF, x...
*MICHAEL R. WYMES, x...
*STEVEN J. YEVICH, x...
JOHN S. YOUNG III, x...
DARYL N. ZEIGLER, x...

IN THE ARMY

THE FOLLOWING-NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

BENJAMIN J. ADAMCIK, x...
JACQUELINE AGNEW, x...
WILLIAM H. ANDERSON, x...
PAUL L. ANDREWS, x...
BARRY J. APPLEBY, x...
JEFFREY D. ASTROTH, x...
SALVATORE J. BATE, x...
JAMES F. BEATTIE, x...
EDWARD F. BIGSBY, x...
JOHN L. BLACK, x...
ISAAC D. BROUSSARD, x...
JIMMIE L. BROWNING, x...
MICHAEL K. BURROUGHS, x...
FRANK D. BUTLER, x...
JEFFREY C. CHANG, x...
DONALD M. CHOATE, x...
WILLIAM L. CLEAVER, x...
CARL CONLEY, JR., x...
DALLAS COTTAM, x...
JAMES S. CROWELL, x...
DEBORAH DACUMOS, x...
KATHY M. DEVLIN, x...
ROBERT S. DRISCOLL, x...
RONALD P. EASMANN, x...
BRYAN C. EDGAR, x...
ROBERT W. ENZENAUER, x...
WENDELL K. S. FOO, x...
MICHAEL M. FUENFER, x...
GARY A. GOFORTH, x...
GLADYS M. GONZALEZ-NADAL, x...
FREDERICK C. GOOD, x...
LEWIS E. III GORMAN, x...
MARILYN F. GRAMS, x...
CHRISTIAN III GRONBECK, x...
THOMAS J. GUZZO, x...
WALTER J. HAAG, x...
VICTOR HADDAD, x...
ROBERT P. HAYES, x...
BRUCE F. HECKMAN, x...
THOMAS A. HICKLIN, x...
BERT W. HOLMES, x...
MICHAEL L. HUGGINS, x...
DANIEL L. HURST, x...
LYLE R. JACKSON, x...
ARTHUR V. JEWETT, x...
HAROLD G. JONES, x...
CURTIS A. JUHALA, x...
ALGIRDAS A. JUOCYS, x...
WILLIAM F. KEENAN, x...

PERRY D. KENDRICK, X...
HOLLY P. KENNEDY, X...
ALI M. KHAJAWALL, X...
PETER V. KILBURN, X...
JUDE J. KIRK, X...
LOIS E. KNAPP, X...
WILLIAM F. KRINGEL, X...
RICHARD W. KRUSE, X...
LOU A. LARGENT, X...
GEORGE A. LEE, X...
ALVIN L. LIEVSAY, X...
THOMAS N. LITTLE, X...
JACQUELINE H. LONGBOTHAM, X...
DANIEL K. LOWE, X...
DONALD G. LUEDERS, X...
CHARLES B. MAYNARD, X...
DAVID R. MCDUFF, X...
MICHAEL F. MCGREGOR, X...
ROBERT L. MCGUINN, X...
WALTER J. MEIVES, X...
BRUCE D. METCALFE, X...
DOMINICK A. MINOTTI, X...
LLOYD T. MORITA, X...
RALPH D. MORRIS, X...
ALFONSO V. NAVARRO, X...
ORIN H. OGILVIE, X...
PATRICK S. ORILEY, X...
JAMES A. ORSINI, X...
ANGEL L. PADILLA, X...
DONALD R. PANKRATZ, X...
KENNETH B. PETERSON, X...
RONALD E. POWELL, X...
MARIAN H. PUTNAM, X...
STANLEY L. QUOCK, X...
BRIAN M. REES, X...
GEORGE E. RICHARDSON, X...
SONIA F. SACEDA, X...
WILLIAM R. SANDEL, X...
MILTON R. SCHOLZE, X...
DEAN G. SIENKO, X...
JOHN W. SMITH, X...
ROBERT E. SPILLER, X...
KENNETH M. STALLINGS, X...
SAMUEL S. STROBERT, X...
BILLY J. TAYLOR, X...
LEONCIO B. TENA, X...
FRANCIS E. TRAXLER, X...
MELVIN R. VANDYKE, X...
JOHN C. WHITE, X...
LEROY WINFIELD, JR., X...
JONATHAN WOODSON, X...
WILLIAM W. WOOLMAN, X...
JAMES R. YATES, X...
JOY L. ZIEMANN, X...

IN THE AIR FORCE

THE FOLLOWING-NAMED OFFICERS, AIR FORCE RESERVE, FOR PROMOTION TO THE GRADE INDICATED, UNDER THE PROVISIONS OF SECTION 307 OF TITLE 32,U.S.C., AND SECTIONS 8363 AND 593 OF TITLE 10, U.S.C.

To be colonel

DAVID W. ARNETT II, X...
MICHAEL BARNES, X...
WILLIAM W. BARNES, X...
THOMAS L. BENE, JR., X...
THERESA Z. BLUMBERG, X...
EDWARD W. BOYKIN, X...
RONALD D. BROOKS, X...
JAMES C. BROWN, X...
TOD M. BUNTING, X...
TIMOTHY J. CARROLL, X...
WILLIAM H. CLELAND, X...
VIRGIL T. CONSIDINE, JR., X...
MICHAEL W. CORBETT, X...
JIMMY L. DAVIS, JR., X...
MICHAEL D. DELANEY, X...
HOWARD W. DERRICK, X...
HOWARD M. EDWARDS, X...
WILLIAM V. ETCHISON, X...
DONALD E. FICK, X...
BRIAN D. FIELDS, X...
RONALD M. FORCE, X...
DANIEL D. FOREMAN, JR., X...
MARK S. FUNAIOLE, X...
MICHAEL J. GARCIA, X...
JAMES S. GOODWIN, X...
WILLIAM D. GORE, X...
RICHARD M. GREEN, X...
JAMES E. HEARON, X...
KENCIL J. HEATON, X...
LAIRD R. JOHNSON, X...
LARRY T. JOHNSON, X...
JAMES H. JONES III, X...
THOMAS P. JONS, X...
DAVID M. KINGSTON, X...
DENNIS E. KNAUB, X...
ROBERT A. KNAUFF, X...
EDWARD J. KRAUS, JR., X...
MARILYN J. LYTHGOE, X...
EDWARD A. MCILHENNY, X...
RONALD G. MEHAN, X...
JOHN D. MULLINS, X...
JAMES H. NELSON, III, X...
FRANKLIN B. NORAGON, X...
PATRICK M. ORORKE, X...
WILLIAM H. RICHTER, XX...
JOHN M. RIX, X...
MICHAEL L. ROBBINS, X...
SAMUEL R. SCARBRO, X...
ARTHUR F. SCHAEFER, X...
GEORGE F. SCHELLER, X...
JAMES SCUTTINA, X...
WILLIAM S. SKELLENGER, X...
WILLIAM I. SMITH, X...
ROBERT H. STCLAIR III, X...
JAMES P. STEFFLRE, X...
NELSON F. TEJADA, X...
OWEN M. ULMER, JR., X...
JOSEPH B. VEILLON, X...
WARREN R. WATKINS, X...
EDWARD I. WEXLER, X...
JOHN M. WHITE, 5135
STEVEN C. WIDEN, X...
SAMUEL P. WILLIAMSON, XX...
ELLIOTT W. WORCESTER, JR., X...
BRUCE E. VANDERVEN, X...

WITHDRAWALS

EXECUTIVE MESSAGES TRANSMITTED BY THE PRESIDENT TO THE SENATE ON JANUARY 29, 1998, WITHDRAWING FROM FURTHER SENATE CONSIDERATION THE FOLLOWING NOMINATIONS:

FEDERAL EMERGENCY MANAGEMENT AGENCY

JAMES HUDSON BAILEY, OF WISCONSIN, TO BE DEPUTY DIRECTOR OF THE FEDERAL EMERGENCY MANAGEMENT AGENCY, VICE HARVEY G. RYLAND, RESIGNED, WHICH WAS SENT TO THE SENATE ON OCTOBER 8, 1997.

MORRIS K. UDALL SCHOLARSHIP AND EXCELLENCE IN NATIONAL ENVIRONMENTAL POLICY FOUNDATION

RONALD KENT BURTON, OF VIRGINIA, TO BE A MEMBER OF THE BOARD OF TRUSTEES OF THE MORRIS K. UDALL SCHOLARSHIP AND EXCELLENCE IN NATIONAL ENVIRONMENTAL POLICY FOUNDATION FOR A TERM EXPIRING OCTOBER 6, 2002, (REAPPOINTMENT), WHICH WAS SENT TO THE SENATE ON JANUARY 9, 1997.