(2) avoidable loss to the United States.

(d) TREATMENT OF RECEIPTS.—(1) Notwithstanding section 9 of the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98h), funds received as a result of the disposal of materials under subsection (a) shall be deposited into the general fund of the Treasury and used to offset the revenues lost as a result of the amendments made by subsection (a) of section 4303 of the National Defense Authorization Act for Fiscal Year 1996 (Public Law 104–106; 110 Stat. 658).

(2) This section shall be treated as qualifying offsetting legislation for purposes of subsection (b) of such section 4303.

(e) RELATIONSHIP TO OTHER DISPOSAL AUTHORITY.—The disposal authority provided in subsection (a) is new disposal authority and is in addition to, and shall not affect, any other disposal authority provided by law regarding the materials specified in such subsection.

(f) DEFINITION.—The term ''National Defense Stockpile'' means the National Defense Stockpile provided for in section 4 of the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98c).

(g) ADDITIONAL LIMITATION.—Of the amounts listed in the table in subsection (b), titanium sponge may be sold only to the extent necessary to attain the level of receipts specified in subsection (a), after taking into account the estimated receipts from the other materials in such table.

TITLE XXXIV—NAVAL PETROLEUM RESERVES

SEC. 3401. AUTHORIZATION OF APPROPRIATIONS.

There is hereby authorized to be appropriated to the Secretary of Energy $149,500,000 for fiscal year 1997 for the purpose of carrying out activities under chapter 641 of title 10, United States Code, relating to the naval petroleum reserves (as defined in section 7420(2) of such title). Funds appropriated pursuant to such authorization shall remain available until expended.

TITLE XXXV—PANAMA CANAL COMMISSION

SEC. 3501. SHORT TITLE.

This title may be cited as the ''Panama Canal Commission Authorization Act for Fiscal Year 1997''.

SEC. 3502. AUTHORIZATION OF EXPENDITURES.

(a) IN GENERAL.—Subject to subsection (b), the Panama Canal Commission is authorized to make such expenditures within the limits of funds and borrowing authority available to it in accordance with law, and to make such contracts and commitments, to be derived from the Panama Canal Commission Revolving Fund, as may be necessary under the Panama Canal Act of 1979 (22 U.S.C. 3601 et seq.) for the operation, maintenance, improvement, and administration of the Panama Canal for fiscal year 1997.

(b) LIMITATIONS.—For fiscal year 1997, the Panama Canal Commission may expend from funds in the Panama Canal Revolving Fund not more than $73,000 for reception and representation expenses, of which—

(1) not more than $18,000 may be used for official reception and representation expenses of the Supervisory Board of the Commission;

(2) not more than $10,000 may be used for official reception and representation expenses of the Secretary of the Commission; and

(3) not more than $45,000 may be used for official reception and representation expenses of the Administrator of the Commission.

SEC. 3503. PURCHASE OF VEHICLES.

Notwithstanding any provision of law relating to purchase of vehicles by agencies of the Federal Government, funds available to the Panama Canal Commission shall be available for the purchase of, and for transportation to the Republic of Panama of, passenger motor vehicles, including large, heavy-duty vehicles.

SEC. 3504. EXPENDITURES IN ACCORDANCE WITH OTHER LAWS.

Expenditures authorized under this title may be made only in accordance with the Panama Canal Treaties of 1977 and any law of the United States implementing those treaties.

TITLE XXXVI—MISCELLANEOUS PROVISION

SEC. 3601. SENSE OF THE SENATE REGARDING THE REOPENING OF PENNSYLVANIA AVENUE.

(a) FINDINGS.—The Senate makes the following findings:

(1) In 1791, President George Washington commissioned Pierre Charles L'Enfant to draft a blueprint for America's new capital city; they envisioned Pennsylvania Avenue as a bold, ceremonial boulevard physically linking the U.S. Capitol building and the White House, and symbolically the Legislative and Executive branches of government.

(2) An integral element of the District of Columbia, Pennsylvania Avenue stood for 195 years as a vital, working, unbroken roadway, elevating it into a place of national importance as ''America's Main Street''.

(3) 1600 Pennsylvania Avenue, the White House, has become America's most recognized address and a primary destination of visitors to the Nation's Capital; ''the People's House'' is host to 5,000 tourists daily, and 15,000,000 annually.

(4) As home to the President, and given its prominent location on Pennsylvania Avenue and its proximity to the People, the White House has become a powerful symbol of freedom, openness, and an individual's access to their government.

(5) On May 20, 1995, citing possible security risks from vehicles transporting terrorist bombs, President Clinton ordered the Secret Service, in conjunction with the Department of the Treasury, to close Pennsylvania Avenue to vehicular traffic for two blocks in front of the White House.

(6) While the security of the President and visitors to the White House is of grave concern and is not to be taken lightly, the need to assure the President's safety must be balanced with the expectation of freedom inherent in a democracy; the present situation is tilted too heavily toward security at freedom's expense.

(7) By impeding access and imposing undue hardships upon tourists, residents of the District, commuters, and local business owners and their customers, the closure of Pennsylvania Avenue, undertaken without the counsel of the government of the District of Columbia, has replaced the former openness of the area surrounding the White House with barricades, additional security checkpoints, and an atmosphere of fear and distrust.

(8) In the year following the closure of Pennsylvania Avenue, the taxpayers have borne a significant burden for additional security measures along the Avenue near the White House.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the President should request the Department of the Treasury and the Secret Service to work with the Government of the District of Columbia to develop a plan for the permanent reopening to vehicular traffic of Pennsylvania Avenue in front of the White House in order to restore the Avenue to its original state and return it to the people: *Provided*, That the Secretary of the Treasury and the Secret Service certify that the plan protects the security of the people who live and work in the White House.

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

Mr. NUNN. I move to table the motion.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER (Mr. SHELBY). Under the previous order, the Senate now proceeds en bloc to the consideration of S. 1762, S. 1763, and S. 1764. All after the enacting clause of each bill is stricken and the appropriate text of S. 1745, as amended, is inserted in lieu thereof.

The Senate bills are considered read the third time and passed, and the motion to reconsider the vote on passage is laid upon the table.

Under the previous order, the Senate will now proceed to consideration of H.R. 3230. All after the enacting clause is stricken, and the text of S. 1745, as amended, is inserted in lieu thereof. The bill is read the third time and passed, and the motion to reconsider the vote on passage is laid upon the table.

Under the previous order, the Senate insists on its amendment, and requests a conference with the House.

The PRESIDING OFFICER (Mr. SHELBY) appointed Mr. THURMOND, Mr. WARNER, Mr. COHEN, Mr. MCCAIN, Mr. COATS, Mr. SMITH, Mr. KEMPTHORNE, Mrs. HUTCHISON, Mr. INHOFE, Mr. SANTORUM, Mrs. FRAHM, Mr. NUNN, Mr. EXON, Mr. LEVIN, Mr. KENNEDY, Mr. BINGAMAN, Mr. GLENN, Mr. BYRD, Mr. ROBB, Mr. LIEBERMAN, and Mr. BRYAN, conferees on the part of the Senate.

NATIONAL LABOR RELATIONS ACT AND RAILWAY LABOR ACT AMENDMENT—MOTION TO PROCEED

CLOTURE MOTION

The PRESIDING OFFICER. Under the previous order, the clerk will report the cloture motion on the motion to proceed to S. 1788.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to proceed to S. 1788, the National Right To Work Act:

Trent Lott, Orrin Hatch, Paul Coverdell, Judd Gregg, Jesse Helms, Lauch Faircloth, Connie Mack, John Warner, Don Nickles, Robert F. Bennett, Hank Brown, Phil Gramm, Strom Thurmond, Kay Bailey Hutchison, Richard Shelby, Bob Smith

Mr. KENNEDY. Mr. President, I ask unanimous consent that we proceed for 1 minute of debate, and the time be divided equally between those in support of cloture and those opposed.

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

Mr. KENNEDY. Mr. President, this bill has a simple message. It would give people the benefits of collective bargaining without having to pay their

fair share. It ought to be called the national freeloaders bill. We have no business telling the States that we know better than they how they should manage their affairs. This is a direct attack on the ability of working people to protect their economic interests. I urge that the Senate reject cloture and protect the rights of working families in State after State, in order to protect their economic interests.

Mr. GRAMM. Mr. President, there is no issue that better defines the differences that exist between the two parties than the issue that is now before the Senate. It is a simple, straightforward issue that many Members of the Senate hope the public does not understand. Should a man or a woman in the greatest and freest country in the history of the world be forced to join a union in order to have the right to work? That is the issue.

If, in order to exercise one of our basic rights—the right to contract our labor—we are forced to pay an institution that we do not wish to join, are we free, or is our freedom abridged? That is the question that is before the Senate, and I think the American people understand it.

Mr. BYRD. Mr. President, the Senate is set to vote on a motion to invoke cloture on the motion to proceed to S. 1788, the National Right to Work Act. This measure was introduced on May 21 of this year, and it is my understanding that there have been no committee hearings or reports on the bill in the Senate. In addition, we are now preparing to vote to limit debate before having begun to debate this measure on the Senate floor. This does not convey a sense of responsible legislating.

Mr. President, I am opposed to federal right-to-work legislation. Let me first say that right-to-work is a concept that is often believed to mean ''equal opportunity,'' when it really does not extend to anyone a ''right'' that he or she does not already have. The National Labor Relations Act of 1935 set forth a worker's right to belong to a union of his or her choice, as determined by democratic balloting. Under this arrangement, unions and management were free to negotiate collective bargaining agreements which included a security clause. Essentially, these clauses, which could not be approved without the consent of both labor and management, required all employees of a unionized company to pay dues to cover the costs of their representation. However, in 1947, the Congress approved the Taft-Hartley Act, which gave each State the option to make its own determination on the so-called right-to-work issue. Currently, 21 States have approved right-to-work legislation, effectively outlawing union security clauses. Workers in these States are not required to pay dues toward the cost of their union's representation. However, 29 States continue to have free collective bargaining. If we approve this legislation, we will be imposing a Federal mandate on those States, including my home State of West Virginia, that have chosen not to restrict union security clauses.

Mr. President, the right-to-work issue has become an emotional debate, and this is the wrong debate. We should focus on the economics of the issue. There is no evidence that supports the argument that right-to-work will improve the wages, benefits, and working conditions of our Nation's workers. A report issued just last week by the Congressional Research Service concluded that right-to-work States have a mean manufacturing wage of $10.91, compared to $12.56 for non-right-to-work States. Approving this legislation now will not demonstrably improve the conditions of workers in those States that currently protect free collective bargaining, and it may in fact lower their wages. This will not help workers in my State of West Virginia. Right-to-work is not a panacea for declining real wages for workers. In fact, the evidence suggests that it may be a contributor to lower wages because it undermines organized labor's ability to bargain effectively on behalf of its workers. While organized labor has made mistakes, it has also accomplished a great deal for all working people, union and non-union. What my State needs in order to create a favorable economic climate and higher wages is to foster positive labor-management relations—not to restrict labor and management from freely entering into collective bargaining contracts. As such, I cannot support the proposal before us today.

Mr. DORGAN. Mr. President, today the Senate will vote on legislation which undermines the basic principles of State rights and workplace democracy. S. 1788 would require all States to permit workers to receive the benefits of collective bargaining without sharing in the cost of union representation.

Under current Federal law, States decide for themselves whether or not to require all workers in unionized workplaces to share in the costs of union representation. My State of North Dakota is one of 21 States that have enacted so-called right-to-work statutes permitting workers to elect not to pay union dues.

In the remaining 29 States with no similar statutes, unions and employers negotiate to determine whether all workers will be required to share the costs of union representation. There is no general requirement, even in these States, that all workers must pay union dues.

I support the ability of States to choose whether to enact laws permitting workers to opt out of paying union dues, or whether to permit workers and employers to negotiate freely on this issue during the collective bargaining process. I do not support the legislation before us, which preempts the State's role in this important policy decision.

For these reasons, I oppose the legislation before us today.

Mr. DODD. Mr. President, I rise today to voice my strong opposition to the National Right-to-Work Act.

Today's legislation, coming on the heels of yesterday's unsuccessful effort to eviscerate the minimum wage, is simply one more example of the Republican Party's systematic and unremitting attack on America's labor unions.

Yesterday, my Republican colleagues fought against giving working Americans a much needed helping hand, with a minimum wage increase. Today, they've brought to the floor a bill that would fundamentally undermine union efforts to genuinely represent and assist working families.

At a time when we have many vital issues before this body, including genuine health insurance reform—which remains mired in partisan conflict—the last thing the Senate should be doing is spending our time debating this hasty and blatantly antiunion legislation.

Now, this bill was neither marked up nor reported out of the Labor and Human Resources Committee. In fact, I wonder how many of my colleagues have even had the opportunity to thoroughly understand this legislation.

We've heard no testimony and we've held no hearings on this bill, even though it represents a major override of the laws in 29 States—including my home State of Connecticut—which reject right-to-work legislation.

Now, since 1959, only three States have seen the need to enact right-to-work laws. In fact, over the past year, six State legislatures rejected such forms of right-to-work legislation.

But, at a time when I constantly hear talk from my colleagues across the aisle about the need to shift responsibility to the States, this legislation would fundamentally change numerous State laws governing labor relations—laws that have remained largely unchanged over the past 37 years.

It would undermine our time-honored system of free collective bargaining by imposing unnecessary Government interference in the rights of labor and management to negotiate fair and agreed-upon collective bargaining agreements.

But, this bill is more than just a usurpation of State's rights. It would also outlaw any form of collectively bargained union security provisions. These are commonsense provisions that require nonunion workers to pay their fair share for the costs of union representation.

It would say to nonunion members: ''You can receive the benefits of union representation without having to foot the bill.''

In my view, these provisions are antiunion, anti-worker, and frankly antidemocratic. When it comes to the question of union benefits, no American deserves something for nothing. But, that's exactly what this bill would do.

These provisions undermine the fundamental rights of employees who have

voted to unionize their workplace and I urge all my colleagues to reject this legislation and vote against cloture.

Mr. LOTT. Mr. President, before the Senate votes on cloture on my motion to proceed to S. 1788, the National Right to Work Act, I want to give credit where due.

This bill represents the determination of Senator LAUCH FAIRCLOTH to bring to the national agenda a critically important issue. That issue is the question of whether an American worker can be compelled to join a union and pay dues to it.

The right to join a union is secured by law, as indeed it should be. The right not to join is another matter.

Language to that effect in the National Labor Relations Act of 1935 was vitiated in the same legislation by a provision permitting union officials to secure contracts requiring union membership as a condition of employment.

It is long past time for us to rectify that mistake.

I emphasize that this is not a matter of being pro-union or anti-union. My father was a union pipefitter in a Mississippi shipyard, and I can personally appreciate the importance of union membership to millions of our fellow Americans.

But the American people do not like compulsion, whether it is directed against them or against their neighbors. Although we are a nation of joiners, we like to join groups and organizations of our own volition, not because someone in authority tells us to do so.

That principle is especially important when it comes to earning a living for yourself and your family. We should not tolerate efforts to hinder any American from that goal.

Twenty-one States have now enshrined that principle in their own laws, to protect workers from compulsory unionism. In the remaining States, entrenched interests have thus far staved off reform efforts.

I believe it is time to give all American workers the same right, whether they live in 1 of those 21 States or in a State without a right-to-work law.

So I urge a vote for cloture on the pending motion to proceed, so that the Senate can at last reconsider the issue of compulsory unionism, and vote on it, and do right by the working men and women of this country.

CALL OF THE ROLL

The PRESIDING OFFICER. The mandatory quorum call has been waived.

VOTE

The PRESIDING OFFICER. The question is, Is it the sense of the Senate that debate on the motion to proceed to consideration of S. 1788, the National Right to Work Act, shall be brought to a close?

The yeas and nays are required. The clerk will call the roll.

The bill clerk called the roll.

Mr. NICKLES. I announce that the Senator from Mississippi [Mr. COCHRAN] is necessarily absent.

The yeas and nays resulted—yeas 31, nays 68, as follows:

[Rollcall Vote No. 188 Leg.]

YEAS—31

Bennett	Gregg	Nickles
Brown	Hatch	Pressler
Burns	Helms	Shelby
Coats	Hutchison	Simpson
Coverdell	Inhofe	Smith
Craig	Kempthorne	Thomas
Faircloth	Kyl	Thompson
Frahm	Lott	Thurmond
Frist	Lugar	Warner
Gramm	Mack	
Grassley	McCain	

NAYS—68

Abraham	Exon	Lieberman
Akaka	Feingold	McConnell
Ashcroft	Feinstein	Mikulski
Baucus	Ford	Moseley-Braun
Biden	Glenn	Moynihan
Bingaman	Gorton	Murkowski
Bond	Graham	Murray
Boxer	Grams	Nunn
Bradley	Harkin	Pell
Breaux	Hatfield	Pryor
Bryan	Heflin	Reid
Bumpers	Hollings	Robb
Byrd	Inouye	Rockefeller
Campbell	Jeffords	Roth
Chafee	Johnston	Santorum
Cohen	Kassebaum	Sarbanes
Conrad	Kennedy	Simon
D'Amato	Kerrey	Snowe
Daschle	Kerry	Specter
DeWine	Kohl	Stevens
Dodd	Lautenberg	Wellstone
Domenici	Leahy	Wyden
Dorgan	Levin	

NOT VOTING—1

Cochran

The PRESIDING OFFICER. On this vote, the yeas are 31, the nays are 68. Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected.

TEAMWORK FOR EMPLOYEES AND MANAGEMENT ACT

The PRESIDING OFFICER. Under the previous order, the Senate will now proceed to the consideration of S. 295, which the clerk will report.

The legislative clerk read as follows:

A bill (S. 295) to permit labor management cooperative efforts that improve America's economic competitiveness to continue to thrive, and for other purposes.

The Senate resumed consideration of the bill.

Pending:

Dorgan modified amendment No. 4437, of a perfecting nature.

Kassebaum amendment No. 4438, of a perfecting nature.

Mr. PELL. Mr. President, I have many times made statements about my long interest in developing improved avenues of communication between employees and their bosses, often referred to as codetermination. My statement therefore, will be brief today.

When employees and employers decide to enter into workplace committees to discuss workplace-related issues, both sides must place a great amount of trust and faith in the other. But society has instilled in workers the idea that employers are not allies but adversaries. Employers, who must be concerned about the health of the company, often view their employees in a similarly skeptical fashion.

For that reason, labor and management should always be commended when they join together in sincere cooperation for the benefit of all concerned. It is, however, important that the two be really interested in cooperating with the other and that the cooperation be sincere. Both employees and employers must trust the other and be sure that their views matter to the other.

While I do not see the need to create a strict framework for these conversations to take place, I do believe it is vital that employees feel confident they will not be punished for sharing their honest views with their employer. Workers must also feel that their views and thoughts are honestly being represented by those employee members of a workplace committee.

For that reason, I strongly oppose S. 295. Workers cannot be expected to take part in any committee under the total control of their boss. In any competitive job market, what right-minded worker would take the risk of sharing unpopular views about his workplace when the boss has complete control of the work committee?

During the 103d Congress, I introduced legislation outlining my views on this issue. During Labor Committee consideration of S. 295, I worked to develop compromise legislation to allow employees to select their representatives for workplace committees, to ensure that committee agendas are open to amendment by both labor and management and to prohibit unilateral termination of a workplace committee.

Teamwork is important on the playing field or in the workplace. As a old Princeton rugby player, I know you don't win the scrum unless you and your teammates have confidence in each other and work for the benefit of all.

Mrs. MURRAY. Mr. President, I rise today in full support of teams and yet, must voice my concerns with the proposed TEAM Act. It is very difficult not to support the initial goals of S. 295.

Who doesn't want cooperation between employees and their managers? I have met with countless companies from across Washington State who have boasted of increased productivity and efficiency from these teams. Their results have been impressive and have encouraged initiative and employee participation.

However, these cooperative partnerships are currently in place and functioning without disruption. Teams today, throughout my State and across American are succeeding and thriving. In fact, 96 percent of large employers and 75 percent of all employers report using such teams and employee involvement programs. These facts lead to my confusion over the need for additional legislation.