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House of Representatives

The House met at 9 a.m. and was called to order by the Speaker pro tempore [Mr. CLINGER].

DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
August 1, 1995.

I hereby designate the Honorable WILLIAM F. CLINGER, JR., to act as Speaker pro tempore on this day.

NEWT GINGRICH,
Speaker of the House of Representatives.

MORNING BUSINESS

The SPEAKER pro tempore. Pursuant to the order of the House of May 12, 1995, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning hour debates.

The Chair will alternate recognition between the parties, with each party limited to 25 minutes and each Member other than the majority and minority leaders limited to 5 minutes, but in no event shall debate continue beyond 9:50 a.m.

The Chair now recognizes the gentleman from Georgia [Mr. NORWOOD] for 5 minutes.

ARMS EMBARGO ON BOSNIA

Mr. NORWOOD. Mr. Speaker, today's vote to lift the arms embargo on Bosnia is undeniably an important one. But I would ask my colleagues to take a long, hard look at the bigger picture. Lifting the arms embargo is an important step and a step that I will support, but I believe we should not miss this opportunity to stand up for what we believe in and state clearly what we think America's role should be in the Balkans.

Mr. Speaker, it is my belief that at the current time we have no useful role in Bosnia. The fighting is escalating between the various parties. The relative calm in eastern Bosnia has now become a war zone. The so-called safe havens have proven to be no such thing, and only serve to embarrass the United Nations. Leadership has been completely vacant during this crisis. Machiavelli said that it is better for a leader to be feared than loved. The United Nations has been an utter failure every step of the way trying to get the parties to love each other. NATO, including the United States, has failed in trying to threaten the parties into behaving. And now we want the Bosnian Serbs to believe we will bomb them if they do not behave. We have given them no reason to believe that we will back up any threat with action. It is time for us to pull out before we sacrifice American lives to show we mean business.

How can we let the carnage continue? How can we sit idly by and let the ethnic cleansing continue? I hear those concerns over and over again, but I must ask in response: What can we do to truly stop the fighting? I will make one suggestion, if we, along with our European allies, land 500,000 to 750,000 troops in Bosnia and threaten to shoot anyone who gives someone a dirty look or uses harsh language we might be able to stop the fighting. Is anyone in this Chamber ready to support that action? Neither am I, but I do believe anything short of massive action is doomed to failure.

With that in mind, I would make one further recommendation to my colleagues, if a U.N. pullout can be accomplished with the use of only 25,000 American troops then it can be accomplished without any American troops. No mother or father or wife or husband should be forced to grieve for a loved one who died because the United Nations was an utter and complete failure.

In my view, we must lift the arms embargo and encourage the United Nations to leave Bosnia. We should take every action to limit the fighting in the former Yugoslavia. The United Nations, NATO, the European Community, and yes, the United States, must provide the warring parties every opportunity to reach a negotiated peace. I would like to see the fighting stopped, but I do not feel it can be stopped without massive intervention.

Mr. Speaker, I received my foreign policy training in Vietnam in 1968 and 1969. I know how costly a limited American commitment can mean in terms of the lives of young men and women. I know the cost of doing things halfway. We have the opportunity to do just that in Bosnia. We can take limited actions here and there, and that will be a tragic mistake. I would encourage my colleagues to act today and in the future to prevent American soldiers from dying because we decided to do something halfway.

CONCERNS REGARDING EFFECTS OF LABOR-HHS APPROPRIATIONS BILL

The SPEAKER pro tempore. Under the Speaker's announced policy of May 12, 1995, the gentleman from Michigan [Mr. KILDEE] is recognized during morning business for 5 minutes.

Mr. KILDEE. Mr. Speaker, I rise today to express some very grave concerns regarding the devastating effects that the Labor-HHS appropriations will have on public education in America, and that despite the great efforts of my good friend, Chairman JOHN PORTER.

Since November of last year, we have been engaged in a robust and very healthy debate about the proper role of the Federal Government in the economic and social life of our country. In

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that debate, I continue to be guided by the words of one of this Nation's great humanitarians, the former Vice President of the United States, Hubert Humphrey, who said, ''The moral test of government is how it treats those who are in the dawn of life, the children, those who are in the twilight of life, the elderly, and those who are in the shadows of life, the sick, the needy and the handicapped.''

This bill, which we will take up this week, Mr. Speaker, I believe represents a monumental failure of this test. Over the next 7 years, it will cut education and training $36 billion.

Now, my Republican friends are fond of saying that this is a plan that will reward future generations. But what about this generation, the children in Head Start, the children in title I, the children in the kindergartens and first grades of this country? What price will they pay, Mr. Speaker? And what price will we as a nation pay for this failure of vision?

Mr. Speaker, I have served on this committee with responsibility for the children and workers of this country for 18 years, and during that time, particularly in the field of education, Republicans and Democrats have worked together on common ground to strengthen the basic fabric of this complex and diverse Nation. We have worked to provide opportunities for those willing to use the tools of education and work to achieve the rewards of American citizenship.

Education has always risen above partisanship as a shared priority, and it is sad, Mr. Speaker, to say that I believe this bill breaks that covenant between Democrats and Republicans.

WHAT IS NEXT IN HAITI?

The SPEAKER pro tempore. Under the Speaker's announced policy of May 12, 1995, the gentleman from Florida [Mr. GOSS] is recognized during morning business for 5 minutes.

Mr. GOSS. Mr. Speaker, I think it is very important on a day when we are going to devote in this chamber very serious deliberative debate on the subject of whether we are going to get involved and to what degree in a hostile situation in a place called Bosnia, that it is important that we also review where we have troops now that are somewhat in harm's way and doing American business overseas in another area where we have a major investment that has been very, very troublesome, although not as attention-getting because the atrocities are nowhere near as bad as the genocide we are seeing in Bosnia, the former Yugoslavia.

The place I speak of is Haiti, of course. I was there for the 25th of June elections and for the International Republican Institute as the chairman of the Election Observation Team, and I was personally much maligned for the way that we operated down there, and the IRI was much criticized for the report we issued as a result of those elections.

Curiously enough now, all the observers who have watched those elections and judged what is going on in Haiti have come over to the report that we issued and basically been much harsher and critical about the process in Haiti than even the IRI report. I guess it is difficult to be out in front of the pack sometimes, but what is important now is to find out where we are going next.

The commentary in the Washington Post yesterday, which I will quite because it is notable that the Washington Post has come around to this point of view, says, quote, ''Early hopes, including our own, that Haiti was getting up momentum and building an electoral system turn out to have been wrong.'' That is a very strong admission from the Washington Post, which generally is very favorable to the Clinton administration's policy games.

It follows a little bit after the OAS commentary that came last week that said that it would be hard to call what happened in Haiti full, fair, free election. Larry Pasullo, who used to work for the Clinton administration as their top expert on Haiti, who was fired because they did not like the message he was bringing back, has made comment recently after looking at what happened in Haiti that there has been no real change there. We still have one-man rule. It is just a different man, and we are not sure we have democracy blooming at all.

Dr. Pastor of the Carter Institute, who has recently come back, I think put the final nail in the coffin. Quoting from the New York Times of last week, the Carter Center, normally a strong supporter of President Jean-Bertrand Aristide of Haiti, said today that last month's elections in Haiti were riddled with fraud and that the Clinton administration should not back a series of reruns and runoffs that many Haitian political parties are threatening to boycott.

So it seems that just about everybody who gave it a fair assessment understands there is a mess.

Now, we have sent a very high-level delegation down to Haiti. It is curious they would be going to Haiti rather than Bosnia, where the trouble seems to be a little more intense. But, nevertheless, we have sent the first team apparently down to Haiti to negotiate.

Again, what has happened is that observers are saying we are acting with a very heavy hand. This is supposed to be a democratic nation emerging in democracy, making its own decisions with all the institutions of democracy, including a fair, free, political program and election process.

Even the Washington Post has come up, and I will quote again yesterday's editorial, ''Hence, the dispatch of a high-level American team the other day to move Haitian electoral reform along.'' It is an intrusive way to do delicate business, but the alternative is worse. To say that it is intrusive to go down there and tell the Haitians how to run their own country is a bit of an understatement, even for the Washington Post.

What has happened in Haiti is that, finally, they have fired the incompetent who was running the electoral council down there, and the opposition parties have all called for the removal of the total election council and replaced them with nonpartisan people.

Unfortunately, President Aristide has not listened to the other political parties in the country. He has only listened to his own party, and he has replaced the president of the election council with one of his party partisans, who has no credibility with the others, and, consequently, nothing has happened except we have changed seats one more time.

We have now still got all of the people except the Aristide people calling for a totally new electoral council and totally new elections. That is not a step forward by any means.

On other fronts down in Haiti where we have invested over $2 billion, $2 billion of American taxpayers' money in the last year or so, we have found that things are not going well either.

We had a delegation of business people who came to my office and the office of many others last week, and they said that, basically, there is nothing conducive to economic development going on. All of the money we are sending is just being squandered away one way or another. It is not going to meaningful programs.

We are still pouring money in, but the good things that need to happen, the reform of the judiciary system, the encouragement for business, the regulations that allow for stability and certainty in the banking sectors, those types of things are not happening at all. So, consequently, the score card is not good, and it is a dim situation.

This is not an ''I told you so.'' But it is a good question for the administration. Where are we going and what is next in Haiti?

CUTS IN LABOR-HHS APPROPRIATIONS BILL

The SPEAKER pro tempore. Under the Speaker's announced policy of May 12, 1995, the gentlewoman from California [Ms. PELOSI] is recognized during morning business for 2 minutes.

Ms. PELOSI. Mr. Speaker, today, when the leadership brings to the floor the Labor-HHS bill, or maybe it will be tomorrow, it will bring a bill to the floor which has declared war on the American worker. The cuts contained in the bill add up to nothing more than total disregard for the morale and working conditions of the American worker.

Just to review some of the cuts, at a time of globalization, technology causing a reduction in the work force as well as downsizing in corporate America, at a time when the American worker is faced with that uncertainty,

this bill cuts $446 million in the program for dislocated worker assistance.

At the same time, it cuts $47 million in safety and health enforcement. It cuts employment standards by $25 million, collective bargaining, $58.8 million. It does serious damage to the National Labor Relations Board by cutting it by 30 percent, over $50 million. How can we be doing this to the American worker at a time when we are struggling to be competitive in the world?

America works because we have always had a high regard for the backbone of America, the working class people in our country. We have respected their need for a living standard, not a minimum standard of wages but a living wage. We have respected their need for safety in the workplace. We have respected their need to bargain collectively for unfair labor practices up until now.

All of our competitors who compete with us in a favorable way for them respect their workers. That is why they succeed.

So what we are doing is not only bad for the individual worker, not only bad for our work force, it is bad for our country internationally as we try to compete. Please stop this war on the American worker. Vote against the Labor-HHS bill.

RESOURCE CONSERVATION AND RECOVERY ACT

The SPEAKER pro tempore. Under the Speaker's announced policy of May 12, 1995, the gentleman from Colorado [Mr. HEFLEY] is recognized during morning business for 5 minutes.

Mr. HEFLEY. Mr. Speaker, I would like to share with you this morning a story of a friend of mine named Tom.

Tom owns a ranch north of Colorado Springs. A few weeks ago, he was on his way from the ranch to his place of business, and as he got out toward the road, he found—I have forgotten the exact number—but it seems like it was a dozen barrels, 50 gallon drums, some of which were turned over, some of which had spilled liquid onto the ground. Others had liquid in those barrels.

And his initial reaction was to go back to the house, get the tractor and the forklift and lift those barrels up and take them back to the house and decide what to do with them.

Then he thought again and said, no, we ought to do the right thing about this. We ought to call somebody in charge and have them come and take a look at what we have got here. Do not know what it is. We ought to take a look at it.

So he called the officials, and within 2 hours, every agency known to man was out there, practically, some in moon suits. There were ambulances. There were fire departments. There were sheriff's deputies. There were highway patrolmen. Everybody you could imagine was out there on Tom's property, and they were trying to figure out what it was and what to do with it and how it got there.

And in the course of all this activity, someone happened to mention to Tom, we do not know what it is, but the way, if there has to be a cleanup, you have to pay for it.

Tom says, ''What do you mean I have to pay for it? I am the victim. Someone dumped this on my property. What do you mean I have to pay for it?''

They said, ''Oh, yes, that is the law. You have to pay for it.''

He said, ''Aren't you going to investigate? Aren't you going to find out who dumped this on my property?''

Well, maybe we will find that out. Maybe we will not.

So he did his own investigation, and he discovered the name on one of the barrels of a local oil and gas company. He went to the local oil and gas company. He discovered that they had sold the barrels sometime around Christmastime to a salvage company.

He went to the salvage company. He discovered that the salvage company had sold it to a soldier who was getting ready to be mustered out at Fort Carson.

He discovered from a little more investigation that there was a practice of buying barrels, getting a U-Haul trailer, filling the barrels with water, driving the U-Haul trailer up onto a scale, getting a weight slip, and then taking the weight slip to the Government, because the Government will pay you for that last move when you leave the fort.

So it was a fraud on the Government that was being perpetrated. The scale happened to be half, three-quarters of a mile from Tom's ranch. So he weighed the barrels and brought them and dumped them on Tom's property. It was water that was in the barrels, but it cost him about $1,500, if I remember correctly, to find out through the analysis that it was water, and they said initially that it could have cost him up to $22,000, maybe even more, depending on what was in those barrels.

So with a little work and common sense, Tom had solved his mystery. He had saved himself $22,000 or more and proven himself a better and more conscientious investigator than the Government agencies charged with dealing with the hazardous waste.

All of this was due to a Federal law, the Resource Conservation and Recovery Act. In those States which have not adopted statutes dealing with the cleanup of hazardous waste, RCRA says the cleanup costs fall to the owner of the property where the waste was found, and this is called corrective action.

Now, Tom, the victim, admits that he could have, if he had had to, paid for the cleanup. But he wonders, what if those barrels had been dumped on the property of an elderly couple getting by on a fixed income? Tom may have been able to handle the cost. The elderly couple might have bankrupted as a result of it.

Friends, this is a dumb law. This is an unjust law. This is a law that punishes the victim. It is the kind of law that sets neighbor against neighbor and makes people question whether we have any idea what we are doing here in Washington.

It seems only fair that, in these cases, some efforts should be made to find the polluter and make them pay instead of dumping the bill on the property owner; and, frankly, if the dumper cannot be found, maybe this is a Government responsibility for us to pay for the cleanup. To do otherwise is to undermine the quick cleanup of these kinds of problems.

Our Nation's environmental laws are based upon the idea that people want a clean environment and are willing to make certain sacrifices to see that that happens. To do that, you have got to give people some assurance they are not going to be punished for doing the right thing.

My friend, Tom, could have just simply taken those barrels back to the barn and never said anything about it. He wanted to do what was right. He could have been punished severely for doing what was right. Given what he has been through, do you think he is ever going to do it this way again? We must change this kind of nonsensical law.

WORKER PROTECTION

The SPEAKER pro tempore. Under the Speaker's announced policy of May 12, 1995, the gentleman from Puerto Rico [Mr. ROMERO-BARCELÓ] is recognized during morning business for 2 minutes.

Mr. ROMERO-BARCELÓ. Mr. Speaker, the health, safety, and lives of our fellow Americans are severely jeopardized by the drastic cuts in the enforcement budget of the Occupational Safety and Health Administration. The Labor–HHS appropriations bill makes a 33-percent cut in Federal OSHA enforcement activities.

Protecting American workers must be a priority. We cannot, we must not be indifferent to their safety.

We are speaking of real people. We are speaking of life-and-death situations: people such as Hector Noble, age 31, who was killed when he fell 30 feet from a balcony as he cleaned windows because the guardrail had failed; José Makina Moji, 46, who was killed in a 25-foot fall from a scaffold. The scaffold had not been inspected by OSHA. Juan Figueroa, age 21, who was crushed to death when the machine he was working with overturned; and Angel Colon Canter, age 50, who was killed by an oven rotating system while he was cleaning a bread oven. He forgot an instrument inside the oven, and when he tried to get back inside the oven to retrieve it, the rotation system caught and punctured him, causing his death.

In all these instances the employer was either indifferent or he was too greedy to invest in his worker's safety

or just plain negligent. Will we in Congress look away and let workers be injured and/or killed by their employer's greed, indifference, or negligence?

These are family tragedies, and I cannot imagine that the families and friends of these individuals see any valid or compelling reason to reduce OSHA enforcement funds. Such cuts assault the average working American families, and we all pay the price.

GOVERNMENT REFORM FIELD HEARINGS

The SPEAKER pro tempore. Under the Speaker's announced policy of May 12, 1995, the gentleman from California [Mr. HORN] is recognized during morning business for 2 minutes.

Mr. HORN. Mr. Speaker, it is appropriate that you are in the chair during these comments. We, as you know, went out to Cleveland, Ohio, on July 14 to hold the first of the town-meeting-type field hearings by the Committee on Government Reform and Oversight, which you chair. The hearing was designed as an open forum where experts in the private sector, such as the executive vice president of TRW, and those in the public sector, such as the mayor of Philadelphia, and the average American taxpayers in an open forum could voice their views on creating a new 21st century Government.

One of the witnesses that testified before the committee membership was the treasurer of the State of Ohio, J. Kenneth Blackwell, who indicated that, ''The Federal Government enjoys access to world capital markets that so far has been unlimited. We have been fortunate that foreign investors and central banks still have sufficient confidence in the strength of our Nation's economy to purchase much of our debt. It is unclear, however,'' he said, ''that this situation will continue. The Federal credit card may be reaching its limit.''

As Members of Congress, we live with constant reminders of the staggering Federal deficit. The fact remains that our national deficit is four times the size it was just two decades ago. The time of inefficiencies and waste is over. The time for change is now. The Committee on Government Reform and Oversight, under your leadership, is dedicated to restructuring our current wasteful and inefficient Federal Government agencies and creating a 21st century Government that will be a reliable source of service to all for many generations to come.

EDUCATION CUTS

The SPEAKER pro tempore. Under the Speaker's announced policy of May 12, 1995, the gentleman from California [Mr. MARTINEZ] is recognized during morning business for 1½ minutes.

Mr. MARTINEZ. Mr. Speaker, some would say that the new majority leadership has gone way beyond mean-spirited and is now in a cold-blooded killing mode. Why? Because in marking up the Labor–HHS–Education appropriation bill, they began what many of us believe is the killing of the American dream by slashing programs that help young people prepare for the future. They eliminate our investment in the future.

They cut Head Start. They cut student loans. They cut bilingual education. They cut special education. They cut summer jobs for youth. They cut title I. They cut safe and drug-free schools. They cut education for homeless children and youth.

And, as long as they were cutting, they cut taxes for the rich, and the rich get richer, and the poor get poorer. Eventually, I believe, only the children of the rich will be able to attend college, to compete in the classroom, to get a job at a decent wage.

Mr. Speaker, that does not project the promise of a better tomorrow for anyone.

I have a question. Is that the real agenda?

SPEAKING TO SENIORS ABOUT MEDICARE

The SPEAKER pro tempore. Under the Speaker's announced policy of May 12, 1995, the gentleman from Texas [Mr. SAM JOHNSON] is recognized during morning business for 5 minutes.

Mr. SAM JOHNSON of Texas. Mr. Speaker, I am absolutely disgusted with the lies and misinformation coming from the Democrats about Medicare. This past weekend, Democrats held town meetings with seniors to spread fear about the Republican efforts to save Medicare. One was held in my hometown of Dallas.

I find it unconscionable that these Democrats can tell seniors that Republicans are cutting Medicare when our budget increases Medicare spending by 5.8 percent every year over the next 7 years. Yes, you heard me right. Medicare spending increases by 5.8 percent every year per patient. Spending will increase from $4,800 in 1995 to $6,700 in the year 2002; and that is more of an increase than your usual annual wage increase. It is not a cut, and anyone who says it is either needs to take math over again or try to lie better.

The worst part of this big lie campaign is that the news media has fallen right into their hands. The Dallas paper did not even bother to cover Medicare meetings that were held in Dallas earlier with over 300 seniors at each of three different meetings.

I was there. I held them. We discussed the problems with Medicare and talked openly about the possible solutions with seniors.

I know seniors have the experience with Medicare necessary to provide us with good ideas for reform. So instead of holding meetings to scare them about Medicare, I am making them part of the solution. And I think the seniors deserve that.

This newspaper chose to run an article which, as the reporter freely admitted, was based almost solely on propaganda brochures passed out at the Democrats' big lie meeting. The paper never bothered to check the facts with any member of either one of the congressional committees with jurisdiction over Medicare or anyone else that might be able to clarify facts for this story.

This irresponsible journalism does a huge disservice to my constituents and others around the Nation and only makes the business of saving Medicare just that much harder.

But American seniors should not be as concerned with what the Democrats are telling them as what the Democrats are not telling them. Although it probably was not mentioned at this weekend's meeting, Medicare is facing an enormous crisis.

The Medicare Board of Trustees, which includes four Clinton-appointed Cabinet members, made it clear that Medicare is going broke and will be bankrupt in just 7 years. So unless Congress does something to help the system, there is not going to be any Medicare at all.

Democrats are not being honest with the seniors. They will throw out lies and use scare tactics, but when it comes to the facts, they have nothing to say.

Now I am going to turn 65 myself this year, and I am really worried that there are people like this in this Congress, people who would rather play partisan games than sit down with us and figure out how to help today's seniors and future seniors in America by saving Medicare.

So to the seniors in Dallas I say, I am sorry that you have been dragged into this political maneuvering. This issue is really too important to be left to politics as usual, and I assure you, with or without the Democrats, we are going to pass a bill this year that will protect, preserve, and strengthen Medicare for everyone in America.

SAFETY, EDUCATION, AND TRAINING FOR AMERICA'S WORK FORCE

The SPEAKER pro tempore. Under the Speaker's announced policy of May 12, 1995, the gentlewoman from California [Ms. WOOLSEY] is recognized during morning business for 3 minutes.

Ms. WOOLSEY. Mr. Speaker, this HHS bill is worse than I ever thought possible. This bill will go down in history because it marks the beginning of the end of the Federal Government's role in education and training. It is sweeping and radical legislation which guts our education system, weakens workplace safety and makes a mockery of our efforts to get families off welfare. It makes college education almost impossible for not only the very poor, but also for the working poor and for middle-income families.

This bill ignores the Government's responsibility to educate our kids. It makes it impossible for mothers to get

off welfare and into jobs. It forces education and training to take a back seat to tax breaks for fat cats and special interests.

Mr. Speaker, with this bill, the new majority has declared war on our children and war on our workers. It must be defeated.

I have heard from workers across the country about the new majority's effort to weaken workplace health and safety rules. Over and over again, spouses, parents, and children tell me that they are willing to see some of their taxes go toward enforcing health and safety rules so that they can be assured that their loved ones will come home from their jobs in the mines and other dangerous jobs, so they come home at night safe and sound.

The majority, however, do not see it that way. The Labor-HHS appropriation bill makes it clear that the new majority would rather invest in a tax break for the wealthy few than in education, training, health, and safety for American workers.

In fact, if this HHS bill passes, they will be showing a triple feature down at our local theaters in the near future. It will be called ''Dumb and Dumber'' with ''Sick and Sicker'' and ''Poor and Poorer.'' And let me say to my colleagues, it is not going to be a bargain matinee. No doubt about it. This sweeping and radical legislation is going to harm American workers and cost this Nation dearly in the long run.

Mr. Speaker, like I said earlier, the faults of this bill are much too numerous to mention. I urge all Americans who care about the health and safety and the education and training of workers and for all of their loved ones to tell their representatives to oppose this dangerous bill.

PROTECTING THE RIGHTS OF WORKERS

The SPEAKER pro tempore. Under the Speaker's announced policy of May 12, 1995, the gentlewoman from Hawaii [Mrs. MINK] is recognized during morning business for 3 minutes.

Mrs. MINK of Hawaii. Mr. Speaker, I join today in decrying the Labor, Health, Human Services, and Education appropriations bill. We will be funding the Labor Department, and in what the bill provides, it is an outright attack on working men and women throughout this country. The Republican majority is using this appropriations bill to circumvent the appropriate legislative process in order to push through an antiworker agenda.

The 30-percent cut in funding of the National Labor Relations Board and language restricting the Board's authority to use its enforcement tools is a direct attack on the basic rights of employees to organize unions.

The right of workers to join together as one unit and bargain collectively for better wages, health care, and other benefits and safe working conditions has been an integral part of American law for more than a half a century. The National Labor Relations Board protects this right and resolves disputes between employers and employees.

Even without 1 hour of hearing, this appropriations bill, by cutting funds, undermines the ability of the National Labor Relations Board to protect the rights of working men and women and by legislative proviso ties their hands regarding enforcement. Unfair labor practices brought to the Board will languish, violations of law will go unchecked, and labor disputes will be prolonged.

Anyone with experience in business knows that timeliness is crucial to both employers and employees in the resolution of labor disputes. When disputes linger, productivity suffers, workers suffer, and families suffer.

This is not about protecting a bureaucracy. It is about protecting working people, people who get up every morning and go to work to face hazardous working conditions or unfair treatment. It is about protecting their ability to band together and petition for decent working conditions and decent wages.

The Republican bill is a blatant attempt to get rid of longstanding protections for working men and women in this country. I urge my colleagues to vote against this repudiation of the rights of working people.

MEDICARE RHETORIC

The SPEAKER pro tempore. Under the Speaker's announced policy of May 12, 1995, the gentleman from Ohio [Mr. HOKE] is recognized during morning business for 3 minutes.

Mr. HOKE. Mr. Speaker, I was appalled this weekend when, having thought that perhaps we were going to bring a lowered style of rhetoric to the debate on Medicare, in fact, what happened is that the administration brought out, along with some of the liberal Democratic leaders of the Congress, they trotted out the big lie again for the centerpiece of their campaign to save Medicare, or is it the centerpiece of their campaign to smear and attack Republicans?

It seems to me that what has happened here is we have gotten into an incredibly demagogic style of rhetoric regarding Medicare, and it is just not right. It simply is not fair to senior citizens that we should be dealing in a partisan way with what is clearly a policy problem. It is a problem for everybody who is 65 or older, or whoever thinks that they might be 65 or older, because it is a problem with the fundamental question of whether or not we are going to be able to pay for the Medicare program based on the way that it is projected to go forward at this time.

It is very clear from this summary, which is a status report; what it is is a summary of an annual report that has to be made to the President and to Congress as a matter of law.

Every single year, the trustees of the different trust funds have got to make a report, and this is their report, and it is not just the Medicare trust fund. It is also the Social Security trust fund and the disability insurance trust fund.

The one that is the most telling and problematic is the Medicare trust fund, and it is absolutely the job of every responsible legislator in this body to both read this, take it seriously, and do something about it.

This is also not a partisan issue. It is not a partisan document. This is a document that was signed by three members of the President's Cabinet, Secretaries of Labor, HHS, and Secretary of the Treasury, Mr. Rubin, and it was also signed by Shirley Chater, who is the Commissioner of Social Security, also another Presidential appointee.

If it is a partisan document, then it is a Democrat partisan document. It is certainly not a Republican partisan document, and it says very clearly, in plain language that every American should read, the Medicare trust fund is going broke. It is going to be without money. It is bankrupt next year. It is without any money in 7 years. It is spending more than it takes in next year. It is exhausted in 7 years.

That is under not the worst-case scenario, according to the trustees. That is under the middle scenario, and it does not take into account the real problem that comes forward in about the year 2020 when people of my age, baby boomers, become eligible for Social Security and Medicare.

EFFECT OF PROPOSED OSHA CUTS

The SPEAKER pro tempore. Under the Speaker's announced policy of May 12, 1995, the gentleman from New York [Mr. OWENS] is recognized during morning business for 5 minutes.

Mr. OWENS. Mr. Speaker, the war on workers and families in America will be escalated this week when the Health and Human Services and Education appropriations bill reaches the floor of the House.

For all matters concerned with workplace protections, this Republican appropriations bill is not focused on appropriations. This is, instead, a stampede into radical authorizing legislation. The authorizing Committee on Economic and Educational Opportunities is rendered obsolete by what the Committee on Appropriations is doing. The antiworker, antiunion Republican overlords have chosen to bypass the authorizing process and implement their war against the workers by cutting the funds for OSHA, MSHA, and NIOSH.

We have also provisions which require that OSHA cannot use but two-thirds of its funds, present funds, for enforcement activities, cuts the enforcement budget by 33 percent. It also cuts out economically targeted investments. It bans the use of such funds from the pension funds for economically targeted investments.

It allows 14 year olds to load bailers and compactors, although as recently

as 1994 a man was killed in a compactor. It moves into such minute detail as removing the requirement that miners are not allowed to drive as part of their work.

It micromanages with dollars. By micromanaging with the dollars, the Appropriations Committee will streamline and accelerate the dirty work which was begun already by the authorizing committee.

The goal of the oppressive elite overclass is to take control of the situation through the appropriations process. What they want to do is create a level playing field for the worst company bosses in America. The goal is to reduce American workers to the level of the desperate, nearly enslaved workers of Bangladesh or the Chinese prison laborers.

Spend no significant money on the health and safety of workers. That is the goal. Turn all American workers into urban serfs or suburban peasants. This is the final solution. This is the ultimate goal. Total control is the Republican goal.

OSHA enforcement, as I said before, has been cut by 33 percent. That is one-third for enforcement. Already, we only have enough inspectors to inspect American businesses once every 86 years. With the kind of work force they have, they can only inspect every business establishment once every 86 years. They wanted to cut that by one-third.

MSHA, cut by 7 percent. NIOSH, which does research on new and dangerous chemicals, is cut by 25 percent. The National Labor Relations Board is cut by 30 percent, all of this in the appropriations bill to carry out the will of the Republican overlords in their war against labor.

Congress must be concerned about the health and safety of all American workers. The blind and furious ideological war being waged by the Republican party against the Nation's labor unions has impelled the Republicans into a search and destroy mission against OSHA. This attack places all American workers in harm's way.

There will be a large number of casualties. Already more than 56,000 American workers die each year as a result of accidents on the job or from disease and injuries they suffer in the workplace. Passage of legislation designed to disable OSHA will greatly escalate this unfortunate body count.

Speaker GINGRICH has recently proclaimed that politics is war without blood. The reality is that the Republican war on OSHA will provide pain and suffering, and in many instances their scorched earth assault on OSHA will also produce blood. Among the 56,000 casualties last year, there were 10,000 who bled and died at the work site as a result of a horrible accident.

There is a contract on the life of OSHA. Reform is no longer the objective of the Republicans. Vengeance is a goal, but vengeance only belongs to God.

Members of Congress who want to dedicate their efforts to the task of making Government work must labor to promote the general welfare and do everything possible to make it easier for Americans to engage in the pursuit of happiness. Congressmen and Congresswomen should not plot to murder OSHA and MSHA.

Speaker GINGRICH defines politics as war without blood. However, the kind of politics being pushed by the Republican death and injury appropriations act is very much a life-and-death matter. Children will lose fathers. Wives will lose husbands. Parents will lose sons and daughters. Americans will die as a result of these reckless changes being proposed to dismantle OSHA. This brand of politics is too extreme. This kind of political war is too deadly.

OPPOSITION TO EDUCATION CUTS

The SPEAKER pro tempore. Under the Speaker's announced policy of May 12, 1995, the gentleman from Rhode Island [Mr. REED] is recognized during morning business for 3 minutes.

Mr. REED. Mr. Speaker, the American people believe that Federal support for education represents the most valuable investment we can make in our Nation's future. Yet, throughout this Congress, Republicans have repeatedly targeted programs that help our students reach their full potential. The Labor-HHS bill cuts an unprecedented $4 billion from education funding, taking Federal investment in education to its lowest level since 1989.

And, where have the Republicans begun their assault on education? They have begun the assault on our youngest, most vulnerable children. To benefit fully from schooling, all children need to come to school ready to learn. Perhaps more than any other program, Head Start is about our future. This legislation would deny 180,000 children access to Head Start over the next 7 years.

This legislation also targets poor and disadvantaged students who need help the most to improve their academic performance. I find it ironic that Republicans want to withdraw support for title I at the same time that they are attempting to abandon affirmative action programs. Democracy is conditioned on fairness and equal opportunity. Enacted in 1965, title I of the Elementary and Secondary Education Act was part of a powerful demand that American society live up to its ideals by extending equal opportunity to all. This program sends money to more than 1 million disadvantaged students who need help to achieve in school. If equal opportunity does not begin here, then were does it begin? Today, this program represents the largest Federal investment in elementary and secondary education and enables millions of children to receive the extra help they need in reading and math.

Learning is difficult in schools where students fear for their safety or drug use is widespread. I was proud to be a part of the last Congress that took a strong stand on violence in our public schools. The Safe-and-Drug Free Schools Program helps every one of Rhode Island's 37 school districts to create a safe learning environment. Nationally, this program has enabled 39 million students feel a little bit more secure as they walk the halls of their schools.

Republicans claim that they stand for an American where every individual has the opportunity to compete. This is not the America that the Republicans have shaped in this bill, however. If education is the springboard to opportunity, then this bill causes our Nation to fall farther and farther behind. This bill slams shut the door of opportunity on our youth and our future.

As Secretary of Education Riley has stated, ''The American people do not support efforts to close the budget deficit by widening the education deficit''. I urge my colleagues to reject this short-sighted bill. Let us not turn our back on our future. The cuts contained in this bill will devastate millions of children and families. I urge my colleagues to oppose this bill.

RECESS

The SPEAKER pro tempore. There being no further requests for morning business, pursuant to clause 12, rule I, the House will stand in recess until 10:00 a.m.

Accordingly (at 9 o'clock and 48 minutes a.m.), the House stood in recess until 10 a.m.

□ 1000

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. DUNCAN) at 10 a.m.

PRAYER

The Chaplain, Rev. James David Ford, D.D., offered the following prayer:

As we seek to follow Your command, O God, to do justice and love mercy, we are grateful that Your word provides a vision and an insight into the people we ought to be and the paths we should take. Even as we pray for diligence and vigor to walk the way of justice, we pray also for a sense of humility in all we do, knowing full well that our words fall short of Your will and our work can easily miss the mark. May not arrogance cloud our efforts, but let us walk the ways of life with humility and grace. Amen.

THE JOURNAL

The SPEAKER pro tempore (Mr. DUNCAN). The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from North Carolina [Mr. BALLENGER] come forward and lead the House in the Pledge of Allegiance.

Mr. BALLENGER led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one Nation under God, indivisible, with liberty and justice for all.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate had passed without amendment a bill of the House of the following title:

H.R. 2017. An act to authorize an increased Federal share of the costs of certain transportation projects in the District of Columbia for fiscal years 1995 and 1996, and for other purposes.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will entertain five 1-minutes per side.

REAL SAVINGS IN APPROPRIATIONS BILLS

(Mr. HOKE asked and was given permission to address the House for 1 minute.)

Mr. HOKE. Mr. Speaker, we passed another appropriations bill last night, the VA–HUD bill. It saved $10.5 billion. I am going to put the line here and we will fill it in with green later. What we can see so far is that we have now saved $24 billion, approximately, in the appropriations bills this year.

The one thing I want to point out about this in our Sav-O-Meter is that these are real savings. These are not Washington, DC, inside-the-beltway savings. There are actual savings over what we spent last year, not against a baseline, not against some bureaucrat's projection of what we might spend next year, but this is actually money less than what we spent last year.

In the agriculture bill we will spend $6.3 billion less in the appropriations for 1996. In Treasury, it will be $1.4 billion less; in Interior; $1.6 billion less; energy and water, $1.6 billion less; and then last night, VA–HUD, $10.5 billion less.

That is relief for the American taxpayer. That is getting close to a balanced budget. That means we are not going to be taxing our children, in the most immoral act that this Congress has ever done, for the debt that we throw on them.

LET US ACT TO GIVE BOSNIA A CHANCE: LIFT THE ARMS EMBARGO

(Mr. HOYER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HOYER. Mr. Speaker, 31 years ago, Kitty Genovese cried out for help as she was raped in New York. Thirty-eight neighbors heard her cries, but out of fear or irresponsibility, not one went to her aid. The next morning, she was found dead.

Today, Bosnia cries out for help. She asks only that her neighbors allow her to defend herself.

Her women have been raped, her children orphaned, her homes stolen, and her men massacred. All this by men branded by our country and the international community as war criminals.

And she wonders why the mighty, moral West watches, and waits, and debates.

Kitty Genovese is not in Bosnia.

But, genocide resides there now.

Let us act today to lift the arms embargo to give beleaguered Bosnia a chance.

MEDICARE: AMERICAN SENIORS KNOW THE DIFFERENCE BETWEEN AN INCREASE AND A DECREASE

(Mr. BILBRAY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BILBRAY. Mr. Speaker, I am just a freshman. I grew up on the Mexican border. I thought I knew what bilingualism was. Now that I am here in these Chambers, I think we need to warn the American people that what we hear here in the House is not English, it is Washingtonese, when our colleagues on the other side of the aisle talk about cutting Medicare.

Mr. Speaker, it is absolutely absurd when we look at the numbers, in that what is being proposed by the Republican majority is for each recipient's Medicare funds to go from $400 a month to $561 a month. In plain English, that is an increase. Only in Washington and only with the Democratic minority could they call that a decrease.

Mr. Speaker, I think that seniors of the United States know an increase and know a decrease when they hear it. I just hope that when they hear the minority speaking on the other side of the aisle about a cut on Medicare that they start remembering that is Washingtonese for meaning that we are not going to spend three times the rate of inflation on providing health care. No consumer should allow his or her Medicare or health care to increase three times faster than inflation. What we are talking about, Mr. Speaker, is a commonsense approach to increasing our funding, but trying to control the overhead.

A 25-PERCENT REDUCTION IN OSHA BUDGET IS UNKIND AND DANGEROUS

(Mr. PAYNE of New Jersey asked and was given permission to address the House for 1 minute.)

Mr. PAYNE of New Jersey. Mr. Speaker, among the unkindest cuts for working men and women was the 25-percent reduction to the National Institute for Occupational Safety and Health. I suppose some Members have never heard of NIOSH. Neither has the Heritage Foundation which mistakenly reported that NIOSH duplicated the functions of OSHA—the Occupational Safety and Health Administration.

NIOSH is the only Federal agency charged with conducting research to identify the causes of work injuries and diseases and develop approaches by which workers can be protected. OSHA does not conduct research, although they rely on it.

Every day 17 Americans die from work injuries and illnesses. Every week 67,000 workers are disabled by workplace injuries and illnesses.

What is more disappointing is the fact that most of these illnesses and injuries are preventable. Many problems still exist in the workplace and need to be researched.

In 1991, NIOSH eased public concern over an unknown hazard. At that time, there were over 7 million women operating video display terminals [VDT's] and there had been widespread concern that the cause of the highly publicized clusters of miscarriages among workers were caused because of exposure to VDT's.

But thanks to NIOSH, these stories have happy endings. NIOSH published the definitive report that found no connection between VDT's and miscarriages. The NIOSH relieved anxiety of both employers and workers.

DEMOCRATS IN DENIAL REGARDING MEDICARE

(Mr. BALLENGER asked and was given permission to address the House for 1 minute.)

Mr. BALLENGER. Mr. Speaker, despite all their pious concern over Medicare, Democrats have chosen a path that most definitely will render Medicare bankrupt by the year 2002. Democrats have chosen the path of denial. They deny the existence of this report by three of Bill Clinton's own Cabinet Secretaries. They call for immediate action to save Medicare from bankruptcy.

But Democrats deny that Medicare is going bankrupt.

In fact, the minority leader himself has called this report a hoax. That's right. The Democrats don't even want to hear the advice and warnings from the people who run Medicare, who are themselves Democrats in the President's Cabinet.

Mr. Speaker, denial is a dangerous path to follow. Medicare is going bankrupt, the numbers are not lying, and we need to take action now to preserve Medicare for millions of seniors who depend on it. We simply cannot afford to ignore the warnings of this report.

CUT IN LABOR-HHS APPROPRIATIONS IS ASSAULT ON AVERAGE WORKERS AND THEIR FAMILIES

(Mr. KLINK asked and was given permission to address the House for 1 minute.)

Mr. KLINK. Mr. Speaker, this week the Labor-HHS appropriations bill is going to be taken up by this House. This really, Mr. Speaker, is an assault on average American working persons and their families.

This bill will come to the floor with a cut of 31 percent in enforcement for health and safety protections. At a time when 55,000 American workers a year are killed on the job, when tens of thousands more are permanently disabled each year from work-related injuries and diseases, we are going to cut the agency that enforces worker safety by 33 percent.

There is a cut in the dislocated workers' program of 31 percent. Now I happen to come from an area where, in 13 counties in southwestern Pennsylvania, about 150,000 workers were dislocated from the manufacturing industries. We have to retrain those workers. We are trying to cut back on welfare, we are trying to make sure that people have work at a time that we are saying if you are dislocated because your company shuts down or because something else has happened, that we are not going to retrain you for work anymore. We are going to cut that back by 31 percent.

Mr. Speaker, all the worker safety is being cut, including MSHA, which has really cut down on the number of mine deaths. In the 25 years before MSHA was created in the late 1960's, over 12,000 miners were killed. In the 25 years since then it is about 2,000. These are the kinds of cuts American workers cannot afford.

MEDICARE REFORM IS A BIPARTISAN ISSUE

(Mr. KINGSTON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KINGSTON. Mr. Speaker, it has been almost 4 months now that the trustees of the Medicare plan, the Clinton trustees, have come out with a report saying that Medicare is going broke in the year 2002. About 2 months ago President Clinton said:

> We cannot leave the system the way it is . . . when you think about what the baby boomers require . . . that's going to require significant long-term structural adjustment. We'll have to look at what we can do there. But the main thing we can't do—we can't have this thing go broke in the meanwhile.

I think, certainly, this is a very significant thing for all of us to realize, that Congress must, No. 1, fix Medicare. No. 2, we have got to do it in a fair way. It cannot be done on the back of one group over another one. No. 3, we have to save the system by strengthening it and preserving it. The proposal that we have in our budget is to increase spending per recipient from $4,800 today to $6,700 in the year 2002. We are also probably going to have options on Medisave accounts, a choice of doctor, managed care plans, and so forth.

I think the most important thing for right now is for us to acknowledge that Medicare is going broke. It is a bipartisan problem. We welcome the ideas of all the Democrats, Republicans, and senior citizens throughout our great country.

EDUCATION CUTS NEVER HEAL

(Mr. BAESLER asked and was given permission to address the Houses for 1 minute.)

Mr. BAESLER. Mr. Speaker, as we begin to consider the Labor-HHS-Education appropriations bill, I am reminded of the oft-quoted and foreboding statement in the 1983 report ''A Nation at Risk'':

> If an unfriendly foreign power had attempted to impose on America the mediocre educational performance that exists today, we might well have viewed it as an act of war. As it stands, we have allowed this to happen to ourselves. We have even squandered the gains in student achievement made in the wake of the Sputnik challenge. Moreover, we have dismantled essential support systems which helped make those gains possible. We have, in effect, been committing an act of unthinking, unilateral educational disarmament.

The spending bill that we are asked to consider is nothing less than a continuation of this disarmament. We are being asked by our colleagues on the other side of the aisle to cut spending on education and training by $36 billion over 7 years—$520 million in cuts to Kentucky alone. Ask any kid what cuts are. They know cuts hurt. We are being asked to believe that these are the kind of cuts that can heal this Nation. I believe these are the kind of cuts that will never heal. They will be with us for generations to come.

DEMAGOGUERY AND DECEPTION ON MEDICARE

(Mrs. SEASTRAND asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. SEASTRAND. Mr. Speaker, this weekend on ''Meet the Press'' the minority leader referred to this document as a hoax. This is the Medicare trustees' report. It was not written by conservatives, it was not written by Republicans, but was written by the very people who run Medicare, who are charged with administering the program. It is even signed by three of the President's Cabinet Secretaries: Robert Rubin, Robert Reich, and Donna Shalala. In case the minority leader had not noticed, none of the aforementioned are conservative or Republican. Indeed, most Washington insiders would consider them liberal Democrats.

What is the problem? Could it be that there is a huge split in the Democrat Party? That is part of it, but I think there is something more going on. This report undercuts the minority leader's effort to scare the American public about Medicare. Mr. Speaker, it is truly sad that the liberals in Congress are more concerned about demagoguery and deception than about saving Medicare for our children and our grandchildren.

CALLING FOR FULL HEARINGS ON NAFTA BEFORE PLANNING A NAFTA EXPANSION

(Ms. KAPTUR asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. KAPTUR. Mr. Speaker, most Members do not know, tomorrow the Subcommittee on Trade of the Committee on Ways and Means is going to do it to United States workers again: to strike a deal to add Chile to NAFTA, and then bring the matter up here for a vote under a closed rule, with no opportunity for us to amend. The subcommittee has been so secretive that even members of the subcommittee were only given the legislation last Friday, late in the afternoon.

This is just the latest example of what is wrong with U.S. trade policy: the handiwork of a few powerful people behind closed doors without full debate, and little public participation, and at the last minute, with no opportunity for us to fully debate or amend. Full debate is a precondition to representative democracy.

For this reason, I and 50 of my colleagues, Republicans and Democrats, are requesting full hearings to be held on the NAFTA record to date by the Committee on Ways and Means before expanding any proposed NAFTA accord to include yet another country. America cannot afford billions more of trade deficit and hundreds and hundreds of thousands of more lost good-paying jobs. America cannot afford another bad trade agreement.

BOSNIA-HERZEGOVINA SELF-DEFENSE ACT OF 1995

Mr. DIAZ-BALART. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 204 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 204

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 1(b) of rule XXIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (S. 21) to terminate the United States arms embargo applicable to the Government of Bosnia and Herzegovina. The first reading of the bill shall be dispensed with. General debate shall be confined to the bill and shall not exceed three hours equally divided and controlled

by the chairman and ranking minority member of the Committee on International Relations. After general debate the bill shall be considered for amendment under the five-minute rule. The bill shall be considered as read. No amendment shall be in order except an amendment in the nature of a substitute offered by the Minority Leader or his designee. That amendment shall be considered as read, shall be debatable for one hour equally divided and controlled by the proponent and an opponent, and shall not be subject to amendment. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendment as may have been adopted. The previous question shall be considered as ordered on the bill and any amendment thereto to final passage without intervening motion except one motion to recommit with or without instructions. The motion to recommit may include instructions only if offered by the minority leader or his designee.

Mr. DIAZ-BALART. Mr. Speaker, for purposes of debate only, I yield the customary 30 minutes to the gentleman from California [Mr. BEILENSON], pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for purposes of debate only.

(Mr. DIAZ-BALART asked and was given permission to include extraneous material in the RECORD.)

Mr. DIAZ-BALART. Mr. Speaker, House Resolution 204 is a structured rule providing for the consideration of S. 21, a bill to terminate the U.S. arms embargo on Bosnia and Herzegovina, the Bosnia-Herzegovina Self-Defense Act of 1995. In addition to the 1 hour for debate on this rule, the rule provides for 3 hours of general debate, equally divided and controlled by the chairman and ranking minority member of the Committee on International Relations. It also makes in order an amendment in the nature of a substitute, if offered, by the minority leader or his designee, which would be debatable for 1 hour, equally divided between the proponent and an opponent.

□ 1020

If the minority chooses not to offer a substitute, the additional hour allocated for a substitute may be added to the general debate time by mutual agreement.

House Resolution 204 also provides, Mr. Speaker, for one motion to recommit which, if including instructions, may only be offered by the minority leader or a designee.

I believe that the time allocated for the discussion of S. 21 is sufficient and it was arrived at in a fair and judicious manner. The Committee on Rules originally considered providing 1 hour on the rule, 2 hours for general debate, and 1 hour on a substitute, but at my suggestion, and I would like to thank the gentleman from New York [Mr. SOLOMON], the chairman, and all of the distinguished members of the Committee on Rules for their gracious consideration, the committee increased the general debate time by an additional hour to provide for further discussion of this critical issue.

Mr. Speaker, the House has already spoken on the issue of lifting the arms embargo during consideration of H.R. 1561, the Overseas Investment Act. On June 8 of this year, the House voted overwhelmingly, 318 to 99 in favor of an amendment to require the President to unilaterally lift the arms embargo against Bosnia upon receiving a request for assistance from that government.

Mr. Speaker, the issue can wait no longer. That is why we need to act this week on an amendable bill that has already passed the Senate so that it can go straight to the President without the need for a conference. At this time I would like to thank the distinguished gentleman from New York [Mr. GILMAN], the chairman of the Committee on International Relations, as well as the gentleman from New Jersey [Mr. SMITH], the gentleman from Maryland [Mr. HOYER], and other colleagues who have worked tirelessly to bring an end to what I believe is the ethically unjustifiable arms embargo on Bosnia.

Mr. Speaker, the arms embargo on Bosnia, as the Speaker knows, was morally questionable from the very beginning and I believe that legally it was questionable from the very beginning as well.

It was the Yugoslav regime, the regime in Belgrade, over 3 years ago when that country was already in an obvious process of disintegration that asked the U.N. Security Council to impose an arms embargo on what at that time was Yugoslavia. What happened consequently was that months afterward, when Yugoslavia broke up and the independent states of the former Yugoslavia achieved independence, and in fact Bosnia was recognized as a member nation of the United Nations, the arms embargo that had been applied to Yugoslavia was consequently applied to the independent states of the former Yugoslavia.

Now, the objective of the aggressors in Belgrade, I believe, Mr. Speaker, was clear from the beginning. Inheriting the great overwhelming majority of the resources, of the equipment of the former army of Yugoslavia, the armed forces of Yugoslavia and having in mind the goal of the so-called greater Serbia, a Serbian empire, Mr. Speaker, which would include great portions of what is now the independent and sovereign and recognized by the international community state of Bosnia, the goal was, in effect, to have a situation imposed by the international community where the hands of the new State of Bosnia would be tied, where they would be in effect not capable of arming themselves against overwhelming superiority by the aggressor, by the army controlled by Belgrade, by the resources that came from the former Communist Yugoslavia.

So what we have seen is really a very profound injustice, Mr. Speaker, that has been perpetrated upon a new, sovereign, independent nation that is recognized by the international community, that is a member of the United Nations, and yet, in violation and contravention directly of article 51 of the U.N. Charter, it has not been allowed that most fundamental of the rights of any state, which is the right of self-defense.

Mr. Speaker, NATO and the United Nations have failed completely to enforce the Security Council resolutions which authorized the use of force to defend the so-called safe havens and to get humanitarian assistance through to the people who need it in Bosnia. As Margaret Thatcher stated in a letter just last week to Senator DOLE, the proponent of this very important measure in the Senate, ''The safe havens,'' Margaret Thatcher wrote, ''were never safe. Now they are actually falling to Serb assault. Murder, ethnic cleansing, mass rape, and torture are the legacy of the policy of the last 3 years to the people of Bosnia. It has failed utterly.''

Mr. Speaker, we owe it to the victims, we owe it to the victims of Serb aggression at the very least to have them obtain at least the possibility of arming themselves, to defend themselves against what is without any doubt one of the most brutal forms of aggression that the Western World has witnessed since the Holocaust. If the international community is not willing to defend the Bosnian people, at the very least we should not prohibit them from defending themselves. That is the essence of the argument, of the extremely important argument, that the Congress will be debating today.

Despite the fact that we have so many important measures that we have to discuss and debate and vote upon this week, despite the fact that this is probably the busiest week since we have been in Congress since January, we are setting aside 5 hours today to debate this issue which very possibly, Mr. Speaker, may be the most critical issue that Members of this body will have an opportunity to vote on during this session of Congress.

If I may very briefly address three arguments that are used pretty consistently against the lifting of the arms embargo against Bosnia.

We will hear the argument, Mr. Speaker, that by lifting the arms embargo, we would be abandoning, in effect, the people of Bosnia because the United Nations and NATO have said that they oppose the unilateral lifting of the arms embargo by the United States. I think the key there is to ask the elected Government of Bosnia what they think. Ask the elected Government of Bosnia, the democratic Government of Bosnia if they think that by the United States unilaterally lifting the arms embargo, they would feel abandoned, or whether they feel abandoned today, when the U.N. Protections Forces are there either as spectators or as hostages, Mr. Speaker. What kind of protection is a force that is actually taken hostage by the thugs

and the aggressors from Belgrade and their allies within the Bosnian state?

A second argument that we hear often is that we will be fragmenting, that we will be hurting the unity of NATO and of the U.N. Protection Force. I think the key there, Mr. Speaker, is the question that follows: How can you pursue peacekeeping, which is what specifically and officially the mission of the United Nations in Bosnia is, peacekeeping, how can you pursue peacekeeping when there is no peace? I think the answer to that question is self-evident. The mission of NATO is not possible as it is conceived, there is no peacekeeping and even the safe havens that were offered to the Bosnian people, here are six safe havens, give up your heavy arms and you will be safe even though safe havens now are being attacked by the Serbs and two of them have already fallen, Mr. Speaker. The policy of the United Nations and of NATO in effect, the promise to the people of Bosnia, has been but a farce and it is time that we admit it today.

Third, the argument is, if we let the Bosnians arm themselves, that will prolong the war. I submit, Mr. Speaker, that it is inherently immoral to say that. That contemplates that the war will inevitably be won by the aggressors, that the Serbs will soon overrun all of Bosnia, kill all of the refugees and destroy all the targets that they are seeking to destroy beforehand, and that by letting the Bosnians arm themselves, we will be prolonging the war. That argument, I maintain, is inherently immoral.

So I go back to the essential. What is the Government of Bosnia asking the United States to do? The Government of Bosnia is asking us to pass this bill today and when we pass this bill today, there will be no need for conference, it will go straight to the President and it will, I think, strengthen his hand when he deals with the Europeans that have imposed the policy of appeasement, have imposed the policy that makes Neville Chamberlain look like Rambo, Mr. Speaker, upon the disarmed and defenseless people of Bosnia.

I submit that this is an extraordinarily important vote that we are going to take today. This is a fair rule, and I would ask that all of the Members not only realize the importance of the vote today but favorably consider and vote for the resolution.

Mr. Speaker, I believe that House Resolution 204 is a correctly and fairly structured rule to provide for the thorough consideration of S. 21, and I would urge its adoption.

Mr. Speaker, I submit the following data from the Committee on Rules for inclusion at this point in the RECORD:

THE AMENDMENT PROCESS UNDER SPECIAL RULES REPORTED BY THE RULES COMMITTEE,[1] 103D CONGRESS V. 104TH CONGRESS

[As of July 31, 1995]

Rule type	103d Congress		104th Congress	
	Number of rules	Percent of total	Number of rules	Percent of total
Open/Modified-open [2]	46	44	40	73
Modified Closed [3]	49	47	13	23
Closed [4]	9	9	2	4
Totals:	104	100	55	100

[1] This table applies only to rules which provide for the original consideration of bills, joint resolutions or budget resolutions and which provide for an amendment process. It does not apply to special rules which only waive points of order against appropriations bills which are already privileged and are considered under an open amendment process under House rules.

[2] An open rule is one under which any Member may offer a germane amendment under the five-minute rule. A modified open rule is one under which any Member may offer a germane amendment under the five-minute rule subject only to an overall time limit on the amendment process and/or a requirement that the amendment be preprinted in the Congressional Record.

[3] A modified closed rule is one under which the Rules Committee limits the amendments that may be offered only to those amendments designated in the special rule or the Rules Committee report to accompany it, or which preclude amendments to a particular portion of a bill, even though the rest of the bill may be completely open to amendment.

[4] A closed rule is one under which no amendments may be offered (other than amendments recommended by the committee in reporting the bill).

SPECIAL RULES REPORTED BY THE RULES COMMITTEE, 104TH CONGRESS

[As of July 31, 1995]

H. Res. No. (Date rept.)	Rule type	Bill No.	Subject	Disposition of rule
H. Res. 38 (1/18/95)	O	H.R. 5	Unfunded Mandate Reform	A: 350–71 (1/19/95).
H. Res. 44 (1/24/95)	MC	H. Con. Res. 17	Social Security	A: 255–172 (1/25/95).
		H.J. Res. 1	Balanced Budget Amdt	
H. Res. 51 (1/31/95)	O	H.R. 101	Land Transfer, Taos Pueblo Indians	A: voice vote (2/1/95).
H. Res. 52 (1/31/95)	O	H.R. 400	Land Exchange, Arctic Nat'l. Park and Preserve	A: voice vote (2/1/95).
H. Res. 53 (1/31/95)	O	H.R. 440	Land Conveyance, Butte County, Calif	A: voice vote (2/1/95).
H. Res. 55 (2/1/95)	O	H.R. 2	Line Item Veto	A: voice vote (2/2/95).
H. Res. 60 (2/6/95)	O	H.R. 665	Victim Restitution	A: voice vote (2/7/95).
H. Res. 61 (2/6/95)	O	H.R. 666	Exclusionary Rule Reform	A: voice vote (2/7/95).
H. Res. 63 (2/8/95)	MO	H.R. 667	Violent Criminal Incarceration	A: voice vote (2/9/95).
H. Res. 69 (2/9/95)	O	H.R. 668	Criminal Alien Deportation	A: voice vote (2/10/95).
H. Res. 79 (2/10/95)	MO	H.R. 728	Law Enforcement Block Grants	A: voice vote (2/13/95).
H. Res. 83 (2/13/95)	MO	H.R. 7	National Security Revitalization	PQ: 229–100; A: 227–127 (2/15/95).
H. Res. 88 (2/16/95)	MC	H.R. 831	Health Insurance Deductibility	PQ: 230–191; A: 229–188 (2/21/95).
H. Res. 91 (2/21/95)	O	H.R. 830	Paperwork Reduction Act	A: voice vote (2/22/95).
H. Res. 92 (2/21/95)	MC	H.R. 889	Defense Supplemental	A: 282–144 (2/22/95).
H. Res. 93 (2/22/95)	MO	H.R. 450	Regulatory Transition Act	A: 252–175 (2/23/95).
H. Res. 96 (2/24/95)	MO	H.R. 1022	Risk Assessment	A: 253–165 (2/27/95).
H. Res. 100 (2/27/95)	O	H.R. 926	Regulatory Reform and Relief Act	A: voice vote (2/28/95).
H. Res. 101 (2/28/95)	MO	H.R. 925	Private Property Protection Act	A: 271–151 (3/2/95)
H. Res. 103 (3/3/95)	MO	H.R. 1058	Securities Litigation Reform	
H. Res. 104 (3/3/95)	MO	H.R. 988	Attorney Accountability Act	A: voice vote (3/6/95)
H. Res. 105 (3/6/95)	MO			A: 257–155 (3/7/95)
H. Res. 108 (3/7/95)	Debate	H.R. 956	Product Liability Reform	A: voice vote (3/8/95)
H. Res. 109 (3/8/95)	MC			PQ: 234–191 A: 247–181 (3/9/95)
H. Res. 115 (3/14/95)	MO	H.R. 1159	Making Emergency Supp. Approps.	A: 242–190 (3/15/95)
H. Res. 116 (3/15/95)	MC	H.J. Res. 73	Term Limits Const. Amdt	A: voice vote (3/28/95)
H. Res. 117 (3/16/95)	Debate	H.R. 4	Personal Responsibility Act of 1995	A: voice vote (3/21/95)
H. Res. 119 (3/21/95)	MC			A: 217–211 (3/22/95)
H. Res. 125 (4/3/95)	O	H.R. 1271	Family Privacy Protection Act	A: 423–1 (4/4/95)
H. Res. 126 (4/3/95)	O	H.R. 660	Older Persons Housing Act	A: voice vote (4/6/95)
H. Res. 128 (4/4/95)	MC	H.R. 1215	Contract With America Tax Relief Act of 1995	A: 228–204 (4/5/95)
H. Res. 130 (4/5/95)	MC	H.R. 483	Medicare Select Expansion	A: 253–172 (4/6/95)
H. Res. 136 (5/1/95)	O	H.R. 655	Hydrogen Future Act of 1995	A: voice vote (5/2/95)
H. Res. 139 (5/3/95)	O	H.R. 1361	Coast Guard Auth. FY 1996	A: voice vote (5/9/95)
H. Res. 140 (5/9/95)	O	H.R. 961	Clean Water Amendments	A: 414–4 (5/10/95)
H. Res. 144 (5/11/95)	O	H.R. 535	Fish Hatchery—Arkansas	A: voice vote (5/15/95)
H. Res. 145 (5/11/95)	O	H.R. 584	Fish Hatchery—Iowa	A: voice vote (5/15/95)
H. Res. 146 (5/11/95)	O	H.R. 614	Fish Hatchery—Minnesota	A: voice vote (5/15/95)
H. Res. 149 (5/16/95)	MC	H. Con. Res. 67	Budget Resolution FY 1996	PQ: 252–170 A: 255–168 (5/17/95)
H. Res. 155 (5/22/95)	MO	H.R. 1561	American Overseas Interests Act	A: 233–176 (5/23/95)
H. Res. 164 (6/8/95)	MC	H.R. 1530	Nat. Defense Auth. FY 1996	PQ: 225–191 A: 233–183 (6/13/95)
H. Res. 167 (6/15/95)	O	H.R. 1817	MilCon Appropriations FY 1996	PQ: 223–180 A: 245–155 (6/16/95)
H. Res. 169 (6/19/95)	MC	H.R. 1854	Leg. Branch Approps. FY 1996	PQ: 232–196 A: 236–191 (6/20/95)
H. Res. 170 (6/20/95)	O	H.R. 1868	For. Ops. Approps. FY 1996	PQ: 221–178 A: 217–175 (6/22/95)
H. Res. 171 (6/22/95)	O	H.R. 1905	Energy & Water Approps. FY 1996	A: voice vote (7/12/95)
H. Res. 173 (6/27/95)	C	H.J. Res. 79	Flag Constitutional Amendment	PQ: 258–170 A: 271–152 (6/28/95)
H. Res. 176 (6/28/95)	MC	H.R. 1944	Emer. Supp. Approps.	PQ: 236–194 A: 234–192 (6/29/95)
H. Res. 185 (7/11/95)	O	H.R. 1977	Interior Approps. FY 1996	PQ: 235–193 D: 192–238 (7/12/95)
H. Res. 187 (7/12/95)	O	H.R. 1977	Interior Approps. FY 1996 #2	PQ: 230–194 A: 229–195 (7/13/95)
H. Res. 188 (7/12/95)	O	H.R. 1976	Agriculture Approps. FY 1996	PQ: 242–185 A: voice vote (7/18/95)

SPECIAL RULES REPORTED BY THE RULES COMMITTEE, 104TH CONGRESS—Continued

[As of July 31, 1995]

H. Res. No. (Date rept.)	Rule type	Bill No.	Subject	Disposition of rule
H. Res. 190 (7/17/95)	O	H.R. 2020	Treasury/Postal Approps. FY 1996	PQ: 232–192 A: voice vote (7/18/95)
H. Res. 193 (7/19/95)	C	H.J. Res. 96	Disapproval of MFN to China	A: voice vote (7/20/95)
H. Res. 194 (7/19/95)	O	H.R. 2002	Transportation Approps. FY 1996	PQ: 217–202 (7/21/95)
H. Res. 197 (7/21/95)	O	H.R. 70	Exports of Alaskan Crude Oil	A: voice vote (7/24/95)
H. Res. 198 (7/21/95)	O	H.R. 2076	Commerce, State Approps. FY 1996	A: voice vote (7/25/95)
H. Res. 201 (7/25/95)	O	H.R. 2099	VA/HUD Approps. FY 1996	A: 230–189 (7/25/95)
H. Res. 204 (7/28/95)	MC	S. 21	Terminating U.S. Arms Embargo on Bosnia	
H. Res. 205 (7/28/95)	O	H.R. 2126	Defense Approps. FY 1996	A: 409–1 (7/31/95)

Codes: O-open rule; MO-modified open rule; MC-modified closed rule; C-closed rule; A-adoption vote; D-defeated; PQ-previous question vote. Source: Notices of Action Taken, Committee on Rules, 104th Congress.

Mr. Speaker, I reserve the balance of my time.

Mr. BEILENSON. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the rule before us provides for consideration of what is clearly one of the most significant foreign policy measures that we will be taking up in the foreseeable future—the bill requiring the President and the American participation in the United Nations-imposed arms embargo on the Government of Bosnia and Herzegovina could very well mark the beginning of our direct involvement in this tragic conflict.

As the gentleman from Florida has explained, the rule provides for 3 hours of general debate. It also makes in order one amendment in the nature of a substitute to be debatable for 1 hour. Should no substitute be offered, that hour will be available for general debate.

Mr. Speaker, our main concern in fashioning the rule was that enough time be provided so that Members on both sides of the aisle have an adequate opportunity to offer their arguments and to hear the opinions and the arguments of other Members.

We would have preferred 6 hours of debate time. Many of us felt that a full day of debate was necessary for a measure this momentous. We do hope very much that every Member who has a desire to be heard during this important debate is given the opportunity to speak in the 5 total hours of time that are provided under this rule.

Mr. Speaker, we support the rule, although as I have just stated we would have preferred that some more time be available for debate.

Mr. Speaker, it may not be necessary to restate the obvious, but perhaps it would be useful to do so. From the beginning, the policy choices for the United States and our NATO allies have been difficult, and each has been fraught with substantial peril. The alternatives available to us are probably fewer in number and less propitious today than they were 3 or 4 years ago.

From the beginning, our goals have been to end the fighting and the barbarism throughout the former Yugoslavia; to do so, if at all possible, as a contributor to multilateral efforts through the aegis of the United Nations to end the tragedy; to act in concert with and in support of our European allies who in their own way have sought to take the lead in responding to the situation and who have contributed the bulk of the troops on the ground in Bosnia; and to avoid, if possible, the insertion of U.S. troops on the ground there.

Needless to say, the policies undertaken by ourselves and our allies and the United Nations have not been entirely successful, although it is fair to say that our involvement together has undoubtedly lessened the amount of fighting and the amount of death and dislocation that would otherwise have occurred.

But we have known from the beginning that this was and is a terribly complex and difficult problem to help solve and although each of us has his or her own ideas about what we might have done differently at various times during these past few years, most of us have hesitated to criticize too harshly either Mr. Bush or Mr. Clinton as they who had the awful and final responsibility as President to forge U.S. policy and quite possibly commit U.S. troops grappled with the twin difficulties of responding in an effective way to the problems on the ground while at the same time trying to remain a part of and supportive of the multilateral efforts of which we are a part to contain the conflict.

It is precisely that concern that suggests to many of us that this week is not the time to take up this resolution.

It is extremely important in the long run that we not undertake unilateral action that may leave us with unilateral American responsibility in the area, and especially at a time when, as the gentleman from Indiana [Mr. HAMILTON] argued before the Committee on Rules on Friday afternoon, ''We have just reached major new decisions with our allies and with the United Nations that will give the United Nations one good last chance to more effectively carry out its mandate in Bosnia. We now have a different strategy and we need time to make it work. This is not a matter of months, but weeks.''

As appealing as lifting the embargo is, we all know that the hoped for results of getting adequate additional heavy armaments to the Bosnian Government will take a good many months, and we all know that the withdrawal of U.N. troops that our taking such an action will precipitate is likely itself to require the insertion of U.S. troops on the ground while they withdraw. It would seem that the prudent policy just now would be to give the newly arrived at agreement between the United Nations and NATO to commit to a serious air campaign to halt any further Serb aggression and last week's U.N. agreement to simplify the chain of command to allow military commanders to make the decisions as to whether and when air strikes should take place an opportunity to take effect. We shall all be back here 1 month from now and should these new policies which have been agreed upon and reached amongst ourselves and our allies and the United Nations not be successful or carried out to our satisfaction, there will be time enough then for us to undertake this unilateral action.

I say this, Mr. Speaker, as one who along with a good many of our colleagues in this body has felt strongly for some time now, in the case of many of us since late 1991 and early 1992, that the Serbs will not be deterred until finally they believe and are made to understand that they will suffer real damage and real pain and real casualties if they continue their aggression.

Every time they believed they would suffer retaliation, they have hesitated, but tragically they have succeeded in calling our bluff time and again.

Our argument now is that we seem to have finally a policy that will in fact inflict the necessary kind of damage in response to their continuing these outrageous assaults upon humanity. It would be foolish of us not to give this policy, which many of us have argued for now for a long time, a chance to work.

It cannot hurt to say once more that every one of us who has taken the time to think seriously about and argue through the various policy alternatives available to us understands that each of them carries with it its own grave risks and that none is certain of success. It thus seems to many of us that the wise and sensible thing to do now is to take no action that might prevent the successful functioning of our newly arrived at policy and worse yet perhaps force us to break with our closest allies in our mutual attempt to solve this problem together and leave us with an unwanted and potentially dangerous unilateral responsibility for undertaking further actions without the involvement of others that may necessarily be required by our unilaterally lifting the arms embargo.

Mr. Speaker, as I mentioned earlier, we support the rule.

Mr. Speaker, I reserve the balance of my time.

Mr. DIAZ-BALART. Mr. Speaker, I yield 2 minutes to the gentleman from Florida [Mr. GOSS], my distinguished colleague on the Committee on Rules.

(Mr. GOSS asked and was given permission to revise and extend his remarks.)

Mr. GOSS. Mr. Speaker, I thank my friend and my colleague the gentleman from Florida [Mr. DIAZ-BALART] for yielding me this time. I hope his district and mine remain safe from Hurricane Erin and all others remain safe from Hurricane Erin bearing down on us.

Mr. Speaker, I rise in support of this rule and the bill, S. 21. I am most grateful to the leadership of this House—and to Chairman GILMAN—for the prompt work undertaken to ensure that this House has a debate and a vote on the subject of the escalating atrocity that is Bosnia and Herzegovina. No doubt, the gruesome and abhorrent reality of death, destruction, and debasement of human life in Bosnia, presents enormous challenges as does working through the ponderous international machinery now is use.

Although no one believes that resolving this terrible crisis is an easy task, there is at least one clear and obvious step that the United States should be taking, namely lifting the arms embargo and allowing the Government of Bosnia to exercise its right to self-defense. The administration seems to be arguing that it was all wisdom and that Congress should not participate in any resolution of this tragedy—but the administration has long had its chance to do the right thing on its own—and its policies have failed to do the job.

I am proud that this House, following the lead of the other body, will demonstrate that we are not afraid to stand up for what is moral and what is right. We will direct the President to lift the arms embargo against the Bosnian Government, something we should have done some time ago. I am pleased that Chairman SOLOMON and our Rules Committee responded to this urgent need—even at a time when our committee time and time on the floor is at such a premium—and developed a fair rule that allows significant debate, while ensuring an opportunity for the minority to present an alternative of their choice. Support this rule and support S. 21.

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Mr. BEILENSON. Mr. Speaker, I yield such time as he may consume to the distinguished gentleman from Maryland [Mr. HOYER] who has been involved personally in this matter.

Mr. HOYER. Mr. Speaker, let me rise first and say that I do not believe this is an issue of the President's policy; neither President Clinton nor President Bush. Frankly, I think that President Bush should have moved more decisively at the beginning, but let me say that I thought President Bush was right at the time. We both made a mistake.

President Clinton, in 1992, spoke strongly of the strike-and-lift policy that he wanted to see our country pursue, but the issue is what we do today; What America's policy will be as set by the Congress of the United States.

Mr. Speaker, President John Kennedy, in his first inaugural address said, ''To those people in the huts and villages of half of the globe struggling to break the bonds of mass misery, we pledge our best efforts to help themselves, for whatever period is required, not because the Communists may be doing it, not because we seek their votes, but because it is right.''

Let me repeat that, Mr. Speaker. ''Because it is right.''

That is what we are about today; doing what is right. Helping the Bosnian people break the bonds of misery. We can do this by voting to allow them the right, the inherent right of a nation to defend themselves as explicitly stated in article 51 of the U.N. Charter.

In that regard, Mr. Speaker, I rise in strong support of this rule and legislation which would lift the arms embargo against Bosnia and Herzegovina.

Mr. Speaker, 318 of the Members of this body voted on June 8, just a little short of 2 months ago, to lift the arms embargo. Since that vote, the so-called safe havens, of Srebrenica and Zepa, which were designated safe havens by the United Nations, the mightiest nations on the face of the earth, have been overrun by the Serb forces.

Fighting rages around another safe haven, Bihac, and the shelling of Sarajevo continues. The West's response was to draw the line at Gorazde, allowing Serbian forces to amass at the other safe havens and threaten to overrun these areas as well.

Since that June 8 vote, 24 Bosnian and Croatian Serbs, including Bosnian Serb leader Karadzic and his military chief, General Mladic, have been indited by the international community for war crimes, including that of genocide. This is not a personal opinion; this is not an opinion of our Government or other governments; this is an opinion of the U.N. tribunal. We are dealing with international felons and war criminals.

This body should not retreat from that overwhelming vote on June 8. Some Members say it was an easy vote for them, but now this measure is real. It is a free-standing piece of legislation. To retreat from the House's overwhelming support to lift the embargo would send yet another signal to the Serbs that the United States has drawn another line in the sand, dared the Serbs to cross it, and then ourselves fallen back to a new position.

It seems to me, Mr. Speaker, that what we are encountering is similar to a scene dating back to the 1930's when yet another dictator sought to carve up a neighboring country in the name of ethnic unity. It occurred in Munich in 1938. It was called, rightly, ''appeasement.''

At the outset of the crisis in Czechoslovakia, one European leader remarked, ''How horrible, fantastic, incredible it is that we should be digging trenches and tying gas masks here because of a quarrel in a faraway country between people of whom we know nothing.''

All of us learned the lessons of the neglect and negligence at that time. The result was called a Holocaust and, Mr. Speaker, it tragically is happening today in Bosnia and Herzegovina.

The Bosnians do not want our soldiers. Prime Minister Silajdzic said in a letter, ''Throughout this conflict we have never asked for American or foreign ground troops to fight for us. We do not need them. We have both the manpower and the will to fight for ourselves.''

Mr. Speaker, let this body show the Bosnian people that we too have the will to do what is morally and ethically right and allow them to defend themselves.

Mr. Speaker, using another quote, ''For two centuries,'' one of our Presidents said, ''America has served the world as an inspiring example of freedom and democracy. For generations, America has led the struggle to preserve and extend the blessings of liberty. And today, in a rapidly changing world, American leadership is indispensable. Americans know that leadership brings burdens and sacrifices. But we also [know] why the hopes of humanity turn to us. We are Americans. We have a unique responsibility to do the hard work of freedom,'' he said. ''And when we do, freedom works.''

That was President George Bush in his State of the Union Address in January 1991.

Today, Mr. Speaker, this body has a unique and compelling responsibility to do the hard work of freedom. Let us give the Bosnian people the opportunity to pursue their freedom from their aggressors. I would hope that my colleagues would vote for this rule. Vote for S. 21. It will be a vote for the right of an internationally recognized sovereign Nation to defend itself.

In closing, Mr. Speaker, let me read from a letter to Haris Silajdzic, The democratically elected prime minister of Bosnia. He says this in a letter dated yesterday: ''Since before the very first attacks on our population more than 3 years ago, we have been prepared to fight to defend ourselves. Tragically, the arms embargo against our country has ensured that this conflict be a slaughter rather than a war.''

''The Arms Embargo,'' he goes on to say, ''must be terminated and a balance of power be effected on the ground. Only then,'' he says, ''will the genocidal spiral end.'' He closes with this, Mr. Speaker. ''On behalf of our people, I appeal to the American Government, the American people, and their elected representatives to untie our hands and to prove, once again, why America is the leader of the democratic world. In the name of morality, lift the arms embargo. Sincerely, Haris Silajdzic, Prime Minister'' of the democratic, internationally recognized, sovereign nation of Bosnia and Herzegovina.

Mr. DIAZ-BALART. Mr. Speaker, I yield 5 minutes to the gentleman from New York [Mr. GILMAN], the chairman of the Committee on International Relations and one of the great leaders of this Congress who continuously proves precisely that it is the American people who are the moral leaders of the world.

(Mr. GILMAN asked and was given permission to revise and extend his remarks.)

Mr. GILMAN. Mr. Speaker, I want to thank the gentleman from Florida [Mr. DIAZ-BALART] and the gentleman from Florida [Mr. GOSS] and the gentleman from Maryland [Mr. HOYER] for their strong supporting statements on behalf of this measure.

Mr. Speaker, I rise in strong support of this rule on S. 21 which will allow the House, for the third time in 14 months, to debate the critical issue of terminating the unjust arms embargo that has been imposed, with our Government's support, on the Government and people of Bosnia and Herzegovina. The position of the House is clear—we had a vote on this question in early June where an amendment to our State Department and foreign assistance authorization directing the President to terminate the arms embargo was adopted by an impressive, overwhelming 3-to-1 ratio.

However, the measure which we will consider today, S. 21 under this rule, will upon approval, go directly to the President's desk for his approval or his veto. This measure will allow the Congress as a whole to speak clearly, without ambiguity of our distaste, and our revulsion for the maintenance of an unjust, immoral, and entirely misguided arms embargo which has penalized the victims of aggression and prolonged a conflict which the international community has been powerless to bring to an end.

The legislation introduced and adopted in the Senate by Majority Leader DOLE is a responsible measure—it allows the Government of Bosnia to choose between having the U.N. peacekeepers remain or having the embargo terminated by the United States. It avoids the charge that we who support lifting the embargo would precipitate a withdrawal of the United Nations from Bosnia, because it explicitly says that the embargo will be lifted only after the Bosnian Government has formally requested the United Nations to depart. Moreover, it provides flexibility to the President to the degree that the safety of UNPROFOR troops or our own forces that may be involved in assisting a withdrawal.

This rule is a fair one. It provides for a counterproposal to be considered if one is offered by any Members opposing termination of the embargo. Most importantly, this rule provides for an ample allotment of time—3 hours, for our Members to speak out and fully consider this issue. Having been involved with the question of this embargo for 3 years as both ranking member of the Foreign Affairs Committee during the previous Congress, and as chairman of our International Relations Committee, I have become fully aware of the tremendous level of outrage and frustration which most of our Members share because of the continuing humiliation of the United Nations and our own Government, and the ongoing victimization of the Bosnian people. Today, we will have an opportunity to fully examine this proposal and its implications for the Bosnian people.

Accordingly, I urge our Members to support this rule and bring this urgently required measure to the floor.

Mr. BEILENSON. Mr. Speaker, I yield such time as he may consume to the distinguished gentleman from Virginia [Mr. MORAN].

Mr. MORAN. Mr. Speaker, there have been few situations in modern history that have been as cruel and unjust as this, when people who could have changed it chose not to. The United Nations designated six areas in Bosnia that were to be safe enclaves. In fact, when people came into those enclaves, they were disarmed. We agreed to that.

We are the principal financial contributor to the United Nations. We contribute more than any other country. We have been contributing almost a third of all the money that supports the United Nations. So it was our word, as well as the U.N.'s word, that these people would be safe.

Nine out of ten of them were unarmed. In fact, those who had arms had only small arms that were of no use against heavy artilleries that the Serbs have had in their possession and have used for the last 3 years.

Mr. Speaker, it is a cruel irony, in fact, that the arms embargo was never intended to apply to Bosnia. It was intended to apply to those States within Yugoslavia that had as many heavy arms as they wanted to use; Serbia and Croatia and Slovenia. They all had access to arms, but we knew Bosnia did not, and yet we imposed an arms embargo on Bosnia as well. When it became clear it was only effectively applying to Bosnia, we would not lift it. Now, for 3 years we have stood by as tens of thousands of people have been slaughtered.

We have almost 2 million refugees floating around Europe that have been displaced. About 40,000 women have been raped. That is a large number, but it has been a tactic of this war; to rape women, defile them, to shame the family, to break the spirit of the Bosnian people, partly because they are Moslems, partly because it is a multiethnic secular democracy, and that, of course, is a threat to any dictator like Mr. Milosevic who is a hard-line, old-line Communist.

And so we set up six enclaves. Now, in the last few weeks, we have let those enclaves be overrun. In the process of overrunning them, hundreds of women have been raped, hundreds of people have been viciously tortured, thousands of people have been massacred.

Let me just put a little flesh and blood on what this means, what some of these numbers represent. Mr. Speaker, the following is from the July 31, 1995, edition of Newsweek magazine:

> This past week at a crossroads in the mountains outside Srebreica, Sabaheta Bacirovic saw 500 men on their knees. They were Bosnian Moslem prisoners. Their arms were tied behind their heads and their Serbian captors forced them to march by shuffling along on their knees. The Serbs taunted Mrs. Bacirovic and the women traveling with her. They were all driven out of Serbrenica when the Moslem enclave fell on July 11. ''These are your husbands,'' she recalled them saying. ''There is your army. We will kill them all.''

Mr. Speaker, they can kill them, because they are unarmed, because we have insisted upon this arms embargo. Mrs. Bacirovic realized that her husband was not among them. He had already been executed. Other women who walked this trail of tears out of Srebrenica saw heaps of dead men, their throats slit, piled up beside the roads; 9 out of 10 of them were unarmed. They were shot at and shelled by the Serbs every step of the way, broken into segments. When the stragglers caught up, they saw piles of corpses with their throats slit.

Mr. Speaker, 9,000 men were killed as a result of the Serb's overtaking this enclave. This death march was the worst massacre in Europe since the Nazi era. Trickery led some of them to their deaths. The Serbs had white tanks that were made to look like U.N. vehicles. They had ''U.N.'' painted on them, and with bullhorns they urged the Bosnian to come out of the mountains and surrender.

One of the Bosnian Moslems said, ''We knew it was really the Serbs.'' Mr. Alija Omerovic watched as some of his companions walked down and tried to surrender and were shot down by the armored car's machine gun.

Some of the victims were mutilated, often with noses and ears cut off. A company commander was found, Enver Alaspahic, lying on a path. This is the company commander. His face had been cut open to the bone in the shape of an Orthodox cross. He begged the scout to kill him. The scout said he could not do it and left him there.

Many of the atrocities have been committed by the black-clad members of the Serbian Volunteer Guard. These are followers of a thug known as Arkan. A woman whose husband and brother were among the missing marchers said she saw Serbs in black bandanas pull a pair of 12-year-old twin boys off a refugee bus. This is a U.N. refugee bus that we finance, we are responsible for. They slit their throats, slit the throats of the two twins, as their mother tried vainly to trade her life for theirs.

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Later the mother tied herself to a tree limb and hanged

herself. We saw that on TV. People at the time said they did not know why she had hanged herself. They have now found out. And who would not?

These are the kinds of atrocities that are occurring. While it is awkward and makes us uncomfortable to talk about them, they are real, they are happening today, and we are complicit in their happening unless we act.

General Arkan has a long history. He had eight convictions by Interpol, murders, and yet he was armed by the Serbs in Serbia. He rounded up the worst, most vicious thugs that they could find, sent them into Bosnian villages, told them, ''You can go into these homes, you can shoot the men, you can rape the women. I will not go into what they did to the women, but it boggles the imagination that people could be so vicious and inhuman. They threw these families out of their homes, took all the possessions that they could, and went through village after village, ethnically cleansing these villages. That was the policy, and it has worked. It never should have worked at this time in the 20th century, when the United States has the military power, has the moral power to prevent this kind of slaughter, this kind of ethnic genocide. We committed ourselves to do that, not just when we erected the Holocaust Memorial, but when we learned of the slaughter of 6 million Jews because they were Jews, and now we see the slaughter of over 200,000 Moslems because they are Moslems. Most of them are innocent civilians. It never, never should have happened.

Let me just quote the last point that the gentleman from Maryland [Mr. HOYER] made. This is a quote from Prime Minister Haris Silajdzic, who just today sent us a letter, all of us, addressed specifically to the gentleman from New Jersey [Mr. SMITH] and the gentleman from Maryland [Mr. HOYER]. It says:

> On behalf of our people, I appeal to the American Government, the American people, and their elected representatives to untie our hands and to prove once again why America is the leader of the democratic world. In the name of morality, lift the arms embargo.

Mr. DIAZ-BALART. Mr. Speaker, I yield 3 minutes to the gentleman from Wisconsin [Mr. ROTH], a tireless fighter for human rights throughout the world and a member of the Committee on International Relations.

Mr. ROTH. Mr. Speaker, I thank the gentleman for yielding me this time.

Few, if any, issues are more important and more urgent than the legislation that is addressed in this rule. The purpose of this legislation is to give the Bosnian Moslems one last chance to defend themselves and save their country from the Serb onslaught.

Under this rule, the Senate-passed measure would be brought up for an up-or-down vote. This means that we can send this bill directly to the President tonight. So, for those of us who want fast action, we can do that by passing this legislation, today.

Mr. Speaker, Bosnia is on the ropes. Its army is being pushed back. Its population is undergoing terrific hardships, death and destruction, as we have been told here this morning during this debate.

The civil war in Bosnia has now entered its fifth year. More than 200,000 people have been killed; 2 million more are refugees, driven from their homes.

The Bosnian Moslems have taken the worst of it even though their army is twice the size of the Bosnian Serbs'. The Bosnian Army has some 150,000 soldiers while the Bosnian Serb forces are about 60,000 strong. Why, then, are the Moslems losing this war to a smaller army?

Certainly, part of the answer is the military leadership on the part of the Bosnian Army. But the Serbs make up for their smaller army with much better equipment. What has caused this difference? It is the embargo which has prevented the Bosnian Army from obtaining the heavy weapons that are essential if the Moslems are to have a chance to turn back the Serbs.

The original purpose of the arms embargo was to stop the fighting, like putting out a fire by cutting off the oxygen. But it has not worked out that way.

In reality, the embarge has shifted the course of the conflict against the Moslems. By maintaining the embargo, we have been a silent partner in the Serbian aggression. The result is that the Serbs now control 70 percent of Bosnia.

The embargo should have ended last year when the House first voted to lift the embargo. It should have ended months ago when the House voted a second time to free Bosnia from its shackles. Now, before it is too late, the House must act and the President must sign this bill into law.

Mr. Speaker, the first step is for the House to adopt this rule, to vote for the rule and for this bill. Let us at least give the Bosnians a fighting chance. This bill will accomplish that goal.

Mr. BEILENSON. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from North Carolina [Mr. HEFNER].

(Mr. HEFNER asked and was given permission to revise and extend his remarks.)

Mr. HEFNER. Mr. Speaker, what I would like to do at this time is raise a question to anybody who would wish to answer the question. I have listened very closely to the debate today.

It is not going to be hard to vote to lift the embargo. That is going to be a very popular vote, to vote to lift the embargo, very popular.

Now, the next step is what if the United Nations forces, if the Bosnian Government says, ''We want you to leave. We have lifted the embargo, we want you to leave, you have got to get out,'' we have already committed, the President has committed and some of the leaders on the Republican side have committed that we would commit 25,000 troops or more to help these people leave the conflict area. The next vote is not going to be that easy, because you are going to have to vote for authorization to authorize us to send 25,000 American troops to that part of the world for a conflict that I do not think that the American people are going to support putting Americans on the ground and in harm's way in this event.

And I would just like to ask why, if you are going to lift this, unilaterally lift the arms embargo, why is it not part of the legislation that you tell the whole picture, that you go through the whole scenario, that you are going to eventually have 25,000 or more American troops committed to the conflict?

Mr. DIAZ-BALART. Mr. Speaker, will the gentleman yield?

Mr. HEFNER. I yield to the gentleman from Florida.

Mr. DIAZ-BALART. I think it is important, No. 1 to concentrate on legislation before us today. I want to be specific with regard to the last section of the bill which reads:

> Nothing in this section shall be interpreted as authorizing for deployment of United States forces in the territory of Bosnia for any purpose, including training, support or delivery of military equipment.

Now, that is important to realize that is in this bill. The gentleman brings up other possibilities in the future.

Mr. HEFNER. Reclaiming my time, that is the easy vote. That is the easy vote, that we are not going to have anybody go in with the equipment that we send in. We are not going to have anybody go and show them how to use the equipment. It is easy to make that vote. But once you do this, you are going to have to have some commitment from somebody; if we supply the armaments to them, you cannot just send it in. It is going to take a month or longer. You cannot just send equipment in and say, ''Here it is guys.'' They have no experience. Somebody is going to have to take this responsibility. That is going to be a tough vote to make in this House, to vote to authorize American troops to go in as advisers or as help to get the United Nations forces out. That has not even been talked about in this legislation. It has not even been mentioned.

You can make the votes to unilaterally lift the embargo. You can make the votes to the last part of your bill that says no Americans can be involved in any capacity.

Mr. DIAZ-BALART. They are not authorized at this point.

Mr. HEFNER. Then where do you go from there?

Mr. DIAZ-BALART. If the gentleman will yield, the gentleman brings up some possibilities with regard to the future and points to this vote being an easy vote. I do not think it is an easy vote to say that the world community, in fact, has acted immorally for over 3 years. That is not an easy vote.

There is a lot of speculation that we can engage in with regard to the future. But what is true is the world has acted immorally, and we are solving that problem with this vote.

Mr. HEFNER. This is not speculation. It is going to be a fact.

Mr. DIAZ-BALART. Mr. Speaker, I yield 3½ minutes to the gentleman from California [Mr. ROHRABACHER], a distinguished member of the Committee on International Relations, who is a genuine freedom fighter for the best causes throughout the world and has been throughout his political career.

Mr. ROHRABACHER. Mr. Speaker, I have been in Washington, DC, since 1980, when I came here with Ronald Reagan as a member of his White House staff, and I can tell you we did not end the cold war by being afraid to act. Every time Ronald Reagan tried to do anything, he was told, ''You cannot do this, because there are going to be serious repercussions.'' We would still be in the middle of the cold war if we took that kind of advice.

The fact is Ronald Reagan stated, and he saw very clearly, that the problems we confronted are not so complex but that they are difficult and we must make difficult decisions if problems are to be solved.

In the Balkans, the fundamentals are clear. What the world is witnessing is, No. 1, a Serbian land grab; No. 2, Serbian aggression; and Serbian genocide, ethnic cleansing of their neighbors. Villages are being destroyed in Croatia and Bosnia.

Are there Croatian and Bosnian tanks in Serbia? Is there Croatian artillery or Bosnian artillery in Serbia? Are there Bosnian or Croatian airplanes in Serbia?

The fundamentals are clear. What we are facing is Serbian aggression and genocide against their neighbors. We must determine, as the Western powers and as the leading Western power, what to do about it, and do not let anybody say there are no non-Serbians in Serbia. In Kosovo, we are going to find if we let this genocide go on in Bosnia, there are hundreds of thousands of Muslims in Serbia who then will face genocide if we do not face up to this murderous regime right now.

Serbian crimes and culpability are clear. Yet U.S. policy has been an arms embargo on both sides.

Denying arms to an unarmed victim, denying the right to defend oneself is immoral on the face of it. It has encouraged the murder and aggression that we see taking place in the Balkans.

We have heard the answer is basically letting the victims defend themselves. I believe that is the central part of the answer. No. 1, let these people defend themselves by giving them the means to do so. Let us not watch a ''Schindler's List'' movie 20 or 30 years from now of unarmed civilians being herded, unable to defend themselves, to their slaughter.

Yes, we hear, ''Oh, you cannot do anything unless you are willing to put U.S. ground troops on the ground.'' That is absolutely ridiculous. That is saying we cannot do anything unless we do everything.

Is it our policy that victims should be kept defenseless? This has encouraged attacks. If we do not believe in putting U.S. ground troops on the ground, what should our policy be? Again, lifting the embargo.

No. 2, we have the airpower, the airpower needed to deter the Serbian aggression and the Serbian genocide. I am not talking about using that airpower against little emplacements in Bosnia. The answer is lift the embargo, bomb Serbia, bomb Serbia. This will not cost innocent civilian lives in Serbia. We can destroy their military capability. We can bomb Serbia. They will get the message without killing any of their innocent civilians. We can destroy their military capacity.

No. 3, we should take Mr. Milosevic into custody and try him for his war crimes. Those things are within our capacity. We need not commit 50,000 U.S. troops on the ground.

We must stand for the moral position. We must stand up for what America is supposed to stand for, freedom and against aggression, or there is no hope in the world; there is no hope for the Bosnian people or anyone else.

□ 1115

Mr. BEILENSON. Mr. Speaker, I yield the remainder of our time to the distinguished gentleman from Pennsylvania [Mr. MURTHA], the ranking member of the Subcommittee on National Security.

Mr. MURTHA. Mr. Speaker, I appreciate what the gentleman from California [Mr. ROHRABACHER] just said about the Reagan administration and the support. Many of us Democrats supported the Reagan administration's foreign policy, and we felt very strongly about it, and there were very few of us. I supported President Bush very strongly when he went into Saudi Arabia and when he defeated the Iraqis in the desert. This policy, though, of lifting the embargo looks like to me we are inviting a defeat, we are inviting a Dien Bien Phu, in the United States. If we lift the embargo, what we are saying to our allies is, ''You're going to have to get out because they have said they are going to get out.'' We have committed ourselves to send in 25,000 American troops on the ground to get to help them out.

Now I was just 2 weeks ago over in Split, in Split, a very inadequate port facility that takes one ship a day, that takes one C–5 at a time. The roads from Split to Sarajevo are very narrow with 10–ton bridges. None of the heavy equipment could get through this very narrow winding road. The military situation in the wintertime is impossible. Air power is not near as effective.

So we are inviting a defeat. We are inviting, we are saying, ''All right; we're going to lift the embargo, and the results of that are the French and British pull out, the United States is going to deploy troops into Bosnia to withdraw and actually face a defeat.'' So the vote we are casting is actually to defeat the U.S. forces or to defeat the United Nations.

The policy change that has been made is a key factor here. The President has said, well, the dual authority for bombing is gone. We now have military-to-military to be able to using bombing in order to reinforce the people on the ground. That is important. This a key. We no longer are going to be concerned about it; we are no longer going to stop fighting because of hostages. That is obviously an important change in policy. In the United States, we will use massive air power in order to stop the Serb aggression around the enclaves, and negotiation is going forward.

For us to lift the embargo sends exactly the wrong signal. There is no worse signal we could send because the French and the British would immediately withdraw, and I say to the Members of Congress, ''This vote is actually participating in voting for the authorization of going to war because it will be essential that we go in to help rescue the French and British. They are on the ground, and we have committed ourself. The American President has committed our prestige and the power of the United States to help the British and the French withdraw.''

And the physical conditions of just getting in; let us talk about just getting into Sarajevo and how long it will take. It took us 40 days to get a light helicopter division into Saudi Arabia with the most modern port facilities, the most modern airport facilities in the world. Here we have inadequate port facilities, with mountainous roads, with impossible terrain, within 40 to 60 days of having all kinds of bad weather.

Now I participated in the fighting in Vietnam. I was wounded twice. I know the advantage of closed air support. I know the advantage of having air support when in a tactical situation. That did not win the war. We had 450,000 American troops on the ground, and that did not win the war.

If we were to withdraw the troops from Bosnia, and try to lift the embargo, and try to force-feed the Bosnian troops—we tried to train the Vietnamese, we tried for years to train the Vietnamese. They do not have the long-term training of officers. It takes 10 years to train a staff sergeant, takes 15 years to train an officer in the American military, 20 years to train a battalion commander, and we are saying in a few weeks we can train the Bosnians to use heavy equipment. We can train them to use individual pieces of equipment, but we cannot train them to use a coordinated attack. We had trouble with our guard units, training them in 60 days, and they were already well trained, and many of them experienced in Vietnam.

So we are asking for a disaster, and I support this rule, but I ask the Members of Congress to think very seriously and to vote against this lifting the embargo because it will be disastrous to American foreign policy.

The SPEAKER pro tempore (Mr. DUNCAN). The time of the gentleman from California [Mr. BEILENSON] has now expired.

The gentleman from Florida [Mr. DIAZ-BALART] has 5½ minutes remaining.

Mr. DIAZ-BALART. Mr. Speaker, I yield 2 minutes to the gentleman from New York [Mr. KING].

Mr. KING. Mr. Speaker, I thank the gentleman from Florida [Mr. DIAZ-BALART] for yielding this time to me.

Mr. Speaker, this is an historic moment in the history of the House of Representatives, and it is important to keep our mind and our eye on the key issue, and the key issue is the right to a sovereign nation to defend itself, and it raises the issue of what we are to do in the post-cold war era. Is the United States going to continue to be an accomplice to a policy which deprives victims of the right to defend themselves?

Speakers have raised the issue today, is this going to involve the United States? The fact is the United States is already involved. It is involved in a conspiracy to deny the most basic rights to the people of Bosnia.

And what are we talking about? We are talking about aggression by the Serbs against the Bosnians. We are talking about mass rape against the people of Bosnia. We are talking about ethnic cleansing and genocide. This is ''Schindler's List'' of the 1990's, and what is the response of the Western World? Our response has been to look the other way, and worse than looking the other way, to put an embargo on those that want to defend themselves.

I was in Bosnia several years ago with the gentlewoman from New York [Ms. MOLINARI], the gentleman from New York [Mr. PAXON], and the gentleman from New York [Mr. ENGEL]. I saw firsthand the atrocities being carried out against the innocent people of Bosnia, and we, as Americans, have a moral obligation to step forward and lift this embargo. There is no moral, or diplomatic, or military justification to continue this unjust embargo upon the people of Bosnia.

Along with the gentleman from Maryland [Mr. HOYER] and the gentleman from New Jersey [Mr. SMITH] last week we met with the Prime Minister of Bosnia. Here is a man; all he is asking for for his people is not for American troops. He is asking for the right to defend himself, the most basic right, and if we do not have the courage today to cast the vote, and, by the way, I disagree that this is an easy vote. There is no easy vote when we are talking about war and peace. This is a very, very serious vote, and, if we have to cast votes in the future, they will be even more serious, but the fact is we cannot stand idly by while aggression goes unchecked.

The Prime Minister of Bosnia, all he is asking for is the weapons to defend himself, to defend his people. That is a moral right that they have, and we, as signatories to the U.N. Charter, have to agree with that right.

So I urge adoption of the rule and the bill, and I again stress to my colleagues what an historic moment this is to the House of Representatives.

Mr. DIAZ-BALART. Mr. Speaker, I yield the remainder of our time to the distinguished gentleman from New York [Mr. SOLOMON], the distinguished chairman of the Committee on Rules, tireless fighter for human rights and an inspiration for freedom fighters throughout the world.

The SPEAKER pro tempore. The gentleman from New York [Mr. SOLOMON] is recognized for 2½ minutes.

Mr. SOLOMON. Mr. Speaker, I thank the gentleman for yielding this time to me, and I strongly support this fair rule and the bill that it brings to the floor. I commend the gentleman from Florida [Mr. DIAZ-BALART], an outstanding fighter for human rights, along with the gentleman from New York [Mr. GILMAN], the gentleman from Maryland [Mr. HOYER], and others.

Mr. WILSON. Mr. Speaker, will the gentleman yield?

Mr. SOLOMON. I yield to the gentleman from Texas [Mr. WILSON], another great American.

Mr. WILSON. Would the gentleman agree with me that I am certain this amendment is going to pass and pass overwhelmingly, but would the gentleman agree with me that we also should pay some attention to the plight of Croatia, who also is a victim of aggression?

Mr. SOLOMON. Absolutely. The gentleman from Texas [Mr. WILSON] is correct.

My colleagues, let me just say this. As my colleagues know, the idea before us today is to lift the embargo. To those who legitimately argue against this idea, I would just ask them what is the better idea, because continuing the embargo is continuing genocide for helpless Bosnian people, and we cannot be a part of that.

As my colleagues know, American foreign policy under all Presidents, be they Republican or Democrat, has always been to support, and encourage, and, yes, defend democracy around the world against outside military aggression. It is argued that this is not outside military aggression, and we cannot interfere with internal strife, as bad as it may seem.

But what can we do? What we can do is lift the embargo, an embargo that's implementation has been one-sided.

As my colleagues know, we have been giving the former Soviet Union, Russia, U.S. tax dollars. They in turn are giving Russian rubles, Russian dollars, to Serbia. They are giving equipment to Serbia, who in turn are giving it to the Bosnian Serbs, who are perpetrating this genocide on those poor, helpless people. It is all one way. We are enforcing the sanctions on the official democratic Government of Bosnia, yet on the other side the oil tankers roll down the Danube giving oil to Serbia, which in turn is putting it into the Bosnian Serbs. That is genocide, my colleagues. The answer is to lift this embargo and let the Bosnian people defend themselves.

Someone said they are not going to know how to use this equipment. These people know better than my colleagues and I how to use that equipment. We give them the ability to defend themselves, and the genocide will stop, and we ought to be helping them do that, and I urge support of the rule and the bill that it brings to the floor.

Mr. DIAZ-BALART. Mr. Speaker, I have no further requests for time, I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

The SPEAKER pro tempore. Pursuant to House Resolution 204 and rule XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the Senate bill, S. 21.

□ 1127

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the Senate bill (S. 21) to terminate the United States arms embargo applicable to the Government of Bosnia and Herzegovina, with Mr. BONILLA in the chair.

The Clerk read the title of the Senate bill.

The CHAIRMAN. Pursuant to the rule, the bill is considered as having been read the first time.

The text of S. 21 is as follows:

S. 21

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 ''Bosnia and Herzegovina Self-Defense Act of 1995''.

SEC. 2. FINDINGS.

The Congress makes the following findings:

(1) For the reasons stated in section 520 of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (Public Law 103–236), the Congress has found that continued application of an international arms embargo to the Government of Bosnia and Herzegovina contravenes that Government's inherent right of individual or collective self-defense under Article 51 of the United National Charter and therefore is inconsistent with international law.

(2) The United States has not formally sought multilateral support for terminating the arms embargo against Bosnia and Herzegovina through a vote on a United Nations Security Council resolution since the enactment of section 1404 of the National Defense Authorization Act for Fiscal Year 1995 (Public Law 103–337).

(3) The United Nations Security Council has not taken measures necessary to maintain international peace and security in Bosnia and Herzegovina since the aggression against that country began in April 1992.

(4) The Contact Group, composed of representatives of the United States, Russia, France, Great Britain, and Germany, has since July 1994 maintained that in the event of continuing rejection by the Bosnian Serbs of the Contact Group's proposal for Bosnia and Herzegovina, a decision in the United Nations Security Council to lift the Bosnian arms embargo as a last resort would be unavoidable.

SEC. 3. STATEMENT OF SUPPORT.

The Congress supports the efforts of the Government of the Republic of Bosnia and Herzegovina—

(1) to defend its people and the territory of the Republic;

(2) to preserve the sovereignty, independence, and territorial integrity of the Republic; and

(3) to bring about a peaceful, just, fair, viable, and sustainable settlement of the conflict in Bosnia and Herzegovina.

SEC. 4. TERMINATION OF ARMS EMBARGO.

(a) TERMINATION.—The President shall terminate the United States arms embargo of the Government of Bosnia and Herzegovina, as provided in subsection (b), following—

(1) receipt by the United States Government of a request from the Government of Bosnia and Herzegovina for termination of the United States arms embargo and submission by the Government of Bosnia and Herzegovina, in exercise of its sovereign rights as a nation, of a request to the United Nations Security Council for the departure of UNPROFOR from Bosnia and Herzegovina; or

(2) a decision by the United Nations Security Council, or decisions by countries contributing forces to UNPROFOR, to withdraw UNPROFOR from Bosnia and Herzegovina.

(b) IMPLEMENTATION OF TERMINATION.—The President may implement termination of the United States arms embargo of the Government of Bosnia and Herzegovina pursuant to subsection (a) prior to the date of completion of the withdrawal of UNPROFOR personnel from Bosnia and Herzegovina, but shall, subject to subsection (c), implement termination of the embargo pursuant to that subsection no later than the earlier of—

(1) the date of completion of the withdrawal of UNPROFOR personnel from Bosnia and Herzegovina; or

(2) the date which is 12 weeks after the date of submission by the Government of Bosnia and Herzegovina of a request to the United Nations Security Council for the departure of UNPROFOR from Bosnia and Herzegovina.

(c) PRESIDENTIAL WAIVER AUTHORITY.—If the President determines and reports in advance to Congress that the safety, security, and successful completion of the withdrawal of UNPROFOR personnel from Bosnia and Herzegovina in accordance with subsection (b)(2) requires more time than the period provided for in that subsection, the President may extend the time period available under subsection (b)(2) for implementing termination of the United States arms embargo of the Government of Bosnia and Herzegovina for a period of up to 30 days. The authority in this subsection may be exercised to extend the time period available under subsection (b)(2) for more than one 30-day period.

(d) PRESIDENTIAL REPORTS.—Within 7 days of the commencement of the withdrawal of UNPROFOR from Bosnia and Herzegovina, and every 14 days thereafter, the President shall report in writing to the President pro tempore of the Senate and the Speaker of the House of Representatives on the status and estimated date of completion of the withdrawal operation. If any such report includes an estimated date of completion of the withdrawal which is later than 12 weeks after commencement of the withdrawal operation, the report shall include the operational reasons which prevent the completion of the withdrawal within 12 weeks of commencement.

(e) INTERNATIONAL POLICY.—If the Government of Bosnia and Herzegovina submits a request to the United Nations Security Council for the departure of UNPROFOR from Bosnia and Herzegovina or if the United Nations Security Council or the countries contributing forces to UNPROFOR decide to withdraw from Bosnia and Herzegovina, as provided in subsection (a), the President (or his representative) shall immediately introduce and support in the United Nations Security Council a resolution to terminate the application of United Nations Security Council resolution 713 to the Government of Bosnia and Herzegovina. The United States shall insist on a vote on the resolution by the Security Council. The resolution shall, at a minimum, provide for the termination of the applicability of United Nations Security Council resolution 713 to the government of Bosnia and Herzegovina no later than the completion of the withdrawal of UNPROFOR personnel from Bosnia and Herzegovina. In the event the United Nations Security Council fails to adopt the resolution to terminate the application of United Nations Security Council resolution 713 to the Government of Bosnia and Herzegovina because of a lack of unanimity of the permanent members, thereby failing to exercise its primary responsibility for the maintenance of international peace and security, the United States shall promptly endeavor to bring the issue before the General Assembly for decision as provided for in the Assembly's Uniting for Peace Resolution of 1950.

(f) RULE OF CONSTRUCTION.—Nothing in this section shall be interpreted as authorization for deployment of United States forces in the territory of Bosnia and Herzegovina for any purpose, including training, support, or delivery of military equipment.

(g) DEFINITIONS.—As used in this section—

(1) the term ''United States arms embargo of the Government of Bosnia and Herzegovina'' means the application to the Government of Bosnia and Herzegovina of—

(A) the policy adopted July 10, 1991, and published in the Federal Register of July 19, 1991 (58 FR 33322) under the heading ''Suspension of Munitions Export Licenses to Yugoslavia''; and

(B) any similar policy being applied by the United States Government as of the date of completion of withdrawal of UNPROFOR personnel from Bosnia and Herzegovina, pursuant to which approval is denied for transfers of defense articles and defense services to the former Yugoslavia; and

(2) the term ''completion of the withdrawal of UNPROFOR personnel from Bosnia and Herzegovina'' means the departure from the territory of Bosnia and Herzegovina of substantially all personnel participating in UNPROFOR and substantially all other personnel assisting in their withdrawal, within a reasonable period of time, without regard to whether the withdrawal was initiated pursuant to a request by the Government of Bosnia and Herzegovina, a decision by the United Nations Security Council, or decisions by countries contributing forces to UNPROFOR, but the term does not include such personnel as may remain in Bosnia and Herzegovina pursuant to an agreement between the Government of Bosnia and Herzegovina and the government of any country providing such personnel.

The CHAIRMAN. Under the rule, the gentleman from New York [Mr. GILMAN] and the gentleman from Indiana [Mr. HAMILTON] will each be recognized for 1½ hours.

The Chair recognizes the gentleman from New York [Mr. GILMAN].

(Mr. GILMAN asked and was given permission to revise and extend his remarks.)

Mr. GILMAN. Mr. Chairman, as my colleagues know, this year is the 50th anniversary of the United Nations. The President himself went to San Francisco for the celebrations marking the signing of the charter.

Article 51 of that charter gives every member nation the right of self-defense against armed attack.

S. 21, the Bosnia-Herzegovina Self-Defense Act of 1995—is designed to enable the sovereign State of Bosnia—a member in good standing of the United Nations—to defend itself against armed attack from its immediate neighbor.

It establishes a procedure that resolves the concerns of many who have argued that unilateral lifting of the arms embargo would have disastrous results.

Opponents contend that U.S. termination would Americanize the conflict—first because the U.N. Protection Force—UNPROFOR—would pull out, requiring the President to make good his commitment to provide up to 25,000 American troops to assist in their withdrawal.

Second, it is argued that because the Bosnian Government would seek the heavy weapons they need from the United States, Americans would have to provide the necessary training.

Opponents also have said that long before Bosnia could obtain the weapons and training it needs, the Serbs would launch an all-out attack. The result would be even greater destruction than we have seen so far—with more ethnic cleansing, more rapes, murders, and other atrocities against unarmed civilians.

Some opponents also have argued that by unilaterally lifting the arms embargo, we would put at risk other embargoes that our Nation supports—such as those against Iraq and Iran.

However, the embargoes against Iraq and Iran are designed to punish those nations for aggressive actions—while the arms embargo against Bosnia punishes the victim.

S. 21 contains important conditions that obviate many of those arguments. First, in order for the United States to terminate the arms embargo, the bill requires action by Bosnia, the U.N. Security Council, or countries contributing troops to UNPROFOR.

The Bosnian Government must first call upon the U.N. Security Council to withdraw UNPROFOR, or the Council—or countries contributing to UNPROFOR—such as Britain and France—must decide to withdraw the force.

Second, after the Bosnian Government requests the withdrawal of UNPROFOR the President can wait up to 12 weeks before terminating the arms embargo.

Further, the President can extend the waiting period for up to 30 days if he determines that a safe, secure, and successful withdrawal will require more than 12 weeks. These extensions can be continued until the withdrawal of UNPROFOR has been completed.

Two years ago, on June 29, 1993, the Bosnian Ambassador to the United Nations called upon the security Council to terminate the arms embargo. That request obviously has not been granted.

This legislation links termination of the arms embargo to withdrawal of UNPROFOR, and places the decision to request that withdrawal upon those most directly affected by the consequences of that decision—the Bosnian Government.

If the Bosnian Government calls for the withdrawal of UNPROFOR, the United Nations will have no choice but to comply—despite the possibility of greater fighting and the implementation of some very serious commitments that many may prefer not to implement.

S. 21 has nothing to do with Americanizing the war. A request by the Bosnian Government for the withdrawal of UNPROFOR would activate the President's promise to assist in that withdrawal even if S. 21 is defeated.

Mr. Chairman, the policies of our Government have carried us into a political cul-de-sac. Those policies have not been working and they are no longer sustainable.

It is time to end the charade of the past 3 years. Not only has it demeaned and diminished the authority of the United Nations, it has eroded the credibility of our Western allies.

Mr. Chairman, there are times when the hinge of history turns on a decision. The failure of the League of Nations to act against the Italian invasion of Ethiopia—the failure to challenge Hitler when he marched into the Sudentenland. We all know the consequences that flowed from those failures to confront aggression.

Similarly, this is one of those critical decisions.

History will judge our actions—and the judgement of history will be harsh if we do not enable Bosnia to act as a sovereign state and a full-fledged member of the United Nations.

Accordingly, I urge my colleagues to support S. 21.

□ 1130

Mr. Chairman, I reserve the balance of my time.

Mr. HAMILTON. Mr. Chairman, I yield myself such time as I may consume.

I. INTRODUCTION

I rise in opposition to the Dole-Lieberman bill. I know where the votes are on this issue. Yet I believe it is important to look at the other side of this issue before we vote.

II. STATUS QUO IN BOSNIA IS NOT ACCEPTABLE

We all agree that present policy has not worked. It is clear that we cannot accept the status quo.

The U.N. peacekeeping operation [UNPROFOR] and NATO were unable to fulfill pledges to protect safe areas in Bosnia.

Diplomacy is stalled. The delivery of much humanitarian aid is still blocked.

The killings continue. The number of refugees grow. NATO, the U.N., and U.S. efforts to stop this war have not worked.

In short, there is a growing feeling that UNPROFOR has failed and should leave Bosnia, and that the arms embargo should be lifted to allow the Bosnian Government to defend itself.

Many who support lifting the embargo do so because they believe that the situation in Bosnia cannot get worse, and that lifting the embargo is the only alternative.

I think my colleagues are wrong on both counts: First, the situation in Bosnia can get worse, if we lift the embargo unilaterally; second, there is an alternative to lifting the embargo.

III. A NEW STRATEGY HAS BEEN DEVELOPED

The situation in Bosnia is not the same today as it was on June 8, when the House last voted on lifting the embargo.

We have agreed upon a new and much tougher, more unified strategy with our NATO allies and the UN:

We now have NATO agreement on the policy of a massive air campaign to halt Bosnian Serb aggression.

We have told the Bosnian Serbs that if they attack Gorazde, we will respond with an air campaign of disproportionate force. Today, NATO is meeting to expand that commitment to include the U.N.-declared safe area of the town of Bihac.

We also have U.N. agreement on a simplified chain of command. U.N. military commanders on the ground in Bosnia, together with NATO air commanders, will make the decision on when and where an air campaign takes place. This is the way our military wants it—this is standard military practice.

There will be no more pinprick airstrikes.

There will be expanded military targets.

There will be no more dual-key control.

There will be no more decisions delayed because they must go through New York.

We now have a 10,000 man Rapid Reaction Force to protect UNPROFOR and make it more effective.

British and French troops in the Rapid Reaction Force are in combat fatigues, not blue helmets. They are much more aggressive and independent of the U.N. chain of command. They have suppressed Serb artillery around Sarajevo. They are prepared to do more in their successful effort to keep the Mt. Igman aid route into Sarajevo open.

Will this new strategy work? We want it to work. We think it is working but we do not know if it will work. We will work in a matter of weeks.

What can this new approach accomplish? The administration's new strategy will not solve all the problems in Bosnia. It will not roll back Serb aggression. It will not end the war in a matter of weeks.

But it will deter more Serb attacks on some of the safe areas, it will give more time to search for a negotiated solution, and it will keep the United States out of the war.

We should give this new, more assertive strategy time to work.

IV. WHAT'S WRONG WITH UNILATERAL LIFT

This new strategy, while imperfect, is far superior to the option we are voting on today, a unilateral lifting of the embargo.

A. Consequences of unilateral lift

Lifting the arms embargo unilaterally will have dire consequences on the ground in Yugoslavia:

UNPROFOR will withdraw, that is a certainty.

For all the complaints about UNPROFOR, it has helped feed over 2 million people for nearly 3 years, including the entire city of Sarjevo—which remains completely dependent on humanitarian assistance.

The U.N. has helped to protect civilians. Casualties were 130,000 in 1992 before UNPROFOR arrived, and declined dramatically to 2,500 in 1994.

Once UNPROFOR leaves, the war will intensify. The killing and human misery will increase; before the Bosnians get heavy arms, the Serbs will step up their attacks; and right in the middle of this escalating conflict, up to 25,000 U.S. troops will be sent to Bosnia to help UNPROFOR withdraw. That is a commitment the United States must fulfill.

Prime Minister Major and President Chirac have made clear that UNPROFOR will leave Bosnia if we lift the arms embargo unilaterally. President Clinton has made clear that United States troops will go into Bosnia to help UNPROFOR leave.

Make no mistake: Lifting the embargo means United States troops on the ground, in Bosnia.

Once United States troops are in Bosnia to help the U.N. withdraw, there will be enormous pressure to stay—to fill the humanitarian vaccum left by UNPROFOR.

Who will feed 2 million Bosnians each day, once UNPROFOR leaves?

Who will protect Bosnian civilians, once a Serb assault begins?

How can U.S. troops leave, under the glare of world attention?

We say now that the mission of U.S. forces will be limited in time and scope. But United States troops could be in Bosnia for a very long time.

Unilateral life means unilateral responsibility. By acting alone in Bosnia, we will Americanize the war.

Lifting the embargo will not change the outcome of this war.

The Bosnians have a better army today, but more armor and artillery is not enough. They need better leadership, training, tactics, command, control, communications, and intelligence. They need airpower. They need a modern army—the U.S. Army—if they are to win this war.

Lifting the embargo will damage U.S. interests at the U.N.

It will undermine the authority of the U.N. Security Council. While other nations must honor multilateral sanctions, the United States is saying it can pick and choose those that apply to us.

If the United States unilaterally lifts the embargo on Bosnia, others may feel free to break existing U.N. sanctions on Iraq and Libya. Russia may feel free to break sanctions on Serbia.

Article 51/self defense issue

It has been argued that the U.N. embargo should be lifted because it violates Bosnia's right to self-defense. We all agree that the Bosnians have a right to self-defense.

On a practical level, the Bosnians are getting weapons from other countries and using those weapons to defend themselves.

But the legal argument—that an international arms embargo violates Bosnia's self-defense rights under Article 51 of the U.N. Chapter—is just plain wrong.

Article 51 says that member states' rights to ''individual or collective self-defense'' must not ''affect the authority and responsibility of the Security Council'' to take ''such action as it deems necessary in order to maintain or restore international peace and security.''

That means that rights of self-defense or collective defense cannot contradict existing U.N. Security Council enforcement actions.

In the judgment of the Security Council, the international arms embargo was the best means to ensure peace and security in the former Yugoslavia. That remains the judgment of the Security Council.

B. Loss of control by the United States

Lifting the embargo unilaterally also mean the United States loses control of its foreign policy.

We complain a lot in this institution about handing over decisions to the U.N. Yet this bill hands over to a foreign government a crucial foreign policy decision that will result directly in the deployment of thousands of U.S. troops in the middle of a war zone.

This bill says that the President shall lift the embargo if the Bosnians ask UNPROFOR to leave. In my view, that's an incentive to the Bosnians to ask UNPROFOR to leave.

Under the terms of this bill we are simply telling the Bosnian Government: You decide. Make a request to lift the embargo, and we'll do it. No discretion. No judgment. Just do it.

C. Unilateral lift does not confront the hard questions

A vote to lift unilaterally the embargo leaves all the tough questions unanswered: Who will supply the arms? Who will deliver them? Who's going to pay for them? Who will train the Bosnians to use them? Who will protect the Bosnians while they are training?

Proponents of a unilateral lift don't answer these questions. They offer promises without resources—without authorization or appropriation.

One of the mistakes of this war is that the international community has promised more than it delivers. This bill continues that practice—it compounds the felony.

The key problem for United States policy in Bosnia has been the gap between what we say we want to achieve, and the resources we are willing to commit.

But we know who will be called on to provide these resources: The United States.

D. Unilateral lift presents constitutional problems

Voting for a unilateral lifting of the embargo creates serious constitutional problems for American foreign policy. If we adopt this bill we create a profound ambiguity in American policy.

Under the Constitution, the President is the chief architect of American foreign policy. Congress can advise the President on foreign policy, but Congress cannot implement or conduct foreign policy. Congress must declare war, but Congress cannot be the Commander-in-Chief.

This bill infringes on both those Presidential powers:

At a time when the President is moving in one direction—negotiating with our closest allies to strengthen the U.N. mission and trying to end this war—this bill moves in exactly the opposite direction—pulling the plug on the U.N. mission and fanning further war.

At a time when the Commander-in-Chief wants to keep United States troops out of Bosnia, Congress is acting on a measure that will mean United States troops going in.

If the President and Congress move in such opposite directions, it diminishes our stature in the world, it profoundly weakens our leadership, and it damages our system of separation of powers. It will tear U.S. foreign policy apart.

E. Bad timing of unilateral lift

Finally, voting today to life the embargo unilaterally is bad timing. We have simply not given the new strategy time to work.

V. CONCLUSION

I know my colleagues are frustrated about the tragedy in Bosnia. I am frustrated. I am not going to argue that the present policy will lead to a wonderful outcome. It is to late for a wonderful outcome.

I want to say to my colleagues that this is not a free vote today. Maybe the vote in June was free vote, not this one. I think the standard that every Member of this House should apply in voting on this bill is to ask himself or herself, what should the policy of the United States Government be with respect to Bosnia?

Put aside the politics. Put aside all else. Focus on what the policy ought to be, and cast your vote on the basis that your vote will control American policy.

I understand that my colleagues want to do something about the horror of Bosnia. We do not know what else to do, so we vote to lift the embargo.

But what we are proposing to do today will only make a bad situation worse.

I do not believe my colleagues are willing to send United States troops to Bosnia. I do not believe the American people are willing to do so either. That is simply too high a price.

Yet that is the consequence of lifting the embargo, in my view.

What is our alternative? What can we achieve at a price we are willing to pay?

Instead of concentrating on a military solution, we should concentrate on a political solution that brings all parties to the table for face-to-face negotiations—including the Bosnian Serbs.

If we support the administration's new strategy, we will be choosing a course that offers modest but realistic gains:

It reduces the risk of a wider war, and may reduce the killing.

It gives the negotiations another chance.

It will allow us to continue to contain the conflict.

It avoids further damage to NATO, and to the U.N. that would follow a pullout by UNPROFOR.

It will keep humanitarian aid flowing to Bosnia.

It will keep United States troops out of Bosnia.

I urge my colleagues to defeat this bill.

Mr. Chairman, I reserve the balance of my time.

Mr. GILMAN. Mr. Chairman, I yield 30 minutes of my 90 minutes provided for general debate to the gentleman from Maryland [Mr. HOYER] and I ask unanimous consent that Mr. HOYER be permitted to yield portions of that time to other Members.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. HOYER. Mr. Chairman, I want to thank my friend and the chairman of the committee for his generous yielding of time.

Mr. Chairman, I yield 5 minutes and 30 seconds to the very distinguished gentleman from New Jersey [Mr. TORRICELLI] who has been one of the most outspoken leaders on behalf of freedom in the international community.

Mr. TORRICELLI. Mr. Chairman, I thank the gentleman for his leadership on this issue throughout the months.

Mr. Chairman, I rise in support of the resolution. In a perfect world, the strong would defend the weak. In the world in which we live, the weak must sometimes defend themselves.

It is this basic truth of our time that brings us to this judgment today.

The people of Bosnia have made to the world a simple question eloquent in its simplicity, a plea that has been heard many times by many people in different lands.

Mr. Chairman, they seek to survive. They simply seek for their nation to exist. For 4 years the world has answered that plea with resolutions and international forums, negotiations by the world's premier diplomats and peacekeepers from throughout the globe. They were all well-intentioned. Each was brave, and each was intent and each was unsuccessful.

Every nation is grateful to all the diplomats who tried, acknowledges the time, the sacrifice of every soldier who risked their lives. It is to the eternal credit of the British and the French and the Dutch forces who tried to do so much, but we achieve nothing by ignoring the simple truth that they failed.

The evidence mounts with every rape, every murder, each disappearance, the pillage of each new village. The simple truth is that the international forces were always too weak to defend Bosnia. But the embargo was always too strong to permit Bosnia to defend itself.

Serbia, under the provisions of this resolution, will have 12 weeks to consider the implications of United Nations withdrawal or face the wrath of an international community, a community intent on justice on the battlefield that has eluded it at the negotiating table for so many years. It is not a perfect answer, but it is an answer when all other answers have failed.

Our opponents argue that lifting the embargo will Americanize the war. I argue that keeping the embargo will Americanize the genocide.

Our opponents argue that lifting the embargo will have America stand alone; I argue that if America alone will stand for the right of a poor and weak people to defend themselves, then America has never stood in better company.

Our opponents argue that Europe has the right to lead; I argue that Europe has had years to lead. Now it is time for America to lead again.

Mr. Chairman, in these last few months, our children have seen the specter on flickering television screens of the times of our fathers, liberating concentration camps and ending a genocide. Each Member today must ask whether they will exchange that memory for a time in which our children will remember a genocide in our generation and the flickering pictures of Americans not as liberators but standing guard as a defenseless people were prevented from getting the arms to defend themselves by our own forces.

What the world was unwilling to do for the victims of the Holocaust, what the United Nations has been unwilling to do for Bosnia, we have no right to prevent the people of Bosnia from doing for themselves. There is no human right more fundamental than the right of self-defense. The international community has no greater obligation in this crisis than to distinguish between the victims and the aggressors.

This resolution does both.

Mr. Chairman, in every church and synagogue throughout this land for a generation our people in a single prayer have made a simple pledge: never again. Simply because the institutions of peace have failed, there is no reason to abandon that pledge or that prayer. Keep the promise. Lift the embargo, pass the resolution. Never again.

Mr. GILMAN. Mr. Chairman, I yield 5 minutes to the gentleman from Wisconsin [Mr. ROTH], the distinguished chairman of our Subcommittee on International Economic Policy and Trade.

Mr. ROTH. Mr. Chairman, I thank the chairman of our committee for yielding time to me.

Mr. Chairman, I have to agree today with the speakers who have spoken here before. As I interpret their remarks, they are saying that the issue before us today is really a moral question: ''By what right does the United States prevent Bosnia from defending itself?'' Every nation, every people has the ultimate right to defend their land, their homes, their families from aggression.

Instead of stopping this war, this embargo has simply shifted the balance toward the Serbs and against the Moslems. It can be argued that by keeping this stranglehold on Bosnia, we have been the silent partners in the Serbs' aggression. Oh, the United States has promised over and over that we would save Bosnia. But 200,000 deaths later and some 2 million refugees later, the United States has done nothing to save Bosnia.

The United Nations has been useless. NATO has been impotent, and we have collaborated with the Western European Powers in the slow strangulation of Bosnia. Why else does a Serb force of only 60,000 conquer a far larger Bosnian army of 150,000?

□ 1200

It is the embargo that has been the crucial difference. Without the heavy machinery of war, tanks, artillery, anti-tank weapons, missiles, and mortars, the Bosnian Army is doomed. For 4 years we have held the Bosnians' arms and hands behind their back while the Serbs beat the Moslems to death. For 4 years we have denied Bosnia the fundamental right of all nations: The right to defend themselves.

Our embargo, I think it can be argued, has been an immoral act. It is time for us in this 11th hour to rectify this grave error and give Bosnia one last chance to save itself. ''Do not do it,'' the opponents of this bill will say, ''it will just widen the war.'' Mr. Chairman, the course of the war is out of our hands. The Bosnian Serbs have taken the measure of the United Nations and taken the measure of NATO and have dismissed those forces as impotent, as forces that they do not have to contend with, so they are acting with impunity in Bosnia. The Serbs will march until they either conquer Bosnia or until we lift the embargo.

The essential fact is this: The ethnic cleansing will continue unless we lift this embargo. The Serb war crimes will go on until Bosnia is allowed to defend itself. The opponents of this measure will say that we will use air strikes to stop the Serbs. Consider what General Horner, one of our best Air Force generals, said recently about the Balkans. He said, ''I would find it very difficult to design a military strategy to be successful.''

Air strikes will not stop the Serbs. Consider what happened when one American pilot was shot down. It took us some 5 days to retrieve him. It took a massive rescue effort to get him back. Well, the Serbs have hundreds, perhaps a thousand surface-to-air missiles. How many casualties will we suffer in a vain attempt to rescue Bosnia? I, for one, do not want to tell one American family that their son or daughter died in Bosnia.

Let us do what is right. Now, at long last, let us do what we should have done a long time ago: End this embargo and allow Bosnia to defend itself.

Mr. HAMILTON. Mr. Chairman, I yield 5 minutes to the distinguished gentleman from New Mexico [Mr. RICHARDSON].

(Mr. RICHARDSON asked and was given permission to revise and extend his remarks and include extraneous material.)

Mr. RICHARDSON. Mr. Chairman, first let me say the sincerity of those on the other side of the issue is to be commended. There are no easy answers on the Bosnia issue, but lifting the arms embargo on Bosnia makes it America's war. We are taking the wrong step at the wrong time. We are pouring fuel to the fire, and we might cause an explosion.

Let us not make this vote the opening primary vote of the Presidential campaign, either. This is the time when we should rally behind the President, the Commander in Chief, his military advisers, the Joint Chiefs, all of whom do not want to lift the embargo. This morning they made a case to a number of Members of Congress with very strong convictions. Unilaterally lifting the embargo means unilateral responsibility, an Americanization of this war; possibly, yes, another Vietnam situation, as much as we hate to admit it.

Let us also remember what the American people want. Poll after poll

shows the American people do not want to get involved in Bosnia. They do not want to put American troops there. They are leery about getting involved in an air war, even for defensive reasons. They are leery of the United Nations, they are leery of NATO. Let us support the President in his efforts to not Americanize this war.

Worse, Mr. Chairman, if this unilateral lifting passes, it would send a terrible message around the world that the United States is divided; that the President is going in one direction and the Congress is going in a totally different direction. We recognize that the votes are not there. We recognize that perhaps the best we can achieve is 150, 160 votes, so that a veto of the President can be sustained. He will veto this initiative if it passes.

Let us not make matters worse. Bosnia is an enormously difficult situation. No administration is flawless in its execution of policy toward Bosnia, but the fact is there may be no real solution to this problem. There may be killings and more savagery continuing, and little that we can do; but let us not exhaust diplomatic means, diplomacy, one last effort at trying to resolve the problem before we pour enormous fuel to the fire.

What happens if we lift this embargo? UNPROFOR leaves, and guess who has to protect them? American troops. No question about it, it would be our responsibility. What happens to the enclaves? They will be put in jeopardy. Tuzla, Srebrenica, possibly they can be defended, but what about Gorazde? What about Bihac? What about Croat and Serb, engaging in more tanks, thousands of Serbian troops massing at the border, jeopardizing the alliance? What happens to NATO? What will NATO's role be if all of a sudden we say, ''We are shifting and we are lifting the embargo, we are going to act unilaterally, we are going to act on our own, we are not going to act jointly''? What about the 25,000 American troops that we are going to put at risk?

What happens if this war spreads to Kosovo, to Romania, to Greece, through the Balkans? What happens to sanctions? Russia is about to end sanctions on the Serbs, their Parliament. What about the sanctions on Iraq and Iran? How can we justifiably say that we will always uphold embargoes and sanctions?

There are no simple or risk-free answers in Bosnia, but unilaterally lifting this embargo has very serious consequences, and the time has come to let the executive branch, those that are on the ground, our diplomats, our military leaders, let them make the decisions without a totally different signal from us here in Congress. We will move on to the next vote and the next issue, but they have to live with it. This is the executive branch's responsibility. Let us rally around the President the way we did on the gulf war, recognizing that our goal here may be 150 votes.

Mr. Chairman, I urge a ''no'' vote on lifting the embargo.

Mr. Chairman, a unilateral lift of the arms embargo by Congress would undermine efforts to achieve a negotiated settlement in Bosnia and could lead to an escalation of the conflict there, including the possible Americanization of the conflict.

There are no simple or risk-free answers in Bosnia. Unilaterally lifting the arms embargo has serious consequences.

Both Britain and France have said they will withdraw their forces from Bosnia if the United States unilaterally lifts the embargo. This will lead to the collapse of the UNPROFOR.

The United States will have to assist in the withdrawal of UNPROFOR troops. involving thousands of U.S. troops in a difficult mission.

A unilateral lift by the United States drives our European allies out of Bosnia and pulls the United States in.

The United States is working intensively with our allies on concrete measures to strengthen UNPROFOR and enable it to continue to make a significant difference in Bosnia.

UNPROFOR has been critical to an unprecedented humanitarian operation that feeds and helps keep alive over 2 million people in Bosnia. The number of civilian casualties has been a fraction of what they were before UNPROFOR arrived.

UNPROFOR must be strengthened if it is to continue to contribute to peace. The administration is now working to implement the agreement reached last Friday in London to threaten substantial and decisive use of NATO air power if the Bosnian Serbs attack Goradze and to strengthen protection of Sarajevo using the rapid reaction force.

These actions lay the foundation for stronger measures to protect the other safe areas. Congressional passage of unilateral lift at this delicate moment will undermine those efforts.

It will provide our allies a rationale for doing less, not more—absolving themselves of responsibility in Bosnia, rather than assuming a stronger role in this critical moment.

The House must face the consequences of a U.S. action that forces UNPROFOR departure:

The United States would be part of a costly NATO operation to withdraw UNPROFOR;

There will be an intensification of fighting in Bosnia as it is unlikely the Bosnian Serbs will stand by waiting until the Bosnian Government is armed; under assault, the Bosnian Government will look to the United States for more military support to fill the immediate void.

This could cost up to $3 billion in arms, require some 25,000 U.S. troops, and immerse the United States in training and logistics operations for the foreseeable future.

Intensified fighting will risk a wider conflict in the Balkins with far-reaching implications for regional peace.

UNPROFOR's withdrawal will set back prospects for a peaceful, negotiated solution.

Unilateral lift means responsibility. It does not show leadership, it shows that the United States cannot get others to follow its frustrated actions.

We should not rush this action for political gain. The nightmare in Bosnia should not worsen in the name of political posturing for the upcoming Presidential elections in this country.

To abandon our NATO allies in their own backyard for political posturing is a dangerous precedent with grave consequences.

The NATO Alliance has stood strong for almost five decades. We should not damage it in a futile attempt to find an easy fix to the Balkan conflict.

While the majority of Americans are opposed to United States ground troops in Bosnia because it is a European conflict, Congress is willing to overlook the concerns of our European allies who have the most to lose in an escalated conflict.

Mr. Chairman, I include for the RECORD a letter from President Clinton to the majority leader, and an article appearing in Newsweek August 7, 1995, also written by the President.

The material referred to follows:

THE WHITE HOUSE,
Washington, July 27, 1995.

Hon. RICHARD A. GEPHARDT,
Democratic Leader,
House of Representatives, Washington, DC.

DEAR MR. LEADER: I am writing to express my strong opposition to Congressional efforts to unilaterally lift the Bosnia arms embargo. While I fully understand the frustration that supporters of unilateral lift feel, I nonetheless am firmly convinced that in passing legislation that would require a unilateral lift Congress would undermine efforts to achieve a negotiated settlement in Bosnia and could lead to an escalation of the conflict there, including the possible Americanization of the conflict.

There are no simple or risk-free answers in Bosnia. Unilaterally lifting the arms embargo has serious consequences. Our allies in UNPROFOR have made it clear that a unilateral U.S. action to lift the arms embargo, which would place their troops in greater danger, will result in their early withdrawal from UNPROFOR, leading to its collapse. I believe the United States, as the leader of NATO, would have an obligation under these circumstances to assist in the withdrawal, involving thousands of U.S. troops in a difficult mission. Consequently, at the least, unilateral lift by the U.S. drives our European allies out of Bosnia and pulls the U.S. in, even if for a temporary and defined mission.

I agree that UNPROFOR, in its current mission, has reached a crossroads. We are working intensively with our allies on concrete measures to strengthen UNPROFOR and enable it to continue to make a significant difference in Bosnia, as it has—for all its deficiencies—over the past three years. Let us not forget that UNPROFOR has been critical to an unprecedented humanitarian operation that feeds and helps keep alive over two million people in Bosnia, until recently, the number of civilian casualties has been a fraction of what they were before UNPROFOR arrived; much of central Bosnia is at peace; and the Bosnian-Croat Federation is holding. UNPROFOR has contributed to each of these significant results.

Nonetheless, the Serb assaults in recent days make clear that UNPROFOR must be strengthened if it is to continue to contribute to peace. We should be determined to make every effort to provide, with our allies, for more robust and meaningful UNPROFOR action. We are now working to implement the agreement reached last Friday in London to threaten substantial and decisive use of NATO air power if the Bosnian Serbs attack Gorazde and to strengthen protection of Sarajevo using the Rapid Reaction Force. These actions lay the foundation for stronger measures to protect the other safe areas. Congressional passage of unilateral lift at this delicate moment will undermine those

efforts. It will provide our allies a rationale for doing less, not more. It will provide the pretext for absolving themselves of responsibility in Bosnia, rather than assuming a stronger role at this critical moment.

It is important to face squarely the consequences of a U.S. action that forces UNPROFOR departure. First, we immediately would be part of a costly NATO operation to withdraw UNPROFOR. Second, after that operation is complete, there will be an intensification of the fighting in Bosnia. It is unlikely the Bosnian Serbs would stand by waiting until the Bosnian government is armed by others. Under assault, the Bosnian government will look to the U.S. to provide arms, air support and if that fails, more active military support. At that stage, the U.S. will have broken with our NATO allies as a result of unilateral lift. The U.S. will be asked to fill the void—in military support, humanitarian aid and in response to refugee crises. Third, intensified fighting will risk a wider conflict in the Balkans with far-reaching implications for regional peace. Finally, UNPROFOR's withdrawal will set back prospects for a peaceful, negotiated solution for the foreseeable future.

In short, unilateral lift means unilateral responsibility. We are in this with our allies now. We would be in it by ourselves if we unilaterally lifted the embargo. The NATO Alliance has stood strong for almost five decades. We should not damage it in a futile effort to find an easy fix to the Balkan conflict.

Veto any resolution or bill that may require the United States to lift unilaterally the arms embargo. It will make a bad situation worse. I ask that you not support any Congressional efforts to require a unilateral lift of the Bosnian arms embargo.

Sincerely,

BILL CLINTON.

[From Newsweek, Aug. 7, 1995]

THE RISK OF 'AMERICANIZING' THE WAR

(By President Clinton)

Unilaterally lifting the arms embargo on Bosnia is the wrong step at the wrong time. Let me explain why I believe so strongly that this is the case.

Without question, the current situation in Bosnia is unacceptable. The recent assault by Bosnian Serbs on the Muslim enclaves in Srebrenica and Zepa, and the brutality and atrocities that have accompanied it, are intolerable. The inability of the United Nations mission in Bosnia (UNPROFOR) to protect centers it has declared as ''safe areas'' undermines the U.N., NATO and Western values in general. UNPROFOR clearly has reached a crossroads. The issue is not whether to act, but how.

There are three basic alternatives. One is to undertake a massive commitment by NATO, including U.S. ground forces, for the purpose of decisively affecting the outcome of the war. From the beginning of my presidency, I have refused to cross that line, and I will continue to do so. I cannot justify committing American ground troops to Bosnia except for the limited purpose of acting within NATO to protect our allies if they withdraw or to help enforce a genuine peace agreement.

The second alternative, born of intense frustration with the current situation and embraced by many in the Congress, is for the United States, by itself, to violate the international arms embargo in order to better enable the Bosnians to fight for themselves. It is powerfully appealing, but it is not that simple. It has real and serious consequences for the United States.

First, our allies have made clear that unilateral U.S. action to lift the arms embargo, which would place their troops in greater danger, will result in their immediate withdrawal from Bosnia. As the leader of NATO, the United States would have an obligation under those circumstances to assist in that withdrawal, involving thousands of U.S. troops in a difficult mission. Consequently, at the least, the unilateral lift immediately drives our European allies out of Bosnia and pulls America in, even if for a temporary and defined mission.

Second, after that operation is completed, there will be an intensification of the fighting. It is unlikely that the Bosnian Serbs would stand idly by waiting for the Bosnian government to be armed by others. The United States, having broken with our NATO allies as a result of the unilateral lift, will be expected to fill the void—in military support and humanitarian aid. If lifting the embargo leads to more Serbian military gains, would we watch Sarajevo fall, or would we be compelled to act—this time by ourselves?

Third, intensified fighting risks a wider conflict in the Balkans, with far-reaching implications for Europe and the world. We have worked hard to contain the conflict with Bosnia—so far, successfully. If the fighting spreads, the fact that our unilateral action had triggered the escalation would compel us to deal with the consequences.

Finally, the U.N.'s withdrawal will set back prospects for a negotiated peace for the foreseeable future—the only hope for a genuine end to the conflict.

In short, unilateral lift means unilateral American responsibility.

We must recognize that there is no risk-free option in Bosnia. But I believe the wiser course—the path I have been pursuing intensively with our allies over these past days—is to strengthen the U.N.'s ability and willingness to protect Bosnian safe areas against Serb aggression: to enable UNPROFOR to make a real difference in Bosnia as it has, for all its deficiencies, over the past three years. Let us not forget that UNPROFOR has carried out an unprecedented humanitarian operation that feeds and helps keep alive over two million people in Bosnia; that, until recently, the number of civilian casualties has been a fraction of what it was before the U.N. arrived; that much of central Bosnia is at peace; and that where UNPROFOR has agreed to make the commitment to use NATO power, as it did to stop the brutal Serb shelling of Sarajevo in February 1994, it has worked dramatically as long as that threat remained credible.

For UNPROFOR to play this role now, it must become a genuine force for peace in Bosnia once again. Serious steps have been taken over the past several days. The British and French, with our support, are deploying a Reaction Force to open land routes to Sarajevo and strengthen UNPROFOR's ability to carry out its mission. Meeting in London in recent days, our allies, mindful of the risks, agreed to respond to an attack on the remaining eastern enclave of Gorazde with substantial and decisive air power. We are working to extend that commitment to the other safe areas.

To make good that agreement, NATO has fundamentally altered the way in which such air strikes will be conducted, empowering military commanders to respond to a broad range of targets rather than the ''pinprick'' responses of the past. And U.N. Secretary General Boutros-Ghali last week delegated the authority for the use of air strikes to the military commanders in the field, where it belongs.

NATO air power will not end the fighting in Bosnia, but, at best, it can deter aggression; at least, it will increase its price; and in the process, it will enhance the chances of a diplomatic settlement.

We must make this final effort to strengthen UNPROFOR's ability to save lives in Bosnia and create the conditions for a negotiated peace. Congressional passage of unilateral life legislation at this decisive moment will undermine the effort. It will provide our allies with the rationale for absolving themselves of responsibility in Bosnia. Ultimately, it will Americanize the conflict.

Mr. SMITH of New Jersey. Mr. Chairman, I yield myself 5 minutes.

Mr. Chairman, exactly 20 years ago today President Gerald Ford and other leaders of the 33 European countries and Canada gathered in Helsinki, Finland, for the solemn signing of the Helsinki Final Act of the Organization for Security and Cooperation in Europe, the OSCE. In two decades since this historic gathering, the Helsinki Accords have helped guide relations between the participating states from the dark days of the cold war to the dawning of democracy in the countries of East Central Europe and the former Soviet Union.

Mr. Chairman, the commemoration of today's anniversary is overshadowed by the dark ongoing tragedy in Bosnia-Herzegovina, one of the newest members to join the OSCE. It is fitting that the House consider S. 21 legislation to lift the arms embargo in Bosnia today.

At no point over these past 20 years, Mr. Chairman, have the principles enshrined in the Helsinki Final Act been under greater attack than in the ongoing war of aggression and genocide in Bosnia. Over the course of the past 3 years, virtually each and every one of these principles have been violated by the Serb militants in Bosnia and neighboring Croat, with devastating consequences for the people of these two countries. Tens of thousands of women and girls raped, hundreds of thousands of innocent civilians killed in cold blood, millions driven from their homes through a policy of ethnic cleansing; concentration camps, wanton aggression, and genocide in the heart of Europe 50 years after the victory over Nazi Germany. Promises of never again ring curiously hollow in the face of genocidal practices and policy pursued by those bent on the destruction of the multiethnic state in Bosnia.

The crisis in Bosnia, Mr. Chairman, has unmasked a crisis of leadership at the White House and in the West in general, characterized by confusion, contradiction, and ultimately, acquiescence. While no one wants to be blamed for the bleeding of Bosnia, Mr. Speaker, no one is willing to intervene in order to stop it. For 3 years the international community has pursued a diplomatic process which has consumed considerable time and effort, even as Bosnia and her people have been consumed by armed aggression and genocide.

Left unchecked, Mr. Chairman, this crisis of leadership will only further erode institutions, vital institutions

like the United Nations, NATO, the European Union, and the OSCE, with direct political and economic consequences for the United States.

Mr. Chairman, the international community has stood by as well-armed Serb militants, under the leadership of indicted war criminals Karadzic and Mladic have pursued their genocide policies, bent on the destruction of Bosnia and the creation of a greater Serbia.

At the same time the government of the sovereign, independent, and recognized state of Bosnia has been prevented from attaining the means to defend itself and its people through its continued imposition of an arms embargo which virtually guarantees a victory to the Serb militants. At this point, further negotiations with war criminals like Mladic and the others can only yield results at the further expense of Bosnia. Appeasement by the West has only raised the stakes for a final settlement, even as the Serb militants pursue their aims on the ground.

Herding Moslems and Croats into shrinking numbers of ethnic ghettoes is not the answer. If the international community has been unwilling to provide for the collective defense of Bosnia within its internationally recognized borders, on what basis can we be expected to defend even a truncated Bosnia, as recently suggested by Charles Krauthammer in his op-ed?

Let me just quote this: ''While the administration goes back and forth, more lives are being lost and the situation grows more desperate by the day.'' These words are not mine, Mr. Chairman, but an observation made by then candidate Bill Clinton in October 1992, in the early months of a war which has now stretched for over 3 years. For 30 months President Clinton has vacillated as even more lives have been lost and the situation has grown even more desperate on the ground.

The United States has backed a diplomatic process which has led to a dead end. We have to be honest and face that. No amount of tinkering is going to resuscitate the failed U.N. mission in Bosnia. The so-called rapid reaction force agreed to nearly 2 months ago was supposed to be the last great hope for UNPROFOR. So much for rapid reaction, Mr. Chairman. The force has turned into a farce as militant Serb forces moved against the enclaves in Srebrenica and Zepa, two U.N. protected areas, and they have done so with impunity. The fate of another enclave, Bihac, is very much in doubt as Serbs from Croatia have joined their Bosnian Serbian brethren in a military assault which continues, despite the promises to repel Croatian Serbs and to pull back from the area. A spokesman for the U.N. peacekeeping battalion in the Bihac pocket says there were no signs of a general withdrawal, and Serb military tanks and artillery that power the advances were going ahead.

Mr. Chairman, just let me conclude very, very briefly. Prime minister Silajdzic has said over and over again, ''We do not need American troops there, but what we do need is the ability to defend ourselves.'' That is what they need the ability to do.

Mr. Chairman, I rise in strong support of S. 21, legislation passed in the Senate which would lift the arms embargo on Bosnia and Herzegovina upon a request from the Bosnian Government to the United States requesting a lift and a request from Bosnia to the United Nations requesting the withdrawal of UNPROFOR. An actual lift would take place, under this bill, 12 weeks from the date of the request to the United Nations. It also includes a provision extending that time frame in the event that such a withdrawal would require more time to complete.

Mr. Chairman, exactly 20 years ago today President Gerald Ford and the leaders of 33 European countries and Canada gathered in Helsinki, Finland for the solemn signing of the Helsinki Final Act of the Organization for Security and Cooperation in Europe [OSCE]. As a member, and now as Chairman of the Helsinki Commission, I have witnessed first hand, the positive impact of the OSCE in helping to shape developments in Europe. In the two decades since this historic gathering, the Helsinki Accords have helped guide relations between the participating states from the dark days of the cold war through the dawning of democracy in the countries of East Central Europe and the former Soviet Union.

Mr. Chairman, the commemoration of today's anniversary is overshadowed by the ongoing tragedy in Bosnia and Herzegovina, one of the newer members to join the OSCE. It is fitting that the House consider S. 21, legislation to lift the arms embargo on Bosnia today, Mr. Chairman, for at no point over these past 20 years have the principles enshrined in the Helsinki Final Act been under greater attack than in the ongoing war of aggression and genocide in Bosnia. Over the course of the past 3 years, virtually each and every one of these principles has been violated by Serb militants in Bosnia and neighboring Croatia with devastating consequences for the people of these two countries.

Tens of thousands of women and girls raped. Hundreds of thousands of innocent civilians killed in cold blood. Millions driven from their homes through a policy of ethnic cleansing. Wanton aggression and genocide in the heart of Europe 50 years after the victory over Nazi Germany. Promises of never again ringing curiously hollow in the face of genocidal practices and policies pursued by those bent on the destruction of the multiethnic state of Bosnia.

The crisis in Bosnia has unmasked a crisis of leadership in the West characterized by confusion, contradiction, and ultimately acquiescence. While no one wants to be blamed for the bleeding of Bosnia, Mr. Chairman, no one is willing to intervene in order to stop it. For 3 years, the international community has pursued a diplomatic process which has consumed considerable time and effort even as Bosnia and her people have been consumed by armed aggression and genocide. Whenever a new crisis has arisen, the response of the international community has been to convene yet another conference, issue another statement, or adopt a new resolution. So many words, so little action. Pursuit of policies largely intended to preserve the status quo have led to a dead end. With the passage of time, the policy options in Bosnia have been reduced. In fact, there are no easy options to pursue. This stark reality has only exacerbated the crisis in leadership over Bosnia.

Left unchecked, Mr. Chairman, this crisis of leadership will only further erode vital institutions like the United Nations, NATO, the European Union, and the OSCE with direct political and economic consequences for the United States.

Mr. Chairman, the international community has stood by as well-armed Serb militants, under the leadership of indicted war criminals Radovan Karadzic and Ratko Mladic, have pursued their genocidal policies bent on the destruction of Bosnia as a multiethnic state and the creation of a greater Serbia. At the same time, the government of the sovereign, independent, and recognized state of Bosnia and Herzegovina has been prevented from obtaining the means to defend itself and its people through the continued imposition of an arms embargo which has virtually guaranteed victory by the Serbs given their superiority in heavy weapons. The message is clear—might makes right.

There is nothing to suggest that the militant Serbs, who have been allowed to wage their war of aggression and genocide in Bosnia with impunity, will be satisfied with anything less than the complete annihilation of that country. Their appetites whetted, what is to prevent them from moving against Croatia, Macedonia, Kosovo, or others in the region? If the militant Serbs were interested in striking a deal, they would have signed onto the contact group proposal presented over a year ago, accepted by Sarajevo, and repeatedly rejected by Pale.

At this point, further negotiations with war criminals like Karadzic and Mladic or their benefactor in Belgrade, Slobodan Milosevic, can only yield results at the further expense of Bosnia. Appeasement by the West has only raised the stakes for a final settlement even as the militant Serbs pursue their aims on the ground.

Herding Moslems and Croats into a shrinking number of ethnic ghettos is not the answer. If the international community has been unwilling to provide for the collective defense of Bosnia and Herzegovina within its internationally recognized borders, on what basis can it be expected to defend even a truncated Bosnia as suggested in a recent opinion piece by Charles Krauthammer.

''While the administration goes back and forth, more lives are being lost and the situation grows more desperate by the day.'' These words are not mine, Mr. Chairman, but an observation made by then-candidate Bill Clinton in October 1992 in the early months of a war which has now stretched over 3 years. For 30 months now President Bill Clinton has vacillated as even more lives have been lost and the situation has grown even more desperate. The United States has backed a diplomatic process which has led to a dead end. Mr. Chairman, no amount of tinkering is going to resuscitate the failed U.N. mission in Bosnia.

Time and time again the administration has asserted that it was backing the one last chance to sustain the U.N. effort in Bosnia. It was the contact group proposal—that's been gathering dust on the table for over a year as the Bosnian Serbs have continued to wage

their war of aggression and genocide on innocent civilians in so-called safe havens and elsewhere in Bosnia.

The so-called rapid reaction force agreed to nearly 2 months ago was suppose to be the last great hope for UNPROFOR. Well so much for rapid reaction. Mr. Chairman, the force has turned into more of a farce as militant Serb forces moved against the enclaves Srebrenica and Zepa two U.N. protected areas with impunity.

The fate of another enclave, Bihac, is very much in doubt as Serbs from Croatia have joined forces with their Bosnian brethren in a military assault which continues despite promises by rebel Croatian Serbs to pull back from the area. A spokesman for the U.N. peacekeeping battalion in the Bihac pocket said there were no signs of a general withdrawal and Serb artillery and tanks that powered advances almost to the heart of the pocket had not budged. So much for promises.

At the end of last week, President Clinton, referring to NATO plans for aggressive bombing of Serb positions if they move on Gorazde or if other safe havens are imperiled, said, ''This is the last chance for UNPROFOR to survive.'' Well the robust bombing many, including myself, had hoped for has yet to materialize despite the latest attacks on Bihac. A spokesman in Brussels said last Thursday that NATO officials were ready to meet at a moment's notice to discuss plans for Bihac and Sarajevo. Mr. Chairman, attempts to fix UNPROFOR will only consume more precious time as the militant Serbs continue, with impunity, their campaign of aggression and genocide.

Mr. Chairman, time and time again we are told that plans are being worked out and that it will take a couple of more planning sessions before everything is in place. By the time most of this planning has been completed, the plans have been overtaken by events on the ground. And the cycle goes on and on and on.

President Clinton said the other day that he has decided ''we're either going to do what we said we're going to do with the U.N. or we're going to do something else.'' Mr. Chairman, this pretty much sums up the Clinton administration's failed Bosnia policy if it has one to begin with. Faced with the worst humanitarian crisis to strike Europe since the end of World War II, the Clinton administration has vacillated and equivocated time and time again. A crisis of leadership in a country which, until recently, was viewed, with pride, as the leader of the free world.

Mr. Chairman, as the prime sponsor of H.R. 1172, I rise today to urge my colleagues to vote, as they did in overwhelming numbers and on a bipartisan basis on June 8, to lift the illegal, immoral, and inhuman embargo imposed on Bosnia and Herzegovina. In the past, the Congress has sent mixed messages to the administration over policy toward Bosnia. I believe it is imperative that the Congress—House and Senate—speak with a single voice in support of Bosnia's inherent and sovereign right to self-defense. The June 8 House vote of 318 to 99 confirmed that there is growing support on both sides of the aisle for ending this embargo once and for all.

In the 7 weeks since the House vote the situation on the ground in Bosnia has gone from bad to worse. The safe havens of Srebrenica and Zepa have fallen. Militant Serbs continue their savage armed attacks on Bihac. Sarajevo is subjected to sporadic shelling. These and other developments underscore the urgency of lifting the arms embargo without further delay. Time is of the essence.

While I would have preferred an immediate lifting of the embargo as envisioned in my bill, I am convinced that the Congress reach a consensus on the embargo sooner rather than later. The bill before us represents that consensus.

Mr. Chairman, through inaction the United States and the international community have, in fact, become accomplices to genocide.

I urge my colleagues to heed the message contained in the letter of resignation of the U.N. Special Rapporteur for Human Rights in the former Yugoslavia, former Polish Prime Minister Maziowieski, dated July 27, 1995: ''We are dealing with the struggle of a state, a member of the United Nations, for its survival and multi-ethnic character, and with the endeavor to protect principles on international order. One cannot speak about the protection of human rights with credibility when one is confronted with the lack of consistency and courage displayed by the international community and its leaders. The reality of the human rights situation today is illustrated by the tragedy of the people of Srebrenica and Zepa.''

He continues: ''The very stability of international order and the principle of civilization is at stake over the question of Bosnia. I am not convinced that the turning point hoped for will happen and cannot continue to participate in the pretense of the protection of human rights.''

Mr. Chairman, it is time to stand by our principles.

Mr. Chairman, the Bosnians have asked us for one thing—the right to defend themselves and their country. Enough is enough. Mr. Chairman, it is time to put an end to the equivocation and vacillation which have characterized United States policy toward Bosnia. I urge my colleagues to uphold Bosnia's fundamental right to self-defense by voting to lift the arms embargo.

Mr. HAMILTON. Mr. Chairman, I yield 5 minutes to the gentleman from Texas [Mr. COMBEST], the distinguished chairman of the Permanent Select Committee on Intelligence.

Mr. COMBEST. Mr. Chairman, I thank the gentleman for yielding time to me.

Mr. Chairman, I rise in opposition to this resolution. I have consistently opposed the lifting of the arms embargo in Bosnia, and I continue to maintain that consistency. I do not question the motives of those who strongly support this action. I respect their position, and I think it is a way to speak out against the atrocities that are occurring.

However, this is not a free vote. Some people have said that a vote in favor of this resolution would be a condemnation of the administration's failed policy, and I would have to admit that that makes it very tempting, but I think it is much more than that. Mr. Chairman, I would hope that if this policy becomes the law of the land that I am wrong, because if I am not wrong, it is going to mean that there have been Americans that have died in Bonsia.

If the proponents succeed and if the policy that is outlined becomes reality, supporters of this resolution had better be ready to support the engagement of American troops. I think it is important that these questions must be answered: Who provides the arms? How long does it take to put the arms in place? How long does it take to adequately train the Moslems? What happens to the Americans that are training and delivering those arms? Do we expect the Serbs to stand idly by? What do the Russians do about providing arms to the Serbs?

□ 1215

Mr. Chairman, there are too many unanswered questions, even before we consider the possibility of engaging Americans on the soil in Bosnia. All of the questions must be answered and all of the contingencies must be contemplated and the alternatives must be planned.

Mr. Chairman, several years ago, we voted to authorize the use of force and military action in the Persian Gulf, and I did not, as any Member of this body, take that lightly or as an unconcerned bystander. At that time I had a son who wore a marine uniform to work every day and there was a great probability that he would wind up in the gulf, and yet I think the action that was taken that day was right. I supported it. It was right then, and I think it is right now. But I think that today is a substantially different question. Where is the American interest?

Mr. Chairman, I would not vote to send my son to Bosnia, and I will not vote to send yours.

Mr. GOODLING. Mr. Chairman, I yield myself 1 minute.

First of all, Mr. Chairman, I would say that I would not worry about any message we may be sending to the rest of the world, as the previous speaker alluded to. Unfortunately, the administration has confused the rest of the world for so long with threats and promises never carried out, or changed their mind from day-to-day.

Mr. Chairman, in the past I have not supported this resolution. I have not supported the resolution primarily because it was a unilateral effort and I did not think we should be in that kind of position, since we did not have the troops on the ground and other countries did. However, this resolution is different in that this resolution only takes effect as the U.N. forces leave or if the Bosnian Government indicates in writing that they want the U.N. forces out. Therefore, we have a totally different picture.

So I will support this resolution. I do not stand here indicating that it is a great answer to a very serious problem. I know that what we have done in the past has not been effective and has caused millions to flee, other slaughtered. So it is our next best hope. But I will support the resolution since it is not unilateral in that the forces on the ground will already have gone, or they

will be asked to leave by the Bosnian Government.

Mr. HAMILTON. Mr. Chairman, I yield 5½ minutes to the distinguished gentleman from Rhode Island [Mr. REED].

Mr. REED. Mr. Chairman, I rise in opposition to this bill.

Today, the House of Representatives considers legislation to lift the arms embargo governing Bosnia. This proposal is a product of months of frustration and outrage as the killing goes on in Bosnia, as we witness scenes of calculated cruelty which we thought had been banished with the defeat of the Nazi tyranny 50 years ago, and as we observe the western powers and the United Nations fitfully grapple with the violence that has engulfed the former Yugoslavia.

But, frustration and outrage, as sincerely and keenly felt as they may be, should not be the rationale or measure of our policies. Rather, we must look to the consequences of our actions; the consequences for ourselves as well as for the people of the former Yugoslavia.

By lifting this embargo, we will guarantee only one thing: The level of violence in the former Yugoslavia will increase. Passage of this proposal will initiate a powerful and compelling dynamic among the combatants. For the Bosnian Serbs, the logic is quite clear; strike as quickly as you can with as much force as you can muster before the Bosnian Government can increase its military capabilities. For the Bosnian Government, the logic is equally clear; do not negotiate, continue to resist, and prepare through local offensives for the time when a reequipped Bosnian Army can mount a general offensive to reclaim territory lost to the Serbs.

By lifting the embargo, we will precipitate the withdrawal of the U.N. mission and terminate the commitment of our European allies to maintain their troops in the former Yugoslavia. Having visited U.N. forces in the former Yugoslavia, I am acutely aware of their organizational shortcomings and, just as importantly, the lack of a clear and consistent policy objective to focus the use of military power. Nevertheless, UNPROFOR, for all its shortcomings, has limited the violence in Bosnia and prevented the expansion of violence into other regions of the former Yugoslavia.

That is the conclusion of Gen. John R. Galvin, former NATO commander, one of the most distinguished military leaders of our generation and now the dean of the Fletcher School of Law and Diplomacy at Tufts University. In testimony before Congress in June, General Galvin stated that a ''key aspect for an understanding of the situation in Bosnia is our concept of the value of UNPROFOR. * * * They deserve more credit than we have been willing to give them.'' He went on to add in regard to UNPROFOR ''their multinational troops have given the world outstanding service. Moreover, any conceivable solution to the conflict will require some kind of international presence. We should keep the U.N. forces in Bosnia and not take action that would confound their efforts.''

Lifting the arms embargo will accelerate the departure of UNPROFOR for several reasons. First, intensified fighting will further threaten the very survival of UNPROFOR forces which are scattered throughout the former Yugoslavia and are not organized for sustained and determined combat operations. Second, and arguably most critically, it will give our allies and the United Nations the political justification to cut their losses and withdraw. No longer would they be accused of abandoning their mission. Rather they could point to the unilateral action of the United States in frustrating the strategy of the world community.

And as we consider this measure today, we should be acutely aware that the departure of the United Nations will trigger our announced policy of committing U.S. ground forces to assist in the evacuation of our allies. As such, if this proposal passes, we are taking a step closer to the introduction of American forces into the killing fields of the former Yugoslavia. Ironically then, today's vote may draw us into the battle and not, as some may argue, give us an easy way to remain aloof from the struggle.

Lifting the arms embargo will not provide the Bosnian Government with the timely and decisive edge that it needs to counter the Bosnian Serbs. Individual weapons already are in plentiful supply in Bosnia. What is lacking are crew-served weapons such as artillery and tanks. The simple presence of these weapons is not sufficient for their effective use. Extensive training must be undertaken on many levels. On the technical level, crews must train to obtain basic proficiency. On the tactical level, units must be trained to integrate these weapons into effective combined arms teams. All of this takes time as well as outside expertise.

Without training and external support, these arms are ineffective. Thus, today's vote is more about symbolism than practical and timely assistance to the Bosnian Government.

Although lifting the arms embargo may assuage the sensibilities of the proponents, it will not resolve the conflict in Bosnia. Moreover, the escalation of combat resulting from this policy could spill over into other parts of the former Yugoslavia; particularly if other ethnic groups claim that they should be the beneficiaries of this policy of unrestricted access to the international arms bazaar.

There are no easy solutions to the crisis in the former Yugoslavia. Lifting the arms embargo is easy, but it will not resolve this crisis. Indeed, there is the very real possibility that it will escalate the fighting, precipitate the withdrawal of international forces, expand the fighting to other regions and draw United States ground forces into the deadly morass of Bosnia.

What should we do? In the words of Gen. John Galvin ''stay with peacekeeping * * * recognize that a crisis such as this can be long and difficult * * * hold to our purpose [and] remember that permanent peace can come only if the combatants will it so.'' I urge rejection of this bill.

(By unanimous consent, Mr. GILMAN was allowed to speak out of order.)

IN MEMORIAM: THOMAS E. ''DOC'' MORGAN

Mr. GILMAN. Mr. Chairman, the purpose of my request is to inform my colleagues of the death of the former distinguished chairman of our House International Relations Committee, the gentleman from Pennsylvania, Thomas E. Morgan.

''Doc'' Morgan—as he was affectionately known to all of us—died peacefully yesterday afternoon in Fredericktown, PA. He was 88. ''Doc'' Morgan was first elected to this House in 1944, and retired on January 2, 1977, after 32 years of distinguished service.

He assumed the chairmanship of our House Foreign Affairs Committee, as it was then known, in 1959, and served as our able chairman for 17 years. He was a friend and a mentor to all who knew him.

Funeral services will be held Friday at 2 p.m. at the Methodist Church in Fredericktown. Flowers may be sent in care of the Greenlee Funeral Home, Fredericktown, PA. 15333.

Mr. HAMILTON. Mr. Chairman, will the gentleman yield?

Mr. GILMAN. I yield to the gentleman from Indiana.

Mr. HAMILTON. Mr. Chairman, I appreciate very much the chairman of the committee making this announcement for the benefit of Members. It was my privilege, of course, to serve under Chairman Morgan. My recollection is he served as chairman of the committee, then the Committee on Foreign Affairs, longer than any other person has ever done so.

Mr. Chairman, our former colleague practiced medicine throughout his tenure in the Congress. He was very close to his constituents. He served any number of Presidents, I really do not know how many. He was a close confidant and adviser of several. He reflected great credit upon this institution, and all of us appreciate very much the contributions of his remarkable life and extend to his family our deepest sympathy. He was in all respects a most remarkable man.

Mr. GILMAN. Mr. Chairman, I thank the gentleman from Indiana for his remarks, and I would like to note that there will be a special order in memory of ''Doc'' Morgan at a later date.

The CHAIRMAN. The Chair would take the liberty at this time to thank the gentleman for advising this body of this tragic news.

Mr. GILMAN. Mr. Chairman, I yield 2 minutes to the gentleman from Pennsylvania [Mr. GEKAS].

Mr. GEKAS. I thank the gentleman for yielding time to me.

Mr. Chairman, I come to the decision that has to be made here with of course

the age-old-mixed emotions. In the community which I serve in my home area, there are fellow Americans who have direct blood and emotional ties to the very area which we are considering here today as the focal point of this resolution. I have Americans of Serbian contact, of Slovenian blood, of Croatian allegiance, of Macedonian heritage, of Bosnian Serb, Bosnian Croat extraction.

Mr. Chairman, what am I to do? They have strong feelings about what is happening. No matter what I do or how I vote, I will be perceived by one segment or another as taking sides. I can do nothing less than try to do the best I can in the situation we find ourselves; keeping their ideas and opinions in mind, of course, but then, rising above that and doing the best I can to try to help the American position, the U.S. Government position, in that morass that we find ourselves.

Mr. Chairman, I will support this resolution, because I have answered one question that I posed to myself in this fashion. The question: What good did the placement of the embargo do in 1991? What is the result of the embargo that was forced on these parties in 1991? The answer is easy to come by. Rapes, killings, expansion of the war, attacks, safe haven victims, nonsafe haven victims, war of words, no resolution to the problem, continued bloodshed. We can do no worse than to lift that embargo and begin to help the President form a foreign policy in that region that will help all.

Mr. HAMILTON. Mr. Chairman, I yield 5 minutes to the distinguished gentleman from Florida [Mr. GIBBONS].

Mr. GIBBONS. Mr. Chairman, I thank the gentleman for yielding time to me.

Mr. Chairman, let me say that I regret hearing the news about the death of Dr. Morgan. I was privileged to work with him and serve with him here, and he was a man of good common sense, and I feel that if he had been here today, he would be right where Mr. Hamilton is, warning us not to get involved any deeper in their situation.

□ 1230

Let me say everything I have to say is premised upon the fact that I feel terribly sorry for the Bosnians involved in this conflict. It was obvious that we were going to be on their side, despite the religious differences, because we want to keep peace in that area and we want to protect people's rights in that area. Had the Bosnians been winning, we would be here defending the Serbs, but that is not the case.

The resolution is a feel-good, pass-the-buck resolution. It will allow us to go home and say we did something, despite the fact that it may not have been very rational; and we have got an answer for the people who stop us on the street, but it is not the right answer.

Mr. Chairman, I have been through about five of these in my career here in Congress. Some of them have been not quite this serious, but they are all about the same. Every time there is any injustice done around the world, our good instincts urge us to go out there and get involved in it. But this is not America's war, this is not the United States' war, and we should not get involved in it.

I want to make it very, very clear that if the President calls upon us to send troops, American troops, to this war zone, I will not support it. If we are called upon to appropriate money for the arms or any participation in this war, I will not support it.

Mr. Chairman, anyone who is the least bit familiar with the history of this sad part of the world knows that this conflict has been going on for eons. These poor people who are involved in it now were born into this mess, and I feel terribly sorry for them. But there is no practical way we can help them.

If we repeal the arms embargo unilaterally, as we do here, we will immediately give the Russians the excuse to supply arms to the opposing side. They are far closer to the conflict; they can transport their arms immediately to the areas, and the impact to the combatants is that the Serbs will have a lot more arms and more quickly and be able to do more damage to the Bosnians.

Second, are we going to pay for the arms that the Bosnians purchase? I do not know who else would pay for them; obviously, we are going to have to.

Third, what are we going to do when we Americanize this war? Are we going to then be prevailed upon to send ground forces into Bosnia, send more air forces into Bosnia? What are we going to do if this war expands, as it perhaps will do, as we add more fuel to the fire by supplying arms?

I do not think America is ready for it. We have a humanitarian interest in this area, certainly, but we have no great national interest in this area, and it has been my experience that Americans do not get involved well or stay long where we do not have a great national interest involved.

I hope that Members will take this vote very seriously, will realize that as well intended as they are, that this is just a feel-good, pass-the-buck type of resolution. It will not put an end to this war; it will cause those forces that are there now under the U.N. command to pull out. The pillaging will go on, and before any effective intervention can be made by any side, the war will have come to an even worse conclusion than it may under any other set of circumstances.

Mr. Chairman, this is not a wise resolution. It is humanitarianly motivated, but it will cause great suffering for the people who are on the ground there, and it will be something that we must pay a higher and higher price for as we go along.

Vote ''no'' on this resolution.

Mr. GILMAN. Mr. Chairman, I yield 1 minute to the gentleman from Ohio [Mr. TRAFICANT].

(Mr. TRAFICANT asked and was given permission to revise and extend his remarks.)

Mr. TRAFICANT. Mr. Chairman, we were not elected to Western Union to send messages; we are elected to the Congress of the United States.

I support the bill. Current policy is a failure. Bosnian Moslems are being exterminated. Safe havens do not exist. They are, in fact, shooting galleries. U.N. peacekeepers are being held as human-hostage shields, allowing the aggressors to brutalize the victims.

Mr. Chairman, I ask my colleagues, how can we sit idly by and not even allow those brutalized victims to defend themselves, protect their homes, their wives, and their children?

As far as getting involved in this, do we honestly believe that these Katzenjammer Cops who are over there are going to keep anybody out?

Mr. Chairman, I support this bill, but let me say this: This is in Europe's backyard. Europe has got to respond. We are not the policeman for the world, but all free people should at least help those victims to defend themselves and protect their families. If we cannot do that, then freedom means very little to the Congress of the United States anymore.

Mr. HAMILTON. Mr. Chairman, I yield 2 minutes to the gentleman from Florida [Mr. PETERSON].

Mr. PETERSON of Florida. Mr. Chairman, we are looking for a solution. We are looking for the solution to the indiscriminate killing that has occurred in Bosnia over the last several years.

For a moment, I thought lifting the embargo would be a solution. Maybe a few years ago, we would have made a difference. I do not think so now.

Mr. Chairman, my major consideration comes from what happens when we do so. My major consideration is that we immediately place our allies' troops, our allies who have troops in Bosnia on the ground, in deep jeopardy.

U.S. forces would immediately be withdrawn, and that has been well-known. The United States would become responsible for the introduction of troops to assist in that withdrawal. If we agree to assist in supplying arms, then we must assume the responsibility for training the personnel in the use of those arms.

There is a major cost fiscally, a major cost potentially in lives, for this action. I am not convinced we have exercised all the options that we have in the prospect of dealing with this issue.

Mr. Chairman, our strength lies in the use of air power. At the same time, we do not want to take sides. I am convinced that the conflict has a solution only in negotiation and not on the battlefield. I say, freeze in place everything throughout the country on both sides with no military movement anywhere in Bosnia, period.

With air power, we can enforce this proclamation. Whoever, either side, becomes the target in the movement, we will force both sides to the table. We will bring about a negotiated settlement as we try to take away from the military solution and move into a diplomatic solution.

Mr. HOYER. Mr. Chairman, will the gentleman from Florida yield?

Mr. PETERSON of Florida. I yield to the gentleman from Maryland.

Mr. HOYER. Mr. Chairman, I agree with the gentleman's conclusion.

Mr. Chairman, I yield 1½ minutes to the distinguished gentlewoman from New York [Mrs. MALONEY].

Mrs. MALONEY. Mr. Chairman, I rise in strong support of the resolution.

It pains me to vote against my President on a foreign policy issue, but I support the lifting of the arms embargo of Bosnia.

Mr. Chairman, we cannot wait even one more day before the United States changes its policy on the Balkans and takes active steps to stop the bloodshed and to halt the slaughter of innocents.

What the world has witnessed in Bosnia is quasi-genocide, mass rape, and the denial of the Bosnian people to defend themselves against aggressive assaults.

The U.N. policy has been a dismal failure.

Safe areas are not safe.

Weapon-free zones are filled with weapons.

No-fly zones are filled with planes.

And whatever humanitarian aid reaches the Bosnians does so at the sufferance of the Serbs.

Lifting the arms embargo will not lead to wider U.S. involvement.

Allowing the Bosnians to defend themselves is the only credible way to bring the fighting to an end.

Without the lift, Serb atrocities will continue and the war will go on.

And if we do not act now, we risk a much broader war involving the entire Balkans region. This tragic outcome would enhance the prospects of wider U.S. involvement.

Therefore, we have both a strategic and a moral obligation to lift the embargo, and to do it right away.

Mr. Chairman, I will never forget what Elie Wiesel said at the dedication of the Holocaust Memorial Museum, just 1 mile from this Chamber.

He turned to the President and said, ''Something—anything—must be done to stop the bloodshed. It will not stop unless we stop it.''

Stop the slaughter.

Support the amendment.

Lift the embargo.

Mr. GILMAN. Mr. Chairman, I yield 2 minutes to the gentleman from New York [Mr. KING], a member of the House Committee on International Relations.

Mr. KING. Mr. Chairman, I particularly thank the gentleman from New York [Mr. GILMAN] for the tremendous leadership he has shown on this key issue, both as chairman of the committee and as a Member of this body.

Mr. Chairman, I think there are certain points that should be made very clear at the outset. First of all, this is not a partisan issue; it is not a Democrat or Republican issue. It is a human issue, a moral issue, and it is an issue behind which all men and women of goodwill must rally to resist the aggression of the Serbs.

Second, there is no moral equivalency in this war. This is not a case of two nations who just happen to be fighting each other, any more than there was any moral equivalency between Nazi Germany and Czechoslovakia. We are talking about the democratically elected government in Bosnia being attacked by the brutal dictatorship in Serbia.

For those Members who say the United States should not get involved, the tragic fact is we are involved and, whether we admit it, we are involved on the side of the Serbs, because we are embargoing the weapons that are going to the victims. As long as we continue to allow that embargo to exist, then we stand with the Serbs.

Mr. Chairman, there are other foreign policy ramifications, apart from the moral issue here. If the aggression is allowed to go undeterred by the Serbs, we are going to provide greater instability in that region. This can be an encouragement to Russia to move on its former republics, when it sees that the Western World stays silent in the face of such aggression.

Also, what kind of a message are we sending to the Moslem world? We have denounced genocide for the past 50 years. We realized that the world stood by and did nothing during World War II and we have said, ''Never again will we allow genocide to be carried out.'' Yet, there is genocide being carried out today against the Moslems and we are doing nothing about it.

Apart from the moral ramifications, what does that do to our foreign policy posture in countries such as Iran, Iraq, Egypt? We can go through all the Moslem, Arab countries and see what that has done to damage our reputation.

In conclusion, Mr. Chairman, I call for strong support of this bill. We have no choice. It is a moral imperative.

Mr. HAMILTON. Mr. Chairman, I yield 3 minutes to the distinguished gentleman from Mississippi [Mr. PARKER].

(Mr. PARKER asked and was given permission to revise and extend his remarks.)

Mr. PARKER. Mr. Chairman, there comes a time in everyone's life when he or she must choose between two very bad choices. For me, this vote today is one of those times. For the last several years I have supported lifting the arms embargo on Bosnia. I have made public statements to that effect and have criticized the foreign policy leadership of the Bush and Clinton administrations on this issue.

But today, I will vote against this resolution. I no longer support lifting the embargo. Lifting the embargo will not make the slaughter in Bosnia go away. It will not right the wrong choices of the past. Bosnia is a tragedy and a failure for the entire world.

This decision I have arrived at is not so much based on a meticulous, intellectual analysis of foreign policy. It is based on a deep-seated, gut-wrenching feeling that I, as a man, would live to regret a decision to the contrary.

That's not to say that I have not given much thought to the matter and engaged in long and heated debates. I have. But I am absolutely convinced that the situation in Bosnia can get worse, far worse than it already is.

The war can broaden throughout the region. Lifting the embargo now will lead to a withdrawal by the United Nations. The Europeans will wash their hands and when the war escalates into a larger Balkan explosion, the United States will be drawn in.

That is the bottom line for me. I believe that a unilateral lifting of the embargo now—too late in my view—will lead to the use of American troops in the region and I am totally opposed to that course of action. I cannot accept the loss of a single American soldier in this insanity and that is the outcome that I believe I would have to live with if I voted for this resolution.

I do not have the answer for Bosnia nor, it seems, does anyone else. I wish I had the solution to the ongoing genocide and horror of this war's innocent victims. I don't. What I do have is an unyielding determination to fight against including American sons and daughters, and mothers and fathers in this suffering.

But let there be no misunderstanding. I can count votes and I believe this resolution is likely to pass. If it does, and if the promised veto is overridden, I will accept the commitment that we then acquire and will support whatever is necessary to honor that commitment. I believe that commitment will be the use of U.S. Armed Forces. But I, at least, will not regret that I failed to do all in my power to avoid that coming disaster.

□ 1245

Mr. GILMAN. Mr. Chairman, I yield 6 minutes to the gentleman from Virginia [Mr. WOLF], who has been a leader in the issue of lifting the arms embargo against Bosnia.

Mr. WOLF. Mr. Chairman, I thank the gentleman for yielding time to me.

I want to pay tribute to the gentleman from New York [Mr. GILMAN] and the gentleman from Maryland [Mr. HOYER] for their leadership on this issue.

Before I speak, I want to say that there are good and decent people on both sides of the issue, and it is a difficult issue, and I am speaking for myself. I thank God, and I know that if the French had not needed us at Yorktown, we may not have been an independent nation. I will tell you, the British ought to thank God for the fact

that Americans went to their rescue in World War II. So we talk about aid and what will make the difference. History ha been changed by people assisting other people.

I have visited Bosnia three times. The first time I went there, I was with the gentleman from New Jersey [Mr. SMITH], who is not here. We were in Vukovar just 2 weeks before Vukovar fell. When we went down in the cellars of Vukovar, the people there said, ''America? What will America do? Will America get involved?'' We did not get involved. We now see the reports, hundreds were killed; in fact, 204 people were taken out of the Vukovar hospital and killed by the Serbs and put in a mass grave.

So we did not learn much of a lesson. We went on and maintained the embargo.

The second time I went to Bosnia, I visited a Serb-run prisoner-of-war camp. If you cannot see this picture, just go back and remember what ''Schindler's List'' was like, because this is what ''Schindler's List'' was like. The Moslem men would go like this, they would walk around, they would not look you in the eye. I went in a place, and I hollered, ''I am an American Congressman from America.'' They lit up like that. You could see they thought maybe finally somebody cares.

Well, nothing more happened, and the embargo continued.

The third time I went, I went to East Mostar, and this young lady, who is probably maybe dead now, had nothing whereby they were being attacked over and over first by the Serbs and then by the Crouts. We continued, we continued the arms embargo.

Now, the geopolitic things are being talked about. Let us bring it down to where you and I and all of us are. It says, in the Golden Rule, it says, ''Do unto others as you would have them do unto you.'' It does not say, ''Do unto others as you would not have them do to you.'' It says, ''Do unto others as you would have them do unto you.''

Try to put yourself in this case. I am going to take one narrow slice. When we had the CSCE hearings, they said, the witnesses came and said there had been 20,000-some rapes in a country of less than 5 million people. Let me read you the testimony from that one day, the expert said. He said:

> Most of the rapes occurred in detention facilities or in custodial settings. Most of them occurred on a mass basis, not only in terms of the repeated number of rapes against the victim, but also the number of victims.

In other words, the victims were rounded up.

I will give you three examples in the town of Foca. There were three places where this occurred: the partisan hall where the women were brought in and raped and kept, and it was sort of a turning point where people would be brought in and out and raped and brought in and out and raped and brought in and out. In another place where women were kept for the satisfaction on rotation on a 15-day basis for soldiers coming in from the field, and I can identify with that one, because the people outside at risk, there was a little house there where women, young girls ranging in age from 11 to 17, were kept from 8 to 10 months, 8 to 10 months in this house. They were all daughters of prominent persons in the cities, and they were ultimately ransomed.

I interviewed,

he said,

> a 14-year-old or a 15-year-old who had been raped repeatedly for 8 to 10 months, consistently by their guards. I have seen an 11-year-old in a fetal position in a psychiatric hospital in Sarajevo having given birth to a child but having completely lost her mind.

As fathers, forget the Congressmen and the Congresswomen, as fathers and as mothers, imagine you had to sit back and watch your wife raped in front of you, imagine that you watched your daughters raped in front of you, imagine that your sister is involved or, if you are woman, imagine that your daughter has been taken away, pulled out of your arms and taken away and is in a house in a village down the street, and you know the soldiers go in there day in and day out and your little daughter is in there.

Talk about the geopolitical things. Forget it. Talk about what you would do if you were a father, and I say, God willing, if you were a father and if you were a mother, you would want the arms to defend yourself. But more important than defending your country, but to defend your mom and your wife or your daughter or your sister. That is what we are talking about.

The Moslems have come to us and said over and over they do not want American troops. Do not hide behind this. There are no American troops involved.

They have told us over and over. The gentleman from Maryland [Mr. HOYER] has been there. They do not want American troops. So we are not voting on American troops.

Second, under the U.N. Charter, they have the right to defend themselves. They have the right to defend themselves. That is all they want to do.

No American troops. We are not voting on American troops. We are voting to lift the arms embargo.

So enough of this Bosnian nation, but so these Moslem fathers and sons and mothers and daughters can defend something that is so important that, if each of us were in that situation, we would want to do.

I strongly urge an ''aye'' vote to lift the embargo.

Mr. HAMILTON. Mr. Chairman, I yield 5 minutes to the distinguished gentleman from Alabama [Mr. CALLAHAN].

(Mr. CALLAHAN asked and was given permission to revise and extend his remarks.)

Mr. CALLAHAN. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, in 1991, most all of us who are speaking here today stood in this very well to talk about whether or not we were going to involve ourselves in the Persian Gulf war, whether or not we were going to send our troops to Kuwait to defend the freedoms this country stands for. The President of the United States called, George Bush, and he urged us to support what the administration was doing. The Vice President, Dan Quayle, called, and Colin Powell called, and Jim Baker called, and we had a tremendous debate, one of the healthiest debates that ever took place on the floor of this House, over one thing, whether or not we were going to go along with our commander in chief of these United States and let him exercise his constitutional prerogative of international affairs.

Today is no different. It was the hardest vote I have made since I have been in the Congress because I had to vote ''yes'' or ''no'' as to whether or not to involve people from my own district, placing their lives on the front liens of that encounter. And we won.

Today we have a new commander in chief, Bill Clinton. I did not vote for President Clinton, but he is our commander in chief, and the Constitution very clearly gives the responsibility of foreign affairs to the President of the United States. We have a new Vice President, and we have a new Chairman of the Joint Chiefs of Staff, and all of these people who have been selected by the President to run our international affairs have come to us and pleaded with us to let them handle international policy.

The statements by the previous speaker from Virginia are most compassionate statements. I could not agree with them more. No one in this House, no one, likes the atrocities that are taking place. No one of us will ever tolerate such atrocities, whatever section of the world it is in.

Incidentally, it is taking place in other sections of the world. Why are we not here saying, ''Let's bomb, let's do something in Rwanda?'' Look at the horrible things that are taking place there, and I do not see a single one of you coming and saying, ''Let us do something about Rwanda''

If we in this Congress are going to take over the responsibility of foreign affairs from the administrative branch of government, well, then, let us vote on that. Let's change the Constitution and do that.

Are we going to tell our NATO allies that no longer does the President and the Secretary of State have the authority to enter into agreements with NATO forces? Are we going to say that just because the President thinks it is right and the French Government thinks it is right and the British Government thinks it is right and the Dutch Government thinks it is right, are we going to say we know more about the intricacies of this problem than they?

We ought to leave to the President of the United States his constitutional authority. This question is not over the atrocities.

Certainly, the Bosnian Moslems know that those of us in this Congress, 100 percent of those of us in this Congress, believe that they are being mistreated by, the Serbians, and that this is wrong, and we want to correct that. That is why we are here. That is why we are there.

Are we going to tell our NATO allies, ''All right, fellows, you are on your own. We are going to lift the embargo,'' The Russian duma has already passed a resolution saying if the United States votes to lift the embargo for the Moslems, then they are going to lift it for the other side.

The arms embargo is not just on the Bosnian Moslem side. It is for the entire region. We are going to escalate the war, and we have 25,000 allies there that we are going to have to get out of there.

No matter which way you look at it, it is going to have to involve American troops.

Let me say to you today that the issue is not on whether or not the Serbians are mistreating the Bosnians, because every evidence I have seen indicates that they are. But, in my opinion, we ought to recognize that the President and the Secretary of State and the Chairman of the Joint Chiefs of Staff and NATO and our Ambassador to the United Nations are all pleading with us to let them handle this international affair, to let them work with our allies, hopefully to gain some peaceful solution.

I have conveyed to the President, which all of you should do, the direction that I think he should take. But for us to pass this resolution and for us to tell the world that our President, that our Chief of Staff, that our Secretary of State have no real authority, that the Congress is going to over-ride them, I think we are making a tremendous mistake.

I would like to urge that the resolution be withdrawn, and if not, then I would like to urge you to vote against it.

Mr. GILMAN. Mr. Chairman, I yield 1 minute to the gentleman from Nebraska [Mr. BARRETT].

Mr. BARRETT of Nebraska. Mr. Chairman, I rise in strong support of S. 21, a bill that would lift the arms embargo that has been imposed on the Government of Bosnia and Herzegovina for the last 4 years.

Unfortunately, the pursuit of peace has been met by turned backs and the guns of cruelty, inhumanity, and butchery. It should be apparent to everyone that neither the Bosnian Serbs nor the Bonsian Moslems are prepared for, or desire peace.

But, we must not fool ourselves, that passing this bill will absolve Congress, and our military, from further action in this troubled region. The President has already committed up to 26,000 U.S. ground forces to help speed the departure of U.N. peacekeepers. And, while we all may have differing opinions about the President's commitment, it is right and proper that we aid our allies as the our policy changes. We would expect nothing less if our roles were reversed.

Mr. Chairman, I urge my colleagues to support S. 21, and help close the book on a failed arms embargo policy that, has done nothing but continue the suffering of Bosnian Moslems.

□ 1300

Mr. HASTINGS of Florida. Mr. Chairman, I yield 4 minutes to the distinguished gentleman from Colorado [Mr. SKAGGS].

Mr. SKAGGS. Mr. Chairman, I thank the gentleman from Florida [Mr. HASTINGS] for yielding this time to me.

Bosnia is a profound tragedy, a political, a moral, a military, a human tragedy. The brutality and depravity of Serbian aggression not only murders innocent Bosnian civilians, it defies the ability of words to express our outrage and disgust.

A vote to lift the embargo may look like a good way to register the moral outrage that we all feel. But sound national security policy requires a careful examination of the consequences, if we were to lift the embargo—and I do not believe we should.

Specifically, there are at least four unintended consequences that we have to face up to if we take the step of unilaterally lifting the embargo:

First, it would lead to a decision by UNPROFOR to depart Bosnia and so lead to the very dangerous involvement of United States ground troops to extract the international force. Britain and France have already made it clear what they would do. We have an obligation, which we have already acknowledged, to help with the withdrawal that would necessarily put U.S. forces at real risk.

Second and perhaps most problematic, lifting the embargo would almost inevitably lead to an expansion of the conflict. I do not believe Serb nationalists are going to be satisfied merely with territorial gains in Bosnia. And if the conflict spreads to other parts of the former Yugoslavia, then Greece, Turkey, other regional powers are likely to get involved. And if that happens, the entire European security structure that has functioned so well for so many years is really likely to become at risk also.

Third and even more serious is the probability of the Americanization of the conflict. If we are left with the moral responsibility for arming and training the Bosnian Army, having broken policy with our NATO allies, it seems to me very likely that the United States ends up alone trying to fill the void in terms of military support and humanitarian aid.

Finally, our unilateral action could jeopardize cooperative efforts against rogue states now and in the future. Under the legal constraints of the U.N. Charter, this embargo cannot properly be lifted without the approval of the Security Council. If we violate our legal obligation to adhere to that embargo, we will undermine the credibility of other multilateral embargo efforts in the future, such as that that we want to see maintained against Iraq.

What can we do? Sadly there are not a lot of good alternatives. But we can act, and we should act, to strengthen the U.N.'s ability and willingness to protect the remaining safe areas against Serb aggression. There have been improvements made in the recent weeks to make increased and, I hope, more effective use of air power in the event of any attack against the enclave of Gorazde. And I want to see that extended to other areas that ought to receive strong NATO support as well.

By increasing the price of aggression I believe our power can enhance the chances of diplomatic settlement. But a congressional vote now to go it alone and lift the embargo will provide our allies with a rationale for withdrawal. It will tend to Americanize the conflict at a time when the American people do not have a sense of a significant American interest there. And I am afraid it would ultimately result not in an improvement to this awful, awful situation, but to a further disintegration, further humanitarian calamity, and further outrages at the hands of the Bosnian Serbs.

Mr. GILMAN. Mr. Chairman, I yield 3 minutes to the distinguished gentleman from New York [Mr. PAXON].

Mr. PAXON. Mr. Chairman, I rise in strong support of the resolution and commend the sponsors for their leadership.

My colleagues, many Members of this House and I know many American citizens have traveled to Israel and to Jerusalem where they have had the chance to visit the Yad Vashem Holocaust Museum, and in that very moving museum there is a specially moving place that is the Children's Memorial. It is a memorial to several million children who died at the hands of the Nazis. When one stands in that room, that dark room, they can hear the voices of those children saying, ''Never again. Never again stand by while a modern-day Hitler carries out another genocidal campaign.''

For those of us who have heard those voices and for the millions and millions of Americans who have already been to our own Holocaust Museum at the foot of this hill, today is a day of important historical note because, my colleagues, the modern-day Hitlers are at it, and it is not far away and far removed from our lives. It is on CNN every single day and every single night. They are not faceless people. Their names are Milosevic and Karadzic and others who we see on the television who are running the rape

camps and the torture camps and committing the violence that the gentleman from Virginia [Mr. WOLF] just a few minutes ago so graphically described. The genocide is called ethic cleansing, but it is nothing more, nothing less, than the action of the Serbs designed to wipe from the face of the Earth the Bosnian Moslems.

Now through our arms embargo I am embarrassed to say we have been party to this outrage through two administrations and through several Congresses. We have tied the Bosnians' hands while the Serb aggressors have had free rein to rape, and to brutalize, to tear apart families that will never be joined together again, and to murder innocent men, women, and children whose only crime is that they have a Moslem name.

Two years ago the gentlewoman from New York [Ms. MOLINARI], the gentleman from New York [Mr. KING], the gentleman from New York [Mr. ENGEL], and I went to Bosnia, and they said to us at the time, ''Don't send your troops here. We don't want young American men and women fighting our battle.'' All they asked then, and all they ask today, is to unchain their hands, to give them the weapons to defend their children, and their lives, and their husbands, and their neighbors, and their people. That is a certain way to insure that American troops do not end up there, as I believe they will if we do not take this action today.

As I indicated, I feel very strongly that two administrations have mishandled the Bosnian tragedy. It is not Bill Clinton alone. George Bush was in the White House also. I disagreed with George Bush, as I do with Bill Clinton, but the time for disagreement is over. The time for action is here today. Let us not be here months from now or years from now looking back and saying, ''We didn't try, we didn't take this stand.'' Let us support the resolution.

Mr. HOYER. Mr. Chairman, I yield 1½ minutes to the distinguished gentleman from Minnesota [Mr. OBERSTAR], one of the most senior Members of this body.

Mr. OBERSTAR. Mr. Chairman, I thank the gentleman from Maryland [Mr. HOYER] for yielding this time to me.

Mr. Chairman, last year I voted against unilateral lifting of the sanctions. I have changed my mind. The administration's best efforts have not been supported by the international community, the killing continues, the balance of power continues to shift to the numerically larger and stronger Bosnian Serbs. The Bosnian Moslems do not have the equipment they need to defend themselves, their families, and their land. If the international community, the United Nations and NATO, are not willing to launch sustained, massive air strikes with overwhelming force against the Bosnian Serb Army to deter the aggression, then the allies must in fairness lift the embargo and allow the Bosnians to defend themselves.

I have no illusions about the consequences. There will be increased security risks for the UNPROFOR peacekeepers. It may be necessary to introduce United States troops directly into Bosnia to help withdraw the peacekeepers. More arms in the country will mean more killing, a widening of the conflict, and prolonging the war. But, in the current circumstances, the war does continue under international auspices, and that is what my conscience cannot condone. If we are not willing to risk American lives in Bosnia—and we should not; if we are not willing or able to seal the arms and economic embargo against the Bosnian Serbs and their ''greater Serbia'' patrons, then we should remove the shackles from the Bosnian Moslems, who seek only to defend their homeland and their families and pass this resolution.

Mr. HASTINGS of Florida. Mr. Chairman, I yield 4 minutes to the gentleman from Virginia [Mr. SISISKY].

Mr. SISISKY. A strange dilemma happened this weekend. It seems everywhere I went, I thought they would be, people would be, talking about the appropriation bills that we had last week, but they were not. They were talking about Bosnia. They have watched television. They do not know an awful lot about it. But they do ask the question: What is the American interest there? Why should we be there? I tell them basically that we are there because of the carnage and we do not want to expand on the European continent.

I will be very honest with my colleagues. I was not in favor of the embargo. I think it is wrong. But we have the embargo now, and I am opposed to the unilateral lifting of the embargo.

A lot of people say, ''Well, what is the United Nations doing? UNPROFOR is not doing anything.'' I would remind them that in 1992 there were 130,000 deaths in Bosnia; in 1994, there were 3,000 deaths, as best that we could calculate. Still too many, much too many. There are rapes going on there. There are children being killed. All of us know that.

Yes, I have been to Yad Vashem, and it is easy to bring that up, never again, but America is not turning its back on Bosnia. We have forces in the Adriatic, we have forces in Italy, and we are ready to do what we need to do under the auspices of the United Nations and NATO.

My colleagues, the rapid reaction forces are there now. The Europeans have finally got into the act. But if we unilaterally lift this embargo, I believe that the Europeans will pull out and we will have to have 25,000 troops just to protect the withdrawal. But even more than that, if the Europeans pull out and the United Nations pulls out, there is no food coming in, we lift the embargo, who is going to train them? Who is going to train the command and control and how to use sophisticated arms? American soldiers.

I am not willing to do that yet. I am willing to let the United Nations, and NATO, and the Europeans try their hand now.

All I can say is we are at a crossroads, things may break. Nobody knows what the right answer is. But I can tell my colleagues in my opinion, and I hope I am right, it is wrong to unilaterally lift the embargo, and I would hope that the members would vote against the resolution.

Mr. GILMAN. Mr. Chairman, I yield 1 minute to the gentleman from Minnesota [Mr. RAMSTAD].

(Mr. RAMSTAD asked and was given permission to revise and extend his remarks.)

□ 1315

Mr. RAMSTAD. Mr. Chairman, I thank the distinguished gentleman for yielding me time.

Mr. Chairman, I rise in strong support of lifting the unjust and unconscionable arms embargo on Bosnia. For too long now the world has heard of countless atrocities from the war in Bosnia: Women systematically raped and tortured, men forcibly separated from their unarmed families and gunned down without being able to defend themselves, all in the name of ethnic cleansing, all during the arms embargo.

Mr. Chairman, let us call a spade a spade. Let us call ethnic cleansing by its real name: Genocide. The key question we must answer today with our vote, each and every one of us here in this body, is this: How much longer can we sit by and force the Bosnian Moslems to defend themselves from genocide with one arm tied behind their backs?

The people of Bosnia, Mr. Chairman, are at a breaking point. This vote today will show them that the United States will not turn its back on genocide. Let us not turn our backs on people who have the right to defend themselves, let us not turn our backs on the Bosnian Moslems. I urge a ''yes'' vote to lift the arms embargo.

Mr. HASTINGS of Florida. Mr. Chairman, I am pleased to yield 5 minutes to the distinguished gentleman from California [Mr. DELLUMS], ranking member of the Committee on Armed Services.

Mr. DELLUMS. Mr. Chairman, I thank the gentleman for yielding me time.

Mr. Chairman and Members of the committee, I rise today in opposition to the bill, S. 21, the so-called Bosnia-Herzegovina Self-Defense Act of 1995. I urge my colleagues to resist the temptation that there exists such an easy solution to end the killing and the suffering in that region of the world.

Mr. Chairman, one of my colleagues quoted President Bush's statement that we have a unique opportunity and responsibility to do the hard work of freedom. While I agree with that sentiment, lifting the embargo is the easy work, and I believe the wrong choice. Seeking a successful termination of

the conflict, an end to the violence and a resolution of the underlying dispute is indeed the hard work that should engage our attention.

Mr. Chairman, understand the probable consequences of lifting the embargo. First, we would see an immediate escalation of the fighting as the Bosnian Serb forces seek to win as much territory on the ground before the Bosnian Government forces can be armed and trained to use those arms.

Second, it would take, Mr. Chairman, 6 months to 1 year before the Bosnian Government will be capable of fielding and employing these new weapons. During this period, the Bosnian people will be at an even greater risk of attack and genocidal victimization.

Third, the United States would take a final and unambiguous commitment toward one side of this conflict, with all of the moral implications that arise from making such commitments.

Fourth, we will cause a rupture between ourselves and our NATO allies.

Fifth, we eliminate the moral authority with which the United States presses the case for embargo against Serbia and for other places such as North Korea and Iraq.

Mr. Chairman, understand the possible consequences of lifting the embargo. First, the United States will find itself pulled directly into the conflict because it will be compelled to shoulder the moral responsibility to defend the Bosnian people during the period of transition before the weapons are fielded. Can we simply stand by and allow people to die in the tens of thousands? I believe not.

Second, the war, in this gentleman's opinion, Mr. Chairman, will surely widen, possibly spread into other republics emerging from the former Yugoslavia, possibly sparking conflict between Greece and Turkey, drawing Russia into the conflict on behalf of the Bosnian Serbs or their Belgrade allies.

Mr. Chairman, these would be the awful consequences of taking the easy course in response to the list of horrors that have been offered up on the floor of Congress today. Unless those supporting the lifting of the embargo are prepared to have the United States shoulder the defense responsibilities for civilians in Bosnia and Herzegovina during the period when they would be armed, I would also argue that it would not be the moral choice.

Mr. Chairman, it is not enough to offer a critique to those who would seek, and I would believe in good faith, to end the civilian anguish of offering military equipment to the Bosnian Government through a lifting of the embargo. What other path exists to end these horrors? How do we successfully undertake the hard work on behalf of freedom and morality? Without revisiting the long list of diplomatic mistakes that have occurred since Yugoslavia began to dissolve, let me describe the other path that exists to secure peace to end the genocide and punish those responsible for international law violations.

First, Mr. Chairman, we should seek an immediate cease-fire and reconfirm to all parties that the primary mission of the U.N. forces in Bosnia are to secure the safety of civilians and not take sides in the conflict.

Second, the U.N. force should be made sizable enough and capable enough to discharge their mission to prevent ethnic cleansing and to ensure that humanitarian relief arises. This will require an urgent re-examination of decisions to intervene in a manner that appears to violate the first rule of peacekeeping and humanitarian assistance: Take no sides; make no enemies.

The no fly zone enforcement and one-sided close air support campaigns have, in this gentleman's opinion, violated such a norm, and, thus, compromised the mission and led to attacks on the safe areas.

Third, we should continue to press vigorously for a continuation of the war crimes tribunals to deal with the genocide that has occurred in Bosnia rather than to escalate the violence.

Finally, Mr. Chairman, we must recognize that the manner in which the former Yugoslavia dissolved in the first place generated this conflict because it failed to properly manage the conflicting claims for new nationhood. In order to end the war that has resulted from this miscalculation, we must seize upon possibilities that do exist for a realistic resolution of the underlying claims and which would create a viable and defendable Bosnian nation.

Mr. Chairman, I urge my colleagues to reject the proposed easy work that lifting the embargo represents and thereby avoid its disastrous consequences. Let us do the morally based hard work for freedom and morality. I urge my colleagues to reject the bill before the body at this time, and I thank my colleague for his generosity.

Mr. HOYER. Mr. Chairman, I am pleased to yield 1½ minutes to the gentleman from Texas [Mr. BENTSEN], one of our most valuable Members.

Mr. BENTSEN. Mr. Chairman, I thank the gentleman for yielding me the time.

Mr. Chairman, I rise in strong support of lifting the arms embargo against Bosnia and allowing the people of Bosnia to defend themselves against aggression and genocide.

There is an old saying I'm sure we've all heard: ''Fool me once, shame on you. Fool me twice, shame on me.'' The United Nations has been shamed more than twice in Bosnia as we've hidden an unworkable policy while the Serbs slaughtered, raped, and tortured more than 200,000 Bosnian people. Today we in the United States can end the shame and begin to lead by lifting the arms embargo.

Those who oppose this legislation argue that lifting the embargo would end the United Nations peacekeeping mission and increase American involvement in the Bosnian war.

But the sad truth is the U.N. mission has failed and unfortunately, the United States is involved in Bosnia, not with troops on the ground, but through our international credibility and our moral authority which are at stake. The best way to preserve that credibility and authority is to show leadership, and the best way to show leadership is by lifting the arms embargo against Bosnia.

We will hear many arguments that we should give other approaches a chance to work. Give the latest ultimatum time to work. Give the United Nations one final chance.

These are the same excuses we have heard time and time again. These excuses have utterly failed to stop Serbian aggression and ethnic cleansing. All they have done is severely eroded our credibility and that of our allies.

So it is time to end the excuses and lift the embargo. The right policy is to allow the Bosnian people to defend themselves against this modern holocaust. There are those who would argue that lifting the embargo will result in unnecessary bloodshed, death, and escalation of hostilities, but if you talk to the Bosnian people they will tell you that the war cannot become any worse.

I recently met with a Bosnian refugee living in Houston. Her name is Jasmina Pasic and she ran a school in the basement of her bombed-out apartment building for 2 years during the siege of Sarajevo. She was finally forced to flee and is now separated from her family.

Jasmina dreams of returning home. ''In five years maybe I can see it,'' she says, ''but I don't know if it will be in the war or we will have freedom.'' Today, I will vote to lift the embargo because I believe it will help Jasmina Pasic and her fellow Bosnians fight back to attain that freedom and defend themselves against this grotesque human tragedy which calls into question the moral compass of the entire world.

Mr. GILMAN. Mr. Chairman, I am pleased to yield 4 minutes to the gentleman from California [Mr. ROHRABACHER], a member of the Committee on International Relations.

Mr. ROHRABACHER. Mr. Chairman, I rise in strong support of this motion to end the embargo against the victims of Serbian aggression.

During this debate it has been very clear by all who have participated that Serbia is clearly the aggressor. They are criminals. They are engaged in criminal activity. The victims are the Croatians and Bosnians, and we are talking about what to do about it.

Mr. Chairman, I would submit for the RECORD a letter from Margaret Thatcher, who says, and I quote, ''We owe it to the victims at last and at least to have the weapons to defend themselves since we ourselves are not willing to defend them. The arms embargo was always morally wrong.''

Mr. Chairman, I would submit this entire letter from Margaret Thatcher to Senator DOLE for the RECORD.

Lifting the arms embargo, Mr. Chairman, means less violence, not more. Let us get that straight. We have been talking about this all day now. What does it mean to lift the arms embargo? There will be less violence in that part of the world if we lift the arms embargo. Like all bullies and all aggressors and all criminals, the Serbs have been more aggressive as a result of the weakness of their victim. If those villagers could have defended themselves against tanks, there would have been fewer attacks made against those villages. The ethnic cleansing would not have taken place had those people, had the victims had the technology, the weapons to defend themselves.

Mr. Chairman, what happened was the criminals have had to pay no price for their crime against the victims. The criminal regime in Serbia has paid no price, and this has been going on for 4 years. Therein lies the solution.

No. 1, let the victims defend themselves. Let them have the weapons to defend themselves. No. 2, make the criminal regime of Mr. Milosevic and Serbia pay the price for the murder, rape and mayhem unleashed by Serbia against its neighbors in Croatia and Bosnia.

Mr. Chairman, how do we make Serbia pay a price and deter aggression? Naysayers claim either we must do everything, send U.S. troops and put them on the ground, or do nothing and just let this go on and on and on, not even lift the embargo so people can defend themselves. All the questions have to be answered before we can even let someone defend themselves.

Think about it, Mr. and Mrs. America. Someone next door is being raped and murdered. A neighbor is being raped and murdered, but you have to answer all the questions before you can help your neighbor, throw your neighbor a gun or a stick to defend his family. No, you don't have to wait to answer all the questions, you know what is right and wrong.

It is time for us to side with the victim and make sure that that victim can defend himself and his family. America is going to be a major force in the world if we have the courage to act and to be bold. That does not mean we have to be reckless and take chances.

In this post-cold-war war world, we will face challenges of evil people. They might not be like the Soviet Union, a massive evil force, but we had the courage to stand against the Soviet Union, and that is why it crumbled. That is why we were able to save the world a holocaust of a world war three because we were bold and we were strong.

At the very least, the Milosevices of the world, this little pigsqueak gangster in Serbia, who is murdering innocent people in his neighboring countries, should know there will be a price to pay. At the very least, a minuscule use of American air power against Serbia, not against Bosnia, no, not in the neighboring countries but in Serbia, would convince the Milosevic regime to leave their neighbors alone. In fact, the Melosevic regime, just like communism in the Soviet Union, would likely crumble before a minuscule use of American power.

Mr. Chairman, let us be bold. Let us permit those who are victims to stand up and defend themselves, and let us make sure the world knows that America has the courage to lead the world in the post-cold-war era.

The letter previously referred to is as follows:

MARGARET, THE LADY THATCHER, O.M., P.C., F.R.S., HOUSE OF LORDS,

London, July 18, 1995.

DEAR SENATOR DOLE: I am writing to express my very strong support for your attempt to have the arms embargo against Bosnia lifted.

I know that you and all members of the United States Senate share my horror at the crimes against humanity now being perpetrated by the Serbs in Bosnia. The U.N. and NATO have failed to enforce the Security Council Resolutions which authorized the use of force to defend the safe havens and to get humanitarian assistance through. The safe havens were never safe; now they are falling to Serb assault. Murder, ethnic cleansing, mass rape, and torture are the legacy of the policy of the last three years to the people of Bosnia. It has failed utterly. We owe it to the victims at last and at least to have the weapons to defend themselves—since we ourselves are not willing to defend them.

The arms embargo was always morally wrong. Significantly, it was imposed on the (then formally intact but fragmenting) former Yugoslavia at that regime's own behest. It was then, quite unjustly and possibly illegally, applied to the successor states. Its effect—and, as regards the Serbs, its intention—was to ensure that the proponents of a Greater Serbia, who inherited the great bulk of the Yugoslav army's equipment, enjoyed overwhelming military superiority in their aggression. It is worth recalling that the democratically elected, multi-faith and multi-ethnic Bosnian Government never asked for a single U.N. soldier to be sent. It did ask for the arms required to defend its own people against a ruthless aggressor. That request was repeatedly denied, in spite of the wishes of the U.S. administration and of most leading American politicians.

There is no point now in listing the failures of military policy which subsequently occurred. Suffice it to say that, instead of succeeding in enforcing the mandates the U.N. Security Council gave them, UNPROFOR became potential and then actual hostages. Airpower was never seriously employed either. The oft repeated arguments against lifting the arms embargo—that if it occurred U.N. troops would be at risk, that the enclaves like Srebrenica would fall, that the Serbs would abandon all restraint—have all now been proved worthless. For all these things have happened and the arms embargo still applies.

Two arguments are, however, still advanced by those who wish to keep the arms embargo in place. Each is demonstrably false.

First, it is said that lifting the arms embargo would prolong the war in Bosnia. This is, of course, a morally repulsive argument; for it implies that all we should care about is a quick end to the conflict without regard to the justice or otherwise of its outcome. But in any case it is based on the false assumption that the Serbs are bound to win. Over the last year the Bosnian army has grown much stronger and the Bosnian Serbs weaker. The Bosnian army has, with its Croat allies, been winning back crucial territory, while desertion and poor morale are badly affecting the over-extended Serb forces. What the Bosnian government lacks however are the tanks and artillery needed to hold the territory won and force the Serbs to negotiate. This lack of equipment is directly the result of the arms embargo. Because of it the war is being prolonged and the casualties are higher. Lifting the arms embargo would thus shorten not lengthen the war.

Second, it is said that lifting the arms embargo would lead to rifts within the U.N. Security Council and NATO. But are there not rifts already? And are these themselves not the result of pursuing a failed policy involving large risks to outside countries' ground troops, rather than arming and training the victims to repel the aggressor? American leadership is vital to bring order out of the present chaos. No country must be allowed to veto the action required to end the present catastrophe. And if American leadership is truly evident along the lines of the policy which you and your colleagues are advancing I do not believe that any country will actually try to obstruct it.

The West has already waited too long. Time is now terribly short. All those who care about peace and justice for the tragic victims of aggression in the former Yugoslavia now have their eyes fixed on the actions of the U.S. Senate. I hope, trust and pray that your initiative to have the arms embargo against Bosnia lifted succeeds. It will bring new hope to those who are suffering so much.

With warm regards.

Yours sincerely,

MARGARET THATCHER.

Mr. HAMILTON. Mr. Chairman, I yield 5 minutes to the distinguished gentleman from Louisiana [Mr. LIVINGSTON], the chairman of the Committee on Appropriations.

(Mr. LIVINGSTON asked and was given permission to revise and extend his remarks.)

Mr. LIVINGSTON. Mr. Chairman, I think my friend from Indiana for yielding me time.

Mr. Chairman, I rise in reluctant opposition to this resolution and to urge its defeat. While in the past I have spoken for and even voted for the lifting of the arms embargo, I have reappraised my position, and I have decided that to do so would be a terrible mistake.

Granted that the current situation is intolerable, and that the approach taken by our allies in Europe by way of the United Nations must change, and must change drastically, this unilateral step by the United States would bear consequences so far removed from reason and common sense, that on proper reflection, it could be one of the worst steps we could take.

Mr. Chairman, I want there to be no mistake in my position. If I thought this resolution would bring peace to Bosnia, if I thought this resolution would allow the Bosnian Moslems to defend themselves and thwart Serbian aggression, if I thought this resolution would bring a measure of social justice to Bosnia I would support it. Unfortunately it does none of these things.

Adoption of this resolution will simply mean the end of the U.N. mission in Bosnia. It will signal to our NATO allies, especially the French and the British troops on the ground that we do not care if they withdraw. It will put those troops at risk. It will put hundreds of thousands of refugees at grave risk, and it would damage the NATO alliance beyond repair.

Moreover, it would most certainly lead to the very commitment of U.S. troops to a European war that the sponsors of the resolution probably wish to avoid.

Why? Because UNPROFOR troops are already on the ground and scattered about Bosnia, many in wholly indefensible enclaves surrounded by Bosnian Serbs.

When they begin to pull out, the Bosnian Serbs will move in to take their place, and the Bosnian Moslems will become entirely vulnerable and defenseless. Will they allow the U.N. to abandon them? I doubt it. So UNPROFOR could very well find its forces exposed to attack by both Serbs and Moslems, with little opportunity to defend their own troops.

Thus, U.S. troops will be called on to help evacuate them, not just with air cover, but with ground support—with lots of American lives.

Mr. Chairman, I remain second to no one in my belief that the Bosnian Moslems should be allowed to defend themselves. But will that happen? Will the United States then sell arms to the Bosnians? Will we put troops in the ground to train them with our weapons? Will the Bosnians have an adequate command and control structure? Will their officer corps be capable of technical and tactical competence? Will they be given intelligence capability?

Will they have a fair chance against the Bosnian Serbs? If so, will the neighboring Serbians stay out of the fight? Will the Russians, the Turks, the Greeks? What if the fight spills into Macedonia, or Kosovo, or Albania? Is this the first step of another world war?

We are reaping the multiple effects of a failed policy. The Vance-Owen plan to force ethnic groups into enclaves or cantons was a total catastrophe. It has left us with pictures of places like Srebernica and Zepa and Gorazde where Serbian thugs backed by Russian military might are given license to murder, rape, and ethnically cleanse. The President says he is drawing the line on Gorazde. But what does that mean? Will massive U.S. air power do what diplomacy has failed to so save the lives of innocent women and children in Gorazde? I doubt it.

What is the end game for Bosnia? Can the Bosnian Moslems be consolidated into an area where a cease-fire can hold and a military position be staked out to give them some security? That may be the only solution but we can't get there under this resolution, or under the Clinton plan.

Mr. Chairman, again, what is the end game in Bosnia? We are considering this resolution today because men and women of good will on both sides of the aisle and both sides of the Capitol cannot stand the spectacle of the worst foreign policy debacle in the past decade. This resolution represents something, and the status quo is unacceptable. Unfortunately, after the arms begin to flow and after the massive air strikes the President wants, we still don't know the end game. There is none. Only more suffering.

I do not have a good answer for Bosnia, but I do not think this resolution is the answer. I do think it is important to keep our NATO alliance together. I think it is critical to address the refugee problem. I think it is necessary to bring about a cease-fire. I think it is vital we keep a NATO military presence in Bosnia. I do not see those things happening if we pass this resolution today. So I regret I must oppose it in the hope that we can do better later.

And I believe we can, if the Bosnian Moslems can and will centralize in a simple, clearly defined, and cohesive portion of Bosnia which becomes a defensible, predominantly Moslem region.

□ 1330

Mr. ROHRABACHER. Mr. Chairman, I yield 2 minutes to the gentleman from Wisconsin [Mr. GUNDERSON].

(Mr. GUNDERSON asked and was given permission to revise and extend his remarks.)

Mr. GUNDERSON. Mr. Chairman, we cannot today dictate the moral compass of civilized society, and we cannot today dictate the moral compass of even the United Nations or our NATO allies. But I think today we will determine the limits beyond which the American people can no longer tolerate business as usual in Bosnia.

I call upon my colleagues in this Congress to take a good look at the reality, the stark reality before us. Over 200,000 people have been killed; over 20,000 have been raped, over 4,000 children have been displaced and await some kind of placement; and over 2.75 million people have already been driven from their homes and their personal belongings stolen.

I am reminded of those words of Pastor Martin Niemoller shortly after World War II when he wrote,

> First they came for the communists; I was not a communist, so I did not object. Then they came for the Jews; I was not a Jew, so I did not object. Then they came for the trade unionists; I was not a trade unionist, so I did not object. Then they came for the Catholics; I was not a Catholic, so I did not object. Then they came for me, and there was no one left to object.

I am not Bosnian, and I am not Moslem. But, Mr. Chairman, I am appalled by how we have failed to learn the lesson of history and how we stand by to watch the rape, the murder, and the pillage of a people. We say nothing and we do nothing, and we let history dictate its results.

Ideally I would suggest that the Western world would be moved to simply go in and impose a peace where there is no peace and to impose civilization where there is none. But if we are unwilling to do today what we were willing to do in 1991, then let us at least be willing to let them defend themselves.

Mr. HAMILTON. Mr. Chairman, I yield 5 minutes to the distinguished gentleman from Missouri [Mr. SKELTON].

Mr. SKELTON. Mr. Chairman, the German chancellor of the last century, Bismarck, once remarked that the Balkans are not worth the bones of one Pomeranian grenadier.

I say to you today that the Balkans are not worth the life of one American soldier. We are on the brink, Mr. Chairman, of a major international mistake. To those that would support this resolution, I say you do not know what you do. Oh, how simple it sounds. Level the playing field, let them fight back. But we should look, in the light of history, into the consequences of what lifting this embargo would be.

First and foremost, it would be a death knell for many Bosnian Moslems, because the Serbs will intensify their attack before any training and any additional weapons can reach them.

Second, the UNPROFOR forces will come out. They will leave, and they will ask and receive help by the American forces. Of this I will speak a bit later.

Third, the United States will be asked to fill the void, first to train, then to supply, and when that fails, to fight. Those who look at more recent history see that there is a great parallel to this and our tragedy in Vietnam, and it could be all that all over again.

Fourth, outside forces will enter the conflict. Russia has already stated that should we enter the conflict on one side, they will on behalf of the Serbs. What about the other Moslem countries in the area, the other orthodox countries in the area? We will have the tinderbox once again that started the First World War.

Fifth, it destroys any prospects for a negotiated settlement. We have been trying. As a matter of fact, it seems that the Serbs, of all people, are willing to talk and negotiate, and we find that the Moslems have been less prone to do the negotiating.

Sixth, it will cause a strain with our allies. The United Kingdom and France have soldiers there on the ground. It will cause us a great deal of trouble with them.

Last, it will irreparably harm NATO.

For all of these things and all of these reasons, we should not lift this embargo. Further, it will Americanize the conflict in one of two ways: Either to fill the void of which I spoke, to help with supplies, to train, logistics, and, sadly, to fight; or it will Americanize it

by helping UNPROFOR withdraw, for which our President has already pledged some 25,000.

To withdraw this UNPROFOR force will not be easy. We look at the tunnels, the narrow roads, the dangerous situation in which we find the various UNPROFOR forces today, and our country has pledged 25,000 of a 110,000 force to withdraw them. We will have serious problems in getting that job done.

Heed the remarks of Bismarck. Heed our words today when we speak about not getting involved. This is really a vote as to whether to get America involved in this conflict or not. History tells us that this part of the world has repeated itself and repeated itself by finding the inhabitants at each others' throat for centuries. We will not change that.

The best thing we can hope for is a negotiated settlement. We have been trying. We should give it one last chance, for if we do not, we will find ourselves in an Americanized conflict for which we did not ask. The consequences of lifting this embargo would be disastrous for them and for our country.

Mr. OLVER. Mr. Chairman, I yield 2 minutes to the gentleman from Maryland [Mr. WYNN].

Mr. WYNN. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, I rise in strong support of the Bosnian Self-Defense Act. We ought to pass this resolution. You know, Mr. Chairman, we are not just in the often referred to global marketplace. We are also part of a global community, and in such a community, as with the old playground, leaders have to step up to resist aggression and resist bullies.

It is time that we confront the realities. It is time that we confront the realities. It is not enough to play ''what if.'' ''What if'' is an excuse for inaction. It is not enough to try to figure out the end game. We do not know the end game. We never will. What we have to do is confront the realities.

The realities are these: People are being slaughtered on one side, the Moslem side; women are being raped on one side, the Moslem side; our so-called safe-havens are being overrun on a daily basis. They have become a cruel joke.

It is time for us to respond. The Moslems deserve an opportunity. They have the right in fact to defend themselves. Through the exercise of this right, we can create consequences for aggression. The reason this war has gone on so long and gone so badly is because there have been no consequences.

□ 1345

The Bosnians have become emboldened. If the Moslems have weaponry to defend themselves, they can create consequences and create pain that will give the Bosnians pause in their aggression.

The great concern seems to be whether we will Americanize this war. I do not think so. The U.N. forces will ultimately have to come out. Our allies are not going to stay indefinitely and watch their people be used as human shields. So, as the President has indicated, we will have a responsibility as leaders in the global community to help extricate these U.N. forces.

But that need not mean that we will have a complete expansion of the war and a complete Americanization. On the contrary, it will signal Americans to stand up for the victims, to take its true and appropriate place as a world leader and respond to this crisis by enabling people who are the victims of rape and murder to defend themselves.

Mr. GILMAN. Mr. Chairman, I yield 1 minute to the gentleman from Virginia [Mr. DAVIS].

Mr. DAVIS. Mr. Chairman, I rise in support of this resolution. America should be a world leader, not the world waffler and follower that we have been in this crisis. We waited and allowed the U.N. safe havens to operate, but they have failed. We have stood by watching while tens of thousands of innocent Bosnians Moslems have been raped, bombed, and murdered

The arms embargo is a very noble-sounding phrase, but the arms embargo hurts only one side, the Bosnian Moslems. The Serbs have plenty of firepower and the remnants of the Yugoslavian armed forces. The arms embargo simply means that the Bosnian Moslems will be unable to defend themselves, and the Serbs have plenty of firepower.

Last week I was visited by two members of the Bosnian Parliament. When I asked what this country could do to halt the ongoing atrocities in Bosnia, they replied they do not want U.S. troops. They do not want this country's intervention. They only want us to help the lifting of the arms embargo so they can defend themselves against these atrocities.

That is the least we can do as a world leader. Let us adopt this resolution and end the current failed policies.

Mr. HAMILTON. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from Michigan [Mr. KNOLLENBERG].

Mr. KNOLLENBERG. Mr. Chairman, I thank the gentleman from Indiana for yielding time to me. Mr. Chairman, I rise in opposition to S. 21. I too have watched the news reports of the worsening situation for the Bosnian people. But unilaterally lifting the arms embargo will not end this conflict. This legislation can only lead to the total collapse of humanitarian efforts in Bosnia and likely will result in an escalation of the fighting.

I remind this body that we do not have troops on the ground—nor should we—and it is our allies in NATO who will pay the price if the United States violates our own embargo. And as you know, our allies have said that if the United States acts unilaterally they will withdraw from UNPROFOR. President Clinton has stated his belief that the United States is obligated to assist that withdrawal. I do not want to see our troops dragged into this conflict.

Earlier this year this Congress voted to lift the embargo. Why hasn't it been lifted? Because the countries who are there say lifting it would jeopardize their mission of humanitarian relief.

Our allies do not want this lifted. Are you willing to sacrifice the lives of their soldiers over their objections? Or can you say, with any credibility, that lifting this embargo will not affect the U.N. and NATO operations in Bosnia.

No one can say that the United Nations and NATO have been successful in Bosnia. It is to our shame that these organizations have failed to protect so many people. But this action we take today will not rectify past mistakes. And it will not bring peace to this region.

Lifting the embargo will bring more weapons into the region. It will isolate us further from our NATO allies. It will antagonize Russia who already has threatened to aid the Serbs if the embargo is lifted. It will slide us further down the slippery slope we now are precariously balanced on.

Mr. Chairman, this legislation will force the President to act unilaterally to lift the embargo against his will and against the will of our allies. It will make the Bosnian conflict our responsibility, it will severely damage the NATO alliance, and it will make the conflict in Bosnia worse not better. This is the wrong policy at the wrong time. Vote ''no.''

Mr. GILMAN. Mr. Chairman, I yield 3 minutes to the gentleman from Illinois [Mr. HYDE], a distinguished member of our House Committee on International Relations.

(Mr. HYDE asked and was given permission to revise and extend his remarks.)

Mr. HYDE. Mr. Chairman, there are all kinds of peace. There is the peace of the jail and the peace of the graveyard. You can have peace in Bosnia, kill all the Moslems, and they cannot fight anymore. Next to that, just keep them disarmed while everybody else brims with armaments.

Freedom has to be defended. Genocide, its modern incarnation, ethnic cleansing, must be resisted if we are to retain our membership in the human race. Does the United States have any interest in faraway Balkin Bosnia? I would say yes. The moral imperative is resistance to genocide.

The slaughter in Bosnia has uncovered the inadequacy of the United Nations and NATO, for that matter, to deal with wars of ethnic nationalism, wars of states within states rather than between states. But please remember, Bosnia was recognized formally as a sovereign nation by the United States, by the European community on April 7, 1992, and by the United Nations on May 22, 1992. The U.N. charter guarantees the right of self-defense. So lifting the embargo is merely implementing the elementary

rights of people in sovereign nations, and it ought to prove that aggression is not without cost.

This is not the time or the place to discuss the incredibly complicated problems of peace in the Balkans. I agree with everybody who has pointed out the incredibly difficult, shattering problems that we have trying to adjust borders and peace. It is incredibly difficult. But before we get to that problem, we ought to understand genocide cannot be tolerated. We cannot remain indifferent to it.

In this century there have been three major genocides, not counting Rwanda, Burundi, the Sudan, Nagorno-Karabakh, and all of the ongoing tribal killings that are going on. But the Armenians in 1915, the Jews in World War II in the Holocaust, and the Moslems in Bosnia today, are three genocides. We stand and avert our eyes because we have no interest there.

When the Holocaust Museum was dedicated by the President, he stood there, and I am sure he meant it, he said two words: never again. What did he mean, never again? Never again will the Jews be killed in Germany in 1940? Or does he mean never again will we permit holocausts against ethnic groups because somebody does not agree with their religion or their color or their way of living?

Never again. Let us put some flesh on those words and start by lifting the embargo.

Mr. HOYER. Mr. Chairman, I yield 2 minutes to the distinguished gentlewoman from Connecticut [Mrs. KENNELLY], one of the leaders on our side of the aisle.

Mrs. KENNELLY. Mr. Chairman, everyone in this Chamber is moved by the suffering we have seen in Bosnia. Everyone in this Chamber is disturbed by the frightening historical echoes of previous episodes of carnage in Europe. Yet not one person in this Chamber has come up with a completely satisfying answer. Three years ago the United States imposed an arms embargo on the former Yugoslavia. It is evident that the embargo has little or no effect on the Serbian aggressors. Obviously that is for one reason: because they inherited the arms of the former Yugoslvian military. Has this policy worked? It is clear to me that it has not.

For 3 years we have stood by a policy that has permitted the loss of 70 percent of the Bosnian land which has ended in tremendous suffering to get this land. After 3 years, I do not believe this policy, if continued, can accomplish anything further. So what do we do? If we had a clearly preferable solution, one that guaranteed success, I know every Member of this House would support it wholeheartedly. But there is no policy, no clear best course. We only know now what did not and does not work.

Our choice today is to continue down a path that has already resulted in so much suffering or to embark on a new path. For me the choice is clear. The choice now is in front of us, that we must, we have to look to a different way. We have to take a new course.

I will vote to lift the embargo today. I think it is up to us in this Chamber to try something new to spare those people we are worrying about here today.

Mr. GILMAN. Mr. Chairman, I yield 2 minutes to the gentleman from Pennsylvania [Mr. WELDON].

(Mr. WELDON of Pennsylvania asked and was given permission to revise and extend his remarks.)

Mr. WELDON of Pennsylvania. Mr. Chairman, I rise today to support this resolution lifting the embargo. And in coming up with my reasoning in terms of my decision, I sought the support and input of that one person who perhaps is the most well-versed American in terms of what our policy should be. John Jordan is a volunteer firefighter from Rhode Island.

As my good friend, the gentleman from Maryland, [Mr. HOYER], on the other side knows, John Jordan went over to Sarajevo 3 years ago as a volunteer to work with the Sarajevo fire brigade, to establish emergency response service for the people in that country, be they Serbs, Muslims, Croats, whatever they might be. John Jordan has been there every day for the last 3 years.

I called John Jordan on the phone, as I caught him on the way back to Sarajevo today. He said, ''Curt, we have to lift the arms embargo.''

Two years ago he brought Kenan Slinic over here, a 31-year-old fire chief from Sarajevo who was protecting the lives of the people in Sarajevo. Kenan Slinic met with the Vice President; he met with us at our dinner and spoke to us. He pleaded with us, I have his original notes from his speech, his handwritten notes, he pleaded with us to allow his people to defend themselves 2 years ago. Because he spoke out, when he went back to his homeland, he was shot in the back of the head and killed and his six-year-old child today does not have a father.

Mr. Chairman, this has gone on too long. The policy is not working. We have to create a level playing field.

John Jordan also said to me, ''Curt, you have got to provide some support to bring your relief workers out.'' I agree with that. He said, ''We have got to provide support until the arms can reach the appropriate groups inside of the afflicted area.'' I agree with that.

Mr. Chairman, in the end we have to lift the embargo to give these people a chance, to give them the opportunity to defend themselves.

We have heard story after story about the atrocities occurring in that country. I ask my colleagues on both sides of the aisle to support the resolution in honor of those people who have suffered so much.

Ms. MCKINNEY. Mr. Chairman, I yield 3 minutes to the gentleman from Georgia [Mr. LEWIS].

Mr. LEWIS of Georgia. Mr. Chairman, I am deeply troubled and anguished by what is happening in Bosnia.

We all share the pain and the suffering. We have seen the horror. Women are raped, children are brutalized, and young men are taken away to an uncertain fate—often death.

These people of Bosnia are part of the family of humankind. When they bleed, we bleed. When they suffer, we suffer. When they are slaughtered and killed, something dies in all of us.

What is happening in this part of the world is an affront to all humanity. We—as the community of nations—cannot, and we must not, stand by in the face of this carnage.

I—like everyone else—have watched in anguish as the United Nations failed to defend the safe areas in Bosnia.

But I know that the British and French have troops in Bosnia. Lifting the embargo is not so simple or clear. We will send troops to help remove the U.N. forces if we lift the arms embargo.

How many of us are prepared to send American troops—our young men and women—to Bosnia to fight in this conflict?

A vote for this resolution is a vote to send American troops into Bosnia. Every member of this body must know this. This vote is not a free vote. This vote has consequences.

The question is not whether to stop the violence. We all want to stop the violence. The question is how to stop the violence. Will unilaterally lifting the embargo bring peace to this region? Or will it spread the conflict and increase the toll of death and destruction?

We must strengthen our resolve to defend innocent men, women, and children. But we cannot act alone.

We must give this fresh plan a chance. The U.N. must allow NATO to defend the safe areas.

Mr. Chairman, we all are frustrated. All of humanity is crying out for a solution to this conflict. This vote is our attempt to act, to do something.

But we must not move this way. We must strengthen our U.N. mission. If it does not work, then later we may have to act on our own.

American willingness to work with the community of nations is at stake. Our allies have troops on the ground—they are in harm's way.

Mr. Chairman, I stand here with a heavy heart—I want to do what is right. I want to end the genocide.

I have thought long and hard about this vote. I have searched my soul and conscience, and I have concluded now is not the time to unilaterally lift the arms embargo. It will not help stop the killing. It will not end the bloodshed.

We must urge the United Nations to stop the violence—to stop the Serbian aggression. We must protect the innocent people of Bosnia. We must protect the safe areas.

Now is not the time to get lost in a sea of despair. With our allies, we have

taken a stand against Serbian aggression. Now we must be strong in that stand. Mr. Chairman, I will oppose this resolution.

□ 1400

Mr. GILMAN. Mr. Chairman, I am pleased to yield 2 minutes to the gentleman from Texas, Mr. SAM JOHNSON.

Mr. SAM JOHNSON of Texas. Mr. Chairman, the United Nations and NATO do not work. That is what the problem is. Once again we are facing the same arguments we have heard for over 2 years now, that the United Nations and its military command is serving some purpose to the thousands of people who are dying or suffering every day in Bosnia, some purpose. Most importantly, we will find ourselves again face to face with America's worst kept secret: That is, the utter failure of our administration to define why the United States and our troops should be involved in a U.N. peacekeeping operation in a place where we have no national interest and where there is no peace to keep.

These same mistakes have been made before, and they cost us American lives. It happened 2 years ago in Somalia under U.N. command, with no defined mission and no defined purpose. The so-called humanitarian mission that first brought us to Somalia ended up costing us lives, like that of Sgt. James Joyce, our Army ranger who died on October 3, 1993. His father, Lt. Col. Larry Joyce, who was my constituent, testified before this House as to how dangerous it was for the United States to think that we could solve the world's problems, and how irresponsible of us it was to use our troops as bargaining chips in the international peacekeeping game.

President Clinton is making the same mistake again. He is using United States military troops as a bargaining chip in a game where the United States is not even a player, just like Somalia. How disappointed Larry Joyce must be today. Instead of knowing that his testimony and his son's death is making a difference, he is being forced to sit by and watch this country make the same tragic mistakes again, endangering America's stature, and more importantly, the lives of American soldiers. I urge my colleagues to end the arms embargo and vote in favor of this resolution.

Ms. MCKINNEY. Mr. Chairman, I yield 2 minutes to the gentlewoman from Florida [Mrs. MEEK].

Mrs. MEEK of Florida. Mr. Chairman, I rise today to oppose the effort to unilaterally lift the arms embargo on Bosnia.

Mr. Chairman, there is a horrible tragedy happening in Bosnia. I, along with everyone else, wants that tragedy to come to an end. But Mr. Chairman, lifting the arms embargo will not end the tragedy, it will only force the United States to become an active participant.

Arms, it is argued, will allow the Bosnian Moslems to defend themselves. But Mr. Chairman, what else will arms shipments do? How about end the U.N. humanitarian mission which helps feed Sarajevo? How about trigger the exit of NATO from the conflict? How about signal the entry of Serbia into the Bosnian war?

Finally, Mr. Chairman, the most important result of lifting the arms embargo will be the entry of the United States into the war. We will be obligated by treaty to help our allies pull out. And we will be obligated by morality to protect the Bosnian Moslems until they can defend themselves. I strongly favor the end of the war in Bosnia, Mr. Chairman, but what price are we willing to pay to lift this embargo?

Mr. Chairman, what is happening in Bosnia is a horrible tragedy. But Mr. Chairman, acting unilaterally to end the arms embargo in Bosnia will only leave the United States holding the bag. Unilaterally. I urge a ''no'' vote on the bill.

Mr. GILMAN. Mr. Chairman, I am pleased to yield 1 minute to the gentleman from Arizona [Mr. SALMON], a member or our committee.

Mr. SALMON. Mr. Chairman, there are no easy answers in Bosnia, no quick fixes. But I believe we must lift the embargo—now.

The Bosnians want to defend themselves against rape, murder, and ethnic cleansing. But let's face it: the fundamental right of self-defense is meaningless without the opportunity to procure weapons. The Bosnians deserve the same chance to defend themselves that the people of Afghanistan had in their fight against Soviet terror.

The current policy of the United States is to be an active accomplice in the strangulation of the Bosnian people.

And we are doing great damage to the vitality of NATO and the credibility of the United States. The debacle of Bosnia sends a clear message to the tyrants around the world—the United States can be bullied, and will not even stand up against genocide.

No tyrant will ever negotiate a settlement when he can get everything he wants by force.

If we continue to be paralyzed by weakness, countless American troops may be needed in the future to counter the aggressive actions of tyrants who conclude that America's weakness in Bosnia is the post-gulf-war reality of the United States.

Let us do what is right, and begin the restoration of America's foreign policy. Lift the embargo.

Mr. HOYER. Mr. Chairman, it gives me a great deal of pleasure to yield 5 minutes to the gentleman from Michigan [Mr. BONIOR], the minority leader of the House of Representatives and a leader on this floor.

Mr. BONIOR. Mr. Chairman, I thank my colleague, who has been so instrumental and who has shown extraordinary leadership on this issue, for yielding me the time.

Mr. Chairman, there are no easy answers in Bosnia today.

But how many more atrocities do we have to witness.

How many more children do we have to see killed before we act in Bosnia?

Are 200,000 dead Bosnians enough?

Are 16,000 murdered children enough?

Are 2 million homeless refugees enough?

That's what we've let happen the past 3 years.

And today, once again, there are those who say that lifting the arms embargo will involve America in this war. But let's be honest, Mr. Chairman, we're already involved in this war.

By keeping this embargo in place for so long—not only have we denied the Bosnian people the weapons they need to defend themselves—we have helped tilt the balance of the war in favor of Serbian aggression.

Mr. Chairman, there can be no more excuses.

It's time to lift this embargo once and for all.

Over the past 3 years, we have seen two dozen ceasefires come and go.

We have seen the peace process start and stall.

We have watched the Serbs break agreement after agreement.

And the one constant through it all has been the absolute unwillingness of the West to take the steps necessary to do what needs to be done.

The greatest sin, Mr. Chairman, isn't that we simply turned our backs.

The greatest sin in Bosnia is that time and time again, we have raised the hopes of the Bosnian people that the cavalry was on its way. And time and time again, we have not delivered.

Mr. Chairman, the people of Bosnia deserve better than this.

If we are not going to stop the slaughter, if we are not going to defend the people of Bosnia, then we have no right to continue to deny them the right to defend themselves.

By lifting this embargo today, we will extend to Bosnia the right which is guaranteed to every other sovereign nation under the U.N. charter—the simple right to defend themselves.

There are those who say that lifting this embargo will disrupt the peace process.

To them, I say: what peace process?

Just 2 months ago on this floor we heard the same tired arguments.

And in the past 2 months, we have seen nearly 50,000 people driven from their homes.

We have seen innocent women and children herded into trucks.

We've heard stories of young men being hung from trees and thousands of young women being raped.

Fifty years after the world said ''never again'' we are sitting back and watching mass genocide happen again.

Mr. Chairman, lifting the embargo won't weaken the peace process, it will strengthen it.

The reason peace talks have failed the past 3 years is because the Serbs have no reason to negotiate.

They face no real opposition on the battlefield, so they have no incentive to stay at the negotiating table.

Only when the Serbs are certain that the Bosnians can defend themselves will they realize that further aggression will get them nowhere.

And only then will we have a real chance for peace in Bosnia.

Mr. Chairman, 200 years of American leadership have led up to this moment. And we can't turn our backs any longer.

It's time to help the Bosnian people help themselves.

It's time to lift the arms embargo.

Ms. MCKINNEY. Mr. Chairman, I yield 2½ minutes to the gentleman from Indiana [Mr. ROEMER].

(Mr. ROEMER asked and was given permission to revise and extend his remarks.)

Mr. ROEMER. Mr. Chairman, as medical students learn to become doctors, as they learn about healing, as they learn about hope, as they learn about improving the course of humanity, they learn very, very early about the Hippocratic oath: First do no harm.

Mr. Chairman, it is sad to say at this point neither side of this debate can claim no harm, at this point. Current policy has not been successful. The ethnic cleansing going on is a travesty. There are no good solutions at this point. As war is bloody and chaotic, so, at times, is peace. We may have to settle for a bad peace, a bloody peace, and a messy map, but lifting this embargo threatens even a bad peace or a bloody peace.

What does this resolution do to stop the killing? It will probably increase the killing, sending arms to 1.2 million Moslems fighting against over 9,000,000 Serbs. Will it prevent the war from spreading? Certainly not. It will probably exacerbate that war. Will we have a Christian-Moslem war on our hands? Maybe. Do we do permanent damage to our allies? Probably, yes.

War, as it has been said, is merely an extension of politics, by other means. This resolution is an extension of politics, and although it is well-intended, I think it is responding in a simple way to a very complicated problem. Robert Caplan wrote a book called ''Balkan Ghosts,'' a journey through history. This book traces the origins of this conflict. It goes back beyond 1939 and World War II. It goes back beyond our revolution in 1776, and even centuries beyond the signing of the Magna Carta.

We are not going to solve this war with a resolution to send more arms into a very messy and bloody war. Let us continue to try to work, although it will be difficult, for probably a messy and bloody peace.

□ 1415

Mr. GILCHREST. Mr. Chairman, I yield myself 1 minute.

Mr. Chairman, we are not going to solve this war by doing nothing. Where is the door to hell on the planet right now? The door to hell resides in this bad peace in Bosnia. What has caused the 200,000 deaths in Bosnia? What has caused the 3 million refugees? What has caused the continuing nightmare of rape and mayhem? What has caused evil to prosper in Bosnia?

Dogma, ignorance, arrogance, apathy, the Nation's community who have had a sense of deliberate deafness to suffering. Are we as a nation becoming a nation of tortured ghosts because we do not know what to do? What has caused this evil to prosper, this door to hell to remain open in Bosnia for good men like us to do nothing? The Bosnians are far better off defending themselves than relying upon platitudes and international bureaucrats.

Ms. MCKINNEY. Mr. Chairman, I yield 3 minutes to my good friend, the gentleman from Mississippi [Mr. TAYLOR].

Mr. TAYLOR of Mississippi. Mr. Chairman, one of my colleagues, the gentleman from Michigan [Mr. BONIOR], just made the statement that we have somehow led the Bosnian Serbs to believe that the cavalry is on the way. Well, I might feel a little bit better about the outcome of this vote if I knew that the cavalry was going to be led by the likes of the gentleman from Michigan [Mr. BONIOR], the gentleman from Maryland [Mr. HOYER], and some other people who are very anxious to get America involved in a war where we do not belong.

Mr. Chairman, our national interests are not at stake. NATO is not under attack. Yes, people are dying. People are dying all over the world as we speak. I do not think it is America's business to be the world's policeman. People say, if we just lift the embargo, somehow the war will go away. Who is kidding who? That is like pouring gasoline on a fire.

According to Collin Powell when he spoke before the Committee on Armed Services back when he still was Chairman of the Joint Chiefs of Staff, he said there was a 10-year supply of weapons in the former Yugoslavia. You see, Tito was paranoid. He didn't know whether it was a Warsaw Pact or NATO that was going to attack him, so he prepared for either.

Folks, this fight has been going on at least since the 1200's. It has been a blood feud, and to sum up Canadian General McKenzie who was in charge of the general command just a few years ago when he came before the Committee on Armed Services, he summed up his remarks by saying, we have three serial killers. One has killed 15, one has killed 10, and one has killed 5, and he does not see the rationale of jumping in on the side of the one who has only killed 5.

Mr. Chairman, if you lift the embargo, who do we sell to? Are we going to sell to the Serbs? Are we going to sell to the Croatians? No you want to sell to the Moslems. You want to pick sides. When you pick sides, that means you have to train people, and when they invariably lose, that means the decision will have to be made in this body, do we go rush to the rescue, as Mr. BONIOR said? Not with my kids. Not with kids from south Mississippi, not with kids named Widener and Nickase and Bond who have no reason to die in what was Yugoslavia.

People, we are wasting 8 days on hearings on something that took place over 2 years ago in Waco, TX. You are not even willing to give a half a day's consideration to sending American kids to die in a part of the country most people could not point to on the map. Please, for God's sakes, think about what you are doing before we have hearings 4 years from now wondering what went wrong in Bosnia. Please oppose this resolution.

Mr. GILMAN. Mr. Chairman, I yield 1 minute to the gentlewoman from Florida [Mrs. FOWLER].

(Mrs. FOWLER asked and was given permission to revise and extend her remarks.)

Mrs. FOWLER. Mr. Chairman, I rise today in support of S. 21, legislation to lift the arms embargo on Bosnia.

I have previously supported the embargo, but recent events in Bosnia and improvements in this legislation persuade me that this measure deserves support.

The whole premise of the arms embargo on the former Yugoslavia was to allow the United Nations to intervene and prevent hostilities against civilians. Six safe areas were established in Bosnia to shield civilians from Bosnian Serb aggression.

While these populations were subjected to periodic hostilities, they were still safer than if exposed to open warfare and Serbian ethnic cleansing. The United Nations, whether through moral suasion or military force, was supposed to protect these individuals.

But the United Nation's inability to protect Srebrenica and Zepa or prevent the massive human rights violations that followed were nothing but disastrous.

The President's plan for Bosnia is deeply flawed. This bill provides of the withdrawal of U.N. forces from Bosnia prior to the lifting of the embargo and will finally enable the Bosnian Government to defend its citizenry. It deserves our support.

Mr. HOYER. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from Massachusetts [Mr. OLVER], who has been one of the strongest outspoken advocates of bringing peace to this troubled area of the world.

Mr. GILMAN. Mr. Chairman, I yield 2 minutes to the gentleman from Massachusetts [Mr. OLVER].

The CHAIRMAN. The gentleman from Massachusetts is recognized for 4 minutes.

(Mr. OLVER was asked and was given permission to revise and extend his remarks.)

Mr. OLVER. I thank the gentleman for yielding time to me.

Mr. Chairman, it is time to do the right thing in Bosnia. From the first

day of this war, Slobodan Milosevic, the President of Serbia and the last Communist dictator in Europe, has orchestrated the actions of the Serb minority in Bosnia. He has armed them, he supplied them with all of the weapons of a modern army, the tanks, the heavy artillery and the missiles, while Bosnia, a U.N. member, has been embargoed.

Three years ago Milosevic told General Mladic, the military commander of the Bosnian Serbs who has recently been indicted by the United Nations as a war criminal, for the deliberate slaughter of civilian populations, for the use of mass rape of women as a tool of terror, for the detainment of killing of male Bosnians between the ages of 16 and 65 in Srebrenica, Milosevic told Mladic to destroy Sarajevo, the capital of Bosnia.

Mr. Chairman, we recently saw General Mladic strutting through the streets of Zepa after the U.N. safe haven was overrun with the United Nations doing absolutely nothing. Mladic said he intends to take Bihac, then Gorazde, then Sarajevo by winter, and ''eliminate the Bosnian Moslems as a people from the Earth''.

The goal from the first day of this war has been the territorial expansion of Seriba by whatever means would eliminate the Bosnian Moslems as a people from this Earth. No amount of wishful thinking about being reasonable or making nice to Milosevic will change that policy. The United Nations had made it absolutely clear, at least to Milosevic, that the United Nations will not stop him, so it is time to allow the Bosnians to defend themselves.

Mr. Chairman, there is something obscene about the adherence to a failed policy long after that failure has been proven again and again and again and again, any many more times again. There is something obscene about the tortured self-righteous defense of an arms embargo on only one side of the Bosnian conflict. The hand-wringers say the Bosnian Government cannot be allowed to defend its people from genocide because it would offend the Serbs.

Mr. Chairman, there is something obscene about declaring that a whole people cannot be allowed the weapons to defend itself against genocide, and there is something monstrously obscene about the cowardice of the international community refusing to protect the safe havens that they themselves established. Srebrenica and Zepa and the others that are to come from the indiscriminate slaughter of males of all ages, the mass rape of women, the bombardment of fleeing civilian refugees, there is something overwhelmingly obscene about genocide in all its forms.

It was obscene, and overwhelmingly so, in the 1930's and 1940's. It led to the near extermination of Jews in Europe and to the death of many more millions of Poles and other Slavic people from Eastern Europe.

Mr. Chairman, yesterday, a coalition of 27 human rights and religious and medical groups called for stepped up United States and international action to stop the slaughter of Bosnian civilians. These are not warlike organizations. The American Nurses Association, the Human Rights Watch, Anti-Defamation League, Refugees International, Physicians for Human Rights, American Arab Antidiscrimination League, the American Jewish Committee, World Vision. Quite the opposite. These are organizations that are devoted to peace and toward a just peace. They know that if Bosnia is not allowed to protect itself and the United Nations refuses to stop the Serb minority from its stated goal of ''elimination of the Bosnian Moslems as a people from the Earth,'' then we will see in full color on CNN and all our other media the ethnic cleansing, the bombardment, the rape, and the slaughter of innocent people and the male populations of Bihac and Gorazde and Sarajevo repeated again.

Mr. Chairman, it is time to allow the Bosnians to obtain the weapons of defense. This war will stop when the Serbs know the world will not tolerate genocide. It is time to do the right thing in Bosnia; it is time to lift the arms embargo.

Ms. MCKINNEY. Mr. Chairman, I yield 2 minutes to the gentleman from California [Mr. BAKER].

Mr. BAKER of California. Mr. Chairman, this is a very healthy debate to have go on here today, but the resolution that we have before us is based on flawed premises. The premise is that there is not enough guns and that one side has more guns than another. It also has the premise that only one side are the bad guys, that this must be a one-way war. Just the other day we read in the newspaper where Croatia attacked an unarmed Serbian town and forced 15,000 people out of the town after shelling that town which was not defended by Serbian troops.

Mr. Chairman, this is not a one-way war. There is no shortage of arms. Yes, the Middle East are, through Croatia, arming the Bosnian Moslems. Yes, Russia is arming the Bosnian Serbs. Yes, even Germany is arming the Croatians in Bosnia. There is not a shortage of arms. There is not a one-side-is-all-bad attitude, and every other side is good. This war has been going on for 500 years since the Turks deposited the Moslems in the middle of this part of Europe. Now we are being asked to get in there and say, give them more arms, let us get involved. This controversy needs a new map.

Mr. Chairman, our State Department backed the recognition of Bosnia. What was wrong with that? Well, the map put little Croatian communities in the middle of Serbian territory, Serbian communities in the middle of Croatian territories, and Moslem territories, they were all mixed. In fact, 30 percent of Sarajevo was communities that were Serbian.

Mr. Chairman, suppose they came to you and said, Washington, DC is going to be under Moslem control, Maryland is going to be Catholic, and all of you in Virginia are going to be Orthodox. People would be forced to move unless they wanted to live under these constraints.

Mr. Chairman, the only way is to force people to the bargaining table. This is no resolution. This is an extension of war. There is no request that the Bosnian Moslems go to the bargaining table. We just ask for more arms.

Mr. HOYER. Mr. Chairman, will the gentleman yield?

Mr. BAKER of California. I yield to the gentleman from Maryland.

Mr. HOYER. Mr. Chairman, I would point out that in Sarajevo, the populations lived together very peacefully. It was extrinsic forces that changed that.

Mr. BAKER of California. They lived peacefully until we recognized the false state of Bosnia Moslems who then took in people who did not want to live under them and vice versa.

Mr. Chairman, vote ''no'' on this resolution. Let us do something to restore peace.

Mr. GILMAN. Mr. Chairman, I yield 1½ minutes to the gentleman from Virginia [Mr. GOODLATTE].

Mr. GOODLATTE. I thank the gentleman for yielding time to me.

Mr. Chairman, I rise in strong support of the lifting of the arms embargo to allow defenseless people in Bosnia to defend themselves. They do not have to fight tanks with rifles.

Mr. Chairman, the gentleman from Indiana calls this a bloody peace that we see in Bosnia—200,000 lives slaughtered is a bloody peace? Mr. Chairman, a bloody peace is no peace.

Patrick Henry, 220 years ago in Virginia said, gentlemen may cry peace, peace when there is no peace in the famous speech that he cited calling for this country to rise up against Great Britain. The people of Bosnia seek a situation in which they should have the right to defend themselves against far worse atrocities, killings, torturing, rapes, imprisonment in internment camps, expulsion from their lands, creation of refugees, of thousands and thousands of people.

Mr. Chairman, the gentleman from Mississippi [Mr. TAYLOR] says that the United States cannot be the world's policeman, and he is right. So why are we participating in policing Bosnia by enforcing an arms embargo that prohibits people from having the opportunity to defend their own lives, their own families?

□ 1430

That is what this is about. This does not involve putting U.S. troops into the situation. It simply involves allowing people to defend themselves.

Mr. Chairman, I urge support for this bill.

Mr. HOYER. Mr. Chairman, if the gentleman would yield, I commend the

gentleman for his excellent point that he just made. Right.

Ms. MCKINNEY. Mr. Chairman, I yield 3 minutes to the gentleman from North Carolina [Mr. HEFNER].

(Mr. HEFNER asked and was given permission to revise and extend his remarks.)

Mr. HEFNER. Mr. Chairman, I would like to approach this from a little different perspective. As the gentleman from Pennsylvania [Mr. MURTHA], former chairman of the Armed Services Committee, said this morning when we debated the rule, these are some easy votes if we are looking for some votes that we want to make and we can put a press release out and say ''I voted to lift the embargo to let the people defend themselves.''

Mr. Chairman, it makes us feel real good, but there are going to be some tough votes that are going to come later if we implement lifting this embargo. What is going to happen is, we are going to lift the embargo and the President is probably going to veto the bill. If we do not override the veto, it goes through and becomes law and then the next step comes.

They are going to ask for some arms; it is going to come for the United States. We are going to be bringing these arms in, and somebody has got to accompany them to teach these people how to use these sophisticated weapons. Both Republicans and Democrats have said, if we need to extract the U.N. forces from this area, that they are willing to put 25,000 American troops on the ground to support extracting these people from this area.

Mr. Chairman, that is where the tough vote is going to come, because many Members have said, we are not going to enter into this unless Congress authorizes putting American troops on the ground in Bosnia. That is what it comes down to; that is when the tough vote comes.

Mr. Chairman, I just wonder where the people that are so eager to lift this embargo, where they are going to be when the argument is on this floor when we are being asked to send 25,000, or more, American troops to Bosnia to help extract the U.N. forces from Bosnia. There will not be a sufficient number of votes to allow that. We are going to find ourselves in an absolutely intolerable situation.

This is a feel-good vote, and I do not know of one single American, I do not know of one Member in this House that does not deplore the actions that are taking place in this part of the world today. But, to me, to do this is absolutely the wrong way to go.

Mr. Chairman, there have been some changes in policy that have been made that are going to put the decisionmaking policy into the military. If it takes strategic bombing and heavy bombing, let us give it a shot. Sooner or later, Members who are advocating lifting this embargo are going to be called on to come to this House floor and called on to make the vote to put American troops on the ground in Bosnia.

Make no mistake about it, Mr. Chairman, this vote today is Americanizing the war in Bosnia. Make no mistake about it. Remember that when the vote comes to put American troops in harm's way in Bosnia where our national interest is not at stake.

Mr. GILMAN. Mr. Chairman, I yield 3 minutes to the gentlewoman from New York [Ms. MOLINARI], the distinguished vice chairman of our Republican conference and a long-standing member of the Bosnia Task Force.

Ms. MOLINARI. Mr. Chairman, I would like to read a letter sent to a Senator from President Clinton. It states:

> If by October 15, the Bosnia Serbs have not accepted the Contact Group's proposal of July 6, it would be my intention within 2 weeks to introduce formally and support a resolution at the U.N. Security Council to terminate the arms embargo. Further, if the Security Council fails to pass such a resolution, it would be my intention to consult with Congress thereafter regarding unilateral lifting of the arms embargo.

This letter was in response to congressional attempts to end the arms embargo. The letter is dated August 10, 1994.

An entire year has gone by since this administration signaled its intentions to get serious, if only we give them a little more time.

So we agreed and we gave them a year: a year more of bombings, a year more of bloodshed, another year of children being viciously taken from their parents, another year of women being raped and men being tortured.

Mr. Chairman, we are all watching.

As if the tragic act of doing nothing in the face of this barbarism is not enough, we have heightened our complicity by insisting that the Bosnians ''do nothing'' as well:

Fathers forced at knife point to rape their daughters. Do nothing.

Concentration camp victims forced to drink their own urine to stall dehydration. Do nothing.

Mothers forced to watch their babies beheaded in front of them. Do nothing.

Watch as family and friends get blown away. Do nothing.

Here we are today face to face with our failure. No more delays.

The Serbians have not stopped in their quest for blood. The United Nations cannot save a town, a life, or a hope.

Genocide is our problem, and convenient dismissal of catastrophic human tragedy will be on all of our epitaphs just as it was 50 years ago when Neville Chamberlain chose to dismiss Nazi aggression with words that have been ringing in our ears since then:

''How horrible,'' he said, ''How incredible it is that we should be digging trenches and trying on gas masks here because of a quarrel in a faraway country between people of whom we know nothing.''

His words sound very similar to the speeches we have heard here today.

It was tragic then; it is tragic now. The time has come to end the arms embargo, and I thank the gentleman on both sides of the aisle for their leadership in forcing this tragedy, once and for all, to end. This is our date with destiny.

Mr. HOYER. Mr. Chairman, I commend the gentlewoman from New York [Ms. MOLINARI] for her leadership and her strong statement.

Mr. Chairman, I yield 2 minutes to my friend, the distinguished gentleman from New Jersey [Mr. MENENDEZ].

Mr. MENENDEZ. Mr. Chairman, the time has come for us to be resolute, and for us to act.

As the leader of the free world, the United States of America must no longer stand by idly as accomplices to a carefully planned and savagely executed genocide by Serbian war criminals. We must act now to allow the Bosnian people to assert their right to self-determination and their right to self-defense.

The Republic of Bosnia and Herzegovina is a member of the United Nations. As a U.N. member Bosnia has an inherent and internationally recognized right to defend itself against armed aggression.

Let us not deny the Bosnian people the right to fight their own fight.

The United Nations Protection Force [UNPROFOR] no longer protects anyone. It is no longer a force for the protection of the innocent, but an object for our pity. The U.N. safe havens are no longer safe but sitting targets for more brutality. How much more blood will we allow to stain our hands?

Let us not deny the Bosnian Government the right to protect their defenseless women and children. That is all that we propose here today—nothing more and nothing less.

But this is not only about Bosnia's defense. This is about America's pursuit of her national interests.

International peace and stability is most certainly in America's national interests. The Balkan crisis has threatened the viability and the stability of the international system. Who would have predicted that just a few years after its historic victory in the cold war, the credibility of NATO would be threatened as it is? Well, it need not be that way.

Zbigniew Brzezinski, a former National Security Adviser to President Carter, could not have put it better when he wrote recently:

> The character of the international order is also at stake. A world unable to make the distinction between victims and aggressors, and especially a world unwilling to act on that distinction, is a world in which the United Nations becomes an object of derision—on the part not only of the aggressors but of all free peoples. World peace will be the ultimate casualty in Bosnia.

Let us enter the new millennium with the confidence of victory in the cold war and the Persian Gulf; with the moral authority that distinguishes between the victims and the aggressors—not with the insecurity of inaction in the Balkans. Let us enter a new millennium where world peace is the ultimate victor.

Ms. MCKINNEY. Mr. Chairman, I yield 3 minutes to the gentleman from California [Mr. CUNNINGHAM].

Mr. CUNNINGHAM. Mr. Chairman, last month I was fortunate enough to have dinner with Colin Powell, Dick Cheney, John Sununu and ''Cap'' Weinberger, and everybody was in agreement the one way to expand the war in this part of the world is to get the major powers involved and also to increase the arms in those areas.

Mr. Chairman, none of us want the atrocities to continue. But if we look at the solution logically, increasing arms into an area is not going to help us to a peaceful solution; it is going to expand it and in my opinion, and many others' opinion, it is going to increase the length of time before we could ever go in and stop it.

Mr. Chairman, if my colleagues would just think logically, by increasing arms is it going to stop the war? No, it is not. It is going to encourage it. More will die on all sides if we put in weapons. And we do not just put in a weapon and ask them to pick it up, especially high-technology weapons. We have to put in those 25,000 U.S. troops. When we do that, we are going to lose a lot of those U.S. troops.

We expanded arms in Vietnam; 55,000 Americans died. That was not a good solution and, Mr. Chairman, I say this is not a solution either.

If we put in those arms, it is going to encourage. Why do my colleagues think that Greece and Russia support the BSA? Because, first, they were allies in World War II and, second, because of the orthodox religion. But if my colleagues will take a look at history, it was the Croatians that fought with Nazi Germany and they ethnically cleansed millions and millions of Serbs. Where were we then?

My idea is not to focus on the atrocities, as the gentleman from Mississippi [Mr. TAYLOR] said, but on a solution. Mr. Chairman, putting arms in that area is not focusing on the solution.

I recently attended an event where over 400 allied pilots gave homage to the Serbs for getting them out in World War II. Misinformation damages the solution. For example, the press reported that when Captain O'Grady was picked up, he was shot at by the Serbs. He was not. He was not shot at until he was over Croatia by the Croatians.

Mr. Chairman, that is immaterial. If we focus on who shot who, and who commits the most raids, and we dump arms into that area, Mr. Chairman, we are inviting pain. If we get involved, the things that the Republican Party has stood for, balanced budget amendment and Medicare solutions, if my colleagues want to get us involved, we can kiss it all good-bye. It is gone. It is history.

Mr. Chairman, once the fighting starts over there, try and get out. We could not even get out of Somalia without running with our tail between our legs.

Mr. Chairman, I ask for a ''no'' vote on this resolution.

Mr. HOYER. Mr. Chairman, I yield 1 minute to the gentleman from New Jersey [Mr. PALLONE].

Mr. PALLONE. Mr. Chairman, I rise today in favor of S. 21, the Bosnia Self-Defense Act. The recent collapse of the two so-called U.N. designated safe areas indicate that the U.N. mission is falling apart. It is clear the United Nations is not capable of protecting the Bosnian Moslems and is denying them the right to adequately protect themselves.

Since its inception, the arms embargo has provided the Serbs who inherited the weapons of the former Yugoslavia with a decisive advantage in this war and the arms advantage as facilitated Serbian terror campaigns which have included ethnic cleansing, systematic mass rape, and executions. What is occurring in Bosnia is a campaign of terror by the Serbs that closely resembles the Nazi atrocities of World War II.

Mr. Chairman, the tide may be turning in the war in Bosnia. There are signs that the Moslems may be able to take back the lands captured by the Serbs and ultimately lift the stranglehold on their capital, Sarajevo.

□ 1445

With a new infusion of arms, the Bosnian Moslems may be able to take the upper hand in the war for the first time. Let us give the Bosnian Moslems a chance in this war by passing this bill.

Ms. MCKINNEY. Mr. Chairman, I yield 3 minutes to my good friend, the gentleman from California [Mr. FAZIO].

Mr. FAZIO of California. Mr. Chairman, I rise in opposition to S. 21, the Bosnia and Herzegovina Self-Defense Act of 1995.

Mr. Chairman, I know that all of us share a commitment to bring a peaceful end to the tragedy in Bosnia, but we remain divided over one important question. Should we go forward, against the advice of our military commanders and unilaterally lift the embargo prohibiting the export of arms to the Bosnian Government?

The difficulty we face arises out of a complex set of circumstances, principally the lack of any easy, clear-cut alternatives, and the likelihood that such a decision will thrust the United States deeper into a war not of our own making, and permanently damage the NATO alliance.

While we bear a moral obligation and a global responsibility to seek a solution to this crisis, we have sought to strike a delicate balance—retain our commitment to multilateral peacekeeping operations while making every effort to guarantee the safety of the Bosnian people.

Until recent days, we could pursue these two goals in tandem.

But as two UN-declared safe-havens have fallen to Bosnian-Serb troops, we have rightly reexamined our decision to participate in this world-wide arms embargo, and we have begun to reassess the role of the U.N. peacekeeping force, giving command authority over to NATO.

The U.N. coalition has been less than successful, and conditions in Bosnia have continued to deteriorate.

But as we begin to look at alternative solutions—particularly one dependent on a heavily armed Bosnian military force—we should consider three things:

First, the likelihood that a unilateral decision to rescind the arms embargo will bring an immediate end to current peacekeeping operations. Our United Nations allies—principally Britain and France—have stated that unilateral United States action will compel them to withdraw troops they have placed under United Nations command in Bosnia.

Hundreds of thousands of Bosnians will be immediately and adversely affected if U.N. forces are forced to abandon what has been—largely—a humanitarian mission. Both injured civilians and refuges have come to depend on U.N. troops for humanitarian relief. In addition, humanitarian organizations that rely on U.N. forces to maintain a minimum level of safety and security would find it difficult if not impossible to continue their work.

Second, unilateral termination of the arms embargo will put a severe strain on our relationship with NATO allies and Russia.

While we have an obligation to assert a preeminent moral position on the world stage, we cannot and must not embark on approach that does nothing more than Americanize this conflict and leave us isolated.

Finally, the immediate and indisputable effect of this policy change will be an escalation of terror as Serbian troops advance on previously safe-havens. If arms shipments to Bosnian forces increase—as they are certain to do if we vote to reject the embargo—there is a real possibility that United States ground troops will slowly, but surely, be drawn into this conflict, as technical advisors or direct combatants.

Our engagement is likely to come in two phases. Initially, the United States is obligated to assist in the evacuation of U.N. forces—an operation, that despite its clear purpose, exposes our troops to considerable risk. We will face a second, more considerable risk as the Bosnian military, under heavy assault from Bosnian-Serb troops, look to United States to provide arms, air support, and active military support.

The United States cannot afford to back into this conflict. Driven by public outrage, and without having clearly defined the parameters for our involvement, we run this risk.

The United States should only consider rejecting the arms embargo—as the administration has suggested—as part of a multilateral agreement.

While avoiding irreparable damage to the NATO coalition, we would be in a

position to reassess the U.N.'s role, and, possibly, develop a viable, international solution—one that does not require the United States to assume unilateral responsibility.

While this policy remains an option, the administration is in the midst of negotiations intended to strengthen the U.N.'s hand—a strategy that reflects a more sensible alternative to an outright rejection of the arms embargo. I urge my colleagues to consider this strategy, and reject S. 21.

Mr. HOYER. Mr. Chairman, I yield 1 minute 20 seconds to the gentleman from Michigan [Mr. LEVIN].

(Mr. LEVIN asked and was given permission to revise and extend his remarks.)

Mr. LEVIN. Mr. Chairman, I do think we have to consider who shot whom and who is raping whom. In a word, we have to step up to Serbian aggression.

While there is a clear difference of opinion in our Nation let me ask this: Would the Bosnian Serbs prefer this resolution pass or fail, that the arms embargo be lifted or continued? I suggest that they will deem a positive vote today as another indication of determination to stop Serbian aggression.

Any course does carry a risk. Past policies have risked continued aggression and mass murder, and they have paid the consequences. It is time, indeed long overdue, to try a new course. I support this resolution.

Mr. HOYER. Mr. Chairman, will the gentleman yield?

Mr. LEVIN. I yield to the gentleman from Maryland.

Mr. HOYER. Mr. Chairman, I think the gentleman makes a critically important point. The point the gentleman just made was that the message the Serbs would take from this was that the Congress and America were determined to stop further Serb aggression. I think the gentleman is absolutely correct, which is why I am so strongly in support of a ''yes'' vote on S. 21.

I thank the gentleman for his statement.

Mr. HOYER. Mr. Chairman, I yield 1½ minutes to the distinguished gentleman from Tennessee [Mr. CLEMENT].

Mr. CLEMENT. Mr. Chairman, this debate is about a father's right to protect his family, a brother's right to protect his siblings, and the preservation of a race and a heritage.

We have all seen the horrible scenes of starving men in camps which harkened memories of World War II concentration camps. We know about the rape, robbery, destruction, and mass genocide.

Ethnic cleansing has become commonplace in everyday conversation. Ethnic cleansing: what a sanitary term. Perhaps it is the hope that such a term will make the events in the former Yugoslavia a little more bearable—a little more tidy. But, in reality it is anything but tidy. Ethnic cleansing is the systematic destruction of a people, a culture, real live human beings like you and me.

The United Nations arrived as the knight in shining armor; the defender of the innocent and persecuted. They issued edicts and ground rules and promised to protect and defend the innocent victims.

Well, we are still waiting. This mission has the world's premier military hardware and the best trained soldiers at its disposal, yet time and time again innocent people are tortured, murdered, and abused while U.N. forces sit idle.

The U.N. Secretary-General has reduced UNPROFOR to a role of finger pointing. The U.N. has lost all credibility. Renegades and criminals masquerading as soldiers have managed to hold the world at bay for months.

I understand that this is a delicate situation and that things are easier said than done, but you have to make an effort. You can't win if you don't join the game. Superior force ceases to be a deterrent if there is a demonstrated reluctance to use it. The Serbs have no fear because U.N. reprisals have been too seldom and too restrained.

The U.N. has clearly demonstrated that it is willing to talk the talk but reluctant to walk the walk. Unfortunately, the Bosnians don't have such luxuries.

It is bad enough that the Secretary-General of the U.N. continues to sit on his hands and leave the so-called safe zones vulnerable. But to make matters worse, the Secretary-General continues to keep the Bosnians' hands tied behind their back.

The Bosnians have a right to defend themselves. If the U.N. is not going to defend the Bosnians—and there is no reason to believe they will—then the very least we can do is to lift the arms embargo.

Two safe havens have fallen since our last vote on the House floor and there is no reason to believe that other safe zones will not follow in the near future. How much longer will we wait? How many more people will have to suffer? How many more men and women will be widowed? How many more children will be orphaned?

Lift the arms embargo. Give the Bosnians a fighting chance.

Mr. GILMAN. Mr. Chairman, I move that the Committee do now rise.

The CHAIRMAN. The question is on the motion offered by the gentleman from New York [Mr. GILMAN].

The motion was agreed to.

Accordingly the Committee rose; and the Speaker pro tempore (Mr. EMERSON) having assumed the chair, Mr. BONILLA, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (S. 21) to terminate the United States arms embargo applicable to the Government of Bosnia and Herzegovina, had come to no resolution thereon.

PERMISSION TO EXTEND GENERAL DEBATE IN THE COMMITTEE OF THE WHOLE DURING CONSIDERATION OF S. 21, BOSNIA AND HERZEGOVINA SELF-DEFENSE ACT OF 1995

Ms. MCKINNEY. Mr. Speaker, I ask unanimous consent that further general debate on S. 21 be extended by 1 hour equally divided between the chairman and the ranking member of the Committee on International Relations in the Committee of the Whole.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Georgia?

There was no objection.

BOSNIA AND HERZEGOVINA SELF-DEFENSE ACT OF 1995

The SPEAKER pro tempore. Pursuant to the House Resolution 204, and rule XXIII, the Chair declares the House in the Committee of the Whole on the State of the Union for the further consideration of the Senate bill, S. 21.

□ 1455

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the Senate bill (S. 21) to terminate the United States arms embargo applicable to the Government of Bosnia and Herzegovina, with Mr. BONILLA in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee of the Whole rose earlier today, the gentleman from New York [Mr. GILMAN] had 5½ minutes remaining in debate, and the gentleman from Indiana [Mr. HAMILTON] had 1 minute remaining in debate, pursuant to the House resolution 204 and the gentleman from Maryland [Mr. HOYER] had 3½ minutes remaining.

Pursuant to the order of the House of today, the gentleman from New York [Mr. GILMAN] and the gentleman from Indiana [Mr. HAMILTON] will each be recognized for an additional 30 minutes of general debate.

The Chair recognizes the gentleman from New York [Mr. GILMAN].

Mr. GILMAN. Mr. Chairman, I yield 15 minutes to the gentleman from Maryland [Mr. HOYER] of the 30 minutes provided to me, for general debate, and I ask unanimous consent that the gentleman from Maryland [Mr. HOYER] be allowed to yield portions of that time to other members.

The CHAIRMAN. Is there objection to the request of the gentleman from New York [Mr. GILMAN]?

Mr. HOYER. Mr. Chairman, reserving the right to object, obviously I am not going to object, I do want to thank the chairman of the committee, the gentleman from New York [Mr. GILMAN]. The gentleman from New York is one of the real gentlemen of this House irrespective of party. He is my close

friend, and he and I have worked closely together for over a decade on issues of concern to human rights and international peace and justice. I want to thank the gentleman for his consideration during the course of this debate. It is very much appreciated.

Mr. GILMAN. I thank the gentleman for his kind remarks.

Mr. HOYER. Mr. Chairman, I withdraw my reservation of objection.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Ms. MCKINNEY. Mr. Chairman, I yield 2 minutes to the gentleman from California [Mr. FARR].

Mr. FARR. Mr. Chairman, I rise today to address the issue of the arms embargo on Bosnia and Herzegovina, and proposals before Congress for the United States to unilaterally lift the embargo.

This is not an easy issue. It affects our relations with our allies abroad, and the authority of our President to conduct foreign policy. Above all, it involves the lives of thousands of people, Bosnians and Americans, who will be affected by lifting the embargo.

There are some who argue that ending the embargo will lead to a fair settlement in Bosnia, or even some victories for the Bosnian Moslems. But there is little evidence this will happen. Indeed, the exact opposite may occur: Serbs may begin massive preemptive attacks on Bosnians to destroy their army before they can receive arms. In addition, recent evidence suggests the Bosnians are so poorly trained and led that increased arms shipments would do little to improve their chances on the battlefield.

In fact, the war may expand far outside the borders of Bosnia if the embargo is lifted. Nearby places such as Macedonia and Kosovo are already politically and ethnically unstable, and could easily become engulfed in the conflict. Furthermore, Russia, a traditional ally of Serbia, may respond to any Bosnian victories by providing overt military support for Serbia—bringing a major world power into the war, and forcing the West to either provide similar support for the Bosnians, or else let them be defeated.

Even supporters of ending the embargo admit: Ending the embargo would mean increased conflict in Bosnia—and thus, more bloodshed, more deaths of innocent civilians, and massive increases in refugees fleeing to Western Europe.

Above all, I believe the ultimate question on this issue must be: Will lifting the embargo put the lives of American men and women in danger?

Supporters for lifting the embargo make it sound simple: Lift the embargo, and wash our hands of the Bosnian conflict. But things rarely happen that way—and they would be unlikely to happen that way in Bosnia.

First, the United States would be forced to immediately deploy troops—at least 20,000—to Bosnia, to aid the withdrawal of the thousands of defenseless U.N. troops stationed in Bosnia.

Next, the Bosnians would need weapons and the training to use them. Supporters for ending the embargo may say that that would not be our responsibility. But how will we respond to those who argue that, if we are responsible enough to unilaterally end the embargo, for the supposed benefit of the Bosnians, how can we not be responsible enough to come to the aid of those same Bosnians, especially the innocent civilians who have lost the protection of the United Nations?

And what if other countries, such as Russia, come to the aid of the Serbs? How could we not provide similar aid to the Bosnians?

Mr. Chairman, I support peace in Bosnia, not war, and not the deaths of Bosnian civilians or Americans soldiers. It is hard to believe—and no one can possibly guarantee—that lifting the embargo would help the peace process. I cannot support unilaterally lifting the arms embargo when the result will be needless conflict and deaths.

Mr. GILMAN. Mr. Chairman, I yield 5 minutes to the gentleman from New Jersey [Mr. SMITH], the distinguished chairman of the Subcommittee on International Operations of our Committee on International Relations.

Mr. SMITH of New Jersey. Mr. Chairman, earlier today I was given the opportunity to speak in this debate about why I felt so strongly we need to lift the arms embargo. I think it is immoral. It continues to be unethical. People are being killed and slaughtered.

Under the right of one's country, a sovereign right, to defend themselves, it is my strongly held view, and thanks to the majority of this Chamber, both sides of the aisle, that we ought to lift the arms embargo. It was improperly imposed. It ought to be lifted immediately so the Bosnians can defend themselves.

□ 1500

But I would like to take just a moment or two to read a letter that was sent on July 31 to myself and the gentleman from Maryland [Mr. HOYER], who has been a real strong advocate and a leader on this lifting of the arms embargo. It is from Prime Minister Haris Silajdzic, a man who has appeared before the Helsinki Commission, which I chair, and the gentleman from Maryland [Mr. HOYER] used to chair, is now ranking Democrat on that Commission, and time and time again he has made an impassioned plea over the years for lifting the arms embargo as a way of this country, this important country, to defend itself, but also so that the diplomacy would work. Absent a credible counterweight to the armed aggression by the Serbs, the Bosnian Serbs, the diplomacy will not work, and I would like to read the letter from Dr. Silajdzic, the Prime Minister, to Mr. HOYER and me:

REPUBLIKA BOSNA I HERCEGOVINA,
OFFICE OF THE PRIME MINISTER,
July 31, 1995.

Hon. CHRISTOPHER SMITH,
Hon. STENY HOYER,
U.S. House of Representatives.

DEAR CONGRESSMEN: As you are aware, the people of my country have been under the most brutal assault seen in Europe since World War II. Throughout this conflict, we have never asked for American or foreign ground troops to fight for us. We do not need them. We have both the manpower and the will to fight for ourselves. Nor have we asked for training for our soldiers in weaponry or fighting. Our officers are already well trained, and our rank-and-file soldiers have had three years of on-the-job training in addition to their service in the former Yugoslav army. Instead, we have asked only that the arms embargo against our country be ended.

In spite of the passage of the Hoyer amendment last month, this embargo remains in place. In the eight weeks since that vote, the situation in Bosnia and Herzegovina has deteriorated dramatically. The countries that created and committed themselves to protect the six United Nations-designated ''safe areas'' have betrayed two of them—Srebrenica and Zepa—by allowing them to be overrun by Serbian forces. During and after these attacks, hundreds of civilians were raped and tortured. Thousands were massacred. At least seven thousand are unaccounted for. Tens of thousands more were displaced, and, in the absence of any real response from the international community, hundreds of thousands of our citizens throughout Bosnia are now more gravely imperiled than before. Time is of the essence.

With their latest pledge to defend Gorazde and interminable deliberations over whether to honor their existing commitments to protect the three other remaining ''safe areas,'' Contact Group and UN-troop contributing nations claim to have drawn a line in the sand. The London Conference countries made their pledge ten days ago, yet still there has been no action. And it increasingly appears that the line was drawn to protect only Gorazde—if that.

Why only Gorazde? Why not Zepa? Its 20,000 inhabitants, even as they were still clinging to life and defending the enclave against all odds, were written off in the London conference communiqué in the name of consultations and consensus. Why not Bihac, which Serbian forces are trying to overrun even now? Why not Sarajevo, where Serbian forces have escalated their criminal strangulation and shelling attacks, and where, last week alone, 45 civilians—including 5 children—were killed, and 184 more wounded.

How do you explain to the Bosnian people that the very governments that created and promised to protect these enclaves are now sacrificing them? Serbian forces have crossed every line that the international community has ever drawn. After only a few more summits, commitments, pledges to act, and consultations, there could be no more Bosnians left in Bosnia.

Since before the very first attacks on our population more than three years ago, we have been prepared to fight to defend ourselves. Tragically, the arms embargo against our country has ensured that this conflict be a slaughter rather than a war.

The arms embargo must be terminated and a balance of power be effected on the ground. Only then will this genocidal spiral end. The recent offer of Croatian Serb forces to retreat from Bihac back into Croatia rather than face approaching Croatian Army units amply demonstrates the Serbs' responsiveness to a credible threat of force rather than empty diplomacy.

Our Army and even ordinary citizens are determined to provide that threat and fight for their lives, homes, villages, and country. This is our right. It is one that the American people—and their leaders—would undoubtedly demand for themselves if faced with brutal aggression of the type that Bosnia is enduring.

On behalf of our people, I appeal to the American government, the American people, and their elected representatives to untie our hands and to prove, once again, why American is the leader of the democratic world. In the name of morality, lift the arms embargo.

Sincerely,

HARIS SILAJDZIC,
Prime Minister.

I urge all Members to vote to endorse the amendment that has been offered to the bill by Mr. DOLE, and please lift this arms embargo so people can defend themselves.

Ms. MCKINNEY. Mr. Chairman, I yield 4 minutes to the gentleman from California [Mr. BERMAN].

Mr. BERMAN. Mr. Chairman, I think we should be clear about one thing. The Western response, our response, to the war in Bosnia represents the greatest failure of the West since the 1930's. It has tarnished NATO; it has tarnished all of us. In the past I have voted for the resolution to lift the embargo unilaterally because of my disgust for the Western response and, I am sorry to say, because of my disgust for our own response to what has been happening there, and I have listened during this debate to the passionate speeches on behalf of lifting the arms embargo. The gentleman from Maryland [Mr. HOYER] and others have reminded us about American responsibilities to support freedom and oppose the forces of tyranny, and nowhere is that tyranny more apparent than in former Yugoslavia today. There is rape, murder, ethnic cleansing, concentration camps, disappearances, the slaughter of innocents. These have all become Serbian trademarks in this battle, and we have long gone beyond the time for decisive action. We should have acted years ago to end these atrocities.

So why do I change my position at this particular time? It is because, as we all search for the moral and appropriate thing to do, I think we have to look at the consequences of our actions and what is happening, and for the first time in 3 years, since all of this started unraveling, since all of this horror came upon the scene, I finally see a glimmer of hope, perhaps the first demonstration of a reality that the West finally realizes it needs to act.

NATO is now taking a forceful role in Bosnia. The dual key system that gave United Nations bureaucrats control over the use of force has now ended. Military commanders now have the ability to order tactical and strategic attacks when necessary to defend the remaining safe areas.

NATO is now discussing the use of heavy air attacks to end the Serb assault on the Bihac safe area.

A Rapid Reaction Force, heavily armed, has been deployed. Artillery units are dug in on Mount Igman. Relief convoys are being escorted into Sarajevo. Artillery, tanks, and armored personnel carriers are in position. The French have already fired back, suppressing Serb artillery.

Secretary Perry says that ''airplanes are ready to go on a moment's notice'' and the White House assures us that ''substantial air actions will be mounted.''

With these new commitments and change in the command and control structure, NATO has pledged its resolve. Now it must demonstrate it.

The alternative of lift; we should be clear what it does and what it does not do. It lifts the arms embargo, but it does not provide arms to Bosnia. It does not authorize the use of American troops for any purpose in Bosnia, whether it is to help with the withdrawal of the UNPROFOR forces that surely must follow that lift or the training, support, or delivery of military equipment. It does not give the Bosnian forces a chance. It does not provide them with the heavy military equipment or the training that all experts—including the Bosnians—agree is needed.

Is this a vote for symbolism over substance? I fear that it may very well be.

In the end I cannot help remembering that whether it was Czechoslovakia, or Poland, or Hungary, or the other countries that were subject to Nazi aggression and genocide, there was no arms embargo on those countries. Those countries without a forceful Western response were unable to resist the aggression. It was not until that response came all too late for so many millions that that aggression was resisted, and in the hope and the belief that finally the West and the United States are prepared to do something meaningful, I say for this time now let us give them that chance. If we are disappointed once again, then we have to go back to the old strategy.

Ms. MCKINNEY. I yield 2 minutes to the gentleman from Michigan [Mr. CONYERS].

(Mr. CONYERS asked and was given permission to revise and extend his remarks.)

Mr. CONYERS. Mr. Chairman, I thank the gentlewoman from Georgia for yielding this time to me.

My colleagues, I rise today in reluctant opposition to this bill which seeks to pile matches upon a smoldering tinderbox in the former Yugoslavia. I am a veteran of war, but if I am remembered for anything in this body, I hope this body will remember me as a champion of peace. At best, we will make a difficult choice in our policy toward Eastern Europe, and at worst, we will take the first step down a slippery slope to an involvement that we cannot get out of, and I would like to give my colleagues the three reasons that make me support a position of voting ''no'' on lifting the embargo.

If the United Nations has to move out, the United States will have to deploy 25,000 ground troops to this volatile region to protect the withdrawal as part of President Clinton's commitment to the NATO evacuation plan, OPLAN 40104. So do not be deceived. This is an easy vote in some quarters, but a vote to lift the embargo is a vote to send in U.S. troops.

Second, our best allies, Britain and France, have made clear that, if the embargo is lifted, the United Nations will pull out and no one will be there to feed the 3 million displaced people daily. This would dramatically exacerbate the refugee crisis and the civilian casualty rate, especially among Moslems.

Let me skip the other two and quote Dr. Martin Luther King, Jr.:

The past is prophetic in that it asserts loudly that wars are poor chisels for carving out peaceful tomorrows. One day we must come to see that peace is not merely a distant goal that we seek, but a means by which we arrive at that goal. We must pursue peaceful ends by peaceful means.

So today I ask my colleagues not to overlook the common sense of this uncommon wisdom. Let us commit to a long-term policy that cuts off fuel and supplies to aggressors, allows the President to act in concert with the international community and seeks to wage peace rather than war.

Ms. MCKINNEY. Mr. Chairman, I yield 1½ minutes to the gentleman from North Dakota [Mr. POMEROY].

Mr. POMEROY. Mr. Chairman, I thank the gentlewoman for yielding this time to me.

I hate to my core the tragedy that is occurring in Bosnia. Twenty-two years ago I was an exchange student in Yugoslavia. It was a country coping reasonably well with its incredibly diverse culture and backgrounds. This godawful tragedy did not have to happen. Those responsible for sending this country into a fratricidal state of unimaginable cruelty, murder, and rape should be condemned for all eternity. This tragedy on our planet is a blow for all mankind.

But let me make one thing very, very clear. It is not America's fault. It is not America's fight.

As I wrestled with the decision before us, a constituent asked me two questions that I think get to the core of the difficult issues before us. Why are these people killing each other, and why should we place American lives on the line to stop it?

□ 1515

I did not have an answer to either question posed by my constituent, and without these answers I cannot vote on a proposal which is an inevitable first step to Americanizing this tragedy. As deeply as I hate what is occurring, I will not support this country taking a ''Go It Alone'' approach and exposing us in this fashion to deeper U.S. Involvement in this tragic conflict.

Mr. HOYER. Mr. Chairman, I yield 2 minutes to my very good friend, the gentleman from New York [Mr. ENGEL]

who has been deeply involved in foreign affairs issues during his career here in the House.

Mr. ENGEL. Mr. Chairman, I thank the gentleman for yielding me the time. We have all heard this story of how Nero fiddled while Rome burned. For the past 3 years the world has fiddled while Bosnia has burned and its people have been raped and killed. For 3 years, I and others have been arguing on this floor to lift the arms embargo, and what do we hear time and time again and 3 years later? We are still hearing the same things.

Mr. Chairman, the failed policies, the tired policies, the diplomatic niceties, they have failed. The status quo is not acceptable. Two hundred thousand people have been killed. It is almost an insult to our intelligence to say we should just stay the course and let us give NATO or the United Nations one more chance.

Mr. Chairman, for the past several weeks, some of us who are Members of Congress have been receiving the most vile anti-Semitic and racist faxes coming into our office. Unfortunately, it shows that 50 years after the Holocaust, anti-Semitism and racism is still alive and well in some quarters, and genocide, once again, is rearing its ugly face on the Continent of Europe. Are we just to stand by and do nothing?

Perhaps, Mr. Chairman, we ought to do something because it is right. Is that not what this wonderful country has always stood for, doing what is right? The Serbs are trying to expand Greater Serbia. If they get away with this in Bosnia, Kosova will be next and other places will be next. Let the Bosnian Moslems defend themselves. That is all they are asking.

We have seen in the past 3 years, whenever NATO has seemed to take a firm stance, the aggressors have backed down. When they saw that NATO and the United Nations was a paper tiger, they emboldened themselves. Safe zones were established only to crumble: Srebeniza, Zepa. What is next, Gorazde, Bihaj, and Sarajevo? Are we going to sit by and watch people be raped and murdered?

Mr. Chairman, we do not want to send the message that aggression and genocide pays. We want to send a message that this country will not tolerate it. Support the bill. The whole world is watching.

Mr. HAMILTON. Mr. Chairman, I yield 2½ minutes to the distinguished gentlewoman from Georgia [Ms. MCKINNEY].

Ms. MCKINNEY. Mr. Chairman, I rise today in support of the President's position to uphold the arms embargo on Bosnia. As the world's leader we have the responsibility to uphold the principles of negotiated settlement and conflict resolution.

By lifting the arms embargo, Mr. Chairman, we put 25,000 peacekeepers in danger, we become responsible for escalating the war, and we set the stage for a deeper, personal U.S. involvement in the conflict. A unilateral lifting of the embargo would drive our allies out of Bosnia and pull us in. It will place the responsibility for defining the mission in Bosnia squarely on our shoulders.

Our leadership on this issue must be clear, unwavering, and forthright. The Serbs' assault in recent days makes it clear that we must strengthen UNPROFOR in consultation with our allies. A congressional passage of a unilateral arms lift at this delicate moment would undermine all efforts to shore up UNPROFOR and work in concert with our allies.

A unilateral arms lift means unilateral responsibility for the United States. A unilateral arms lift, Mr. Chairman, will not be a quick fix. We must stand fast with our allies and with NATO.

We must maintain our global responsibility to seek a negotiated settlement to pursue a peaceful resolution to the Bosnian crisis. We must support the President, our allies, and NATO. Therefore, Mr. Chairman, I urge my colleagues to vote ''no'' on lifting the arms embargo on Bosnia.

Mr. HAMILTON. Mr. Chairman, perhaps we ought to get clear here on the amount of time remaining. Could the Chair advise us what time remains for each of the three managers?

The CHAIRMAN. The gentleman from Indiana [Mr. HAMILTON] has 18 minutes remaining, the gentleman from New York [Mr. GILMAN] has 14½ minutes remaining, and the gentleman from Maryland [Mr. HOYER] has 16½ minutes remaining.

Mr. HOYER. Mr. Chairman, I yield 1½ minutes to the distinguished gentlewoman from Connecticut [Ms. DELAURO], one of the leaders on our side of the aisle.

Ms. DELAURO. Mr. Chairman, I rise in strong support of lifting the arms embargo on Bosnia.

Lifting the arms embargo is not something we should take lightly. But we cannot continue to allow innocent civilians to be killed, tortured, raped, and herded out of what have been called safe havens. What kind of safe haven allows the slaughter of innocents?

The arms embargo was put in place to prevent weapons from entering the former Yugoslavia. But it has not worked each night on the news, we can witness the atrocities being committed by the well-armed Serbs. The Serbs have slaughtered men, women and children. The survivors have been forced out of their homes so that the Serbs may realize their appalling goal of an ethnically pure Serbia.

The international community has not been able to defend the Bosnian, and through the arms embargo, the international community has not accorded the Bosnians their fundemental right to defend themselves. We must not continue down the same path that has led to ethnic cleansing, rape, murder, and torture. In Bosnia the battle lines may change daily but the line between right and wrong does not move. It is wrong for the Serbs to slaughter a defenseless people and it is wrong for the United States to stand by and watch. Lift the arms embargo. Allow the Bosnians to defend themselves.

Mr. HAMILTON. Mr. Chairman, I will reserve the balance of my time. We do not have a speaker on the floor at the moment, but some are on their way.

Mr. GILMAN. Mr. Chairman, I reserve the balance of my time.

Mr. HOYER. Mr. Chairman, I yield 3 minutes to the distinguished gentleman from Maryland [Mr. CARDIN] a member of the Helsinki Commission.

Mr. CARDIN. First, Mr. Chairman, let me thank the gentleman from Maryland [Mr. HOYER] for his leadership on the Helsinki Commission and on human rights issues.

Mr. Chairman, by maintaining the status quo and not lifting the arms embargo, we are taking sides. We are taking the wrong side, on the side of the aggressor. The Serbs are clearly the aggressors in Bosnia.

We have had hearings before the Helsinki Commission here in Washington that have documented the atrocities that have taken place. The numbers before the most recent aggression by the Serbs indicate over 20,000 rapes, over 151 mass graves holding up to 3,000 remains, over 200,000 deaths, 800 prison camps and detention facilities, 50,000 people tortured. The Serbs are the aggressors, the Serbs are armed, the Bosnians are not. Maintaining the status quo is taking a side; taking the wrong side.

Yes, Mr. Chairman, lifting the arms embargo is uncertain. We do not know what will happen by lifting the arms embargo, but we know that by maintaining the arms embargo, the atrocities, the genocide that is currently taking place, will continue to take place. Why should we not let the Bosnians make their own decision? They should have the right to be armed.

Recently, at a meeting of the Organization for Security and Cooperation in Europe, I presented a statement on behalf of the Bosnian Government. They were unable to get there, for obvious reasons. I will quote from the government statement less than one month ago.

> This war continues because UNPROFOR commanders have lacked the political will and the Bosnian army has lacked the means to adequately confront those that willfully defy international law and Security Council resolutions and OSCE decisions and principles in pursuit of an ethnically pure Greater Serbia acheived through genocide. You know that the Bosnian government lacks the means of confront those butchering its civilians and acquiring its territory by force because of the unjust and absurd arms embargo, which is in full contradiction to Article 51 of the U.N. Charter confirming the inherent right to self-defense.

Mr. Chairman, the United States has stood up before, and many times alone

on human rights issues. We stood very tall against the former Soviet Union and opposed economic sanctions against the advice of many of our allies, and the Soviet Union changed and Soviets were allowed to leave the Soviet Union.

We stood tall against South Africa, when many of our allies questioned our actions. We were right and South Africa changed.

On the 20th anniversary of the Helsinki Accords, let us stand up for what is right. Vote to lift the arms embargo.

Mr. Chairman, I include the statement by the Delegation of the Parliament of the Republic of Bosnia and Herzegovina to the 4th OSCE Parliamentary Assembly for the RECORD.

STATEMENT BY THE DELEGATION OF THE PARLIAMENT OF THE REPUBLIC OF BOSNIA AND HERZEGOVINA TO THE 4TH OSCE PARLIAMENTARY ASSEMBLY, OTTAWA, 4–8, 1995—GENERAL COMMITTEE ON POLITICAL AFFAIRS AND SECURITY

MR. CHAIRMAN, the Delegation of the Republic of Bosnia and Herzegovina is pleased to contribute to this debate on political affairs and security our views which have been formulated after years of experience with the United Nations and OSCE security mechanisms, as manifested in UNPROFOR, NATO, as well as numerous political mechanisms, including the International Conference on the Former Yugoslavia and the Contact Group.

We must impress upon you the fact that these experiences are first hand and in the most difficult and trying of circumstances. The lessons learned, or better to say, the lessons that have been offered to us, those in the security and political fields, come at the expense of more than 200,000 dead Bosnians, and perhaps at the expense of the credibility of the security and political mechanisms mentioned above.

Stability and security in Europe are most threatened by the continuing war of aggression and genocide waged by Karadzic's war criminals and their sponsors in Belgrade against the Republic of Bosnia and Herzegovina and Croatia. This war continues because (1) the Karadzic terrorist Serbs still reject the Contact Group peace plan, and (2) because UNPROFOR commanders have lacked the political will and the Bosnian Army has lacked the means to adequately confront those that willfully defy international law and Security Council resolutions and OSCE decisions and principles in pursuit of an ethnically pure Greater Serbia achieved through genocide.

You know that the Bosnian Government lacks the means to confront those butchering its civilians and acquiring its territory by force because of the unjust and absurd arms embargo which is in full contradiction to Article 51 of the UN Charter confirming the inherent right to self defense. You also know that the Karadzic regime continues to reject peace as its totalitarian ambitions have been fulfilled under the current status quo while its territorial ambitions have not.

What may not be known to you is why UNPROFOR, despite the courage and commitment of its troops on the ground, has failed to protect Bosnia's civilians and has failed to have an impact in facilitating peace. The answer is not new, rather, it is known to many, but unfortunately ignored by those capable of making it a reality. In October 1993, Mr. Jose-Maria Mendiluce (Former Special Envoy of the UNHCR in Former Yugoslavia) stated that humanitarian efforts in Bosnia and Herzegovina ''were used as a palliative, an alibi, an excuse to cover the lack of political will to confront the reality of the war in Bosnia and Herzegovina with the necessary means (political and perhaps military) . . . generating a great deal of contradictions.'' This problem still exists today and is compounded by the UN Secretariat and some Permanent Security Council members who cling to a policy of ''conflict containment'' in Bosnia and Herzegovina—a policy that is morally corrupt and strategically absurd. In trying to justify their position, these factors have given us a public display of handwashing and rhetorical evasion.

Rather than seeing action to implement the mandates, we hear invocations that the neutrality of a peacekeeping mission must not be compromised when there is no peace to keep and when the mandates were established as reactions to the transgressions of the Karadzic Serbs. As this has become more difficult to justify, the relevant factors have engaged themselves in the immoral practice of equating victim and aggressor, and towards that end, have manipulated and suppressed information. An Associated Press wire report of 25 November, 1994 entitled ''Playing Down Bihac'' illustrates: ''A United Nations spokesman. . . repeated assurances that rebel Serbs were respecting the Bihac (safe area) zone. He mentioned in passing, however, that a United Nations observation post had to be abandoned due to shell fire. Afterward, reporters with access to United Nations maps discovered the post was inside the safe zone.''

Mr. Chairman, equation of victim and aggressor, evasion of responsibility, and manipulation of information are no substitute for the rule of law, and in Bosnia and Herzegovina, the law manifests itself in UNPROFOR's mandates. And, again despite the muddying rhetoric of the UN Secretary-General and others, the mandates are clear in their permission, under Chapter VII of the UN Charter, to use force to deliver aid to populations in need and to use force to protect the safe areas and to use force to ensure compliance with the UN/NATO exclusion zones around Sarajevo and Gorazde. It is high time that the relevant factors be held accountable for their evasion of responsibility and manipulation and suppression of information. It is high time the UNPROFOR implement what my government sees as a satisfactory mandate; not just to vindicate the suffering Bosnians, but to vindicate the valiant efforts of UNPROFOR's men and women, who have been short changed by the UN Secretary-General and his representatives.

Towards implementing the UNPROFOR mandates, my Government welcomes the deployment of the Rapid Reaction Force. We believe that this force has the capability and the means to help UNPROFOR bridge the gap between what is written in Security Council resolutions and what actually takes place on the ground. We also welcome the positions of those UNPROFOR troop contributing states, like the Netherlands, who have expressed that UNPROFOR's primary responsibility is to the Bosnia's civilian population.

More and more UNPROFOR troop contributors hold the view that their troops must carry out their responsibilities in a robust fashion if the mandate is to be successfully implemented and if their troops are to be less vulnerable to Karadzic Serb terrorist reprisals. We believe that you, as Parliamentarians, are in a position to see this concept become reality.

However, if UNPROFOR, and the Rapid Reaction Force act only as instruments that maintain the status quo, we cannot accept their continued presence in the RBH. To do so would only prolong our civilians dependence on international subsistence without addressing their protection and how to neutralize those that are responsible for their suffering.

It must be remembered that UNPROFOR was deployed in BH in the absence of our inherent right to self defense. While humanitarian aid has prolonged some lives, it has failed to save others from murder and other acts of terror. Only a force with the will to protect civilians can protect civilians. In this regard, UNPROFOR has thus far failed. If the Rapid Reaction Force is unable to make amends for these shortcomings, then the Government of the Republic of Bosnia and Herzegovina must be given the opportunity, as it is legally and morally obliged to protect the civilian population. We can only succeed where others have failed if the arms embargo is lifted. To maintain this embargo under existing circumstances would be nothing less than playing accomplice to the genocidal and territorial designs of the Karadzic terrorist Serbs sponsored by the Milosovic regime. The continuation of this policy is nothing less than inviting other like-minded terrorists to pursue racist and aggressive objectives undermining peace and security in Europe and throughout the world.

Thank you Mr. Chairman.

Mr. HAMILTON. Mr. Chairman, I yield 4 minutes to the distinguished gentleman from Wisconsin [Mr. OBEY].

Mr. OBEY. Mr. Chairman, I have been incredibly frustrated by our situation is Bosnia, and I frankly, think that the only time that the tragedy which has happened there could have been prevented was at the very beginning, before Mr. Milosevic and the Serbs began their brutal series of attacks. I think through much of the period since then NATO has failed. I think they especially failed at the beginning, when they should, I think, have made it quite clear that they were going to take collective action if the Bosnian Serbs moved one troop across a designated line.

Mr. Chairman, because of that concern and frustration, and my outrage at the conduct of the Bosnian Serbs, I voted on two occasions to lift the embargo in order to send a message to the United Nations that they needed to shape up their operations; in order to send the message to our NATO allies that they needed to get serious and get tougher; and that U.N. troops had to be in a position to shoot back when fired on; and, lastly, almost in desperation, to send a message to the Serbian leadership that they might, in the end, encounter more than they bargained for unless they backed off.

I believe, Mr. Chairman, that things have changed, at least for the moment. I reserve the right in the future to again vote to lift the embargo, but it seems to me that, at least for the moment, the message seems to have partially been heard. There seems to be some at least temporary pause by the Serbs in their attack since the possibility of air strikes were announced. There has been a change in U.N. operating procedures so that we do not have Mr. Boutros-Ghali continuing to interpose himself in decisions on air strikes. It also seems to me that we

have had a stiffer reaction on the part of the U.N. forces lately to attacks or threats of attack.

Mr. Chairman, it seems to me, under these circumstances, the most important thing, since we have gotten movement from our allies, and since we have gotten a change in procedure from the United Nations, it seems to me the most important thing at this point is for us to be together and for us to try to see whether this new effort by the President can, in fact, be expanded and enhanced.

□ 1530

When we met with the President this morning, he indicated that perhaps those who had voted to lift the embargo in the past had in fact provided some help to him, because that had perhaps sent the message to our NATO allies, which helped him to get a stronger position out of them. I dearly hope so. But it seems to me at this moment, given the changes that have taken place on the ground and the changes that have been enunciated with respect to our allies' policy, as well as the United Nation's policy, that we ought to grant the President the time he needs to try to work out policy based on this new stance and this new posture.

So I, with great reluctance, and with great frustration, and with great understanding for those who have in the past supported lifting the embargo, I would urge that for the moment we give this new adjusted policy a chance to work, because it seems to me the best chance to avoid having to send American troops into that area and to avoid the significant and perhaps even massive loss of life that could come if this situation unravels quickly, as it certainly might.

Mr. GILMAN. Mr. Chairman, I am pleased to yield 2 minutes to the gentleman from Utah [Mr. HANSEN].

Mr. HANSEN. Mr. Chairman, I appreciate the gentleman yielding time to me.

Mr. Chairman, I rise in strong support of lifting the embargo. I believe this vote is a vote for American leadership in the world and the only moral thing to do.

The Clinton administration calls their strategy engagement. Well, if this is engagement where is the ring?

It would be more accurate to call the current policy living together. We have no commitment, we have no plans for the future, we simply make ourselves feel good while leaving plenty of room to sneak out the back door with no strings attached.

This policy has been a disaster since the beginning. Bosnia, a member of the U.N. General Assembly, has been denied its fundamental right to self-defense under the U.N. Charter. Instead, the United Nations has provided a protection force hardly capable of protecting itself, and now provides U.N. escorts to ensure the safe and orderly ethnic cleansing of the U.N. designated safe areas.

While at its root this problem is a European one, this does not mean the United States should relinquish its rightful role as leader of the allies. On the contrary, leadership is precisely the role we must play.

Leadership, however, does not mean compromise and agreeing to some easy middle ground. Leadership requires the courage of commitment to do what is right.

What is right in this case is that the Bosnian Government is entitled to protect its sovereignty and its people, against Serbian aggression.

What is right, is that the NATO allies, supported by the United States, should begin to follow through on their promises of air strikes in response to continued Serbian attacks on the safe areas of Bihac, Gorazde, and Sarajevo.

What is right is that the United Nations should lift the immoral arms embargo against the people of Bosnia. While there will almost certainly be casualties, I believe the Bosnian people would rather die fighting for their country, than at the hands of cowardly Serb snipers or brutal ethnic cleansing.

As Dr. Martin Luther King so clearly stated, ''The biggest enemy is not the brutality of the evil people but rather the silence of the good people.''

I urge all of my colleagues to vote for American leadership and international law, vote for S. 21.

Mr. HAMILTON. Mr. Chairman, I yield 2 minutes to the gentleman from Maine [Mr. LONGLEY].

Mr. LONGLEY. Mr. Chairman, I thank the gentleman for yielding me this time.

Mr. Chairman, I have three points I would like to make this afternoon. First, I stand here as a past opponent of lifting the embargo, but not necessarily as a supporter of the administration's policies in that part of the world. I think we have been vacillating and indecisive, and I think we have invested far more authority in the United Nations than they are militarily capable of handling.

It has reached the point where our forces on the ground are actually ridiculing what we are establishing in terms of policy, for the forces that are on standby in that part of the world, they are not talking about the rapid reaction force, they are talking about the reaction force, or the reaction-reaction force; or, listen to this one, UNPROFOR–UNPROFOR, the U.N. Protection Force for the U.N. Protection Force.

It is clear to me that the administration needs to understand it needs to put some steel behind its words; and if we are going to offer safe havens for innocent civilians, they need to know they are going to be kept safe. But the real choice in this debate is between a policy that will further more violence or less violence, and I would submit that adding more ammunition, more weapons, to an already volatile situation is going to be counterproductive in terms of what we want to accomplish.

I will go one step further: It is very clear if we lift the arms embargo Great Britain and France are going to withdraw their peacekeeping forces, which is going to lead to a commitment the United States has made to provide troops on the ground in Bosnia to assist in that withdrawal.

This vote amounts to a vote as to whether we want to put Americans on the ground there or not. On that basis I would oppose lifting the embargo.

I would add one further thing. If I were a troop sitting on the ground in Italy or at sea, watching the division between the administration and the Congress over this aspect of our foreign policy, I would be shivering in my boots. I would submit that once we get through this vote, it is incumbent upon us as leaders of both parties and the administration to find some way to bridge the chasm that exists between us, so we can finally restore a bipartisan consensus on what our policy is going to be in that part of the world.

Mr. HOYER. Mr. Chairman, I yield 1 minute to the gentlewoman from California [Ms. PELOSI].

Ms. PELOSI. Mr. Chairman, I thank the gentleman for yielding. I thank the gentleman for his relentless leadership on this effort. I have not always agreed with the gentleman from Maryland [Mr. HOYER] on this particular resolution. In the last year I voted against it. I did so because I am a strong believer in multilateralism, a strong supporter of the goals of the United Nations, and am indeed a member of the North Atlantic Assemblies, so I would prefer a multilateral solution. For that reason, I voted no last year.

I visited the former Yugoslavia. I have met with UNPROFOR forces there and are impressed by what they are trying to do. But, sad to say, this approach has not succeeded. Indeed, since the summer of last year, the allies contact group has developed a take-it-or-leave-it peace map, threatening the Bosnian Serbs with lifting the arms embargo or air strikes if they refused to sign on. They refused, but no punishment has been meted out. In August, we threatened air strikes against the Bosnian Serb forces violating the Sarajevo weapons exclusion zone. Pin prick strikes were the response. The list of threats and retreats goes on and on.

Mr. Chairman, we must be sure people know what we mean and say about ethnic cleansing. Never again. I urge our colleagues to support the resolution.

Mr. HAMILTON. Mr. Chairman, I yield 1 minute to the gentlewoman from Colorado [Mrs. SCHROEDER].

(Mrs. SCHROEDER asked and was given permission to revise and extend her remarks.)

Mrs. SCHROEDER. Mr. Chairman, I thank the gentleman for yielding me the time. Let me say there is plenty of blame and shame to go around to everyone all over the world as to what has happened in the former Yugoslavia. But there is one bit of good news, and

I fear that if we vote for this resolution today, we may even blow up the one bit of good news, and that is unlike the war in that region at the beginning of this century, so far that war has not spread. It has not splattered all over the face of Europe, making it a World War III.

While we have fumbled all over each other trying to figure out how to act together as an alliance, and we have been awkward, and alliances are not really efficient, and while there has been some real horror shows that none of us want to see on TV, if you read history and if you read what has been accomplished, at least this has not spread. If we Americanize this war, which is what I think we will be doing if we vote for this today, because if you were the Bosnian leaders, you would pick up the phone right after this passed and say, OK, you guys, you voted for it, now bring the weapons in and it is now ours, as our allies say goodbye. So let us not do that.

Mr. HOYER. Mr. Chairman, I yield 2 minutes to the gentleman from New York [Mr. ACKERMAN].

Mr. GILMAN. Mr. Chairman, I yield 2 minutes to the gentleman from New York.

The CHAIRMAN. The gentleman from New York is recognized for 4 minutes.

Mr. ACKERMAN. Mr. Chairman, it was a terrible joke to begin with. Izzi and Abie were rounded up and captured by the Nazi troops. They were marched to the end of the town and told to dig their own grave, which they did. And the Nazi storm trooper stood in front of them with his machinegun and he said, ''Do you have any last wish?'' And Izzi looks at Abie and he says, ''Abie, I think I will ask for a blindfold.'' And Abie looks quietly back at Izzi and he says, ''Izzi, don't make waves.''

From that terrible story, Mr. Chairman, came the expression ''Never again.'' Never again would a people allow themselves to be placed at the edge of annihilation, without fighting back, without defending themselves. Never again said the almost wiped out people. Never again said their neighbors. Never again said the rest of the world. Never again will we sit idly by and allow a whole race to face extinction. Never, said a regretful world.

We did not know, said their neighbors. We did not know it was happening, said everybody. They must have taken them away in the middle of the night. How did we know? Never again.

Well, Mr. Chairman, never again is happening yet again. Does it make it any better if you substitute Ahmed and Mohammed for Izzi and Abie? I think not. Does it make it better if you substitute someone else's people for my people? I think not. Does it make it better if you talk about the numbers being only hundreds of thousands instead of millions? It certainly does not.

How do we sit idly by? How do we allow this to happen? How do we institutionalize inaction? How do we prevent the people from fighting back and defending themselves, tying their hands behind their backs. That is worse. That is being complicitous. That is being enablers. That is being permitters. It is almost like being accomplices to those who are committing genocide on this planet today.

We sit here and fritter about terrible choices that we have. There were terrible choices then as well. We talk about glimmers of hope. Glimmers of hope for whom? If that were your people, if that were my people, you would not be so hopeful, waiting for the world to intervene.

Mr. Chairman, we must act or we will be guilty of recommitting the sins of the past that we have condemned on this floor over and over and over again. This is racial ethnic genocide, make no bones about it, and those who sit and only watch are guilty of participating, are guilty in sins of omission, if not sins of commission.

Mr. Chairman, once again evil stalks the world, and we are sitting around passing the blindfolds.

□ 1545

Do not let this happen. We would not want this to happen to our people. This should not happen to anybody's race. This is our race. It is the human race.

Mr. HAMILTON. Mr. Chairman, it is my understanding that the gentleman from New York [Mr. GILMAN] has the right to close. I advise my colleagues that I have three speakers remaining.

The CHAIRMAN. The gentleman from New York [Mr. GILMAN] has 10½ minutes remaining, the gentleman from Indiana [Mr. HAMILTON] has 11 minutes remaining, and the gentleman from Maryland [Mr. HOYER] has 9 minutes remaining.

Mr. HAMILTON. Mr. Chairman, I yield myself 3 minutes.

Mr. Chairman, I think we are now beginning to wind the debate down. I want to say to my colleagues who have participated on both sides that I think we have had a very, very good debate, certainly have clarified the issues.

let me speak very quickly to two or three points that I think are salient in the debate. One of the things that bothers me most gravely about the position of those who would lift unilaterally is it seems to me throughout this debate they have simply been unwilling to speak to the consequences of what happens once you have the unilateral debate.

They want to lift the embargo, but that raises a whole series of questions: who supplies the arms who delivers them, who pays for them, who is going to feed 2 million people every day, who protects the Bosnian civilians if Serbs attack. The consequences of the lift simply have not been adequately addressed, it seems to me, by the proponents of a unilateral lift. They do not provide any arms. They do not provide any funds. They do not provide a single cent in this resolution. I think it is a serious defect in the resolution.

Second, they have spoken very powerfully today about atrocities. I do not yield to any person in this Chamber at my abhorrence of atrocities that have been committed in this war. I am willing to concede that the Serbs have committed a lot of atrocities. I do not think all atrocities have been committed by one side. But I do know this: That the way to stop atrocities is to stop the war. Almost all who favor lifting the embargo recognize that that is a consequence of the war. To intensify the war will simply multiply the atrocities.

The third point I would make is that this unilateral lift simply turns over one of the most fateful decisions in American foreign policy to the Bosnian Government. The bill says that the President shall lift the embargo if the Bosnians ask UNPROFOR to leave. How can we in this Chamber, who often say that we do not like to put authority in multilateral institutions, how can we just turn over the authority of the U.S. Government to conduct American foreign policy to a foreign government, without any even participation on our part?

Finally, many have said that the policy has not worked. I agree with that statement. But I think we do have, as repeated speakers have said on our side, a new strategy in place. The President has articulated it and so have his secretaries. We do not know if that strategy is going to work. It may work. But give it a chance for the next few weeks to see if it works. If it does not, then maybe we have to go to a unilateral lift.

It is a stiffer policy. It is a tougher policy. It is a unified policy. It will give time for negotiations to work, and in the few days that it has been in place, it has worked. So for, so good.

I urge the defeat of the proposal.

Mr. GILMAN. Mr. Chairman, I reserve the balance of my time.

Mr. HOYER. Mr. Chairman, I yield 1½ minutes to the gentleman from Texas [Mr. WILSON].

Mr. WILSON. Mr. Chairman, I thank the gentleman for yielding time to me.

This is a difficult, difficult situation for me because in my 23 years in this House, I have supported the foreign policy of President Nixon, President Ford, President Carter, President Reagan, President Bush, and so far, President Clinton. However, the savageness that the Serbs have placed upon the people of the Balkans simply crosses the line. I can no longer do that, as much as I find it distasteful.

The aggression and brutality are just too much. With the arms embargo, this is the first time I can think of in history that the great democracies of the West have denied the right of self-defense to the people upon whom aggression is being put.

Therefore, I am going to support the resolution of the chairman of the Committee on International Relations from New York. But I would also say that I think that we are going to have to consider Croatian, and we are going to

have to consider the fact that they are going to be next, if the Serbs are successful, as they are apparently going to be, in the wretchedness that they are vesting upon the Bosnians.

So I would say to the chairman of the committee and the sponsor of the amendment that I would hope that in the future we can consider the fact that we are probably going to have to lift the arms on Croatia because they are probably going to be the next attacked. They are going to be subject to exactly the same kind of racial cleansing that the Bosnians are. I hope that we will keep that in mind.

Mr. GILMAN. Mr. Chairman, I yield 5 minutes to the gentleman from California [Mr. DORNAN].

Mr. DORNAN. Mr. Chairman, I rise in support of this amendment. Let me say every 2 or 3 years debate takes place on this House floor where the thoughtfulness and the humanity and the depth of feeling on both sides of the argument is equally powerful and has equal ability to touch the heart and to make one's thinking processes work at supersonic speed.

I agree with most, well not all, but I agree with much of the arguments made on the other side about how sad it is to release arms embargo, arms embargoes in a situation where males, and it is generally always older males, telling younger males to die and to fight for a cause that could be negotiated if the proper pressure were applied in this case, I believe, by the ex-superpower, that has come down to be the confederation of Russia, and the world's only superpower, the United States.

If the proper pressure, probably privately, was applied by the United States and Russia in Belgrade, which is the seat of this problem, when all is said and done, there probably could be a diplomatic solution.

Sometimes it appears like Northern Ireland in my heritage tree, that until there is an exhaustion over the death, the unnecessary death of thousands of innocent people, until the exhaustion point is reached, middle-aged males will not sit down and reason properly.

Now, there is one point that has been argued on the side against this resolution that I must take exception to. It is when they stand up and say, this is going to drag in American fighting people. And I guess that includes women at this point in our history for a while anyway, until I have hearings, men and women. American men and women are not going to be dragged into this fight under this Senate Resolution 21 that we are voting on here shortly.

On the next to last page, article f, Rule of Construction, it says quite clearly: ''Nothing in this section shall be interpreted as authorization for deployment of United States forces in the territory of Bosnia and Herzegovnia for any purpose, including training''—I want to repeat that—''including training.''

To release an arms embargo against the people most suffering does not mean high technology weapons are going in there, Stinger missiles. And it does not mean we have any obligation to train anybody to even use a rifle or a pistol. It just does not.

It says it includes ''training, support, or delivery of military equipment.'' We have no obligation by removing this arms embargo to deliver anything, let alone train anybody, let alone put in Vietnam-style observers, let alone get involved in the fighting.

Here is what makes this thing so painful. One of the Members said it is like throwing gasoline on a fire. There has been an awful fire burning there. I read an intelligence report the other day, the title is not classified. It said simply, fighting in all directions. That is what is supposed to be on the President's desk in his 9 intell briefing, fighting in all directions was talking about the Bihac pocket where the Moslems are divided into two camps and the U.N. courts of justice have just made Martic, M-A-R-T-I-C, Martic another war criminal. That is war criminal No. 46, and they are all in the Serbian camp, 46 war criminals who cannot travel through the airports of the world. And they do not care, because they can drive up to R&R in Belgrade. So what do they care whether the world calls them war criminals?

But the fact that we have a four-way fight going on there does not mean that we have a right to hold the hands behind the back of one party being terribly beaten, even if we think by releasing their hands the adversary will pull out a gun and shoot them dead in front of our face. That is how bad I think this conundrum is, the horns of this dilemma is.

We are crippling the right of men to fight to defend themselves. Yet, if we take off the restraints we have put on them, the other side, led by 46 war criminals, will go so wild that they may try and kill as many young males as they can before the first pistol arrives on the scene.

With all of that said, this Member cannot vote to keep an embargo on people who are being slaughtered.

Mr. HAMILTON. Mr. Chairman, I reserve the balance of my time.

Mr. HOYER. Mr. Chairman, I yield 1 minute to the gentleman from Virginia [Mr. MORAN].

Mr. GILMAN. Mr. Chairman, I yield one-half minute to the gentleman from Virginia [Mr. MORAN].

The CHAIRMAN. The gentleman from Virginia [Mr. MORAN] is recognized for 1½ minutes.

Mr. MORAN. Mr. Chairman, I greatly respect the point of view of the ranking Democratic member of the Committee on International Relations, which is the point of view of the President of the United States, that we ought to continue negotiating.

I understand the implications of lifting the arms embargo. But we have been negotiating for 3 years, and the problem is we are dealing with a bully. Bullies to not negotiate. They react to the threat of force. We understand that in our own lives.

Who among us, if we were walking down the street and saw someone clubbing to death a defenseless person, who among us would not do something? I am sure there are some who would shrug their shoulders and walk on, saying this is not my battle. I am not in my neighborhood. A lot of people get clubbed to death all the time. Life is unfair. But that is not very many of us.

Some of us would take the club away, maybe punch them in the nose to create a level playing field, and then let them fight it out. Some of us might interrupt and give a club to the other person and say, okay, it is fair now. Go ahead. But I do not think any of us would stand there and watch it happen. And for 3 years that is what we have been doing. We have been complicit in this genocide.

America is the moral leader of the world. We are not just the military leader. We have looked to as the moral leader of this world. Let us be that leader. Let us be that leader. Let us exercise that leadership.

We have another choice then to do the right thing. Support the lifting of the arms embargo.

□ 1600

Mr. HAMILTON. Mr. Chairman, I yield 4 minutes to the distinguished gentleman from Pennsylvania [Mr. MURTHA].

Mr. MURTHA. Mr. Chairman, let me say that one of the previous speakers talked about supporting President Reagan in Central America, and I did that. He talked about supporting President Bush in Saudi Arabia, and I did that. I opposed their effort in Somalia. I felt it was a mistake. The United States can only do so much.

The gentleman who just spoke, said if somebody is fighting in the middle of the street, reminds me of one of the Members who said they got involved in a domestic quarrel; and when they got involved, in the end they both turned on the individual Member who tried to interfere with a domestic quarrel. There was a physical battle.

We are talking here about the most complicated type of situation. I remember one time going to Bosnia, 3 or 4 years ago, and Helen Bentley said to me, a former Member of Congress, ''Do not forget, this started in 1389.'' The animosity and deep feelings of the two sides, the three sides, in Bosnia are very difficult. All of us feel we would like to solve it. It is a tragedy.

I walked through the mud in Vietnam, up to my waist in the water. I saw young Vietnamese killed, and I saw young Americans killed. I was wounded twice. I know something about what it is like to send Americans into harm's way. If I thought it would solve the problem, I would be the first to step in front, but it will not solve the problem. For instance, if we were to lift the arms embargo, France and Britain will withdraw their troops.

America is committed, the prestige of the United States, the prestige of the President of the United States, is committed to sending in 25,000 American troops. It will not be an easy evacuation.

For instance, if we go into Split, it will take one ship at a time, it will take one C–5 in that small airport. The roads are narrow, the foliage is deep. It took us 40 days to get a light infantry unit into Saudi Arabia. It will take much more time to get 25,000 troops into Split, and we cannot send them in piecemeal. If they go over the roads, which are 10-ton roads, with our heavy equipment, it will break the roads down, so it will take all kinds of time to reinforce or to get a rapid deployment force into position, if we have to fight our way in and fight our way out. What we are saying is we are authorizing a defeat.

We are actually saying we are in favor of lifting an embargo which withdraws the British and French, and the United States will go in and bring them out. It is a Diepee. It is a Dien Bien Phu for the United States. We are starting out by saying we are authorizing a defeat, and what will it cost? One billion dollars, at least, and how many lives we do not know; and it will not solve the problem. What is the next step? Croatia gets more involved, Serbia gets more involved, the Russians get more involved, Hungary gets involved, Greece and Turkey get involved.

I stood on the spot where World War I started. I looked out and thought to myself, how could this have happened, that this incident where the Archduke Ferdinand was killed started World War I?

We are, in effect, starting the possibility of a wider war with much, much more loss of American lives. The President changed his policy dramatically. He now has got the key to eliminating the dual key of bombing. The military asks military-to-military. Second, the hostage situation is eliminated. They will not stop the bombing because of hostages. Instead of pinprick bombing, there will be massive bombing. That is a big difference. That will make a difference.

There is no one who knows better than I do how much air power means in an operation, especially in the short term. When we go in and drop bombs, we will usually drive off any enemy. We are facing a major decision, one of the most important decisions that Congress will face. I would urge Members not to lift the embargo, because they are in fact declaring war, and they are endangering American lives.

Mr. GILMAN. Mr. Chairman, I am pleased to yield 30 seconds to the gentleman from Maryland [Mr. HOYER].

Mr. HOYER. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, we come to a close of a very serious debate. We come to the close of a debate that has seen 3 years of failure. No one on this floor has addressed the policy as a success. Everyone has said it is a failure. It is time, then, to move on. Today we mark, Mr. Chairman, the 20th anniversary of the signing of the Helsinki Final Act to the day, August 1, 1975. Twenty years ago the United States, in concert with 33 countries of Europe and Canada, declared our commitment to 10 sacred principles governing our relationships with each other. We pledge to respect human rights and fundamental freedoms. We pledge to respect the territorial integrity of each state, like Bosnia, the sovereign, independent, internationally recognized state of Bosnia. We pledge not to threaten or use force against any state, unlike Serbia. We pledge to settle disputes by peaceful means, so as not to endanger international peace, security, and justice. When President Force signed the historic accord on behalf of the United States he said this: ''This document will not be measured by the promises made in the Helsinki Final Act, but by the promises kept.''

This debate is about promises to keep. This debate is about meeting our commitments under article 51 of the Charter of the United Nations. There are promises to be kept, Mr. Chairman, and now is the time; not tomorrow, not tomorrow and thereafter.

I have heard in every debate on the lifting of the arms embargo, ''Wait, wait until tomorrow. The sun will come up tomorrow for the Bosnians. The sun will come up, and all of a sudden the Serbs will see the light.'' However, here we are, Mr. Chairman, years later. The atrocities continue. Seven weeks ago this House voted overwhelmingly in support of the Hoyer amendment to lift the arms embargo. S. 21 before us now, gives us a vehicle to do just that. Three hundred and eighteen of us stood to say we will not give aid and sustenance to the aggressors, branded as war criminals by the international community.

The gentleman from Indiana [Mr. HAMILTON] makes the point that we will turn over American policy to the Bosnians, because if they have this they would have to request UNPROFOR to leave, or the lifting of the embargo. That is not true. We make a decision today to say in which manner we will lift the arms embargo. We will do it in a considered fashion, under S. 21, ensuring the safety of our allies. Indeed, the President is given 30-day segments to extend the lifting of the embargo if the allies are still at risk.

Mr. Chairman, what has happened in the few short weeks between voting for the embargo and today? Srebrenica and Zepa lie in ruins. The United Nations-declared safe areas have been overrun by the terrorist Serbs. The international community effectively buried Zepa. Where is our integrity? Where is our commitment to enforcing the principles we adopted in Helsinki?

Civilians raped, tortured, thousands massacred, thousands unaccounted for, and tens of thousands more displaced; more refugees out of this confrontation and conflagration since any time since the 1940's. War criminals we have put on the same level as the democratically elected government of Bosnia and Herzegovina. We have said to them: ''You can only proceed with the arms that are in Yugoslavia,'' and all of us know that it is the Bosnian Serbs who succeeded to that army.

Yes, there has been some moral relativism on this floor, making analogies between the Serbs and the Bosnian Moslems, and we ought to be neutral; and yes, if we do this our European allies may lift the embargo on Iraq. If they do that, shame, shame, shame on them. Is there any analogy to be made between Saddam Hussein, the dictator-butcher of Baghdad, and the democratically elected government of Sarajevo, Bosnia, and Herzegovina? The answer, Mr. Chairman, is of course not.

The time has come for us to make a decision. The time for us has come to lift this embargo. The time for us has come to say we understand who the victims of aggression are in this case; and America, the leader of the free world, America, the beacon of freedom to the peoples of the world, America, that stands for justice, will not stand silently by while the innocent victims, unarmed, are subjected to the genocide that everybody on both sides of this issue has spoken to.

Mr. Chairman, let us not fall into the abyss of negligence. Let us not fall into the abyss of saying, ''It is not our struggle.'' I quoted John Kennedy earlier today when he told the world that we would be with them in their fight for freedom. The international community recognized Bosnia and Herzegovina. It said to them, ''We respect you as a member of the international family of nations,'' under the Helsinki Final Act, under the United Nations Charter, but even more importantly than that, under the principles that America has held so dear since it declared on July 4, 1776, our independence. When we look to others to recognize and support that independence, let us stand for those principles today. Vote for S. 21.

Mr. HAMILTON. Mr. Chairman, I yield the remainder of my time to the distinguished gentleman from Missouri [Mr. GEPHARDT], the minority leader.

(Mr. GEPHARDT asked and was given permission to revise and extend his remarks.)

Mr. GEPHARDT. Mr. Chairman, I urge Members to vote against this resolution. I want to talk this afternoon about what is moral and what is right for our country and for the people in Bosnia. However, first, I want to talk to the Members who voted for a resolution of this kind a few weeks back. I want to urge them to change their vote. I want to argue to them that there are two reasons, in fact, three, to do that.

First, the situation on the ground in these 3 or 4 weeks has changed. The

complexity of the war is now in full view, as the Croatians are about to enter the war again, and there is even talk of the Serbians coming back from Serbia proper and having a much wider conflagration than we contemplated 3 or 4 weeks ago.

Second, I want to argue that the President's and the West's policy has changed dramatically in these last 2 or 3 weeks. There is no more dual key. The West now says we will no longer stop air attacks if there are hostages taken; easy to say, hard to do. I understand it, but they have said it. The West is more united in taking a strong response. A rapid redeployment force is on the ground, and they are shooting back on the road to Sarajevo.

□ 1615

So there is hope that a tougher, more effective policy among the western nations is in place. But last, I want to argue to you that lifting this embargo is not the moral thing to do. I want to lead you through what I believe, and more importantly, what experts on the ground believe, will happen if we lift this embargo.

Mr. Chairman, the first thing that will happen, it has been said many times today, is that the U.N. forces will immediately want to come out. Are we committed by the word of the President of the United States that we will put 25,000 of our people on the ground to defend the Moslems? No. To conduct a retreat. I am told it may take 50,000 of our people for a retreat. Imagine explaining to the American people that your kid died in Bosnia to perform a retreat. It will be the biggest retreat since Dunkirk. Is that what we want to do?

Mr. Chairman, the second thing that will happen is the Serbs will move. Do you think for a moment if this embargo is raised that they will not move faster than they are already moving? The Secretary of Defense told me this morning that all of the enclaves will go down. There is not a chance we will get there in time with arms to protect the enclaves. With the roads, with the ports being what they are, it would take 50 days to get arms in, much less train anybody to use them. The genocide that we are worried about will be increased if we adopt this policy.

Mr. Chairman, I want to give credit to the gentleman from Maryland [Mr. HOYER] who feels so deeply and so morally with such great integrity about this issue, and all who think like him. But in his case, he has consistently said throughout that he not only wants to lift the embargo, he wants American troops, and a lot of them, on the ground. I respect him for that view.

I even want to argue that if that is what we were deciding today, that that would not be a moral policy. We cannot bring about what we want to bring about, either by lifting the embargo or putting a lot of our people on the ground. Ladies and gentlemen, the answer in Bosnia has always been the same. We have to have a peace treaty. And even if you put 200,000 people on the ground and defeat the Serb army, when you leave, you will be back to what you are at today. There is no solution to this without getting peace.

I end with this: A British official said it best. No language can describe adequately the condition of Serbia, Bosnia and Herzegovina and the other provinces. The political intrigues, the constant rivalries, the hatred of all races, the animosities of rival religions, and absence of any controlling power, nothing short of any army of 50,000 of the best troops would produce anything like order in these parts.

Mr. Chairman, Benjamin Disraeli, 117 years ago, uttered those words. It has not changed. What we need is peace, peace in this very troubled, troubled part of the world. I wish our force could bring it about. I do not think it will happen. What we must do is what the President and the West is trying to do, which is get these people back to the peace table and do everything in our power to bring about peace and end the genocide. That is the moral thing to do, and we must recommit ourselves today to do exactly that.

Mr. GILMAN. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, I want to commend the distinguished gentleman, both the ranking minority member of our committee, the gentleman from Indiana [Mr. HAMILTON], and the gentleman from Maryland [Mr. HOYER] for the fine manner in which they conducted this very thorough debate and all of our colleagues who participated.

Mr. Chairman, the choice that our colleagues have before them is clear and impelling. We can explain to our children and our grandchildren some 10 or 20 years from now that we stood with the people who have been the victims of rabid, genocidal supernationalism, and supported their right to self-defense, or that we stood on the sidelines wringing our hands and reaffirming once again the ''Spirit of Munich'' that we were powerless to do anything but speed the end of the conflict by ensuring the destruction of an innocent nation.

Let there be no mistake, my colleagues. Despite ours' and the international community's best intentions, our Bosnia policy has been an abject failure, and serves only the interests of the aggressors. Time after time during the sad history of this conflict, the United Nations, our friends in Europe and our own Government have laid down strict terms and lines that could not be crossed by the Serbs, and time after time, the Serbs have thumbed their noses with impunity.

We can start with Security Council resolutions stating unequivocally that humanitarian assistance could not be blocked, and how many times because of Serb obstruction have we heard about U.N. convoys taking weeks and sometimes months, to get through to a desperate people? How long has it been since a single flight of humanitarian supplies has been able to land in Sarajevo? It has been months.

We can go on to mention the enforcement of the no-fly decree. Today we heard that Serb aircraft were flying with impunity over Bosnia on military missions. What about the heavy weapons exclusion zones around Sarajevo and Gorazde? Those are apparently not even under discussion any more. Then of course there are those almost comically misnamed ''safe areas.'' I think we may all be forgiven for our skepticism when we are told that the United Nations has drawn another line in the sand around one of the four safe areas that remain while it tries to decide whether we can defend the remaining three. We are fast running out of sand.

Mr. Chairman, let us not forget this war's other casualty, the credibility of our Government, of our allies, of the United Nations and its Charter, and of NATO.

Mr. Chairman, to my colleagues who point to the escalating U.S. involvement, I point to that section of the bill, section 4, subparagraph F, which states that this measure is not to be interpreted as an authorization for deployment of U.S. forces.

There is one principle in international relations that we can still salvage from this Bosnian debacle and that is the right to self defense. This right provides the backbone of any kind of international order that our own citizens would want to live under. I urge my colleagues by their support of this legislation to reaffirm that right, not only for the people of Bosnia, but for tomorrow's potential victims of aggression, for ourselves, and for our children.

Former National Security advisors, Zbigniew Brzezinski in a recent New Republic article on August 7 stated and I quote:

> There is every reason to believe that the lifting of the embargo will significantly help the Bosnians in their effort to defend themselves. Their army, which is eager and willing to fight, is larger than the army of the Bosnian Serbs. With the arrival of more modern and plentiful arms, the Serbian advantage on the battlefield will be erased. A number of States have indicated their willingness to finance and to deliver to the Bosnians the needed arms. The arming of the Bosnians need not be a unilateral American undertaking.

Accordingly, I urge my colleagues to vote ''yes'' to lift the arms embargo.

Mr. Chairman, I yield back the balance of my time.

Mr. RADANOVICH. Mr. Chairman, today the House will consider legislation to lift the embargo against Bosnia and Herzegovina. Last week, the Senate passed S. 21, the Bosnia and Herzegovina Self-Defense Act of 1995, with the two-thirds necessary to override a Presidential veto. Senator BOB DOLE, in conjunction with a broad bipartisan coalition is attempting to assert American leadership in the right direction. In the course of 3 years, the United Nations prestige has dwindled to nothing, NATO's credibility has been seriously

damaged, and the United States has invested over $2½ billion in a mission which is undeniably a complete failure. As a result, tens of thousands have died by simply putting faith in the United Nations promise of protection. After the fall of two of six U.N. safe havens, there can be no doubt that the United Nations lacks the will and means to defend innocent civilians. Yet, the embargo denies the Bosnians the ability to acquire the weaponry necessary for them to do the job of defending Bosnian homes, cities, and citizenry. And so, it is now our responsibility to exhibit strong and decisive leadership to end this grave injustice. It is high time to allow the Bosnian people to defend themselves. Therefore, I urge my colleagues to once again vote to lift this crippling arms embargo. Bosnia's fate should be decided by Bosnia, not the international community.

Mr. MARKEY. Mr. Chairman, as the international community watches, Europe's bloodiest conflict since World War II enters its 40th month. In the heart of Europe, villages are burning, innocent civilians are driven from their homes, women are raped, families are separated, and men are systematically executed in a campaign of terror unmatched since the days of Hitler.

It was once said that ''the revolution will not be televised.'' Mr. Chairman, this genocide has been televised, analyzed, and quantified. We know how many Bosnians have been murdered, we know which cities and towns have been destroyed, we know who the aggressors are, where they operate, and what they plan to accomplish. Still, we do not stop them.

There are consequences for our inaction. The supporters of ethnic war everywhere are watching: Hutu rebels in the refugee camps of Zaire; Moslem extremists in the Middle East; white supremacists throughout Europe. By remaining silent accomplices to genocide, we are sending a loud and clear signal to the opponents of racial, ethnic, and religious tolerance: proceed with your plans, we will not object.

As we celebrate the 50th anniversary of the United Nations, we are paying a bizarre tribute to the very principles on which the United Nations was founded. Article 51 of the U.N. Charter stipulates that ''nothing shall impair the inherent right of individual or collective self-defense if an armed attack occurs against a member of the United Nations, until the Security Council has taken measures necessary to maintain international peace and security.''

Bosnia is a recognized member of the United Nations. Yet we refuse to permit the Bosnian Government to exercise its right of self-defense. The embargo imposed on Bosnia prevents a democratically elected government from protecting itself from the forces of hatred and separatism. Although intended to contain the Balkan conflict, the embargo has served merely to guarantee its outcome. With the heavy equipment of the former Yugoslav army in the hands of the Bosnian Serbs, the Bosnian Government is left to fight with substandard weapons. It's a fight they cannot win.

There are no good choices in Bosnia. There are no easy solutions to the problems in the former Yugoslavia. We must, however, allow the Bosnians themselves to try to solve their own problems. We must lift this unjust embargo and permit them to defend themselves. It is their right, and it's our duty.

Mr. VENTO. Mr. Chairman, the tragic situation in Bosnia demands action by the United States. While I support diplomatic efforts to end the war in former Yugoslavia permanently, it has become increasingly apparent that diplomacy will prove insufficient in resolving the Balkans conflict, the source of which is deeply rooted and complex. Moreover, achieving consensus with our European allies on the best course of action has been extremely difficult. The time has come for the United States to take a leadership role.

The recent Serb capture of U.N. safe areas and subsequent actions against the civilian population demonstrate once again that the U.N. arms embargo has worked only to the advantage of Serbia and the Bosnian Serbs against the Bosnian military and Croatian military and most importantly the civilians. I am outraged at recent reports of rapes, summary executions, and massive looting following the capture of Srebrenica by the Bosnian Serbs. This is a continuation of a pattern of outrageous behavior that is wholly unacceptable. If the Serb aggression continues unchecked and unchallenged, the former Yugoslavia will face an unprecedented humanitarian disaster. The United States should not stand by and permit this carnage and assault against human dignity persist to be endured by essentially unarmed Bosnian Moslems.

Lifting the arms embargo against the Bosnian Moslems will help some in this situation and permit the people of Bosnia to obtain weapons to defend themselves and their country. Lifting the embargo is not a panacea; but as the United Nations, NATO, our European allies, and the United States itself are unwilling to engage in the Bosnian civil war that is to provide protection to the unarmed population, then the Bosnian people must not be barred from having the opportunity to defend themselves.

Earlier this year, I joined 317 of my colleagues in voting for an amendment to the 1996 defense authorization bill supporting the efforts of the Bosnian Government and people to defend themselves against aggression, and calling on our President to lift the arms embargo against Bosnia and Herzegovina. I will today support S. 21, which terminates the U.S. arms embargo applicable to the Government of Bosnia and Herzegovina under specified conditions. The Senate has already approved this legislation by a wide margin. I hope there will be a similar show of support in the House, and I urge my colleagues to join me in supporting S. 21 to lift the arms embargo against Bosnia.

I believe that a diplomatic solution is best considering the diverse nature of this Yugoslavian society, but certainly negotiations to date have not crossed the line to a conclusion. Some progress has been made, but some outstanding and unreasonable actions persist, largely by Bosnia Serbs, that must be arrested. Endorsing the right to self-defense as proposed in this resolution will be of some assistance, but there should be no doubt that diplomatic and negotiated solutions must continue to be sought for a final resolution of the conflicts in Bosnia.

Mr. BEREUTER. Mr. Chairman, in considering this resolution we are faced with a terrible dilemma. A great many of us have long felt it is morally indefensible to deny the Bosnian Moslems adequate arms to defend themselves through the ill-advised multilateral arms embargo that is so one-sided in its effect. Yet beginning the process of unilaterally lifting the arms embargo today will surely place the UNPROFOR peacekeeping troops from France, the United Kingdom, and other countries in far greater danger.

Extracting those UNPROFOR personnel will surely require the use of American ground personnel. In fact, without adequate consultation with Congress, President Clinton has already committed up to 25,000 U.S. troops for that task. Just as surely there will be American casualties in this difficult operation—probably substantial casualties to the scattered UNPROFOR personnel and to the American and NATO allies' troops who are sent in to extract them from this difficult terrain. Under those circumstances the possibility for tragic events to cause an escalation of our actions and reactions into an Americanization of the conflict are very high. The countries providing the UNPROFOR troops and our NATO allies, all urging and warning the United States not to unilaterally lift the arms embargo, will surely blame America for the tragedy and hold us primarily responsible for such additional actions as the unfolding tragedy demands.

And what will become of the Bosnian Government and its Moslem population after UNPROFOR withdraws? The necessary quantities of adequate armament will not appear overnight and personnel are not instantly trained in their use and the military tactics to properly employ them. It certainly can be expected that the Bosnian Serbs will accelerate their onslaught before the Bosnian Government can increase their combat effectiveness. All restraint the UNPROFOR forces have been able to impose will be absent. There will be a countrywide killing field of Bosnia Government forces and the Moslem population. In this total conflict the relatively latent conflict between Croatian and Serbian forces will surely erupt and the resultant conflict and abandonment of the Yugoslavian area by UNPROFOR will make it even more difficult to keep this bloody warfare from spreading south into a larger Balkan war that would jeopardize the integrity of the NATO alliance.

Of course, the status quo is not acceptable and finally there is recent evidence of change.

Some of my colleagues have asked what could be worse than seeing this ethnic cleansing and genocide continuing? The answer to ''What could be worse'', my colleagues, is the probably general scenario I have just outlined. That would be worse and the approval of S. 21 by the House today will be a step down this road to a greater series of tragedies which clearly do affect our national interest. American actions must not be unilateral but framed and implemented in concert with our key European allies who have the troops on the ground in the Yugoslavian region.

Mr. Chairman, my colleagues, despite our horror with the events in Bosnia, despite the lack of confidence most of us have in the policies of the Clinton administration, and despite the dangerous incompetence of the civilian leadership of UNPROFOR, I urge my colleagues to set aside those emotions and vote ''no'' on this legislation.

Mr. BORSKI. Mr. Chairman, I rise today in opposition to S. 21, the so-called Bosnia and Herzegovina Self-Defense Act. While I share my colleagues' frustrations over the war in Bosnia, I believe this is the wrong course of action to take at this time. Unilaterally lifting the embargo will Americanize the war, damage U.S. leadership in NATO, and impede our

ability to enforce U.N. sanctions in regions of the world where we have more vital national interests. Enactment of this legislation today will commit Congress to deploying U.S. troops into a war that will be made even more hostile and violent by these unilateral actions.

We are all united today in our condemnation of the recent deplorable actions of the Bosnian Serbs. The recent Serbian assaults on Srebrenica and Zepa, and their ''ethnic cleansing'' of these areas, have prompted this Congress to respond. The temptation to do something to put an end to this conflict has never been stronger.

But before we act, we must examine how effective our actions will be, and whether the benefits are worth the costs. I share my colleagues' belief in the principle that the Bosnian Government deserves the right to defend itself. But I believe the damage that will be caused to our national interests by unilateral action far outweigh any benefit to our interests in Bosnia.

Unilaterally lifting the arms embargo on the Bosnian Government will not end this tragic war. It will not bring about an end to ethnic cleansing. It is questionable whether it will even have any appreciable difference on the battlefield. In fact, our own military leaders at the Joint Chiefs of Staff [JCS] concluded in a January study that it is ''extremely unlikely'' that a unilateral lift would improve the Bosnian Government's chances of achieving a balance of forces with the Serbs.

More likely, lifting the embargo unilaterally at this time will intensify the fighting, widen the conflict and perhaps even make matters worse for the Bosnian Government forces. Because new heavy weapons would have to cross Croat and Serb territory, many would not even make it into right hands. By the time the Bosnian Government can be effectively trained to use the weapons that do make it through, it may be too late. Unilateral action by the United States will give Russia an excuse to supply arms to the Serbs, its historic ally. Inspired and supplied by Russia and Belgrade, the Serbs will launch new offensives to capture as much territory as possible before the Bosnian Government can be effectively armed.

Overwhelmed by Serb attacks, the Bosnian Government will make urgent appeals for support from Islamic countries, including those antagonistic toward the United States. While such support may help Bosnia's interests, it will come at the cost of increased influence of Iran, Libya and other fundamentalist countries in the Balkans.

Unilaterally lifting the arms embargo will not only damage our efforts in the Balkans, but also threaten U.S. leadership throughout the world. While the United States has a strong humanitarian interest in ending the war, it has a greater national interest in preserving a strong relationship with our NATO allies. Unilateral action will cause extensive and irreparable damage to a relationship that has remained strong and united for the past 50 years. It will isolate the United States at a time when it is seeking allied support for its foreign policy toward North Korea, China, Iran.

Our refusal to comply with the U.N. arms embargo will also permanently damage our ability to enforce other U.N. sanctions in regions where we have more vital, national interests. This will prompt other nations, who wish to put their economic interests ahead of our national interests, to violate sanctions against rogue nations like Iraq, Libya and North Korea. We will have little credibility arguing against such violations.

The enactment of S. 21 will divide our Nation at home as well. By seizing the President's constitutional prerogative to make foreign policy, we will send a powerful signal abroad that Congress and the President are moving in different directions on foreign policy. A divided Nation at home is a weak nation abroad—a fact that will only embolden future potential foreign adversaries.

A vote for S. 21 is a vote to commit United States troops into the middle of an even more violent Balkan quagmire. The President has already promised 25,000 troops for the evacuation of U.N. peacekeepers. Should that evacuation be necessary, the enactment of this legislation is likely to create an even more hostile environment for our troops. They will be on the ground at the same time that Serbian forces will be launching new offensives before the actual lifting of the embargo. Our troops will become targets for those seeking retaliation for the actions we will take today.

Mr. Chairman, the war in Bosnia is a travesty that requires a determined and united effort by all western nations. We should work to cease this war, but we should not go it alone. Enactment of this legislation will Americanize this war and lead to the eventual deployment of thousands of our men and women into this troubled, violent land. If we pass this legislation today, we in Congress will become directly responsible for their fate.

Mr. POSHARD. Mr. Chairman, I rise in support of the resolution and in support of lifting the arms embargo against the Bosnian Government.

No one can approach this debate without some misgivings about the appropriateness of any action in this war-torn part of the world. But no one can watch what is taking place in the former Yugoslavia without being deeply troubled by the ongoing barbarity and terror.

As the safe havens for Bosnian Moslems continue to come under attack, and as the United Nations presence there does little to prevent aggression, the time has come to lift the arms embargo and allow the Bosnian people to defend themselves.

The arms embargo has not halted the aggression of the Serbs—it can be argued that it has, ultimately, encouraged them to continue their advances with little fear of retribution. The United States can no longer impose an embargo which ultimately results in leaving people virtually helpless against an aggressor intent on cleansing the earth of their presence.

I will reserve judgment about the manpower and equipment we might be called on to provide should a withdrawal of UNPROFOR troops be necessary. But I am opposed to putting American troops on the ground in the former Yugoslavia, and believe the time has come to lift the embargo and allow the Bosnian people to defend themselves.

Mr. LAZIO of New York. Mr. Chairman, I rise today to state support on a matter of utmost importance: lifting the arms embargo against the Bosnian Government. The United States Government must take the morally correct position and unilaterally lift the arms embargo immediately. We simply cannot continue to look the other way as the horrors of genocide continue.

On September 25, 1991, the United Nations Security Council imposed an international arms embargo against the former Yugoslavia which was intended to cut off the supply of arms to all parties involved in the conflict. Yet, despite this embargo, the violence and bloodshed continues. The Bosnian Serbs already have heavy weapons. The embargo, which United States forces have helped enforce, has done nothing but deprive the Bosnian Moslems of their inherent right to defend themselves and their families.

International bureaucrats should not be making decisions about which weapons the Bosnian people may use to defend themselves. For too long we have stood idly by as incidents of ethnic-cleansing, systematic rape and murder, and attacks on civilian targets continue. Yet there is no end in sight unless we unequivocally stand and demonstrate that this moral outrage is absolutely unacceptable.

I do not advocate the use of United States ground troops in this conflict. The Bosnian Government has not asked for that kind of help. While our European neighbors have apparently decided to abdicate their moral responsibilities in Bosnia, we have no right to turn a blind eye. The United States must not let itself become a party to such gross negligence. Although I hold out hope for a diplomatic solution to this conflict, the end is not in sight, and as long as the right to self-defense is denied to the Bosnians the onslaught will continue.

It is time to realize that our past policies have failed. It is time to do our part to stop the slaughter.

My colleagues, it is time to support this bill. Let's end the embargo.

Mr. COYNE. Mr. Chairman, there is no doubt that most Americans support efforts to bring peace to Bosnia and to end the war against the Bosnian people being waged by Serb forces in Bosnia. I share the deep concern of many Americans over recent events in Bosnia, especially the violation of safe areas established by the United Nations.

Americans are right to feel outrage and frustration over the events in Bosnia. The violations of human rights and atrocities against women, children and unarmed men should disgust everyone. It is natural for us to look for some solution to the war in Bosnia which will bring a quick resolution to this brutal war against the Bosnian people.

Unfortunately, there are no quick and easy solutions to the crisis in Bosnia. This is certainly true of the proposed legislation before the House today which would unilaterally lift the arms embargo currently in effect for all of the former parts of Yugoslavia. Lifting the embargo will ensure that the war will continue in Bosnia while sharply undermining efforts to achieve a negotiated settlement in Bosnia. Lifting the embargo will result in the certain withdrawal of NATO forces serving with the United Nations' humanitarian mission in Bosnia and will guarantee the deployment of up to 25,000 members of the American military to assist in the withdrawal of our NATO allies from Bosnia.

Unilaterally lifting the arms embargo against the former nations of Yugoslavia will ensure that the United Nations role in Bosnia is brought to an end. Members of the House must keep in mind that this U.N. mission currently provides the Bosnian people with vital humanitarian relief that feeds and helps keep alive over 2 million people in Bosnia. The United States will bear a great responsibility for

the void left by the departure of our European NATO allies who have placed their military forces on the ground in Bosnia. It may be an easy vote for some to lift the embargo but this vote, if successful, will be only the first of several votes to follow with the Americanization of the Bosnian conflict.

The situation in Bosnia is at a very crucial point. The Clinton administration is currently working intensively with our NATO allies and the United Nations' command in Bosnia to strengthen the United Nations' position in Bosnia. President Clinton has stated that the United States is now working to implement the agreement reached recently in London to threaten substantial and decisive use of NATO air power if the Bosnian Serbs attack Goradze and to strengthen protection of Sarajevo using the Rapid Reaction Force. These actions lay the foundation for stronger measures to protect the other safe areas.

Congressional passage of this resolution to lift the embargo unilaterally will undermine these efforts. It will provide our allies with strong motivation to initiate a withdrawal from Bosnia at exactly the moment the United States is asking for greater involvement by our NATO allies. It will require the United States to honor its promise to provide ground support for the withdrawal of our NATO allies from Bosnia.

Mr. Chairman, I urge my colleagues to understand what is at stake if the Congress approves a unilateral lifting of the embargo. The Congress is setting the United States on a course that will place responsibility for Bosnia squarely with our country. I urge my colleagues to consider carefully the direction in which unilaterally lifting the embargo will move U.S. foreign policy. We must not vote on this issue out of frustration with the horrible situation in Bosnia but instead should support the efforts of President Clinton to strengthen U.N. resolve in support of its mission in Bosnia.

Mr. ACKERMAN. Mr. Chairman, today we are once again discussing the pros and cons of unilaterally lifting the U.N. arms embargo on Bosnia, and I rise in strong support of this measure, S. 21, that would lift the embargo.

Although the arms embargo was deemed a viable stopgap to the conflict when it was first instituted almost 3 years ago, it has clearly failed to inject any amount of fairness into this tragic war. The Bosnian Serb army, under the tutelage of Milosevic, and armed with the weaponry and training of the former Federal Yugoslav Army, is a towering Goliath to the Bosnian Government's brave David.

For 3 years now every American has watched with horror as the tragedies in the Balkans continued unabated. In those 3 years there has been much talk, and even several threats, about doing something that could effectively stop the advance of the Bosnian Serbs in their quest to ethnically cleanse Bosnia.

And yet the United States and Europe are still stuck in the same place we were in when the conflict began. What is the secret solution to ending the bloodshed? What is the correct combination of action and diplomacy that will send the strongest possible message to the Serbs that the international community does not tolerate this slaughter? I don't know. And I can't say if anyone knows. But I do know, as do most of my colleagues, what is the right thing to do. We must lift the embargo.

In my mind, it is the only conscionable thing to do. The Bosnian Government and people have called for it, and the American people support it, as does this Congress. There is no doubt that the embargo was well-intentioned, but in practice it has no validity. We must give the Bosnians a chance to defend themselves under equal terms. Without this measure, we leave them without a fighting chance.

Recently Srebrenica and Zepa were overrun, tomorrow it could be Sarajevo and Bihac. And it is common knowledge that the Bosnian Serbs won't stop until they get exactly what they want—a land free of everybody else except for them. This message sounds eerily familiar, particularly in light of the Nazi Holocaust, and especially this summer, as we commemorate the 50th anniversary of the end of WWII.

The United States has always been known as the true defender of democracy and basic freedoms. I say then, let us take the lead in promoting that legacy. We are not opening the door for another Vietnam. The Bosnians don't want us to train and advise them. They don't want us to plan their military operations and send in American ground troops to defend Sarajevo. What they want is a fighting chance. And with this vote, we can give that to them.

Mrs. MINK of Hawaii. Mr. Chairman, the policies of the Western allies with respect to the conflict in the former Yugoslavia, including the deployment of the U.N. Protection Force [UNPROFOR] to protect the U.N.-declared safe areas of Bosnia and the denial of arms to Bosnia, have failed. That failure has been vividly documented in newspapers and on television.

The arms embargo on Bosnia was intended to contain the spread of armed conflict in the former Yugoslavia. While that may have been the embargo's intent, the embargo has in fact expanded the conflict by securing the military advantage of the Bosnian Serbs and allowing the Bosnian Serbs to exercise their military advantage to the fullest. The Bosnian Serbs have shelled Sarajevo unrelentingly, attacked Bosnian Moslem enclaves repeatedly, and are now in the process of eliminating the U.N.-declared safe areas.

The arms embargo on Bosnia has allowed the 80,000-member Bosnian Serb militia, which is armed and supported by neighboring Serbia, to conquer and control roughly 70 percent of Bosnia. The embargo has also prevented the Bosnian Government from defending its territories by mobilizing its potential 200,000-member militia. And, by encouraging Bosnian Serb aggression, the embargo has undermined the efforts of the United Nations to encourage a diplomatic settlement and, most tragically, provide humanitarian aid to Bosnian civilians.

I have voted twice to lift the United States arms embargo on Bosnia because I believe that Bosnian Serb aggression and truculence can be checked and the stage set for a possible diplomatic resolution of the ongoing conflict only when the Bosnian forces are able to defend their territories by gaining parity with Serbian military might.

I urge my colleagues to vote to lift the arms embargo.

The CHAIRMAN. All time for general debate has expired.

Pursuant to the rule, the bill is considered read for amendment under the 5-minute rule. No amendment is in order except an amendment in the nature of a substitute offered by the minority leader or his designee. That amendment shall be considered read, shall be debatable for 1 hour equally divided and controlled by the proponent and an opponent, and shall not be subject to amendment.

If there is no amendment, under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker pro tempore (Mr. COMBEST) having assumed the chair, Mr. BONILLA, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the Senate bill (S. 21) to terminate the United States arms embargo applicable to the Government of Bosnia and Herzegovina, pursuant to House Resolution 204, he reported the Senate bill back to the House.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

The question is on the third reading of the Senate bill.

The Senate bill was ordered to be read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the Senate bill.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

Mr. GILMAN. Mr. Speaker, I object to the vote on the grounds that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 298, nays 128, not voting 8, as follows:

[Roll No. 608]

YEAS—298

Ackerman	Calvert	Dornan
Allard	Camp	Doyle
Andrews	Cardin	Dreier
Archer	Castle	Duncan
Armey	Chabot	Dunn
Bachus	Chambliss	Durbin
Baker (LA)	Chenoweth	Ehlers
Ballenger	Christensen	Ehrlich
Barcia	Chrysler	Emerson
Barr	Clement	Engel
Barrett (NE)	Clinger	English
Bartlett	Coble	Ensign
Barton	Coburn	Everett
Bass	Collins (GA)	Ewing
Becerra	Collins (MI)	Fawell
Bentsen	Condit	Fields (TX)
Bilbray	Cooley	Flanagan
Bishop	Costello	Forbes
Bliley	Cox	Fowler
Blute	Crane	Fox
Boehlert	Crapo	Frank (MA)
Boehner	Cremeans	Franks (CT)
Bonilla	Cubin	Franks (NJ)
Bonior	Danner	Frelinghuysen
Bono	Davis	Frisa
Boucher	Deal	Frost
Brewster	DeFazio	Funderburk
Brown (OH)	DeLauro	Furse
Brownback	DeLay	Gallegly
Bryant (TN)	Deutsch	Ganske
Bryant (TX)	Diaz-Balart	Gekas
Bunn	Dickey	Gilchrest
Bunning	Dingell	Gillmor
Burr	Doggett	Gilman
Burton	Dooley	Goodlatte
Buyer	Doolittle	Goodling

Goss
Graham
Green
Greenwood
Gunderson
Gutierrez
Gutknecht
Hall (TX)
Hancock
Hansen
Harman
Hastings (WA)
Hayes
Hayworth
Hefley
Heineman
Herger
Hilleary
Hinchey
Hobson
Hoekstra
Hoke
Holden
Horn
Hostettler
Houghton
Hoyer
Hunter
Hutchinson
Hyde
Inglis
Istook
Johnson (CT)
Johnson (SD)
Johnson, Sam
Jones
Kaptur
Kasich
Kelly
Kennelly
Kildee
Kim
King
Kingston
Kleczka
Klug
Kolbe
LaHood
Lantos
Largent
Latham
LaTourette
Laughlin
Lazio
Leach
Levin
Lewis (CA)
Lewis (KY)
Lincoln
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas
Luther
Maloney
Manton
Manzullo
Markey
Martini
Mascara
McCarthy
McHale
McHugh
McInnis
McIntosh
McKeon
McNulty
Meehan
Menendez
Metcalf
Meyers
Mica
Miller (FL)
Mink
Molinari
Moorhead
Moran
Morella
Myers
Myrick
Nadler
Neal
Nethercutt
Ney
Norwood
Nussle
Oberstar
Olver
Owens
Oxley
Packard
Pallone
Pastor
Paxon
Pelosi
Peterson (MN)
Pickett
Pombo
Porter
Portman
Poshard
Pryce
Quillen
Quinn
Radanovich
Ramstad
Regula
Riggs
Rivers
Roberts
Rogers
Rohrabacher
Ros-Lehtinen
Roth
Royce
Rush
Salmon
Sanders
Sanford
Sawyer
Saxton
Scarborough
Schaefer
Schiff
Schumer
Scott
Seastrand
Sensenbrenner
Serrano
Shadegg
Shays
Shuster
Skeen
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Solomon
Stearns
Stenholm
Stockman
Stump
Stupak
Talent
Tanner
Tate
Tauzin
Taylor (NC)
Tejeda
Thomas
Thornberry
Tiahrt
Torricelli
Towns
Traficant
Upton
Velazquez
Vento
Volkmer
Waldholtz
Walker
Walsh
Wamp
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Wilson
Wise
Wolf
Wyden
Wynn
Zeliff
Zimmer

NAYS—128

Abercrombie
Baesler
Baker (CA)
Baldacci
Barrett (WI)
Beilenson
Bereuter
Berman
Bevill
Bilirakis
Borski
Browder
Brown (CA)
Brown (FL)
Callahan
Canady
Chapman
Clay
Clayton
Clyburn
Coleman
Collins (IL)
Combest
Conyers
Coyne
Cramer
Cunningham
de la Garza
Dellums
Dicks
Dixon
Edwards
Eshoo
Evans
Farr
Fattah
Fazio
Fields (LA)
Filner
Flake
Foglietta
Foley
Ford
Gejdenson
Gephardt
Geren
Gibbons
Gonzalez
Gordon
Hamilton
Hastert
Hastings (FL)
Hefner
Hilliard
Jackson-Lee
Jacobs
Johnson, E.B.
Johnston
Kanjorski
Kennedy (MA)
Kennedy (RI)
Klink
Knollenberg
LaFalce
Lewis (GA)
Lightfoot
Livingston
Longley
Martinez
Matsui
McCollum
McCrery
McDade
McDermott
McKinney
Meek
Mfume
Miller (CA)
Mineta
Mollohan
Montgomery
Murtha
Neumann
Obey
Ortiz
Orton
Parker
Payne (NJ)
Payne (VA)
Peterson (FL)
Petri
Pomeroy
Rahall
Rangel
Reed
Richardson
Roemer
Rose
Roukema
Roybal-Allard
Sabo
Schroeder
Shaw
Sisisky
Skaggs
Skelton
Souder
Spence
Spratt
Stark
Stokes
Studds
Taylor (MS)
Thompson
Thornton
Torkildsen
Torres
Tucker
Visclosky
Vucanovich
Ward
Waters
Watt (NC)
Waxman
Williams
Woolsey
Yates
Young (FL)

NOT VOTING—8

Bateman
Hall (OH)
Jefferson
Minge
Moakley
Reynolds
Thurman
Young (AK)

□ 1644

Mr. HASTERT changed his vote from ''yea'' to ''nay.''

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

□ 1645

GENERAL LEAVE

Mr. GILMAN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on S. 21, the Senate bill just passed.

The SPEAKER pro tempore (Mr. COMBEST). Is there objection to the request of the gentleman from New York?

There was no objection.

PERSONAL EXPLANATION

Mr. GENE GREEN of Texas. Mr. Speaker, on Monday, July 31, I was in my district conducting a previously scheduled townhall meeting, and, therefore, missed rollcall votes 601 through 607. These events were planned at the time with information from the House leadership that the House would not be casting votes on July 31.

I am including in the RECORD how I would have voted on rollcall votes 601–607.

No. 601—''yes''; No. 602—''yes''; No. 603—''yes''; No. 604—''no''; No. 605—''yes''; No. 606—''yes''; and No. 607—''no''.

REPORT ON RESOLUTION WAIVING POINTS OF ORDER AGAINST CONFERENCE REPORT ON H.R. 1854, LEGISLATIVE BRANCH APPROPRIATIONS ACT, 1996

Mr. DIAZ-BALART from the Committee on Rules, submitted a privileged report (Rept. No. 104–221) on the resolution (H. Res. 206) waiving points of order against the conference report to accompany the bill (H.R. 1854) making appropriations for the legislative branch for the fiscal year ending September 30, 1996, and for other purposes, which was referred to the House Calendar and ordered to be printed.

THE COURT REPORTER FAIR LABOR AMENDMENTS OF 1995

Mr. FAWELL. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H.R. 1225) to amend the Fair Labor Standards Act of 1938 to exempt employees who perform certain court reporting duties from the compensatory time requirements applicable to certain public agencies, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

Mr. OWENS. Mr. Speaker, reserving the right to object, I will ask the gentleman to explain his unanimous-consent request.

Mr. FAWELL. Mr. Speaker, will the gentleman yield?

Mr. OWENS. Further reserving the right to object, I yield to the gentleman from Illinois.

Mr. FAWELL. Mr. Speaker, I thank the gentleman for yielding.

H.R. 1225, as reported by the Committee on Economic and Educational Opportunities on July 20, 1995, would allow an exemption under the Fair Labor Standards Act for official court reporters while they are performing transcription duties and being paid on a per-page basis.

I introduced H.R. 1225 on March 14, 1995. Without this bill, almost every State and local government and court will have to alter their payment structures for official court reporters.

My colleagues on both sides of the aisle deserve acknowledgment for their efforts in moving this bipartisan legislation and, in particular, the gentleman from North Carolina [Mr. BALLENGER], whose subcommittee held hearings on this bill, also to the chairman, the gentleman from Pennsylvania [Mr. GOODLING], and the ranking minority member, the gentleman from Missouri [Mr. CLAY], for their leadership in shepherding this bill through the committee. I especially want to pay my respects to the gentleman from New York [Mr. OWENS], who helped craft the final language of the substitute, and his help and guidance was certainly instrumental in this bill.

I understand that the other body will take up this bill in the near future. I look forward to their expeditious consideration of this matter.

Mr. OWENS. Mr. Speaker, further reserving the right to object, I rise in support of the unanimous consent request.

As the gentleman stated, H.R. 1225 concerns the compensation for overtime for State and local court reporters. Although a blanket exemption from the Fair Labor Standards Act overtime requirements would be inappropriate, where court reporters are otherwise receiving compensation for a transcript on a per-page basis and are preparing the transcript on their own time, that time should not be required to count for purposes of computing the reporters' overtime.

I support this legislation because it achieves that end, and I commend my colleagues, the gentleman from Pennsylvania [Mr. GOODLING], the gentleman from Illinois [Mr. FAWELL], the

gentleman from North Carolina [Mr. BALLENGER], for working to resolve this issue in a bipartisan manner.

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The Clerk read the bill, as follows:

H.R. 1225

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''The Court Reporter Fair Labor Amendments of 1995''.

SEC. 2. LIMITATION ON COMPENSATORY TIME FOR COURT REPORTERS.

Section 7(o) of the Fair Labor Standards Act of 1938 (29 U.S.C. 207(o)) is amended—

(1) by redesignating paragraph (6) as paragraph (7); and

(2) by inserting after paragraph (5) the following new paragraph:

''(6) A public agency may not be considered to be in violation of subsection (a) with respect to an employee who performs court reporting transcript preparation duties if such public agency and such employee have an understanding that the time spent performing such duties outside of normal working hours or regular working days is not considered as hours worked for the purposes of subsection (a).''.

SEC. 3. EFFECTIVE DATE OF AMENDMENTS.

The amendments made by section 2 shall take effect as if included in the provisions of the Fair Labor Standards Act of 1938 to which such amendments relate, except that such amendments shall not apply to an action—

(1) that was brought in a court involving the application of section 7(a) of such Act to an employee who performed court reporting transcript preparation duties; and

(2) in which a final judgment has been entered on or before the date of enactment of this Act.

COMMITTEE AMENDMENT IN THE NATURE OF A SUBSTITUTE

The SPEAKER pro tempore. The Clerk will report the committee amendment in the nature of a substitute.

The Clerk read as follows:

Committee amendment in the nature of a substitute:

Strike out all after the enacting clause and insert:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Court Reporter Fair Labor Amendments of 1995''.

SEC. 2. LIMITATION ON OVERTIME COMPENSATION FOR COURT REPORTERS.

Section 7(o) of the Fair Labor Standards Act of 1938 (29 U.S.C. 207(o)) is amended—

(1) by redesignating paragraph (6) as paragraph (7); and

(2) by inserting after paragraph (5) the following new paragraph:

''(6) The hours an employee of a public agency performs court reporting transcript preparation duties shall not be considered as hours worked for the purposes of subsection (a) if—

''(A) such employee is paid at a per-page rate which is not less than—

''(i) the maximum rate established by State law or local ordinance for the jurisdiction of such public agency,

''(ii) the maximum rate otherwise established by a judicial or administrative officer and in effect on July 1, 1995, or

''(iii) the rate freely negotiated between the employee and the party requesting the transcript, other than the judge who presided over the proceedings being transcribed, and

''(B) the hours spent performing such duties are outside of the hours such employee performs other work (including hours for which the agency requires the employee's attendance) pursuant to the employment relationship with such public agency.

For purposes of this section, the amount paid such employee in accordance with subparagraph (A) for the performance of court reporting transcript preparation duties, shall not be considered in the calculation of the regular rate at which such employee is employed.''.

SEC. 3. EFFECTIVE DATE.

The amendments made by section 2 shall apply after the date of the enactment of this Act and with respect to actions brought in a court after the date of the enactment of this Act.

Mr. FAWELL (during the reading). Mr. Speaker, I ask unanimous consent that the committee amendment in the nature of a substitute be considered as read and printed in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The SPEAKER pro tempore. The question is on the committee amendment in the nature of a substitute.

The committee amendment in the nature of a substitute was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. FAWELL. Mr. Speaker, I ask unanimous consent that all Members may have 5 days in which to revise and extend their remarks on H.R. 1225, the bill just passed.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Edwin Thomas, one of his secretaries.

PERMISSION FOR COMMITTEE ON GOVERNMENT REFORM AND OVERSIGHT TO FILE LEGISLATIVE REPORT ON H.R. 1670 AND H.R. 2108

Mr. CLINGER. Mr. Speaker, I ask unanimous consent that the Committee on Government Reform and Oversight have until midnight tonight to file the legislative report on H.R. 1670 and H.R. 2108.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will entertain 1-minute requests.

GENERAL LEAVE

Mr. DINGELL. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on Mr. Keith Jewell, the official photographer of the House, who is resigning today.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

TRIBUTE TO KEITH JEWELL

(Mr. DINGELL asked and was given permission to address the House for 1 minute.)

Mr. DINGELL. Mr. Speaker, I rise today to bid a fond farewell to a distinguished public servant and to a man who has served this House with great dignity and diligence over a career that has spanned almost three decades, whose last day with the House of Representatives is today.

He has served admirably as the Director of the House Office of Photograph, a demanding job in an office that logged over 19,000 visits to offices of Members of Congress and to address other functions in the last year alone. He joined Members of this body on countless missions overseas, including a trip to Saudi Arabia during the Gulf war and the 50th anniversary of Normandy last year.

Most of us see Keith Jewell at some point almost every day we are in session. Usually it is as he moves rapidly from one appointment to the next to serve the House, take pictures of Members and our constituents. Once in a while, if you have had time to chat with Keith, the Members will know what a thoroughly decent and hard working man he is and how dedicated he has been to the service of this body as well as the extraordinary leadership which he has given to a competent group of photographers.

Sadly, one of Mr. Jewell's staff is also retiring today, Joseph Avery, after some 35 years of service. He, too, has served this institution with great distinction.

This is why I have reason to pay tribute, well deserved, to these fine gentlemen. Whether it was on the House steps or on an overseas mission, Keith Jewell has been one of the official recorders of the history of this institution.

I wish him great success in the future and happiness as he joins his dear wife, a wonderful woman, Lorren, in a long and, I hope, healthy and happy retirement.

TRIBUTE TO KEITH JEWELL

(Mr. STEARNS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. STEARNS. Mr. Speaker, I would like to make part of the RECORD my contribution to Keith Jewell and also to speak in behalf of him, too.

I also rise to speak highly of Keith Jewell, having seen him in operation during the State of the Unions and actually seeing him in operation on the steps of the Capitol so many times where all of us, when we had constitutents and we had junior high schools and high schools, and how many times he has been here when the President and Vice President and Cabinet officers have come by.

He is a remarkable man. He is so humble, and he is such a serving individual and has such a serving spirit. I want to compliment him also and to make my speech part of the RECORD, which I will put into the RECORD at a later time.

Mr. Speaker, I would like to take this opportunity to join with my colleague, Mr. DINGELL, in paying tribute to Keith Jewell.

Keith has served this body well in his 30 years of service. I have always found him to be not only an excellent photographer but also a fine human being. Keith was never too busy to answer a last minute call and always did it with a smile.

You will certainly be missed by all of us. You didn't just take pictures you studied human nature and the photographs you took are evidence of not only your ability but also reflect how much you enjoyed your profession.

On a more sentimental side, you might remember Keith, that you went above and beyond the call of duty by helping out my Executive Director, Marcia Summers, with her daughter's wedding.

You were selfless, hard working, and I know I speak for all the Members here today when I say thanks, a job well done.

TRIBUTE TO KEITH JEWELL

(Mr. MINETA asked and was given permission to address the House for 1 minute.)

Mr. MINETA. Mr. Speaker, I rise this afternoon to say thanks to a friend and loyal employee of the American people. For almost 30 years, Keith Jewell has recorded the history of this institution for the House Office of Photography. Now he's retiring.

Today, we hear a lot of talk about what is wrong with this institution. Those who love this institution are often vilified as out of touch. But to Keith Jewell, institutionalist is not a dirty word. To him, this place has never been about personalities or individual agendas. It's about our Nation as a whole.

Officially, Keith has served under six Speakers, but his boss has always been the American people. From joint sessions to State funerals to constituent visits, this self-taught photographer has captured it all with an understanding that his work is not only for us, but for posterity.

During his tenure, Keith has seen it all. He was the first photographer to capture a still image of a joint session of Congress. He's photographed seven American Presidents and countless dignitaries. And just last year, he traveled to Normandy with a congressional delegation to record the 50th anniversary of D-Day.

But Keith's captured the daily activities of the House as well. As the Director of the House Office of Photography, he has coordinated more than 19,000 appointments each year. And all of them have been conducted in a professional and friendly manner.

From children on their first visit to the Nation's Capital to widows here to say goodbye to their loved ones, Keith has captured the dignity of these events with a compassion not easily matched.

Mr. Speaker, we like to think that every action we take here is historic. That with each vote, we change the world. Only time will tell if that is the case. But one thing is certain—Keith's work will serve as the record.

TRIBUTE TO KEITH JEWELL

(Mr. BEVILL asked and was given permission to address the House for 1 minute.)

Mr. Speaker, 1 minute is not enough time to pay tribute to Keith Jewell, one of my long-time friends and an excellent photographer. As you know, Keith is retiring as Director of House Photography after 29 years of dedicated service on Capitol Hill. He came here shortly before I was first elected to Congress and we have worked together ever since.

As a young man, Keith knew he wanted to be a photographer. He essentially taught himself the tricks of the trade and became a true professional. He has captured more history through his camera lenses than most people witness in a lifetime.

Keith has served under six Speakers and was the first House photographer given permission to photograph the House during a joint session. That was in 1981 under Speaker Tip O'Neill.

Keith Jewell is one of the most dependable, hard-working people I have ever known. People who work with him will tell you that he does the job of three people and never complains. His staff is highly professional. Under Keith's leadership, they keep their commitments and consistently do outstanding work. That's quite an accomplishment considering that Keith has had 19,000 appointments a year.

I want to wish Keith all the best in his well-deserved retirement and future endeavors. His fine service to the U.S. House of Representatives will always be remembered.

□ 1700

TRIBUTE TO KEITH JEWELL

(Mr. GONZALEZ asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GONZALEZ. I rise also to add my voice to those expressing regret at our photographer, Keith Jewell's departure.

Mr. Speaker, I was here when he started as a novice, and we had the first really full professional photographer the House had; who employed him, Dev O'Neill' and ever since then I have learned to respect him, and it is with a great sense of sadness that I notice his departure and wish him well.

TRIBUTE TO KEITH JEWELL

(Mr. OBERSTAR asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. OBERSTAR. Mr. Speaker, I rise also to pay tribute to Dev O'Neill, who I first knew when I was administrative assistant to my predecessor, John Blatnik, and Dev was an apprentice, or Keith was an apprentice, to Dev O'Neill, which our preceding speaker just noted. Dev O'Neill was, to say the least, a character, but a photographer.

Keith Jewell has been a professional looking at this body through the eye of his lens, and I think we all owe him a great debt of appreciation and gratitude for making us all look a little better than we really are when that negative meets the paper and the print finally comes out for recording our meetings with our family, our friends, constituents, our committee hearings, our serious business in this House. He has recorded it for us and for history. He has been a true professional in the field of photography.

Mr. Speaker, I wish him well in all that he seeks to undertake in the future, good health, happiness, and some time of his own to look at the rest of the world through the eyes of that camera and see something other than the Capitol dome and the heads of Members of Congress.

TRIBUTE TO KEITH JEWELL

(Mr. MONTGOMERY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MONTGOMERY. Mr. Speaker, I join my colleague from Michigan, Mr. DINGELL, in paying tribute to one of the hardest working people on Capitol Hill—House Photographer, Keith Jewell.

He is retiring this year after 29 years of service.

I have known Keith almost that entire time. He has always been there when I called. In fact he has been there when nearly every Member of this Chamber has called—and we call a lot. His office meets 19,000 appointments a year in and around the U.S. Capitol.

Rarely a day goes by that I don't meet Keith in the hallways with his camera—heading to yet another appointment.

Keith has served under six Speakers of the House, and has been here to photograph so many historic events in this Chamber.

He has also traveled around the world with congressional delegations over the years—including going to Saudi Arabia during the Persian Gulf war.

Keith, we salute you on a job well done and wish you well in retirement.

TRIBUTE TO KEITH JEWELL

(Mr. OBEY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. OBEY. Mr. Speaker, I would also like to express appreciation to Keith Jewell for the wonderful service that he has provided this House through the years.

Many a time constituents have come to the Capitol, they have come to the Capitol steps. They wanted to have their picture taken with their Representatives, and Keith Jewell has been there, Johnnie on the spot, to try to provide that service both to us and to the people we represent.

Mr. Speaker, he has recorded a significant portion of the history of this House. It has been a familiar sight to see him weighed down with four or five cameras, straps hanging around his neck, camera bag at his side, racing around this building and racing around Capitol Hill trying to do a decent job for us all.

Mr. Speaker, we very much appreciate the graciousness with which he has performed that task and the reliability he has always demonstrated, and we are going to be very sorry to see him go.

Mr. MARTINEZ. Mr. Speaker, I rise today to praise the director of the House Office of Photography, Mr. Keith Jewell. As my colleagues know, this is Keith's last day as an employee of the House.

Keith first began his employment with the House in 1966, and was promoted to his current position of Director on July 29, 1982. Throughout this time, Keith has provided exceptional service and dedication to Members of the House.

While I am saddened by his departure, I know that Keith is most anxious to spend time with his two grandchildren. I am especially pleased that Keith will be able to spend more time enjoying one of his true passions—sailing. Most importantly, I believe this will give him the opportunity to reflect on a very outstanding and rewarding career.

Keith's dedication to the House will certainly be missed, but I wish him well on his future endeavors.

Mr. BLILEY. Mr. Speaker, I rise today to speak of a man who is a walking history book of the U.S. House of Representatives, Keith Jewell. With his ever-present camera around his neck for almost three decades, Keith has not only served this institution with distinction, but he has often been the only friendly familiar face in these hallowed halls.

Keith's professional demeanor is unmatched in his swift response to Members' needs and those of the often-hurried staff member. His ability to accomplish the occasional miracle—like producing a photo that meets the approval of my entire staff—has earned him the respect of Members from both sides of the aisle.

With a steady hand and a sharp eye, Keith has focused on many a debate in the House—through the smooth waters of agreement and the stormy seas of dissent. But, through it all, this loyal public servant has stayed the course—offering assistance and good humor to all along the way.

However, Mr. Speaker, what has distinguished this gentleman the most in his years of service is his devotion—his devotion to capturing what is best in the House, while others only would see the bad; his devotion to guarding the history of the Capitol not only for its members but for all Americans; and finally, his devotion to a pictorial history has been a constant source of inspiration to all those who may have forgotten the true meaning of public service.

It has been a pleasure to work with such a fine gentleman, and his presence in this body will be greatly missed. Thank you, Keith, for your tireless efforts and your loyal commitment to service—your hard work certainly did not go unnoticed.

Mr. MOAKLEY. Mr. Speaker, I wish that I could be with the entire House today as the House pays tribute to one of its own, Keith Jewell. As we all know, Keith is retiring after almost 30 years of service to the institution and the men and women who have comprised the institution as we have known and loved it over the years.

Keith Jewell is the epitome of good staff. Ready to serve, diligent, friendly and gregarious, Keith consistently made all of us look good as he trained the lens of his camera on us and legions of constituents. His patience, unflappability, and trained eye turned the most hectic moments into memorable times. I personally will miss Keith as a friend and colleague, and I know I speak for this Congress and the last 15 Congresses in wishing Keith well in his new challenge.

Keith Jewell will always be a welcome face in my office and in my home.

Mr. STOKES. Mr. Speaker, in just a few days, Congress will adjourn for the August district work period. As we prepare to depart Washington, I want to join in a special tribute to a valued employee who is retiring from this institution. Today, Keith Jewell, Director of the Office of Photography, will leave his post after nearly three decades of service. I rise to join my good friend from Michigan, JOHN DINGELL, and others in the Chamber, in saluting Keith on this occasion.

As the official House photographer, many would refer to Keith Jewell as the visual recorder of historic events. Indeed, few Members of Congress and congressional staff can match Keith's impressive career record. He began his career as a House photographer in 1966, and fondly recalls that the first official photograph he snapped was that of our former colleague, Jack Brooks. Keith Jewell served this body under a total of six Spealers of the House, beginning with Speaker John McCormack. He has served under just as many Presidents, beginning with Lyndon Johnson to the Nation's current leader, President Bill Clinton.

Mr. Speaker, Keith Jewell has also captured on film the historic visits of world leaders and foreign dignitaries to the Halls of Congress. His photographic files includes the visits of President Anwar Sadat, Prime Minister Menachem Begin, Queen Elizabeth, and President Nelson Mandela, just to name a few. It is also interesting to note that Keith was the first photographer permitted to take a still photograph of the House of Representatives during a joint session of Congress.

The Office of Photography, on average, is responsible for 19,000 photographic appointments per year. As Director, Keith Jewell has done an excellent job of supervising a staff of five individuals, all of whom have at least 5 years of service to the Congress. Throughout his career, Keith has exhibited the highest level of professionalism. He is competent, reliable, and dedicated. I can say without reservation that each of the individuals under Keith's supervision possess those same qualities.

Mr. Speaker, as he departs his post as Director of Photography, I take this opportunity to express my deep appreciation to Keith Jewell. Over the years, I have known him to be an exemplary employee of the House. His demeanor was always pleasant and he was always cooperative in assisting Members in accommodating their constituents. Oftentimes, he had to look for special photographs for us. He always responded willingly, no matter how tedious the task. I am proud to extend my best wished to Keith Jewell. He will always be remembered for his outstanding service to the U.S. Congress and the Nation.

Mr. FROST. Mr. Speaker. I would like to take this opportunity to honor Keith Jewell, Director of the House Office of Photography, on his announced plans to retire.

Keith has contributed almost 30 years of service as the official visual recorder of events of the House of Representatives. He has served under six Speakers of the House and has traveled with congressional delegations on several trips, including a trip to Saudi Arabia during the Gulf war. Keith has witnessed first hand some very important events in our Nation's history and has documented these events for the world to see.

As all of us know, Keith has always been there when you needed him. He keeps a full schedule—19,000 appointments a year I am told. But Keith has always managed to find the time in his schedule to be there when an important, unforeseen occasion needed his special attention.

Keith, I am sorry to see you go, although I certainly recognize your retirement is well-deserved.

The house is losing a fine and loyal public servant. I wish you every happiness on your retirement. Enjoy.

Mr. DE LA GARZA. Mr. Speaker, every time I stand in this Chamber I think about it's grand history and how privileged I am to serve in this illustrious institution. Today we gather to pay tribute to someone who in his own way is an institution himself—Keith Jewell, Director of the House Office of Photography.

For a great number of my colleagues it is hard to remember a time when Keith was not here. Having started in 1966, the year after I came to Congress, he has been a part of our every day lives for almost 30 years. In that

time has served as the official documenter of so many of our activities—both grand, momentous historical events, and also the small, intimate moments that mean so much personally to each of us. He has done this in an exemplary fashion.

Keith Jewell has been an integral part of the operation of the House. He has contributed to its running more efficiently and has always been a welcome and engaging presence. I think I speak for a great number of us when I say that he has touched all of our lives.

Let me say thank you for a job every well done. We're going to miss you.

Mr. GIBBONS. Mr. Speaker, Keith Jewell has lived up to his name. He is really a jewel. I watched his entire career here in the House of Representatives and he has always done his job to perfection. I have never seen him without a smile and a willingness to be helpful. His works will outlast all of us.

I regret that he has decided to retire, but I wish him good luck and thank him for his fine professional service.

Mr. QUILLEN. Mr. Speaker, I want to express my deepest appreciation to Mr. Keith Jewell, the Director of the House Office of Photography, for his unprecedented dedication and hard work for this body. I first remember meeting Keith in the Capitol when he was a photographer with another legend in the House Office of Photography, Director Dev O'Neil. Since that first meeting, Keith and I have become friends and his service to me and the constituents of my district has been invaluable. As many of you know, Keith will be retiring today from his post after almost 30 years of service.

Thirty years is a long time, and Keith is probably one of the few people who have been here as long as I have. We have seen seven different U.S. Presidents and many sessions of the U.S. House of Representatives come and go. From the landing of American astronauts on the Moon to the fall of the Berlin Wall, these 30 years have produced much change, but certain special people endure.

Only once in a great while does an individual come along who can really make an outstanding difference. I know that my constituents would not feel as if they had a full experience in Washington without one of the photographs produced by the House Office of Photography. I know that all of the special events and meetings in this body would not be the same without the direction of Keith.

They thank you, and I thank you, and we all regret to see you leave.

HURRICANE SUPPLICATION

(Mr. WELDON of Florida asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WELDON of Florida. Mr. Speaker, I come before the House tonight with a tremendous amount of concern in that, as we are here tonight, a hurricane is bearing down on central Florida. In particular, Mr. Speaker, the eye of the hurricane is heading towards Vero Beach City in my district, and I would just ask that all Members would lift up the people of the State of Florida, as well as the people of my district, in prayer, that there would be no loss of life in this hurricane as it hits our Nation, and that our emergency personnel in the area, Federal and State, would be able to deal with any of the problems that arise in this crisis, and I ask that the whole body would remember our district now as we are being faced with this crisis.

NATIONAL EMERGENCY WITH RESPECT TO IRAQ—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 104–106)

The SPEAKER pro tempore (Mr. METCALF) laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on International Relations and ordered to be printed:

To the Congress of the United States:

I hereby report to the Congress on the development since my last report of February 8, 1995, concerning the national emergency with respect to Iraq that was declared in Executive Order No. 12722 of August 2, 1990. This report is submitted pursuant to section 401(c) of the National Emergencies Act, 50 U.S.C. 1641(c), and section 204(c) of the International Emergency Economic Powers Act, 50 U.S.C. 1703(c).

Executive Order No. 12722 ordered the immediate blocking of all property and interests in property of the Government of Iraq (including the Central Bank of Iraq) then or thereafter locateed in the United States or within the possession or control of a U.S. person. That order also prohibited the importation into the United States of goods and services of Iraqi origin as well as the exportation of goods, services, and technology from the United States to Iraq. The order prohibited travel-related transactions to or from Iraq and the performance of any contract in support of any industrial, commercial, or governmental project in Iraq. United States persons were also prohibited from granting or extending credit or loans to the Government of Iraq.

The foregoing prohibitions (as well as the blocking of Government of Iraq property) were continued and augmented on August 9, 1990, by Executive Order No. 12724, which was issued in order to align and sanctions imposed by the United States with United Nations Security Council Resolution 661 of August 6, 1990.

Executive Order No. 12817 was issued on October 21, 1992, to implement in the United States measures adopted in United Nations Security Council Resolution 778 of October 2, 1992. Resolution 778 requires U.N. Member States to transfer to a U.N. escrow account any funds (up to $200 million apiece) representing Iraqi-oil sale proceeds paid by purchasers after the imposition of U.N. sanctions on Iraq, to finance Iraq's obligations for U.N. activities with respect to Iraq, such as expenses to verify Iraqi weapons destruction, and to provide humanitarian assistance in Iraq on a nonpartisan basis. A portion of the escrowed funds also funds the activities of the U.N. Compensation Commission in Geneva, which handles claims from victims of the Iraqi invasion and occupation of Kuwait. Member States also may make voluntary contributions to the account. The funds placed in the escrow account are to be returned, with interest, to the Member States that transferred them to the United Nations, as funds are received from future sales of Iraqi oil authorized by the U.N. Security Council. No Member State is required to fund more than half of the total transfers or contributions to the escrow account.

This report discusses only matters concerning the national emergency with respect to Iraq that was declared in Executive Order No. 12722 and matters relating to Executive Orders No. 12724 and 12817 (the ''Executive orders''). The report covers events from February 2, 1995, through August 1, 1995.

1. During the reporting period, there were no amendments to the Iraqi Sanctions Regulations.

2. The Department of the Treasury's office of Foreign Assets Control (''FAC'') continues its involvement in lawsuits seeking to prevent the unauthorized transfer of blocked Iraqi assets. In Consarc Corporation versus Iraqi-ministry of Industry and Minerals, a briefing schedule has been set for disposition of FAC's December 16, 1994, appeal of the district court's order of October 17, 1994, transferring blocked property.

Investigations of possible violations of the Iraqi sanctions continue to be pursued and appropriate enforcement actions taken. There are currently 43 enforcement actions pending, including nine cases referred by FAC to the U.S. Customs Service for joint investigation. Additional FAC civil penalty notices were prepared during the reporting period for violations of the International Emergency Economic Powers Act and Iraqi sanction Regulations with respect to transactions involving Iraq. Three penalties totaling $8,905 were collected from two banks for funds transfers in violation of the prohibitions against transactions involving Iraq.

3. Investigation also continues into the roles played by various individuals and firms outside Iraq in the Iraqi government procurement network. These investigations may lead to additions to FAC's listing of individuals and organizations determined to be Specially Designated Nationals (''SDNs'') of the Government of Iraq.

4. Pursuant to Executive Order No. 12817 implementing United Nations Security Council Resolution 778, on October 26, 1992, FAC directed the Federal Reserve Bank of New York to establish a blocked account for receipt of certain post-August 6, 1990, Iraqi-oil sales proceeds, and to hold, invest, and transfer these funds as required by the order.

On March 21, 1995, following payments by the Governments of Canada ($1,780,749.14), the European Community ($399,695.21), Kuwait ($2,500,000.00), Norway ($261,758.10), and Switzerland ($40,000.00), respectively, to the special United Nations-controlled account, entitled ''United Nations Security Council Resolution 778 Escrow Account,'' the Federal Reserve Bank of New York was directed to transfer a corresponding amount of $4,982,202.45 from the blocked account it holds to the United Nations-controlled account. Similarly, on April 5, 1995, following the payment of $5,846,238.99 by the European Community, the Federal Reserve Bank of New York was directed to transfer a corresponding amount of $5,846,238.99 to the United Nations-controlled account. Again, on May 23, 1995, following the payment of $3,337,941.75 by the European Community, $571,428.000 by the Government of the Netherlands and $1,200,519.05 by the Government of the United Kingdom, the Federal Reserve Bank of New York was directed to transfer a corresponding amount of $5,109,888.80 to the United Nations-controlled account. Finally, on June 19, 1995, following the payment of $915,584.96 by the European Community and $736,923.12 by the Government of the United Kingdom, the Federal Reserve Bank of New York was directed to transfer a corresponding amount of $1,652,508.08 to the United Nations-controlled account. Cumulative transfers from the blocked Federal Reserve Bank of New York account since issuance of Executive Order No. 12817 have amounted to $175,133,026.20 of the up to $200 million that the United States is obligated to match from blocked Iraqi oil payments, pursuant to United Nations Security Council Resolution 778.

5. The Office of Foreign Assets Control has issued a total of 590 specific licenses regarding transactions pertaining to Iraq or Iraqi assets since August 1990. Licenses have been issued for transactions such as the filing of legal actions against Iraqi governmental entities, legal representation of Iraq, and the exportation to Iraq of donated medicine, medical supplies, food intended for humanitarian relief purposes, the execution of powers of attorney relating to the administration of personal assets and decedents' estates in Iraq, the protection of preexistent intellectual property rights in Iraq and travel to Iraq for the purposes of visiting Americans detained there. Since my last report, 57 specific licenses have been issued.

6. The expenses incurred by the Federal Government in the 6 month period from February 2, 1995, through August 1, 1995, which are directly attributable to the exercise of powers and authorities conferred by the declaration of a national emergency with respect to Iraq are reported to be about $4.9 million, most of which represents wage and salary costs for Federal personnel. Personnel costs were largely centered in the Department of the Treasury (particularly in the Office of Foreign Assets Control, the U.S. Customs Service, the Office of the Under Secretary for Enforcement, and the Office of the General Counsel), the Department of State (particularly the Bureau of Economic and Business Affairs, the Bureau of Near Eastern Affairs, the Bureau of International Organization Affairs, the Bureau of Political-Military Affairs, the U.S. Mission to the United Nations, and the Office of the Legal Adviser) and the Department of Transportation (particularly the U.S. Coast Guard).

7. The United States imposed economic sanctions on Iraq in response to Iraq's illegal invasion and occupation of Kuwait, a clear act of brutal aggression. The United States, together with the international community, is maintaining economic sanctions against Iraq because the Iraqi regime has failed to comply fully with United Nations Security Council resolutions. Security Council resolutions on Iraq call for the elimination of Iraqi weapons of mass destruction, Iraqi recognition of Kuwait and the inviolability of the Iraq-Kuwait boundary, the release of Kuwaiti and other third-country nationals, compensation for victims of Iraqi aggression, long-term monitoring of weapons of mass destruction capabilities, the return of Kuwaiti assets stolen during Iraq's illegal occupation of Kuwait, renunciation of terrorism, an end to internal Iraqi repression of its own civilian population, and the facilitation of access of international relief organizations to all those in need in all parts of Iraq. More than 5 years after the invasion, a pattern of defiance persists: a refusal to account for missing Kuwaiti detainees; failure to return Kuwaiti property worth millions of dollars, including military equipment that was used by Iraq in its movement of troops to the Kuwaiti border in October 1994; sponsorship of assassinations in Lebanon and in northern Iraq; incomplete declarations to weapons inspectors; and ongoing widespread human rights violations. As a result, the U.N. sanctions remain in place; the United States will continue to enforce those sanctions under domestic authority.

The Baghdad government continues to violate basic human rights of its own citizens through systematic repression of minorities and denial of humanitarian assistance. The Government of Iraq has repeatedly said it will not be bound by United Nations Security Council Resolution 688. For more than 4 years, Baghdad has maintained a blockade of food, medicine, and other humanitarian supplies against northern Iraq. The Iraqi military routinely harasses residents of the north and has attempted to ''Arabize'' the Kurdish, Turcomen, and Assyrian areas in the north. Iraq has not relented in its artillery attacks against civilian population centers in the south or in its burning and draining operations in the southern marshes, which have forced thousands to flee to neighboring States. In April 1995, the U.N. Security Council adopted resolution 986 authorizing Iraq to export limited quantities of oil (up to $1 billion per quarter) under U.N. supervision in order to finance the purchase of food, medicine, and other humanitarian supplies. The resolution includes arrangements to ensure equitable distribution of such assistance to all the people of Iraq. The resolution also provides for the payment of compensation to victims of Iraqi aggression and for the funding of other U.N. activities with respect to Iraq. Resolution 986 was carefully crafted to address the issues raised by Iraq to justify its refusal to implement similar humanitarian resolutions adopted in 1991 (Resolutions 706 and 712), such as oil export routes and questions of national sovereignty. Nevertheless, Iraq refused to implement this humanitarian measure. This only reinforces our view that Saddam Hussein is unconcerned about the hardships suffered by the Iraqi people.

The policies and actions of the Saddam Hussein regime continue to pose an unusual and extraordinary threat to the national security and foreign policy of the United States as well as to regional peace and security. The U.N. resolutions require that the Security Council be assured of Iraq's peaceful intentions in judging its compliance with sanctions. Because of Iraq's failure to comply fully with these resolutions, the United States will continue to apply economic sanctions to deter it from threatening peace and stability in the region.

WILLIAM J. CLINTON.

THE WHITE HOUSE, *August 1, 1995.*

SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of May 12, 1995, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

TOBACCO AND AMERICA'S YOUTH

[Additional statements to Mr. WAXMAN's testimony in the RECORD of Monday, July 31, 1995.]

DECEMBER 31, 1970.

Dr. P.A. EICHORN.
W.L. DUNN, Jr.
Quarterly Report of Projects 1600 and 2302—October 1–December 31, 1970.

WORK COMPLETED

Filter configuration preference

Some 500 smokers were interviewed in the streets and places of business of Richmond, Virginia. They were asked to rank order as to preference five filter ends all of which differed in appearance. One of the five was clearly the consistently preferred design.

Methods study

Report written. Findings: (1) The position effect is of such great magnitude as to possibly mask any real discerned differences between two cigarettes. (2) Differences in preference values between POL and SEF panelists were articulated. (3) A possible deficiency in the Marlboro smoke was isolated.

SERVICE VOLUME

	Number of tests	Number of judgments
Descriptive panel	32	385
Other panels	150	8,614
Field tests completed	8	3,350
Field tests in progress	13	7,850

WORK IN PROGRESS

Determinants of Menthol Cigarette Preference

Data in process.

Smoking and Heart Rate

Report being typed.

Anxiety and Cigarette Smoking

Data collection completed. Analysis in process.

Bird–I

Computer problems have plagued the completion of this study. There yet remain several computer runs before the final report can be assembled.

Project Carib

Seventeen of 21 invitees have agreed to participate, one has declined and three have yet to reply.

Nicotine/tar Ratio Study

We are initiating a study of the effect of systematic variation of the nicotine/tar ratios upon smoking rate and acceptability measures. Using the Marlboro as a base cigarette, we will reduce the tar delivery incrementally by filtration and increase the nicotine delivery incrementally by adding a nicotine salt. All cigarettes will be smoked for several days by each of a panel of 150 selected volunteers.

Smoking and Low Delivery Cigarettes

A study similar to the foregoing, but using a national mailout panel and a wider range (5–20 mg) of tar delivery.

Nicotine Discrimination Study

Marboro type cigarettes with increments of nicotine salt added were smoked on a handout basis by R&D volunteers. Tentative results suggest that differences in nicotine levels can be discriminated and then do influence acceptability judgments. Report in progress.

PHILIP MORRIS,
Richmond, VA, September 8, 1971.

INTER-OFFICE CORRESPONDENCE

To: Dr. P. A. Eichorn.

From: W. Dunn M. Johnston, F. Ryan, and *T. Schori.*

Subject: Plans for 1972.

1. We will concentrate upon the nicotine/tar ratio as a factor in determining cigarettes acceptability. We have established that tar nicotine levels ranged upwards from current production the current production level of nicotine is preferred. However the nicotine/tar ratio was not an independent variable since the base tar delivery of 16 mg increased absolutely with the increase of nicotine. Subsequently we established that among combinations of three levels of nicotine (1.2, 1.9, 2.2) and three levels of tar (10, 16, 19) the low nicotine/high tar combination was preferred. Note that the lowest nicotine level tested was the current production level for flavorful filters. In a third study which gave smokers the option of very low nicotine (0.3 mg) and production level nicotine (1.2 mg) with a constant high tar delivery (24 mg), the preference was a function of smoker variables, notably sex and brand smoked.

Our plans now are to concentrate upon that nicotine delivery range between 0.3 and 1.2 mg with a systematic manipulation of the nicotine/tar ratio at incremental nicotine levels within this range. The nicotine/tar ratio of .07, which is characteristic of a broad range of natural leaf, shall be taken as the mid-point of the ratio range. Obviously we must segment our smoking population for establishing optimum ratio levels.

Cigarettes with the following parameters will be smoked to determine optimal nicotine/tar regulations for cigarette acceptability of relatively low delivery cigarettes.

[Chart omitted.]

Also, using the low nicotine tobacco (.3 mg nicotine) and air dilution or filtration techniques, the following low nicotine cigarettes will be evaluated in terms of their acceptability, first in local then, where indicated, national testing:

1. 18, 12, 5 mg tar vs. Marlboro
2. 18, 12, 5 mg tar vs. Kent
3. 18, 12, 5 mg tar vs. Cigarette gold

2. We plan to investigate the relationship between socio-economic status and smoking behavior in terms of whether or not the panelist smokes, type and brand smoked, quantity smoked, and changes over time in brand and quantity smoked.

We will: investigate relations between Status Inconsistency and Personality Characteristics; and look for SES relations in differences between smokers and nonsmokers which have been attributed to smoking.

3. Continuing an ongoing program in economic analyses, we plan to:

a. Keep management apprised of the trends of tar and nicotine deliveries of cigarettes on the market by continuing to provide a regulate quarterly report and analysis of weighted average tar and nicotine deliveries.

b. Provide economic forecast and information as guidance to the corporation by continuing the annual contribution to the Philip Morris U.S.A. Five-Year Plan.

c. Provide economic information, principally for R&D and New York Marketing and Financial management, on selected economic aspects of cigarettes and their sales, through the study of such topics as:

1. the elasticity of demand for cigarettes
2. the impact of a value-added tax
3. switching patterns
4. brand image

4. We plan to complete our study of difference thresholds for RTO and menthol. In these studies we are looking for the just-noticeable differences which smokers can detect in these parameters.

5. We plan to study the relationship between Sustained Performance and Smoking:

1. On-the-job situation—Actual or simulated job situations will be used to study the effect of smoking on worker productivity.

b. Driver Fatigue—The effect of smoking on driving performance will be evaluated in an actual 8–10 hour driving task.

6. We plan to systematically observe puffing patterns across different cigarettes using portable recorders being developed by Engineering in order to:

a. Find standard puff profiles of a restricted group of smokers while working at their desks, smoking preferred cigarettes.

b. Find how standard puff profiles of this group are changed when cigarette characteristics are changed (e.g. switch Multifilter smokers to Marlboros, Marlboro smokers to Multifilters).

7. We plan to hold the conference on Motivational Mechanisms in Cigarette Smoking in January, 1972, and publish the proceedings as expeditiously as possible. Two papers from Philip Morris R&D will be included.

8. Major strides have been made in maximizing computer usage in conducting our national field test program in terms of roster maintenance, panel selection, data processing and reporting. During the forthcoming year we shall concentrate on rebuilding the roster by eliminating inactives and recruiting new members. The program whose objective is to determine the relationship between emotional state and smoking will be aggressively pursued during the forthcoming year. We intend to:

1. Further investigate relation between personality test scores and predicted puff rates among college students, e.g. anxiety and puff rate;

2. Expand shock-anxiety program to include other noxious stimuli, e.g. loud noises.

3. Expand dependent variables measured to include puff volume.

9. As a follow-up upon the demonstration of the preference justification effect as a contaminating variable in our current field test procedures, we plan to actively explore other field tests formats which would minimize the preference justification effect. Two such candidates have already been developed and will be tested within the next quarter.

10. If the trend of the past 15 years continues, it will be necessary to progressively reduce the tar delivery of our marketed brands in the future. Anticipating this need, we plan to address ourselves to the problem of determining the optimum way, among the multiple possible ways, of reducing the tar delivery of a cigarette.

Charge number: 1600.

Program title: Consumer Psychology.

Period covered: December 16–January 15, 1972.

Project title: Psychology of Smoking.

Project leader: W.L. Dunn, Jr.

The Conference on Motivation in Cigarette Smoking was held January 12–16 St. Martin. Work has now begun on publishing the proceedings of the conference.

Project title: Perceived Cigarette Attributes.

Project leader: T.R. Schori.

This is a national mailout study designed to determine the major cigarette characteristics as perceived by the smoker. Ballots will go out shortly.

Project title: A Comparison of the Effects of Caffeine and Cigarette Smoking.

Project leader: T.R. Schori.

This study was designed to compare the relative effects of caffeine and cigarette smoking on several indices of arousal in smokers. Smokers were tested under each of three conditions: smoking, caffine, and placebo. Automated data acquisition was employed. Data analysis will commence shortly.

Project title: Smoking and Low Delivery Cigarettes.

Project leader: T.R. Schori.

Our specially grown low nicotine-high tar tobacco has arrived.

Low delivery cigarettes with varying tar and nicotine deliveries are being made with both the low nicotine tobacco and with ordinary tobacco. These cigarettes will be used in national mailouts to determine what combinations of tar and nicotine make for optimal acceptability in a low delivery cigarette.

Project title: Smoking and Low Delivery Cigarettes.

Project leader: T.R. Schori.

Several attempts have been made to produce cigarettes for a national mailout. Some difficulties have been encountered in achieving desired tar and nicotine levels.

Project title: TPM Difference Limens.

Project leader: T.R. Schori.

In this study we are attempting to determine what constitutes a just noticeable difference in cigarette TPM. Cigarettes at five different delivery levels will be sent to panelists in the field. Previously, rather unsuccessfully, we had taken a laboratory approach to this same problem.

Project title: Personality Revisited.

Project leader: T.R. Schori.

Our Tar, Nicotine, and Smoking Behavior Study disclosed some interesting relationships between various indices of smoking and

personality. We therefore tested students at two colleges to see whether our findings might be more general. Those data are commencing to come in.

OCTOBER 5, 1972.

Dr. P.A. EICHORN.
W.L. DUNN, Jr.
Quarterly Report—Projects 1600 and 2302.

SEX–III

Twelve hundred of the original 2400 filter smokers who participated in the SEX–I study in 1968 are, at the time of this writing, saying butts for R&D analysis. We will be attempting to relate change in smoke intake to other variables, notably change in available TPM, in the cigarette smoked.

Publication of smoking behavior: Motives and Incentives

Because of editing difficulties with one author, the volume is now likely to be delayed until January, 1973.

Participation in Food Motors Keep-Well Campaign

The Medical Department of Ford Motor Co. will be launching an exploratory study of a Prophylactic Program to Reduce Cardiovascular Illness among Employees. We will collaborate in the design and data collection. The study is in the early planning stage.

Miller Brewing

We are providing ongoing consultation and testing services to this subsidiary in the evaluation of its beer products.

The Schachter Studies

We are collaborating closely with this investigator and providing technical support to the research activities in the Psychology Dept. of Columbia University. A significant theoretical contribution to the understanding of cigarette smoking is believed imminent from this effort.

Puffing Behavior

We have begun gathering puffing data among student college smoking various brands of cigarettes and little cigars. Intake variables (puff frequency, interpuffing intervals, puff volume, etc.) should prove related to product preferences, FTC tar and nicotine delivery, etc. The human smoking recorder is used to monitor the puffing while subjects watch slides.

Personality and Puffing

We continue to observe differences in puffing behavior related to personality variables. The effect seems clearer among male subjects that among females.

Shock and Smoking

Data collection will resume in October at a new location (POL). We need to develop a different stressor as fear of shock is scaring away some of our more valuable subjects.

Sustained performance and smoking

In this two-part study, we are evaluating psychomotor performance of smokers, deprived smokers, and nonsmokers over time (3 hours). Part 1, concerned with complex task performance, has been completed. The subject's task consisted of five subtasks which had to be performed simultaneously. These subtasks were: a meter monitoring subtask (6 meters), a light monitoring subtask (4 lights), a visual choice reaction time subtasks, an auditory choice reaction time subtask, and a mental arithmetic subtask.

In terms of all five subtasks, the subjects showed significant improvements in performance over time. No significant differences in performance were found between the three smoking conditions except in the auditory subtask where smokers displayed the best performance. This latter finding suggests the possibility that smoking enhances auditory sensitivity and we are currently looking into this possibility. As we had found in previous studies, smokers had fewer significant mood changes (as measured by the Nowlis Mood Scale—a paper and pencil device to measure transient mood states) than did nonsmokers or deprived smokers. This suggests that smokers are more emotionally stable in this sort of test situation than are nonsmokers or deprived smokers.

Multiple Discriminant Analysis: A Repeated Measures Design, Virginia Journal of Science, 23, 62–63, Summer, 1972. Schori, T.R., and Tindall, J.E.

Menthol Cigarette Studies

Two menthol cigarette studies are underway. The first is designed to delineate the images possessed by various of the menthol cigarettes currently on the market. This is a questionnaire type study using national roster panelists.

The second type is a smoking test. It is designed to identify nicotine and menthol parameters which make for optimal acceptability of menthol cigarettes. This study has a three-stage design. The first stage is designed to identify those nicotine delivery levels which we might reasonably wish to consider for menthol cigarettes. Having identified these nicotine delivery levels, in stage 2 we will determine combinations of nicotine and menthol which make for optimal acceptability. And then in stage 3, cigarettes with these combinations will be tested against current brands of known quality and sales potential.

Bay Area Study

Marketing, for the past few months, has been trying to improve the image of Multifilter in the San Francisco Bay Area and San Jose. In this study, we are trying to determine whether this attempt to improve Multifilter's image has been successful. We are doing this by means of a mailout to smokers in these areas.

Tar and Nicotine Studies

We have done a number of nicotine to tar ratio studies. Development is continuing to try to make cigarette models with various levels of tar and nicotine using our low nicotine tobacco. When we get successful models, we will go out to a national panel in an attempt to determine combinations of tar and nicotine which make for optimal acceptability.

In addition, a local panel of smokers will test these cigarettes for nine weeks in order to determine the effect of tar and nicotine on cigarette consumption when both tar and nicotine deviate downward from that to which the smokers are accustomed. This is a follow-up of TNT–1.

PHILIP MORRIS,
Richmond, VA, November 14, 1972.

INTER-OFFICE CORRESPONDENCE

To: Dr. P.A. Eichorn.
From: W.L. Dunn.
Subject: 1600 objectives for 1973.

Objective I: To provide leads for new cigarette design and development.

A number of studies are planned or in progress which fall under this objective. Each study is concerned with some discrete aspect of the cigarette or smoke product idea that demands data for its evaluation. A brief description of each follows:

Nicotine/tar ratio

The nicotine/tar ratio of all cigarettes of natural leaf is .07 ± .01. We have no acceptability data for nicotine/tar ratios outside this range. Since the trend in tar delivery is downward, and since nicotine is presumed to be that which is sought by the smoke does a cigarette with a high nicotine/tar ratio have market potential. Three studies of this question were executed in 1972. The critical study is yet to be accomplished; namely, the evaluation of that matrix of nine cigarettes representing all combinations of three nicotine levels (.3, .8 and 1.2 mg) and three tar levels, (8, 12 and 16 mg). This study will be done in 1973.

Nicotine and menthol level variations in menthol cigarettes

What is the optimum combination of nicotine and menthol levels? In a manner similar to that used in the nicotine/tar ratio series, we will obtain smoker preference response to a matrix of cigarettes varying in menthol and nicotine levels, using black menthol smokers as principal panelists.

Optimum mode of tar reduction

Given that the market demands a 14 mg cigarette, and given a variety of ways to reduce delivery to this level, which way provides the most acceptable cigarette? This study has been in the making for a year. The problem is to obtain cigarettes at target delivery representing each of the reduction modes. Once the cigarettes can be provided, we will execute the study .

The influence of RTD on acceptability

In recent studies of the nicotine/tar ratio we have observed an effect on preference attributable to differences in RTD, RTD being a variable which we were unable to adequately control. We plan to conduct a preference study with cigarettes representing systematic manipulation of RTD. The study is contingent upon obtaining the required cigarettes, there being technical problems involved in attempting to vary RTD independently of other factors.

Puffing patterns as a function of cigarette characteristics

To what extent do cigarette parameters (tar, nicotine, RTD, rod length, etc.) influence puffing patterns? This is a problem that has long interested development. Several years have been devoted to the development of a device for recording puffing patterns. The device is now available (though falling considerably short of the original specifications) and observations of puffing patterns are now in progress. We expect to report some findings in 1973.

SEX–III

This study has been executed. The report is scheduled for early 1973. It is a replication of SEX–I (1968) using 1200 of the original 2500 subjects of SEX–I. We will relate changes in mean daily intake to a number of variables, with particular interest in the influence of changes in available tar upon intake.

Objective II: To further our understanding of the motives and incentives in cigarette smoking

That there are many rewards in cigarette smoking is a basic premise in our research aimed at explaining cigarette smoking. But some rewards we believe to be more crucial than others. Our program is aimed at identifying the crucial or primary reward(s), i.e. the reward(s) which, if eliminated, would lead to the discontinuation of smoking.

A second basic premise is that some people find smoking more rewarding than others because of certain yet to be isolated physiological or psychological characteristics. A third premise is that these characteristics are of such a nature as to make smoking rewarding under not all situations but only those which induce deviation in the individual's psychological state. Thus, smoking is rewarding for certain people under certain circumstances. Our tasks, then, is to identify the significant characteristic of the smoker and the significant elements of the situation and to state how the critical variables of the

person and the situation interact to reinforce the smoking act. The following are discrete projects which share this common objective.

Telemetered heart rate

A psychological characteristic which is of interest to us is ''arousal level'' referring to a hypothetical state of activity in the central nervous system. Heart rate is taken to be an index of arousal level. We will sample heart rate via telemetered radio signal over the course of a working day under smoking and abstention conditions. Instrumentation limitations and the difficulty of obtaining subjects that are willing to abstain on demand over several weeks time compel us to focus on a few subjects and extensive observations per subject.

We are hypothesizing from a theoretical model that variability in heart rate will be lower under smoking than under abstention conditions.

Personality and puffing behavior

In this research we observe the differences in puffing behavior under relatively nonstressed situations (subjects evaluate the difficulty of choosing between two stimuli and later actually make the choices) of people with different personality characteristics. We then attempt to predict their puffing behavior from knowledge of their personality types.

Evidence to date suggests that students with a high type V score, determined by a composite 11 of the 20 factors measured by the 16 PF, take many more puffs on cigarettes than do students with a low type V score. Students with intermediate scores take an intermediate number of puffs.

Plans for the year: (1) Extend our observations to other puff variables by using the smoking recorder. (These observations can be embedded in other data-gathering tasks, such as those of the project examining effects of product differences on smoking behavior.) (2) Improve our prediction accuracy by increasing the number and type of personality test items in our tests. (We'll give both the A and B forms of the 16 PF, add items from the Maudsley scale, and administer a portion of an intelligence test.) (3) Seek out specific personality combinations which affect the new dependent variables. (d) Extend our interest to the prediction of FTC tar taken into the mouth by our local and national panelists by relating their daily intake and average intake per cigarette to their personality.

Anxiety and puffing behavior

In this project we will repeat an investigation conducted earlier which suggests that subjects threatened by shock will show differential heart rate increases associated with the threat on days when they are allowed to smoke than on days when they are not allowed to smoke. Our observations require confirmation before we are ready to publish the results.

Personality and social class

Our measure of social class is that of the U.S. Census, which has rated various occupations along a 99 point scale. We will select a set of sample panelists from different levels of the socioeconomic spectrum and compare their cigarette consumption with their social class and personality type. In addition to the general level of class, a factor we postulate as important in determining consumption is the relative consistency of a man's educational background, salary, and his occupation. We reason that where these factors are not appropriately consistent—so that the man may be under or overtrained for his occupation, or may be under or overpaid for his occupation we might expect him to be operating under such stresses as would (a) affect his personality test scores and (b) increase the likelihood of him becoming a smoker.

Effects of product differences on smoking behavior

This project is an offshoot of the theoretical research into states and traits which uncover differences in smoking behavior associated with differences in people. It examines differences in smoking behavior associated with differences in smoking material.

Procedures: Smoking behavior is monitored while smokers engage in a simple psychological task repeated over a series of days, during which they smoke two samples of each of eight products: two little cigars (Winchester, and Antonio and Cleopatra) and 6 85mm cigarettes (Marlboro, Winston, Multifilter, Kool, True, and Carlton). An additional two samples of four products are also smoked during a slightly more difficult task on the same days. Number of puffs per cigarette and interval between puffs are monitored both by an observer and by the desk model of the smoking recorder, which also records puff volume and maximum flow rate.

Expectation: The puff variables will be affected by (1) Tar and nicotine deliveries of the products and (2) General taste acceptability of the products as measured on a rating scale.

Estimated Completion: Depending on the availability of subjects during December and early January, when the University has a long vacation for the first time, data collection should end in March and a report should be published in April, 1973.

Comment: In the expectation that further projects of this character will be called for, we have devised a new task to occupy the smoker's attention. The task, which involves the comparison of artificially designed words called paralods with other words seen before, should be repeatable on many more occasions than is our present task. This should make it easier for us to make repeated observations on the same smokers and partly alleviate one of our major hangups, finding a constant supply of new smokers for our research activities.

Film-induced stress

Heart rate, respiration rate, galvanic skin response and muscle potential will be recorded for all subjects as they watch a neutral film. All subjects (nonsmokers, deprived smokers and smokers) will be deprived during the neutral film and for at least an hour preceding the film. Then two stress films will be shown. During this time only the smoking group will be permitted to smoke and the physiological measures will again be recorded. Mood scales will also be given at several points during the experiment. We will be looking for possible differences between groups in terms of physiological and/or mood changes. This will be an attempt to determine if smoking can affect the ability to handle stress.

Spare mental capacity

In this experiment nonsmokers, smokers deprived, and smokers will first be required to perform a tracking task. On the basis of their performance on the tracking task, they will be given varying amounts of other tasks to perform. The better a subject performs, the more he will be given to do. The object is to push every subject to his limit and determine whether there are any differences between groups in amount of spare mental capacity.

Sustained performance

We will analyze the data collected in two different types of sustained performance tasks. The first task was extremely difficult and required the subject to use a great deal of his mental capacity. The second was a slower (one quarter the speed) version of the first and was designed to bore the subjects. We will look for differential effects of smoking condition (nonsmoker, smoker deprived, and smoker) and task difficulty on performance and on two different mood scales.

Driving efficiency and smoking

This effort is in its germanal stage. We are thinking about the feasibility of a heavy commitment of time and money to an extensive monitoring of the automobile driver aimed at determining whether smoking does affect performance. Our plans to date go only so far as to include a literature search and a possible proposed writeup.

Objective III: To Provide Economic Analyses and Forecasts to R&D and New York Management, as follows:

Keep management appraised of the trends in tar and nicotine deliveries of cigarettes on the American market by continuing to provide periodic reports and analyses of weighted average tar and nicotine deliveries.

Provide economic forecast and analysis of the effect of demographic and social trends as guidance to the corporation through the annual contribution to the P.M. USA Five-Year Plan, and in answer to specific questions posed by R&O and New York Marketing and Financial Management regarding foreign and domestic economic, social and demograhic trends.

Provide, through the medium of the data bank developed in successive pollings of the POL National Roster, information to R&O and to New York Marketing Management on the demographic and socio-economic characteristics of users of products of interest to Philip Morris; brand and flavor preferences and extent of usage as related to demographic and socio-economic characteristics; and changes over time in brand and flavor preferences and extent of use of cohorts of our panelists.

Objective IV: To Maintain and Where Necessary Upgrade our Capability for Providing Consumer Product Testing Services

Toward this end we plan to do the following:

Establish a local panel of black menthol smokers

Via advertisement in the local newspaper, Afro-American, we are recruiting a mail-out, phone-back panel of black menthol smokers.

Establish a national roster of black smokers

We will select appropriate city areas from city directories and draw names for mail invitations to join the POL panel. We will target for an urban sample of a thousand smokers; which should include 300 menthol smokers.

Annual (semi-annual?) dinner for R&O booth panelists with high attendance records

We plan to institute this program to encourage more regular participation. An annual dinner for the Descriptive Panel has proven most effective.

A bastard descriptive panel/booth test procedure

We are in the process of evaluating an alternative procedure for in-house product testing suggested by the Stanford Research Institute. It combines certain of the Descriptive Panel principles with those of booth testing.

PHILIP MORRIS U.S.A.—RESEARCH AND DEVELOPMENT

FIVE YEAR PLAN—1974–78

May, 1973

Overall objective

To support the growth goals of PM–USA, R&D management will strive to maintain the rate of balanced technical progress consistent with our industry leadership position. Substantial effort will be channeled into major product and process programs in

selected areas of greatest opportunity, while building the level of technical support and biological investigation needed to protect established domestic and international product positions.

I. New product and product improvement programs

R&D management strategy in the area of new products and product improvement will be to seek to anticipate the changes in cigaret design, construction or composition which will constitute readily-perceivable advances over present market brands, and to develop the technology needed to accomplish those changes.

A. Filters and filtration

The major filter effort is being directed toward understanding fundamental filtration mechanisms and providing a solid foundation of filter technology upon which to base future products. The program includes selective filtration of various smoke components, sorbtion and flow studies, controlled release of flavors, and analysis of the functioning of diverse filter material candidates.

Filter process development activities include plug combining through extrusion, space-fill techniques, and the single flush-fluted filter.

New filter products under current development include foamed plastic filters, impaction filters, fused CA, spiral filter, and porous polymeric filters.

B. Smoke composition and control

This long-range program is aimed at developing economical proprietary techniques for control of those specific smoke components which may come to be regarded as undesirable. Achievement of the objection will necessitate identification of the rod precursors of smoke constituents, understanding the conditions under which the constituents are formed, and developing techniques to alter the precursors and/or reaction conditions beneficially.

C. Non-tobacco fillers and additives

The principal elements of this program are the designed filler project and its supporting studies, evaluation of competitive non-tobacco sheet materials, tobacco protein concentrates, and the synthesis of analogs of tobacco alkaloids.

D. Flavor and subjective response

Our long range effort is aimed at a dramatic reduction in both nicotine and tar while maintaining subjective responses equal to our present major brands. This complex task will require (1) understanding more thoroughly the constituents of smoke, (2) discovering which constituents contribute positively to the smoker's response, and which detract or make no contribution, (3) determining those precursor substances in the filler and paper and those pyrolysis conditions which produce each type of constituent, and (4) developing means of decreasing the proportion of undesirable constituents, increasing the desirable ones, or supplementing them with additives.

E. Other new product concepts

Other new product models under current development include a slim cigaret formulated for a strong masculine appeal, a low delivery slim, and a paper-free, film-wrapped cigaret rod.

II. Psychological and biological aspects of smoking

R&D management will continue to emphasize three areas of investigation which are relatively long-term with respect to commercial applications: (A) Smoker Motives and Behavior, (B) Bioassay Methods, and (C) Physiological Effects of Smoking.

A. Smoker motives and behavior

This program comprises a number of studies expected to provide insight leading to new cigaret designs. These include studies of optimum nicotine/tar ratios, nicotine/menthol relationships, puffing patterns as a function of cigaret characteristics, influence of RTD on acceptability, personality and anxiety factors affecting puffing behavior, and effects of product differences on smoking behavior.

B. Bioassay methods

In order to remain abreast of, and when possible anticipate, trends and findings in smoking and health, R&D will continue to develop and apply rapid bioassay methods to evaluate the effects of cigaret smoke and its constituents upon biological systems.

C. Physiological effects of Smoking

An increased level of effort is anticipated, both domestically and abroad, on the physiological effects of our smoking products. R&D management recognizes the importance to the Corporation of a rapid, informed response to challenges in the health field, and will seek to establish a level of preparedness commensurate with an industry leadership position.

OCTOBER 29, 1973.

Those listed.
T.S. Osdene.
5-Year plan.

Attached is a copy of the R&D Strategy 5-Year Plan. I would be pleased if you would use this as a framework in which your various programs and projects are supportive of this document. In the near future you will be given your Project Authorization sheets, and I would be pleased to receive your plans within the next two weeks. Should you wish to discuss this with me in some detail, please let me know.

If in your opinion, there have been any omissions or mistakes within the broad R&D outline, please let me know so that we can amend.

Dr. W.L. Dunn
Dr. D.A. Lowitz
Dr. F. Will

R&D STRATEGY OUTLINE

I. SUPPORT OF ESTABLISHED BRANDS

A. General strategy

R&D management believes that the technical support of our established successful cigaret brands is the foundation upon which any future growth through new brands must be built. Therefore, established product and profit positions will be protected through a balanced program in the areas of cost savings, smoking and health, brand improvement, and service to other departments.

B. Cost savings

Primary emphasis will be on development of the leaf, stem and sheet processing technology needed to achieve the lowest possible materials cost for PM–USA without jeopardizing the reputation for consistently high quality which our cigarets enjoy.

Secondarily, R&D will be alert to possible economies in other phases of cigaret manufacturing.

C. Smoking and health

R&D will seek to establish a level of knowledge and preparedness which will facilitate a rapid, informed response to challenges in the health field. This level will be developed largely through the sponsorship of selected studies at independent laboratories and universities. The principal in-house effort will be the development and application of rapid bioassay methods to evaluate the effects of cigaret smoke and its constituents upon biological systems.

D. Improvement or established brands

To the extent that opportunities or needs for technical improvement of established PM market brands may occasionally become evident, whether through new technology developed by R&D or by suppliers, through continuing R&D liaison with Marketing or Manufacturing, or through competitor actions, R&D will provide the technical support as needed to accomplish the improvements.

E. Technical service to other departments

Services to other PM departments will be mainly confined to complying with special project requests and continuing to provide established routine services such as the CI report, analytical support for HTI tests, etc. An important exception, however, will be service to the International Division, for whom R&D aggressively will seek to make available its technology and resources to support the continued rapid growth of that Division.

II. NEW PRODUCTS

A. General Strategy

R&D management believes that, because of the broadcast, advertising ban and other changes in the structure of the cigaret market, new brands based on relatively modest product differences can no longer be introduced successfully. The few successful new brands in the foreseeable future mainly will be those which embody major, readily-perceivable advances over existing market brands.

Recognizing that the most innovative and promising cigaret concepts for the long run will require a depth of understanding of our product and customer which we have not yet attained and which can only be achieved through substantial investments in directed research, R&D management will concentrate a large part of the resources at its disposal in two major long-range new product programs: a cigaret with controlled-composition mainstream smoke, and a ''full-flavor'' cigaret delivering less than ten milligrams of FTC tar.

B. Composition control of mainstream smoke

This program is aimed at developing economical proprietary techniques for control of those specific smoke components which may come to be regarded as undesirable. The program will include projects to identify the rod precursors of unwanted smoke constituents, to understand the conditions under which the constituents are formed, and to develop techniques to eliminate selectively the unwanted constituents from the smoke, either by altering the precursors and/or reaction conditions, or by removing the constituent after it is formed (principally by filtration).

C. Full-flavor/low delivery

This program is directed at a dramatic reduction in cigaret tar level while maintaining subjective responses equal to our present major brands, and is in several important ways, the complement of the program described above. As the Composition Control effort seeks to ''eliminate the negative,'' this program is to ''accentuate the positive.'' The task requires (1) understanding more thoroughly the constituents of smoke, (2) discovering which constituents contribute positively to the smoker's response, and which detract or make no contribution, (3) determining those precursor substances in the filler and paper and those pyrolysis conditions which produce each type of constituent, and (4) developing means of increasing the relative concentration of desirable constituents.

D. Other new product technology

R&D management recognizes that, despite the importance of the two new product programs described above, these alone will not

provide sufficient breadth of technology to enable the Company to become the undisputed industry leader by 1980.

[1.] Accordingly, additional programs will be maintained with two broad objectives:

[2.] To develop cigaret features and processes which can find *application* in a possible new brand, although the features and processes may not be sufficient justification by themselves for a new brand or brand extension.

To improve our understanding of how and why smokers actually smoke cigarets, to provide leads for other major new product concepts.

Strategically, R&D management wishes to maintain a large number of projects of these two types, sufficiently diverse to cover all of the important elements of the product and its use. Although the projects in the aggregate will represent a major investment of R&D resources, the expenditure level on any single project will be relatively low.

Charge number: 1600.

Program title: Smoker Psychology.

Project leader: W.L. Dunn, Jr.

Period covered: April 1–30, 1974.

Date of report: May 9, 1974.

Project title: Aloha Brain Waves and Smoking.

Written by: W.L. Dunn.

Nearing completion of data collection.

Project title: Controlling Smoke Inhalation Post-Puff.

Written by: W.L. Dunn.

Still in instrumentation phase.

Project title: Puffing Behavior.

Written by: F.J. Ryan.

When 16 students smoked 85 mm Marlboros or Salems cut to different lengths, we observed that (1) first puffs were strikingly similar in volume, flow, and duration, whether taken on an 85, 78, 71, 65, or 59 mm rod; (2) second puffs were strikingly similar, too, whether at 78, 71, 65, 59, or 52 mm; (3) later-than-second puffs had volumes which were determined by rod length, rather than puff number. In this study puffs were taken at 60-second intervals. But smokers are normally free to take puffs at any time, so that it is inappropriate to use puff number alone to categorize volumes. A third puff taken when an 85 mm rod is 71 mm long will have a different volume than a third puff taken when a rod is 40 mm long. Interpuff interval and static burn rate must be taken into account.

Some summarizing and grouping of the data in several recent studies suggests that puff volume is dependent on the weight of the smoker. Our nine heaviest student smokers had considerably larger volumes per puff than our nine lighter smokers. Most of the volume increase is attributable to differences in flow rate, but there are differences in puff duration, too. Whether this is due to general strength and vigor, to generally greater appetite, to lung capacity, or to some other factor is unknown. If we take smoke volume per puff, body weight, and puff by puff tar and nicotine deliveries into account, finding mg tar (or nicotine) per puff per kg of body weight—then the group differences disappear.

This suggests some type of dose hypothesis in controlling smoke volume intake.

Project title: Smoking, Arousal, and Mood Change.

Written by: T.R. Schori.

Data collection continues. We had hoped to be able to obtain good heart rate data using a cassette-type recording system. That now seems unlikely based upon the many difficulties we have experienced with that system. However, these data are only a nonessential minor part of this study.

Project title: Miscellaneous.

Written by: T.R. Schori.

SEF is nearly ready to go out with an RP3 test of our DL–2 cigarettes. One of the menthol cigarettes for MN–3 is being remade.

Project title: Regression Analysis.

Written by: T.R. Schori.

Having done a number of studies (JND–1, JND–2, TNT–3, TNT–4) in which we have systematically manipulated tar and nicotine parameters of cigarettes, we are trying to see if we can make any overall conclusion. Specifically, we are trying to predict nicotine/tar ratios for optimal cigarette acceptability at differing tar deliveries.

PHILIP MORRIS U.S.A.,
RESEARCH CENTER,
October 1995.

Report Title: Low Delivery Cigarettes and Increased Nicotine/Tar Ratios, A Replication.

Written by: Barbara Jones, Willie Houck, Peggy Martin.

Approved by: William L. Dunn, Jr. and Leo F. Meyer.

Distribution: H. Wakeham, F. Resnik, T. Osdene, R. Thomson, W. Gannon, R. Fagan, F. Daylor, J. Osmalov, H. Daniel, W. Claflin, P. Gauvin, M. Johnston, F. Ryan, C. Levy, F. Reynolds, Indexer Day File (2), Central File (2).

ABSTRACT

This study provides evidence that the optimum nicotine to tar (N/T) ratio for a 10 mg tar cigarette is somewhat higher than that occurring in smoke from the natural state of tobacco, namely, .07±.01.

Three low delivery cigarettes (10 mg tar) differing in terms of N/T ratio (.06, .09 and .12) were rated in terms of subjective strength and acceptability by 235 regular filter smokers. Two packs of each were provided each respondent plus two packs of a control Marlboro.

The .09 N/T ratio experimental cigarette was equal in acceptability to the Marlboro control. The .06 and .12 N/T ratio cigarettes were both judged less acceptable.

All four cigarettes were judged to be different from one another in terms of strength in the following ascending order: .06, .09, control, .12.

One can infer from these results that nicotine does contribute to the perceived strength of cigarette smoke, and that the optimum N/T ratio for a 10 mg tar cigarette is somewhat higher than that occurring in smoke from the natural state of tobacco, namely, .07±.01.

We plan to use these finding as guidelines in conducting another N/T ratio study using the National POL panel.

INTRODUCTION

It appears that aims of research in the area of low delivery cigarettes need to be twofold. One goal is to come up with a low delivery cigarette that will appeal to current low delivery cigarette smokers. It seems logical that such a cigarette can look like a low delivery cigarette, i.e., possibly having unconventional tipping paper and an unusual appearing filter. It may even be suggested that a cigarette will be acceptable to many current low delivery smokers only if it has the taste characteristics that they associate with a ''healthy cigarette'' e.g. low in flavor, strength and impact. One study (Schori, 1972) indicated that a large national sample of smokers did not perceive any cigarette then on the market as being low in delivery and high in flavor.

Another objective, providing the impetus behind the present study, is the development of a low delivery cigarette that will both look and taste like a regular filter cigarette and thus will appeal to current regular filter smokers. The idea behind this is that some of these smokers would possibly smoke a low delivery cigarette but they consider the low delivery cigarettes currently on the market as too flavorless, too weak and too low in impact. If a low delivery cigarette with impact and flavor were developed, it may cause the segment of current regular filter smokers who are concerned about their health but demand a flavorful cigarette to voluntarily switch to the low delivery cigarettes. This may seem at first to be a senseless venture since it might result in Marlboro smokers switching to this low delivery cigarette. However, we must recognize the possibility that if we do not develop such a cigarette, it may be developed by another tobacco company. Having developed such a cigarette would also give us an advantage in the event that the government imposes delivery restrictions. Furthermore, some portion of current low delivery smokers may desire to switch to a more flavorful cigarette and others may follow as consumer experience results in changing the image of low delivery cigarettes so that smokers believe a flavorful cigarette can really be ''healthy.''

It was hypothesized in an earlier study that increasing nicotine to tar (N/T) ratios[1] from the 107 ratio of most cigarettes currently on the market might increase the subjective strength of low delivery cigarettes and thus their acceptability among regular filter smokers. Therefore, three low delivery cigarettes in the 10 mg tar range with varying N/T ratios were compared to a Marlboro control. (Schori & Martin, 1974b) The results of that study (DL–1) indicated that the 10.7 mg tar, .12 nicotine to tar (N/T) ratio cigarette was comparable to the Marlboro in terms of both subjective acceptability and strength. Although cigarettes in this tar delivery range had previously achieved parity with Marlboro in acceptability (Schori & Martin, 1974a), the DL–1 study was the first time that such a cigarette achieved parity in both acceptability and strength.

However, on the DL–1 study the variations in N/T ratios of the low delivery cigarettes were confronted with variations in tar delivery. Therefore, the present study was designed as a follow-up of the DL–1 study. Three experimental low delivery cigarettes targeted to delivery 10 mg tar with N/T ratios of .07, .10 and .13 were compared to a Marlboro control in terms of subjective acceptability and strength. It was desired that the experimental cigarettes be more similar in tar delivery than was the case in the DL–1 study.

METHODS

Cigarettes

The experimental cigarettes were targeted to deliver 10 mg tar with .07, 10 and .13 N/T ratios. To obtain the two highest ratios, it was necessary to add supplementary nicotine in the form of nicotine citrate. The delivery levels obtained for the three experimental cigarettes and a Marlboro control are shown below (for complete analytic data, see Appendix A):

				Control
Tar (mg/cigt.)	10.4	11.0	11.0	18.0
Nicotine (mg/cigt.)	0.68	0.95	1.31	1.03
Tar (mg/puff)	1.09	1.13	1.08	2.04
Nicotine (mg/puff)	.07	.10	.13	.12
Nicotine/Tar Ratio	.06	.09	.12	.06

Inspection of the above table shows the success in maintaining constant tar over the

[1] Since tar was virtually constant across the three experimental cigarettes, it would have sufficed in this study to refer to nicotine rather than to N/T ratios. However, the use of N/T ratios was intended to facilitate discovering possible trends over different levels of tar. Furthermore, this terminology makes it more readily apparent as to how the data relate to the .07 N/T ratio that is characteristic of most cigarettes currently on the market.

experimental cigarettes, particularly with regard to tar/puff.

Test procedures

The test was sent to 300 RP[3] 85 mm regular filter smokers, half of whom were Marlboro smokers. The panelists received 10 packs of cigarettes; 2 packs of each of the four coded cigarettes (the 3 experimental cigarettes and the Marlboro control) and 2 packs of uncoded Marlboros to complete the carton. They were instructed to smoke the cigarettes in any order they wished as long as they filled in the scales for one set of codes before beginning to smoke the next set. In the event that the panelists smoke the cigarettes in the order suggested by the order of the rating scales on the ballot, all possible presentations of the rating scales for the four cigarettes were used an equal number of times. The cigarettes were rated on both an acceptability scale and a strength scale. (1=dislike extremely to 9=like extremely; 1=extremely weak to 9=extremely strong) The ballot is shown in Appendix B.

Data analysis

The ratings from the acceptability and strength scales were analyzed by means of a one-way analysis of variance with repeated measures on subjects. Individual comparisons of means, using Duncan's Range Test, were performed in order to assess the significance of differences between pairs of cigarettes where overall significant differences were detected.

RESULTS

The return rate

The return rate was 78%.

Analyses of variance

The analyses of variance for the acceptability and strength scale ratings of the total panel are summarized below.

	Marlboro	.06 N/T	.09 N/T	.12 N/T	Probability
Acceptability (N=235):					
X	5.77	5.32	5.65	5.26	.0034
S.D.	1.88	1.89	1.91	1.95	.....
Strength (N=235):					
X	5.34	4.34	4.73	5.62	.0001
S.D.	1.28	1.67	1.46	1.50	.....

From this summary, it can be seen that significant differences ($p<.05$) were found among cigarettes in both acceptability and strength. A multiple range test (Duncan, 1955) was performed to make individual comparisons between mean ratings. The results of this analysis are given below with the mean ratings rearranged in ascending order of magnitude. Those means not underlined by a common line are significantly different from one another ($p<.05$).

	.12 N/T	.06 N/T	.09 N/T	Marlboro
Acceptability	5.26	5.32	5.65	5.77
	.06 N/T	.09 N/T	Marlboro	.12 N/T
Strength	4.34	4.73	5.34	5.62

From these analyses it can be seen that the experimental cigarette with the .09 N/T ratio and the Marlboro control were equally acceptable and were more acceptable than the other two experimental cigarettes. These other two experimental cigarettes (.06 and .12 N/T ratio) also were not significantly different from one another in acceptability.

Further inspection of the individual comparisons reveals that the three experimental cigarettes and the Marlboro control were all significantly different from one another in strength.

DISCUSSION

In this study, three low delivery cigarettes in the 10 mg tar range varying in nicotine N/T ratio (.06, .09 and .12) were compared to a Marlboro control in terms of subjective acceptability and strength. The .09 N/T ratio cigarette was found to be equal in acceptability to the Marlboro control. The highest N/T ratio cigarette (.12) and the proportional reduction of tar and nicotine cigarette (.06) were less acceptable than the control. Among the experimental cigarettes, strength ratings went up as N/T ratio increased; and interestingly, the 11 mg tar cigarette with .12 N/T ratio was rated significantly higher in strength than the 18 mg tar Marlboro control.

These data suggest that acceptability increases as N/T ratio increases up to a certain ratio and then decreases. Thus it seems that increasing the strength of low delivery cigarettes by adding nicotine citrate increases the acceptability up to a point where the cigarettes may be perceived as too strong and acceptability decreases. Since the two highest N/T ratio experimental cigarettes were made by adding nicotine in the form of nicotine citrate spray, there is a possibility that the increased citrate that accompanied the increased nicotine is crucial in the resulting increases in subjective strength.

The results of the DL–1 study showed overall trends that were very similar to those of the present study. For the experimental cigarettes, strength ratings increased as the N/T ratio increased. However, whereas the present study found the .12 N/T ratio cigarette to be a stronger than the Marlboro control, the results of the DL–1 study indicated that these cigarettes were considered equal in strength.

In regard to acceptability, the DL–1 study results concurred with the results of the present study in that the experimental cigarette with the moderate level of nicotine addition was rated higher in acceptability than the proportional reduction cigarette and equal to the Marlboro control. Since the .12 N/T ratio cigarette in DL–1 was not seen as stronger than the control, it seems logical that the acceptability ratings would not decline. In fact, in the DL–1 study, both of the cigarettes with added nicotine were as acceptable as the Marlboro.

The difference between the two .12 N/T ratio cigarettes in the two studies that caused them to be perceived differently in relation to the control is not obvious. The analytical data for the cigarettes in the DL–1 study are shown in Appendix C.

Inspection of the analytical data for the two tests reveals that while total alkaloids decreased from DL–1 to the present study for all other cigarettes, they increased in the .12 N/T ratio cigarette. Another possible explanation is that there were subtle taste differences between the .12 N/T ratio cigarettes in the two studies that are not reflected in the analytical data but are responsible for the difference in strength and acceptability ratings. Unfortunately, no data on taste differences are available.

In conclusion, the results of this study support the DL–1 findings that increasing N/T ratios from the .07 level increases the subjective strength of low delivery cigarettes. Additionally, there is an indication that these increases in strength will be accompanied by increased acceptability. However, the data suggest that caution should be exercised such that N/T ratios are not increased to the extent that the increases in acceptability associated with moderate increases in N/T ratio are lost.

Further research

In order to clarify the meaning of the results of this study, it would be beneficial to discover whether nicotine has the same effect if added in forms other than nicotine citrate. Perhaps nicotine and citrate interact such that increases in both nicotine and citrate are necessary for any differences in subjective strength.

Since RP[3] is a local panel and there is a possibility of regional differences in cigarette preferences, we propose to conduct another study using the National POL panel. In this study we will test two 10 mg tar cigarettes, with N/T ratios of .07 and .11, with a Marlboro control. The .11 N/T ratio was chosen in an attempt to make a cigarette that will be perceived as stronger than the .09 N/T ratio cigarette in the present study but not as strong as the .12 N/T ratio cigarette. In other words, we are using the guidelines suggested by this study to attempt to make a 10 mg tar cigarette that will equal a Marlboro control in both subjective acceptability and strength.

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Schori, T.R. Perceived Attributes of Cigarettes. Philip Morris Technical Report, June, 1972.

Schori, T.R. & Martin, P.G. Low Delivery Cigarettes and Increased RTD. Philip Morris Technical Report, June, 1974a.

Schori, T.R. & Martin, P.G. Low Delivery Cigarettes and Increased Nicotine/Tar Ratios (DL–1). Philip Morris Technical Report, September, 1974b.

APPENDIX A.—ANALYTICAL DATA

	Control Marlboro 85	Experimental cigarettes		
	D4BDJ–1	D48DK–1	D4BDL–1	D48DM–1
Target—Tar, mg/cigt.		10	10	10
Target—Nicotine, mg/cigt.		0.7	1.0	1.3
Smoke:				
Butt Length, mm	28	28	28	28
FTC Tar, mg/cigt.	18.0	10.4	11.0	11.0
Nicotine, mg/cigt.	1.03	0.68	0.95	1.31
Puffs/cigt.	8.8	9.5	9.7	10.2
Filtration Eff., %	45	60	57	58
Nicotine/Tar Ratio	.0572	.0653	.0863	.1190
Tar, mg/Puff	2.04	1.09	1.13	1.08
Nicotine, mg/Puff	.12	.07	.10	.13
Cigarette:				
Total RTD, in. of H_20	4.3	5.4	4.6	4.6
Static Burn. Time, min.	7.7	7.5	7.4	7.8
Length, mm	84.5	84.3	84.2	84.3
Circumference, mm	25.0	25.1	25.1	25.0
Paper:				
Additive, type	Cit.	Cit.	Cit.	Cit.
Porosity, sec.	20	17	19	17
Filter:				
RTD, in. of H_20	2.6	4.0	3.6	3.6
Length, mm	20.8	21.0	20.9	21.0
Weight, g	0.15	0.20	0.19	0.17
Tipping Paper Length, mm	25	25	25	25
Dilution, %	None	19	25	26
Filler:				
Total Alkaloids, %	1.47	1.49	1.80	2.97
Total Reducing Sugars, %	6.1	6.9	6.8	7.8
Wt. of Tob., g	0.757	0.788	0.781	0.790
Rod Density, g/cc	0.239	0.248	0.246	0.251
Targeted Nicotine				
Citrate Spray, %	—	—	3	8

NOTES ON PROGRAM REVIEW PRESENTATION 2/79

Last year I devoted most of my time to the rationale and conceptualization of our program, and had little time left to talk about what we were in fact doing. Today I'd like to be more concert and talk about the research projects we have underway and planned, with comments to relate the projects to our program objectives and to the R&D Five-Year Plan.

First let me state our 3 objectives:

1. To understand the psychological reward the smoker gets from smoking.

2. To understand the psychophysiology underlying this reward.

3. To relate this reward to the constituents in smoke.

Our three lines of investigation:

1. The effects of nicotine and nicotine-like compounds upon animal behavior.

2. The effects of smoke and smoke constituents upon the electrical activity in the human brain.

3. The effects of changes in smoke composition upon puffing behavior, inhalation behavior and descriptive statements by the smoker.

Our people:

Let's first talk about Gullotta's work.

He joined us a year and a half ago. The better part of the first year was used up in getting the EEG lab on line.

To date he has complete data collection on the first and very crucial study of the effect of smoking on the visual evoked response. At the moment he is working closely with the computer group in analyzing that data.

What is the VER?

Why the VER?

Dr. Gullotta has another study underway. This is a long-term project because of the problem of recruiting subjects. He is attempting to catch R&D smokers who have decided to quite before they do so. He records the EEG before they quit, then repeats the recording at fixed intervals following quitting. Subjects are scarce—so the study can take some time. He has picked up 45 to date.

Hopefully, he will be able to garner some knowledge on an old problem:

Changes that occur quitting have been cited by Jarvik Russell as withdrawal effects. There have been no long-term studies of abstention, so we don't know whether the observed changes upon quitting are indeed withdrawal effects of an enduring return to baseline. Frank's observations might be of great help at least insofar as CNS mediated changes are concerned.

Frank has other studies scheduled to being as the VER is completed. If he finds from VER study that he can identify discrete smoke induced event (i.e. a change in the after-discharge component for example) he will proceed directly to a comparison of those modes of nicotine administration, inhalation and ingestion and iv injection. At the same time that he is maintaining the EEG, he will monitor nicotine blood level, heart rate and perhaps other peripheral or autonomic signals.

Obviously, he will need medical collaboration. The Medical Dept. has agreed to work with him.

Russell has pointed to a possibility that we had also come to consider seriously about the smoker's smoking behavior. In all the titration theorizing, it has been postulated that the smoker is seeking to maintain a supply of nicotine at some optimum level in the bloodstream, and we have lamented the obstacles to getting good tracking of the level of nicotine in the blood. As new knowledge has developed, two observations have emerged which influence our thinking:

1. Observed smoking patterns are not consistent with the premise of titration for a constant blood level and

2. The most probable locus of action is within the central nervous system.

We are quite ignorant of smoke-derived nicotine's course through the brain:

a. the conditions required for its passage across the blood brain barrier (blood concentration, barrier permeability, etc.)

b. threshold concentrations required at brain loci for

c. diffusion rates, selective localization

d. rate of metabolism

I think I'd best add here a little concentualizing. Until recently we have entertained a titration hypothesis—we have postulated that the habituated smoker is seeking to maintain some optional level of nicotine in his bloodstream. As a corollary we would expect to see the smoker attune intake to blood level. Given a more diluted smoke, he would smoke more, with more cigarettes or bigger puffs, or deeper inhalations.

With our attention increasingly drawn to CNS effects of smoking, we are sorely frustrated by the constraints imposed upon us in studying the human smoker. With the effects upon manifest behavior continuing to elude us, we are limited to the EEG.

But happily there are other organisms than human that have CNS's which respond to nicotine. Which brings me to the comparative psychophysiological programs of Carolyn Levy and Gary Berntson. There is considerably greater license allowed in obtruding upon the corpus integritum of the species white rat than the species Homo Saprin. With apologies both to Gary and Carolyn, I shall pointedly avoid associating study with investigator.

We are systematically assembling a battery of behavioral tests which can be used in the larger assay program of R&O. Because of the sophisticated level at which the chemistry of nicotine is being investigated, it has become imperative that assay tools be made available to our chemists to assist them in assessing the nicotine likeness of nicotine in its various forms; its analogues, and other related compounds. Since our vital interest in nicotine rests upon its presumed psychophysiological actions, then those behavioral changes that reflect these actions possess intrinsic assay significance. Thus the nicotine likeness of a compound can be expressed in terms of the degree to which it can induce those changes induced by nicotine.

To date we have evaluated two behavioral tests for nicotine-likeness. One has been incorporated into the assay program. The other is still under investigation.

The stimulus discrimination technique has been described to you already. The animal is trained to press lever A when injected with nicotine, and lever B when injected with saline. After being trained to a predetermined level of correct hits, the animal is injected with Compound X. The ratio of Lever A to Lever B presses can be construed as an index of nicotine-likeness. We make no pretense to knowledge of the underlying mechanisms—we do submit the method as empirically valid.

The second technique still under study is the tail flick test. This is a means for determining relative changes in sensitivity to thermal pain induced by impinging focused radiant heat upon the animal's tail. The time from stimulus onset to the tail flick that stops the stimulus is called tail flick latency. We have established that the latency is increased by injected nicotine. Of course, one would expect other compounds to increase latency, as the test is not one of high specificity, but as part of an assay battery it has some merit.

The nicotine-induced analgesia as reflected in the tail flick latency increases is specific to thermal pain and perhaps some other sources of pain, but does not generalize to all sources. Dr. Berntson is developing a theoretical model based upon these observations and undertaking further research to test the model. He will be telling us about these developments in due time.

Three other behavioral manifestations of the CNS effects of nicotine are being or about to be evaluated for inclusion in the behavioral assay battery.

1. Motor activity

2. Prostration syndrome

3. Nicotine self-administration

Yet another assay candidate is the rat EEG.

This whole program of assay exploration is a two-edged sword for us. There is basic research implicit in the evaluation of each test, in fact, in the very selection of those behaviors which we are monitoring for nicotine effects. I might also point out that some of these tests have potential for establishing dose-response curves. We have already used one for just this purpose. We are forever mindful of the implications of the observed effects of nicotine for clues as to the reinforcing mechanism underlying human smoking.

The ultimate in this program is an inventory of all the behavioral and quasi-behavioral effects of nicotine at the animal level and a test for each such effect reduced to a parsimonious routine.

We can even at this early stage anticipate an extensive list of nicotinic behavioral effects and a test routine for each. The assay battery could rapidly become too cumbersome from the sheer number of discrete tests available. We are going to need a set of criteria for selecting those tests to be retained for routine assay.

One obvious criterion is nicotine specificity—nicotine brings the only compound known to elicit the effect.

Another criterion would be relevancy to human smoking which would rule out such tests as tail flick or lacency—or the tail pinch test.

I would point out again that I have not indicated where these studies are being undertaken they may all be here, all at Ohio State, or some at both.

We have several studies underway and beginning that are more immediately concerned with the cigarette. Frank Ryan is carrying out the long-term project of annual monitoring of preferences, with which I will assure you are sufficiently familiar. The third run is to begin within a few weeks. We are hoping to get some clues as to whether there are trends in cigarette preferences over 4 or 5 year time span; and, if there are trends, what characterizes them.

Frank Ryan is also beginning a study of the nicotine/tar ratio at the 5 mg tar delivery level. This is a study we would have liked to have undertaken some time back, but only recently has the technology of cigarette making made it possible to get the range of nicotine delivery needed with a constant car delivery.

As a corollary to this field study, Frank is doing a classical threshold study. What size of a nicotine increment is needed in order to be detected by the smoker? This is to be done not only at the 5 mg tar delivery level but at the 15 mg and perhaps the 10 mg level as well. We envision a family of curves with nicotine delivery differences plotted against: of persons detecting difference at three tar delivery levels. Acceptability responses will be gotten at the same time. Such information can be timely and relevant to the recurring expression of concern about the relative downness of N/T ratios in P.M. products

Yet another product related study being conducted by Ryan is the salivation study. Low tar products are often described as ''hot and dry.'' It is possible that the perceived dryness is attributable to a reduced salivation response, rather than same intrinsic property of the smoke? The question has been addressed before by this laboratory, but indirectly. We don't know of any systematic attempts to measure saliva flow-in response to cigarette-smoke. We judge the question to be important enough to be explored further.

Dr. Bernston has also some human work underway which I shall mention briefly since it is coordinated with our own program.

He has nearly completed data analysis on a study or the effect of smoking on automatic response to stress. He used three stress, situations; anticipation of electric shock, viewing autopsy slides and an cognitive task. He recorded almost every measurable automatic response; heart rate, muscle tension, blood flow, respiration, electrogastric events and skin potential.

He is just beginning another study of the influence of smoking on higher mental processes. We have, as have others, looked for the

effects of smoking upon human performance over the years, without ever discerning a straight forward effect. Or Bernston reasons that the effect may be a subtle one which is real but elusive. He is using a memorizing and recognition task (the Stemberg paradigm) in such a way as to be able to partial out the contributions to overall performance of (1) attention, (2) memory efficiency, (3) rate of memory formation and (4) retrieval efficiency. As a last item, we are finally moving forward on the study of nonobtrusive monitoring of smoke inhalation. Since Neil Nunnally joined us last year, he has taken over the instrumentation problem and brought us to a near on-line state.

The device is based upon the proposition that circumfarential changes in the chest and the abdomen can be converted to a good estimate of inspired volume.

We have good evidence that when the circumference changes are small, volume is a linear function. The average total lung capacity of 6 liters, the average smoke inspiration is one liter.

Considering all the ways to measure, the mercury strain gauge was selected, but there were problems.

The solution was to minimize the current flow-developed circuitry that provides a 100 M amplification, and a sophisticated method of summing the two inputs to yield a signal that is almost linearly related to volume.

There is another candidate transducer (inductance charges in coils about the chest and abdomen) already incorporated into a commercially available device. On order, due to arrive by March 1.

We will be running comparative tests of these two units, select the better one and proceed to solving the remaining problems:

(a) tagging the smoke-laden inhalation.

(b) incorporating a recorder into the system.

When the entire assembly is ready, I will begin a series of studies, all designed to determine the degree to which the smoker accommodates his intake to 1) smoke composition and 2) need.

THE PENNSYLVANIA STATE UNIVERSITY,
DEPARTMENT OF BIOBEHAVIORAL HEALTH,
University Park, PA, July 28, 1995.

Hon. HENRY A. WAXMAN,
House of Representatives, Rayburn House Office Building, Washington, DC.

DEAR MR. WAXMAN: I have reviewed the attached data on Benson & Hedges Filtered Cigarettes (70 mm) using standard assumptions of inferential statistics.

The average Nicotine/Tar Ratio for the 17 measurements from 1968 to 1985 (not including the 3 measurements for 1981 SP, 1981 HP, 1983 HP) is .066 (minimum=0.58, maximum=.088, Standard Deviation=.00738). A score of 0.20 (as was observed in 1981) is very unlikely to come from the same population. The probability of sampling a score at least as large as 0.20 is considerably less than 1 in 100,000 (z=18.16). Even the ratio observed in 1983 (0.11) has a probability less than 1 in 100,000 of coming from the same population (z=12.19).

If one looks only at the years when this brand was in the 1 mg tar range (from 1978 to 1985), the average ratio for the 4 years (not including those years at issue) is 0.075 (minimum=.058, maximum=.088, Standard Deviation=.0126). The probability of sampling a score at least as large as 0.20 is considerably less than 1 in 100,000 (z=10.28). The probability of sampling a score at least as large as 0.11 is less than 4 in 1,000 of coming from the same population (z=3.13).

These analyses support the interpretation that the Nicotine/Tar Ratios were much larger in 1981 and 1983 than in the other years and confirm what is readily apparent to the naked eye when looking at the attached plot of ratios.

Sincerely,
LYNN T. KOZLOWSKI, PH.D.,
PROFESSOR AND HEAD,
Department of Biobehavioral Health.

REGULAR-LENGTH (70 MM) BENSON & HEDGES FILTERED CIGARETTES

Year	Tar	(+/−)	Nicotine	(+/−)	Ratio
10–68	21.0	(0.5)	1.29	(0.06)	0.061
2–69	20.1	(.5)	1.38	(.03)	.069
10–70	18.7	(.4)	1.35	(.03)	.072
8–71	18.4	(.3)	1.30	(.02)	.071
7–72	12.2	(1.1)	0.86	(.09)	.070
1–73	9.9	(.3)	.68	(.03)	.069
8–73	9.8	(.4)	.66	(.03)	.067
3–74	9.4	(.4)	.61	(.03)	.065
9–74	9.1	(.4)	.56	(.03)	.062
3–75	9.1	(.3)	.53	(.02)	.058
9–75	9.3	(.4)	.55	(.02)	.059
4–76	9.2	(.3)	.53	(.02)	.058
6–77	9.8	(.2)	.64	(.02)	.065
5–78	0.9	(.1)	.06	(.01)	.067
12–79	.8	(.1)	.07	(.01)	.088
3–81	.6	(.1)	.12	(.01)	.200
12–81	(1)	.....	.10	(.02)	.200
3–83	.9	(.2)	.10	(.01)	.111
2–84	1.3	(.2)	.09	(.01)	.069
1–85	1.2	(.1)	.07	(.01)	.058

(1) Below the sensitivity of the method (i.e., <0.5)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Carolina [Mr. JONES] is recognized for 5 minutes.

[Mr. JONES addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

POLITICAL ADVOCACY REPORTING

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Colorado [Mr. SKAGGS] is recognized for 5 minutes.

Mr. SKAGGS. Mr. Speaker, I would like to return for a few minutes to this 13-page piece of legislation that is buried in the Labor, Health, and Education appropriation bill that the House will be taking up shortly. It is labeled political advocacy, and it is really an incredible effort at speech control and reporting, all at the hands of this new majority that made such a big deal out of wanting a less intrusive Government.

Well, let me just ask my colleagues to go through the painful exercise of actually reading this legislative provision in an appropriations bill. It is an absolutely chilling experience when you realize that this Rube Goldberg contraption that has been invented in order to get at the question of Federal funds being used to persuade Congress about public policy, how vast and really incredibly intrusive into civil liberties a proposal this is.

I spent some time yesterday explaining some of the people who would be covered as, quote, grantees under this legislative provision in the appropriations bill. I hope you will pay some attention to this; your constituents are absolutely going to hate this bill if it were to become law.

For instance, disaster victims getting emergency aid from FEMA would be a grantee, and I will tell you in a minute what grantees have to go through, researchers getting NSF research grants, probably because the definitions are so broad including anything of value coming from the Federal Government, a farmer getting emergency livestock feed in a major snowstorm, irrigators receiving subsidized Bureau of Reclamation water, and it probably even includes intangibles, so a broadcaster getting an FCC license would probably be a grantee under the provisions of this proposal, as, for instance, would many organizations, maybe your local church or YMCA, YWCA, if you are running a low-income child care program. With a Federal grant you would be brought into the provisions of this incredible proposal.

Now what happens to those who are covered? Let me just take a minute to walk you through what would happen to one very typical, if hypothetical, example, namely a pregnant woman or nursing woman getting food vouchers under the Women, Infants and Children's program. Let us just consider the example:

We will call her Sally. She will be required to follow ''generally accepted accounting principles in keeping books and records,'' about the number and the value of the assistance that she is receiving under the WIC program. She would be required to file with the Department of Agriculture by the end of each calendar year a certified report on a standard form provided by your friendly Federal Government with her name and her ID number, description of the purposes that she put her WIC grant to, a list of all the Federal, State or local government agencies involved in administering the WIC program, and here is the real hooker in this, a description of her acts of, ''political advocacy,'' which is defined all encompassingly to include, for instance, any attempt to influence any Federal, State, or local government action, including any attempt to affect the opinions of the general public or any part of the public about any government action. This would include, for instance, Sally's coming to one of your town meetings and talking with her congressman or congresswoman, writing a letter to the editor about some issue of public policy pending in her community.

This political advocacy activity would also include ''participating in any political campaign of any candidate for public office,'' Federal, State, or local. So, marching in a candidate's parade, for instance, would be a political advocacy activity that a WIC grantee would have to report to the Department of Agriculture.

□ 1715

It goes on and on and on. This would create, in some computer in Washington, DC, a master list of all political advocacy activities carried on by all Federal grantees around the country. Each Department would have to get these reports annually certified, subject to audit, subject to challenge,

from all of their grantees, bring them together, and every year send their reports to the Bureau of the Census, which would then, in turn, pull all of these together to constitute a national database of political activities maintained under the force of Federal law by the Federal Government.

Mr. Chairman, why anyone that is interested in a smaller Government, much less in civil liberties, much less in the protections of the first amendment to the United States Constitution, would consider for a second endorsing this chilling Orwellian notion is beyond me, but it was stuck, buried, in the end of the Subcommittee on Labor, Health and Human Services, and Education appropriations bill that will be before the House shortly.

Mr. Speaker, I hope all of my colleagues will take just a few minutes to read through this provision and understand exactly what it is going to mean. It is going to mean a lot in the lives of most Americans. It is an appalling exercise of overreach by the Federal Government. We should support the amendment that I will offer on the floor to strike it from the bill.

A FOND FAREWELL TO KEITH JEWELL

(Mr. GILMAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GILMAN. Mr. Speaker, I join with my colleagues in bidding a fond farewell to a good friend and outstanding public servant, Keith Jewell, upon his last day as Director of House Photography.

I know Keith not only from his day to day duties coordinating our House photographers, but also through his selfless devotion over the years on many of our foreign missions. Keith often shared our hardships as he kept an official photographic record of our responsibilities.

A visit to Keith's office in the Rayburn Building is a virtual trip through the history of the past 29 years. Displayed on the walls is Keith's photographic work as it appears in our major newsmagazines: a review of the Presidential addresses, the Joint Sessions, and the historic moments in this Chamber and on the Hill since the days of Lyndon Johnson.

Mr. Speaker, I join with our colleagues in wishing Keith success in all of his future endeavors, and in wishing Keith, his wife Lorene, his stepsons and his grandchildren many many retirement years of good health and happiness.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania [Mr. FOX] is recognized for 5 minutes.

[Mr. FOX of Pennsylvania, addressed the House. His remarks will appear hereafter in the Extension of Remarks.]

INVESTIGATION OF THE DEATH OF WHITE HOUSE COUNSEL, VINCE FOSTER

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Massachusetts [Mr. FRANK] is recognized for 5 minutes.

Mr. FRANK of Massachusetts. Mr. Speaker, I was appalled to read last week a statement from Speaker GINGRICH suggesting that House Counsel Vince Foster was murdered, coupled with Mr. GINGRICH's statement that he plans to do nothing at all about that. In other words, the Speaker apparently plans to suggest to the American people that an official in the White House was murdered, despite the fact that several investigations involving professional criminologists and others, forensic experts, have concluded that he was, tragically, a suicide.

Mr. GINGRICH chooses to call that into question but then do nothing about it. Remember that Mr. GINGRICH has a good deal of influence over the agenda of this House, including the House Committee on Banking and Financial Services. The House Committee will be having hearings on the Whitewater matters. The Senate Committee on Banking, Housing, and Urban Affairs is having hearings on Whitewater. The Republican party apparently plans to have hearings about what happened before Mr. Foster, sadly, killed himself; they plan to have hearings about what happened after Mr. Foster killed himself, and they are having those now; but they will not have any hearings into that question. Why? Because everyone who has looked at it has concluded, without question, that Mr. Foster was a suicide because of the enormous pressures he was under.

Mr. Speaker, Mr. GINGRICH chooses to ignore that overwhelming evidence and to suggest that he was murdered, but he is very careful to make it clear that he will do nothing about it. In other words, he will leave that terribly destabilizing, awful suggestion there, with its unstated implications of who was responsible. Despite the fact that he has control over the investigatory bodies of this House, he will not have them look into it because he does not want to know the truth.

Mr. Speaker, it has, unfortunately, become part of the right wing paranoia that circulates in this country to state, in defiance of the clear facts and pattern, that Mr. Foster was murdered. Mr. Foster's suicide has been investigated by two Republican independent counsel, first Mr. Fiske and now Mr. Starr. It has been investigated by police, by the FBI, by a whole range of officials. Overwhelmingly, everyone has concluded, tragically, that he committed suicide. The Speaker decides to ignore that, to reinforce one of the worst, craziest, most paranoid rumors now circulating and poisoning the American political atmosphere, but is careful to leave it at a suggestion. He is careful to avoid any forum in which that outrageous suggestion of his could be proven.

What this shows, Mr. Speaker, is, unfortunately, the extent to which the right wing, in its most extremist form, demands increasing tribute from the Republican party leadership. We see it in public policy on the floor of this House and we see it in their rhetoric. The Speaker apparently feels compelled to give credence to one of the most contemptible, vicious, and inaccurate stories now circulating in American politics. It is an effort by the right wing to use the tragic suicide of a very decent man under great pressure for political purposes.

Mr. Speaker, where is the Speaker of the House? Does he exercise leadership? I know Chairman D'AMATO, former chairman of the Senate committee, has said, yes, it was a suicide. He stipulates to that. That is the responsible position. The Speaker is not willing to do that. The Speaker will, instead, fan one of the most irresponsible flames that threatens now to consume civility in the American political discourse.

Mr. Speaker, I understand the need of the Republican leadership to keep happy those on the right wing who have been their most active troops, but can there not be a more decent way to do it? Must there be an unfortunate, unjustified, terrible effort to play with the facts involving this man's life? Does the Speaker really, genuinely believe this was a murder? No one, even the Speaker and even the people on the right are suggesting it was an act of God. The man was shot by his own hand. It is either murder or suicide. If the Speaker really believes it is murder, then where does he get the authority not to investigate it?

Mr. Speaker, anyone who seriously believes a White House Counsel may have been murdered for political purposes, who does not use his or her authority to look into it, seems to me to be guilty of a dereliction of duty. What we are clearly talking about, then, is not a serious effort to get to the bottom of what would be a terrible crime. It is the most discouraging example of right wing influence in the Republican party that I have seen, and I have, unfortunately, seen many.

FAREWELL TO KEITH JEWELL

(Mr. GEPHARDT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GEPHARDT. Mr. Speaker, I simply wanted to add my voice to the gentleman from New York in saying that we will miss Keith Jewell as the House photographer very much. I know that all of us have had experience in his work. He has served this House and its membership loyally and with great effectiveness and efficiency, and, above it all, he has been a fine human being, a wonderful human being to be around.

Mr. Speaker, all of us together wish him and his family well as he now

moves into retirement and into a new phase of his career. We are sorry he is leaving but we wish him very, very well.

THE ILLINOIS LAND CONSERVATION ACT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Missouri [Mr. WELLER] is recognized for 5 minutes.

Mr. WELLER. Mr. Speaker, yesterday the House passed H.R. 714, the Illinois Land Conservation Act, with overwhelming bipartisan support. While a similar bill passed the House last session, time was short and the Senate did not have time to act on the bill. I am pleased we were able to move the bill through the House and I am working with my Senators to ensure that the legislation moves quickly through the other body with bipartisan support.

I would like to take a minute to speak briefly about the importance of this legislation. This bipartisan measure is supported by virtually the entire Illinois delegation, the Governor of Illinois Jim Edgar, a large number of veterans, environment and conservation organizations, business and labor, private citizens and a broad coalition of groups interested in making this project a reality. H.R. 714 serves as a model for communities looking at future use for closed and surplus military facilities.

In April 1993, the Joliet Army Ammunition Plant was declared excess Federal property. Congressman George Sangmeister appointed a citizens planning commission that developed a reuse plan, which is encompassed in my legislation. This innovative land use plan could very well be seen as a model for converting base closures into peacetime uses. It will create the largest national tallgrass prairie east of the Mississippi, and will have enormous environmental, economic, and educational benefits to offer for many years to come. In our increasingly urbanized society, it is important to take note of the opportunity we have to preserve such a large tract of land for wildlife habitat and prairieland preservation, and also to incorporate a national cemetery to honor those veterans who have served their country, and to improve the economy and create jobs.

The largest portion of the arsenal property, 19,000 acres, will be transferred to the National Forest Service for creation of the Midewin National Tallgrass Prairie. This is very crucial to a State that once had more than 43,000 square miles of prairieland, most of which has now been developed into towns and cities. Over 6 million people live within 45 miles of the land. Trails, camping, wildlife watching and other recreational activities are planned. The proposed prairieland is home to many species of birds and animals that are on both Federal and State endangered and threatened lists. Among these are the Upland Sandpiper, the Marsh Yellow Crest, and numerous species of fish, insects and plant life.

The plan also includes a veterans cemetery which will occupy close to 1,000 acres on the arsenal property. This cemetery, which will be one of the largest in the United States, will serve more than a million veterans and their families within a 75-mile radius. The site of the cemetery, known as Hoff Woods, is a beautiful and tranquil setting of forests and rolling hills; a perfect location for a nation for a national cemetery.

The plan also includes two sites, a total of 3,000 acres, to be used for economic development. These two sites are seen as ideal for job creation, and many manufacturing companies would find sites like these well suited to their needs. Not only is the land equipped for economic development, but there are a series of water wells and pumping stations with the capacity to pump up to 77 million gallons of water each day. This portion of the redevelopment plan is very important to the surrounding communities. This use of the land will put many local men and women to work and stimulate the economy. The Illinois General Assembly has already created the Joliet Arsenal Economic Development Authority to effectively implement this plan.

This bill will also benefit the American taxpayer. Upon receiving the land, the USDA plans to sell surplus assets such as railway equipment and steel from the arsenal property. The Congressional Budget Office estimates a result of asset sale receipts totaling $3.5 million over fiscal years 1996 and 1997. Agricultural leases on the property currently bring in about $1.1 million in receipts annually. Also, USDA expects to collect annual user fees of about $3 million from visitors to the new Midewin National Tallgrass Prairie. In sum, CBO estimates that enacting H.R. 714 would decrease outlays by about $1 million in 1996, $1 million in 1997, and $2 million in 1998 for a total savings of $4 million over the next 3 years.

The hard work and commitment of many people went into the success of this bill. Of course, I would like to thank former Congressman George Sangmeister, who initiated this process. I would also like to thank the Governor of Illinois Jim Edgar, and my fellow Illinois colleagues who have supported this concept plan. Special thanks go out to Fran Harty and Brent Manning of the Illinois Department of Conservation, Jerry Adelman and the Openlands Project, John Turner of the Conservation Fund, Ruth Fitzgerald of the Will County Center for Economic Development, Don Walden the head of my veterans advisory committee, and Lt. Col. Alan Kruse former Commander of the Joliet Arsenal. Of course, I also extend my gratitude to Chairmen PAT ROBERTS, BUD SHUSTER, TOM BLILEY, and FLOYD SPENCE; and to the majority whip TOM DELAY, and majority leader DICK ARMEY for their assistance in moving this bill through the House in a timely fashion.

I am very pleased with the success of everyone's bipartisan efforts. The hard work and commitment by all involved demonstrates what can happen when people work together to make a difference.

The plan approved by the House yesterday is a win-win-win for taxpayers, veterans, conservation, and working families.

Mr. Speaker, I submit for the RECORD a Chicago Tribune article regarding the legislation to convert the former Joliet Arsenal.

[From the Chicago Tribune, July 16, 1995]

A CRITICAL MOMENT FOR JOLIET ARSENAL

Legislation to convert the former Joliet Arsenal to peacetime uses is a congressman's dream: It offers so much good in so many ways—for generations to come—that it is almost impossible to oppose.

That's why it has enjoyed such broad-based and remarkably bipartisan support so far, from citizens, business people, preservation groups and local officials to the Illinois General Assembly, Gov. Jim Edgar, the Clinton administration and U.S. representatives and senators on both sides of the aisle.

It has been moving efficiently through Congress, but now it faces another critical hurdle with the House Agriculture Committee—which holds lead jurisdiction on the legislation—about to take it up for recommendation to the full House. If the committee approves—and it is strongly urged to do so—the plan could have final approval by the August break.

The legislation almost made it through the last Congress, until last-minute technical mischief by U.S. Sen. John Glenn (D–Ohio) stalled it. It was a blow to retired U.S. Rep. George Sangmeister (D–Ill.), who spearheaded the arsenal-conversion movement. His successor, U.S. Rep. Jerry Weller (R–Ill.), resurrected it with the pledge to make it his top legislative priority.

That he has done, and the new version of the legislation may be even better than the old, clearing potential stumbling blocks, providing a more detailed transfer procedure and adding some additional benefits—including tapping the arsenal's vast water supply for development and for nearby communities.

A less comprehensive Senate version would have to be reconciled, but U.S. Sen. Paul Simon (D–Ill.) is leading cooperation toward that end.

The genius of the concept is its provision for mixed use, a model for this type of conversion.

Of the 23,500 acres, almost 1,000 would be set aside for a new veterans' cemetery, the largest in the system and one desperately needed in the Midwest.

Will County would get more than 400 acres for a landfill, with provision to give the Army space for non-hazardous waste from its arsenal cleanup.

Some 3,000 acres would be set aside for industrial development under a state authority, generating both jobs and new tax revenue for local communities.

And the centerpiece, of course, would be the transfer of 19,000 acres to the U.S. Forest Service to create the Midewin National Tallgrass Prairie, the largest of its kind east of the Mississippi—an oasis for human recreation and wildlife prosperity in reach of some 8 million people in a 60-mile radius.

For all this, the Congressional Budget Office also estimates that transfer of the arsenal could save the federal government $4 million over 3 years.

Too good to be true? Certainly too good to delay.

Mr. HUNTER. Mr. Speaker, will the gentleman yield?

Mr. WELLER. I yield to the gentleman from California.

Mr. HUNTER. I thank the gentleman for yielding. I wanted to say I was walking by the floor when I saw the gentleman making his presentation, and those of us on the Committee on National Security were very impressed with your plan for the Joliet Arsenal. We have waived jurisdiction so it can go on down an expedited process to come to fruition.

When the people of your congressional district have this great asset, and this program is completed, they will have one person to thank for it, and that is JERRY WELLER. We appreciate your work on this, and anything that we can do in the Committee on National Security to expedite it, we are there, and I thank the gentleman.

□ 1730

NLRB CUTS AND THE CASE OF OVERNIGHT TRANSPORTATION COMPANY

The SPEAKER pro tempore (Mr. METCALF). Under a previous order of the House, the gentleman from California [Mr. MILLER] is recognized for 5 minutes.

Mr. MILLER of California. Mr. Speaker, the debate we are having on the Labor HHS Appropriations bill is about people, not government programs. It is about the extremes to which Republicans will go to protect special interests.

There is a very striking, specific example of how this bill sacrifices working families for the ignoble cause of catering to special interest. This bill punishes an independent agency on behalf of an unscrupulous employer, the Overnight Transportation Co.

Let's be clear about one thing, this has nothing to do with reducing the budget deficit. It has everything to do with eliminating the independence and impartiality of the National Labor Relations Board. The NLRB is a judicial body. It is not supposed to respond to thinly-veiled threats from Members of this Congress.

But certain Members have written to the judges of the NLRB that if they did not decide an issue in favor of the Overnight Co., the agency will be targeted for severe cuts. And when the judges used their independent judgment, Republicans went looking for blood. The cuts in this bill for NLRB are severe: 30 percent, while most other agencies were cut only 7.5 percent.

Indeed, the Wall Street Journal reported recently that an Overnight lobbyist worked closely with a Republican congressman to insure that NLRB be issued a dramatic cut and that its judicial procedures be tied up.

This unprecedented interference by Republicans in the duties of judges was not on behalf of the workers. Let me repeat, Republicans are going to extremes not on behalf of workers, but on behalf of an unscrupulous employer, the Overnight Co.

The management of Overnight, from the CEO on down, has been violating the rights of employees all across this Nation.

Since 1994, Overnight has mounted an illegal national campaign to prevent employees from exercising their right to come together for better wages and working conditions. Overnight's actions have resulted in literally hundreds of employee complaints. These complaints include all of the gross violations of worker protections law: firing employee leaders; threatening to close facilities if employees unionize; withholding pay increases for employees that vote to organize, while granting pay increases to others; and promising better benefits if employees do not exercise their right to unionize.

The people who were subject to this treatment are just like you and me—they have families, they are struggling to make ends meet, and they are trying to play by the rules. Yet, Overnight, with the support it seems of Republicans, is denying those people their rights.

Obviously, Overnight believed it was above the law. Under the laws of this Nation, it is illegal for an employer ''to dominate or interfere with the formation or administration of any labor organization * * *''

After NLRB authorized the request of an injunction against the flagrant violations of Overnight, Republicans sprang into action to prevent the injunction from actually being sought and to influence the settlement. But Republicans are not stopping there. They hope to exact punishment and revenge on a judicial body that decided cases against Republican special interest.

Even some Members on the other side of the aisle were shocked by the catering to special interest. Republican Representative JOHN PORTER was quoted as saying ''To my way of thinking, you don't cut judicial bodies because they make decisions you don't like.''

I could not agree with my colleague more. To my way of thinking, Mr. Speaker, we were not elected to disregard the interest of the people in favor of special interest. This bill is extreme and will hurt working families only to help special interests. This bill should be resoundingly rejected.

OSHA REFORM NEEDED

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Georgia [Mr. NORWOOD] is recognized for 5 minutes.

Mr. NORWOOD. Mr. Speaker, by now it is no secret that I want to change the way OSHA does business. I have come to the floor many times to talk about the excesses of OSHA. But our OSHA reform bill is not simply about curbing the regulatory excesses of OSHA; our bill seeks to restore the freedoms OSHA has taken away.

Mr. Speaker, allow me to quote from the sixth amendment to the Constitution. ''the accused shall enjoy the right * * * to be confronted with the witnesses against him.'' Mr. Speaker, under current OSHA policy that right does not exist. If OSHA shows up on your doorstep today to investigate an alleged violation, you as an employer have no right to know who reported a violation. That policy encourages OSHA to be used as a tool of disgruntled employees and labor negotiators. Our bill will require that employees work with employers to correct safety problems. I have heard critics complain that employees will be afraid to question workplace safety for fear that an employer may take action against them. Maybe these people have forgotten about bureaucracies like the National Labor Relations Board or the labor lawyers salivating over a case like that. Anyone who believes that an employee does not have recourse against an employer probably thinks Medicare isn't going bankrupt.

Mr. Speaker, I had the privilege of testifying before the Small Business Committee last week on OSHA reform. It reminded me why OSHA reform is so important. OSHA regulations strangle small businesses. OSHA threatens the livelihood of small business men and women all over America. It is just that simple.

When OSHA sends out a 6-inch thick document on Air Quality, a small business owner doesn't say to himself ''Wow! Here's a way for me to make my workplace safer for my employees.'' Instead, he says ''How am I ever going to figure out what is in here? Will I have to hire someone just to figure it out? Is it going to force me to lay-off a worker or raise my prices?'' Mr. Speaker, I ask you, is it any wonder that small business are terrified of OSHA?

In my opinion, here lies OSHA's basic flaw * * * OSHA acts as though the only people who care about workplace safety live here in Washington, DC. Nothing could be further from the truth. Small business men and women throughout America are deeply concerned about workplace safety. Their employees are often family. Employers want safe workplaces. They need help from OSHA. A 6-inch stack of regulations and the threat of a costly fine do little to improve workplace safety. A new improved OSHA will work with employees to teach them how to make the workplaces safer. We must have a carrot to go with the stick OSHA has grown so addicted to. OSHA should spend as much of the taxpayers money trying to educate employers as they do trying to collect fines.

Mr. Speaker, I am not convinced that OSHA can ever be reformed. However, if it is ever to be reformed, the steps taken in H.R. 1834, the OSHA Reform Act, will make a real difference. I strongly encourage my colleagues to

stand up for workplace safety and cosponsor H.R. 1834, the OSHA Reform Act.

CUTS IN NLRB BAD FOR MANAGEMENT AND LABOR

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California [Mr. MARTINEZ] is recognized for 5 minutes.

Mr. MARTINEZ. Mr. Speaker, it never ceases to amaze me how this Republican juggernaut continues on its way, not thinking and unconcerned about the consequences of its actions. A case in point is found in the labor appropriations bill we are considering this week.

The Appropriations Committee proposes reducing the funding of the National Labor Relations Board by 30 percent. They also, of course, propose to change certain statutory rules—rules that have stood the test of time, and which used to be the province of authorizing committees.

Why? So that the employers of this country will be freed from the yoke of labor—and can return to being productive and profitable in this highly competitive world economy. If anyone really believes this, I have some oceanside property in Arizona I will sell you—what's been happening for years is that those employers who aren't capable of changing their business operations to keep up with the times, and who only look on labor as a tool, not a partner, and who can't force lower wages and benefits on their workers have been moving to Mexico and the Far East with impunity. And those that can't move will now work with impunity to eliminate workers' right to organize and to force down wages and benefits. Since the NLRB will no longer be able to carry out its responsibilities.

Lost in their zeal to unlevel the playing field is the real reason we have the NLRB in the first place—to bring balance to the management-union-employee situation, to protect each of the three elements from the others.

So, cutting the NLRB will mean less protection for the employers and employees who have had to go to the Board for redress against unreasonable actions by unions.

When the Portland Local of the United Food and Commercial Workers attempted to force grocery store owners into firing employees because of failure to pay union dues, the Board stepped in to prevent the union from doing something clearly in violation of the law.

The fact that these workers were not represented under a union contract was central to the decision.

This bill would prevent the NLRB from prosecuting employers who find union organizers taking jobs in a nonunion firm solely to organize the workers, a practice called salting.

I know that employers who find themselves the subject of salting think they will be assisted by this bill, because it allegedly makes such action illegal—but, cut 650 full-time-equivalent positions and see how many of these employers are going to be able to secure the assistance of the NLRB to bring a cease-and-desist order against the union that continues to use these tactics and disrupt the workplace.

What I really want to ask is: How will causing inordinate delays in processing complaints—including disposing of frivolous or unsupportable complaints—be beneficial to employers?

Employers, employees, or unions who go to the NLRB sometimes do so because that is the only way to avoid escalating a disagreement to the level of confrontation or violence.

That is why the Board was created in the first place.

If you take away the capability of the Board to deal efficiently and quickly with those disagreements, you are ensuring that there will be confrontations and battles.

This proposal is, like the rest of this appropriation bill, a perfect example of shortsightedness.

Because well over 90 percent of all Labor disputes are settled before they become the subject of a formal NLRB action, because the staff of the Board is now available to resolve disputes before they grow.

Cut this budget by 30 percent and employers, employees, and unions will wait months instead of days for resolution of complaints. And the number of complaints is unlikely to drop—the NLRB does not bring the complaints—unions, workers, and employers bring the complaints.

So, how can reducing the budget of this agency get Government off the backs of workers and employers?

It cannot.

Vote against this bill.

□ 1745

DEADHEADS

The SPEAKER pro tempore (Mr. METCALF). Under a previous order of the House, the gentleman from Tennessee [Mr. DUNCAN] is recognized for 5 minutes.

Mr. DUNCAN. Mr. Speaker, as some people here know, I spent 7½ years as a criminal court judge in Tennessee trying felony criminal cases, the burglaries, the rapes, the armed robberies, the murder cases, the drug cases, the most serious cases. As everyone can imagine, I saw many very sad things during those years. However, one of the saddest cases involved what was then, and may still be, the biggest drug case every to hit the city of Knoxville.

Four young people brought 72,000 hits of LSD from California and were arrested in a raid at the Hilton Hotel. One of the four was a very beautiful young woman, just 1 month past her 18th birthday. She testified that she started with marijuana in the 7th grade, and because she handled that with no problem, she went on to cocaine in the 9th grade and heroin in the 10th grade. She then left home and started following a band called the Grateful Dead. She became part of a subculture called the Deadheads.

They used her for a couple of years or so until she ran out of money in California and started living on the beach and having to beg for money and beg for food.

Then she got involved in selling drugs. She came to Knoxville, got caught and had to spend 12 years of a nonprobatable sentence in the Tennessee Penitentiary for Women.

After she was arrested, she found out she was pregnant, and she had twins which were delivered while she was incarcerated and had to be turned over to the State of Connecticut where she was originally from.

I became horrified from what I heard from those young people about how their lives were ruined when they became attracted to this band, the Grateful Dead, and became part of this horrible subculture called the Deadheads. So you can imagine how interested I was when I picked up Sunday's Washington Post and read on the front page of the Outlook section of a column, an article, a lengthy article entitled ''Un-Grateful Deadheads, My Long, Strange Trip Through a Tie-Dyed Hell,'' by Carolyn Ruff.

I wanted to read just a portion of this article because there may be some people here tonight or some parents who are listening whose young people are attracted to things like this. I do this sort of as hopefully a warning for these young people to get some help. Carolyn Ruff wrote this:

> She jumped from a window of a seedy motel on Market Street in San Francisco. From a room full of Deadheads she considered to be her family, she climbed out onto the ledge and then took one more step forward. No one made any attempt to stop her. I was on the street below and to this day remain thankful I was looking the other way. I don't even remember her name anymore. I suspect few remember her at all.
>
> We met at a Grateful Dead show in North Carolina. It was the end of the Dead's fall tour of 1989, I had just completed my first full tour and she had finished what would be her last. She was a bright, beautiful runaway from a loveless home in Pittsburgh. Like many of the hundreds on the tour, she was attracted to the scene around the Grateful Dead as much as the band itself. In the Deadheads, she thought she saw family.
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> When we saw each other again a few months later in Miami, I was shocked by her mental deterioration. She rambled gravely about how her closest friends had stolen her clothes and her money. She shamefully recounted having sex with men in exchange for food and drugs. She had lice in her hair. She was hungry, lonely, miserable. Another Deadhead suggested that she medicate with acid to cleanse the dark thoughts from her head, and then swim in the ocean to rinse the black film on her soul. This home remedy failed and a young life was lost within months of our meeting.

I continue to read from this column from the Washington Post, as Carolyn Ruff put it this past Sunday:

> Contrary to the image laid out by the Deadheads themselves, life on tour these

days is far from peace, love and smiles. Capitalism, greed and betrayal would be more apt descriptions.

In my seven years as a devoted Deadhead including two spent touring the country, I came to take for granted that people would steal from a friend's backpack and rationalize their actions. I saw friends sleep with other friends' partners. I saw young women sexually assaulted after being unwittingly dosed with acid. I saw someone give a friend's dog acid just to watch it lose it mind. I saw people stranded in a strange city because their friends were impatient to hit the road. I saw people trash their friends motel rooms, knowing that they would not be held responsible for the damage.

With no legal system within the Deadhead culture, these injustices go unchallenged.

I do not have time, tonight, Mr. Speaker, to read this entire article. But I do commend the Washington Post for writing this and Carolyn Ruff for bringing this horrible subculture of the Deadheads to the attention of so many people.

Mr. Speaker, I include for the RECORD the article to which I referred.

[From the Washington Post, July 30, 1995]

THE UNGRATEFUL DEADHEADS

MY LONG, STRANGE TRIP THROUGH A TIE-DYED HELL

(By Carolyn Ruff)

She jumped from a window of a seedy motel on market Street in San Francisco. From a room full of Deadheads she considered to be her family, she climbed out onto the ledge and then took one more step forward. No one made any attempt to stop her. I was on the street below and to this day remain thankful I was looking the other way. I don't even remember her name anymore. I suspect few remember her at all.

We met at a Grateful Dead show in North Carolina. It was the end of the Dead's fall tour in 1989. I had just completed my first full tour and she had finished what would be her last. She was a bright, beautiful runaway from a loveless home in Pittsburgh. Like many of the hundreds on the tour, she was attracted to the scene around the Grateful Dead as much as the band itself. In the Deadheads, she thought she saw family.

When we saw each other again a few months later in Miami, I was shocked by her mental deterioration. She rambled gravely about how her closest friends had stolen her clothes and her money. She shamefully recounted having sex with men in exchange for food and drugs. She had lice in her hair. She was hungry, lonely, miserable. Another Deadhead suggested that she medicate with acid to cleanse the dark thoughts from her head, and then swim in the ocean to rinse the black film on her soul. This home remedy failed and a young life was lost within months of our meeting.

That indecent occurred five years ago, but recent headlines surrounding the Grateful Dead have taken me back to that time and to my own days on tour. As the itinerant band celebrates an astonishing 30 years on tour, it has been dogged by misfortune—lightning struck fans earlier this summer at RFK Stadium in Washington, several dozen people were arrested outside a Dead concert in Albany and for the first time in three decades, a scheduled concert was canceled in Indiana for fear of crowd violence. None of this can be directly attributed to the band itself, but the incidents are nonetheless beginning to expose a darker, more malevolent side of the Grateful Dead milieu. Contrary to the image laid out by the Deadheads themselves, life on tour these days is far from peace, love and smiles. Capitalism, greed and betrayal would be more apt descriptions.

Today's Deadheads wear the tie-dyed costumes of a past generation but aren't propelled by the same sense of moral rebellion. If bygone Deadheads were protesting war and social strife, today's seem only to be dissenters from real-world monotony. Unfortunately, like many of my generation's discontents, they are cynical, savy and unhappy with their lives.

In my seven years as a devoted Deadhead—including two spent touring the country—I came to take for granted that people would steal from a friend's backpack and rationalize their actions. I saw friends sleep with other friends' partners. I saw young women sexually assaulted after being unwittingly dosed with acid. I saw someone give a friend's dog acid just to watch it lose its mind. I saw people stranded in a strange city because their friends were impatient to hit the road. I saw people trash their friends' motel rooms, knowing that they would not be held responsible for the damage.

With no legal system within the Deadhead culture, these injustices go unchallenged. Thankfully, violent acts of retribution have been few, but who knows if it will someday come to that? The common reaction when this sort of incident occurs is to get a bit meaner, shrewder and make a plan to do it back to someone else. Eventually. I came to dislike the music of the Dead because of the association I made between the band and its followers.

It would be unfair to imply that all of those on tour engage in such loathsome behavior. There are many who revel in the shows and demonstrate respect not just for their fellow Tourheads but for the cities they visit. Their sole desire is to immerse themselves in the music and peacefully co-exist with others who feel the same. But the dominant culture is not so sanguine.

In an attempt to escape the society they so disdain, the Deadheads have created a world underpinned by the same materialism and greed. Whether it be overpricing their wares or selling crack and ecstasy, the looming specter of capitalism rules supreme, and it is every bit as ruthless as that of the American mainstream.

Newcomers naive enough to think otherwise quickly have their misconceptions dispelled. I met quite a few 14- and 15-year-old kids who came to tour without a penny and thought they could turn to other Deadheads for support. Somehow, they thought money didn't hold the same relevance that it does elsewhere. But unless you're a Trustfund Deadhead, sustained by the family fortune, everyone needs a scheme. Selling veggie sandwiches is one option, as is hawking jewelry or clothing. To make these business go, some Deadheads trek to Central America between tours to buy the Guatemalan jewelry and garb so popular among Dead followers. Others make their own products to sell. And with a steady flow of suburban kids who have the cash to spend on a $5 tofu burger and a $20 T-shirt, these entrepreneurs have an ideal location at Dead shows.

But these business ventures take a level of initiative and planning beyond what most Tourheads are willing to expend. More typically, people make just enough money to cover food, lodging, their concert ticket and enough gas to get to the next city. If you are not good at selling or at least scamming, you will not make it on tour. Many Deadheads, while professing distrust and disdain for the government, make it by accepting food stamps and other public hand-outs. A walk down the streets of Berkeley or San Francisco, a popular hub of between-tour activity, is evidence enough that many Tourheads are also adept at panhandling, although this is not a profitable choice for survival.

The drug trade is also an easy and rather lucrative route to sustenance. With perseverance, one can usually find suppliers of acid, mushrooms or ecstasy to resell, and the rising popularity of crack and heroin on tour is opening up new markets. There is the nuisance of undercover agents from the Drug Enforcement Administration, to say nothing of fellow Deadhead narcs, but this can add an element of excitement to a new career—which for today's Deadheads is a tonic in itself.

My initiation to the Grateful Dead came in 1986 and coincided with the band's resurgence back then. I was in college and had been more interested in the Clash and Flipper than wearing bells on my shoes and tie-dyeing every white shirt I owned. But after going to a few shows I grew enchanted, with the band and with the hordes of colorfully attired people who seemed like happy children at recess. I worked every conceivable retail job to finance my indulgence, choosing positions where there was little commitment. With the money I had saved and the cushion of a few credit cards, I was able to traverse the country with relative financial security. It also helped that I had family that, though preferring I settle down and get a job, made clear that I could rely on them if things got desperate.

It might have been different had I joined the tour earlier. One retired Tourhead who requests anonymity for fear of losing a respectable job says the late 1980s ushered in a more amoral environment. ''The demise of the Dead scene began in 1987 when going to shows became like going to some sort of pop scene,'' says this ex-Deadhead who himself was eventually scared away by the violence. He blames alcohol abuse for what he sees as an increased incidence of fighting, show-crashing and other disruptive behavior.

Today's version of tour is a mockery of what the original Dead followers created. There is an attempt to form family units, but too often they aren't bound together by loyalty and trust. The members travel together, bunk together and, theoretically, provide the love and support that one might bestow on a relative. And, to a degree, there is a sense of sharing: In spurts of generosity, one person or a few will support the others by buying the gas or paying for the motel room. But typically this generosity is born of necessity—everybody else is broke.

Rarely do the relationships that develop transcend each person's own selfishness. Usually, the break occurs over money—someone feels they've been cut out of a drug deal, or grows tired of supporting a parasitic family member.

To survive on tour, it helps to have emotions encased in steel. Courtesy is not mandatory and verbal assaults, rude comments and sexist remarks are common in the course of a motel room conversation. People refer to each other freely as ''sister'' or ''brother'' but there was rarely the accompanying intimacy. Practically everyone goes by a nickname—Woodstock, Scooter, Zeus, Rainbow, Jinx. Often, I never knew people's real first names, and rarely did I know their last. There was a degree of secrecy which supposedly stemmed from a paranoia of the law, but sometimes I wondered whether going by a fake name among friends was just a way of preventing anyone from getting too close.

So what's the beauty of it all? The question for many on tour is probably: What's the alternative?

''There is this core group of Tourheads who have dropped out of society and their only alternative is to follow the Dead,'' says Jill, another former Deadhead. These people live

for tour to resume each season, but quickly grow disgusted. They boast of making enough money from the present tour to buy that land in Oregon and settle down. But more typically their money is blown on lavish hotel rooms, expensive meals, beer and drugs. Strung out and broke, they're left scrambling for someone to support them until tour begins again.

And so a cycle evolves: Many may want to try a new life but have become ensnared in the tour culture. Financially, they know no other way to make money other than selling wares on tour. Socially, whether they truly like them or not, the people on tour are the only friends they have. Alienated and fearful of what the real world is about, they settle into what they know best: The Dead.

Every time there is a scare that the Dead may stop touring, I find myself worrying about the lost souls who know nothing else but the parallel world of the Grateful Dead. Many are talented and have skills adaptable to the mainstream. It's those who use the Dead simply as an escape who will have difficulty adjusting to life without tour. Sadly, I cannot picture their future.

They will surely endure the loss of the Dead's live performances, but can they handle the end of tour? That possibility seems ever more zeal with the current malaise surrounding the band. As the amount of violence and police confrontation has grown, so have concerns about how to curtail it. A group calling itself Save Our Scene has formed in an attempt to quash disruptive behavior. And through newsletters and the Internet, band members have practically begged their fans to clean up their act. If they don't, the Dead will stop touring' or so they threaten.

In an open letter passed out to Deadheads at a recent St. Louis show and later posted on the Internet, the Dead told fans that "over the past 30 years we've come up with the fewest possible rules to make the difficult act of bringing tons of people together work well—and a few thousand so-called Dead Heads ignore these simple rules and screw it up for you, us and everybody."

Arguably, it is not the Tourheads who are responsible for the bad behavior, but local kids who view the parking lot at a Dead show as an invitation to party with complete abandon. Tourheads can blame the less devoted concert-goers, but it is these "outsiders" who buy the goods that sustain the Tourheads lifestyle. And it is the Tourheads who have created the atmosphere that is so appealing to revelers in the first place.

The Dead went on to say, "If you don't have a ticket, don't come. This is real. This is a music concert, not a free-for-all party."

To me, the issue of blame isn't really relevant. The real question is: How long did anyone think the party could last?

IN OPPOSITION TO THE LABOR-HHS-EDUCATION APPROPRIATIONS BILL

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York [Mr. ENGEL] is recognized for 5 minutes.

Mr. ENGEL. Mr. Speaker, I want to speak about the proposed cuts in the Labor-HHS-Education appropriations bill because in the 7 years I have been fortunate enough to serve in Congress, this bill is truly the worst bill I have ever seen. This bill is nothing less than a frontal assault on the working men and women of this country. The cuts will only serve to decrease productivity, increase costs and cost lives.

I am a member of what used to be called the Education and Labor Committee, which is now called the Economic and Educational Opportunities Committee. And the minute the new Republican majority took control, they changed the name of the Committee. They purged the word labor out of the Committee and purged the word labor out of all the subcommittees. That, to me, sums it all up. They want to just purge labor, purge labor unions and purge the working men and women of this country.

The cuts in OSHA in this bill, and OSHA takes care of the health and safety of American workers, they slash OSHA enforcement programs by 33 percent, a third. This would decimate the agency's enforcement program, leaving millions of working Americans with no where to turn for safety and health protections. With 17 workers dying on the job each day, these shortsighted cuts will increase this carnage sharply.

OSHA laws did not just happen overnight. They came in gradually. And we have now had OSHA protection for 50 or 60 years. And we have seen that as long as we have had the OSHA protection, American workers, less and less American workers have been injured, maimed or killed on the job so the OSHA laws are working. Why would we want to turn the clock back to before the time there were these protections? Why would we want to endanger the health and safety and welfare of America's workers?

In this bill, the National Labor Relations Board is also cut by 30 percent. Currently the National Labor Relations Board has the power to prevent and fix unfair labor practices committed by employers and safeguard employees' rights to organize. The cuts will result in severely weakened workers' rights to fair and decent conditions on the job.

Now, as rationale in all the hearings we have held in the committee, people who want to eliminate OSHA and want to eliminate the NLRB say, you know, these impose very big hardships on employees and most employers are good. I agree, most employers are good and they are responsible. Those are not the employers that we are worried about. To those employers who do what is right and do what they are supposed to be doing and protect the health and safety of their workers, OSHA ought not to affect them. It is those few employers who do not care about the health and safety of their workers which is the reason why OSHA laws were put into effect in the first place.

So now we are going to throw the baby out with the bathwater. Instead of trying to fix what is broken, we want to gut the whole program and throw the baby out with the bathwater and leave American workers exposed.

To me worker safety is not a Democratic issue or a Republican issue. It is an American issue. I do not know why my Republican friends want to gut the program.

Now, in this bill, also there is a 34-percent cut planned for the dislocated workers program. That means that 140,000 fewer workers will be helped finding new jobs, workers who need help in getting the skills for jobs in our changing economy due to increased corporate and defense downsizing. We talk about welfare reform. We want to keep people off the welfare rolls. We want to get people off the welfare rolls. How do you do that, by cutting the dislocated workers program which helps people get jobs, train jobs and find jobs?

It makes no sense whatsoever. So we must stop punishing the workers of this country in order to fund initiatives like tax cuts for the wealthy. The American workers deserve better from us.

My father was an iron worker. I remember walking the picket lines with him during a strike when I was a boy. Workers do not want to strike. They do not want to lose pay. They do a strike only as a last resort. The attitude that we see in some quarters in this new Congress, making workers a pariah, is just unbelievable. Davis-Bacon reform, Davis-Bacon protects prevailing wages so people in my area of the country, New York City, where there is a very, very high cost of living can get a decent wage. We do not want to depress people's wages and have cheap labor coming in from elsewhere, but that is exactly what happens if Davis-Bacon is repealed, and the Republicans are again assaulting Davis-Bacon. Some of us believe that $4.25 is not enough for anybody to live. That is the minimum wage. We think it should be raised. Our Republican friends do not want to raise the minimum wage; they want to eliminate the minimum wage.

This is backsliding. This is not what ought to be done. That is only the labor part of this bill. What we see later on in education is even worse.

I urge my colleagues to look at this legislation, to vote against it. We hear the votes still are not there. We ought to defeat this bill, if it comes up this week, and hopefully reason will prevail.

□ 1800

WE MUST KEEP MEDICARE AFLOAT

The SPEAKER pro tempore (Mr. METCALF). Under a previous order of the House, the gentleman from Minnesota [Mr. GUTKNECHT] is recognized for 5 minutes.

Mr. GUTKNECHT. Mr. Speaker, author Stephen Covey likes to tell a story about the Navy captain of a ship who is adrift in a rather stormy sea one night and he saw a light coming at him. He orders his signalman to contact the oncoming vessel and ask him to change course 20 degrees. So the message is sent out, and very quickly a message comes back, "You change course 20 degrees." The captain is a little upset by this message coming back,

so he sends back and says, ''This is a U.S. naval battleship. We demand that you change course 20 degrees.'' The message comes back, ''We are the lighthouse.''

Mr. Speaker, I think the story is analogous to the problem we have with Medicare. Right now the message is coming back that we are on a collision course with disaster. We are headed for the rocks, and unfortunately, the Medicare system is picking up speed.

In the private sector, we are seeing in the general economy inflation rates of about 3 percent. What we are seeing with Medicare is about 10½ percent. We all know, at least I think we all know, if we do not know, in fact it is available in a little yellow booklet that is being distributed, the board of trustees of the Medicare trust fund came out several months ago with a report, and in it they said many things. I think it is important that Members of this body and Members of the general public be as informed as possible about what they in fact said.

Let me read some of the quotes. For example, they said, ''The Medicare program is clearly unsustainable in its present form.'' They went on to say, ''It is now clear that Medicare reform needs to be addressed urgently as a distinct legislative initiative.'' They said, ''We feel strongly that a comprehensive Medicare reform should be undertaken to make this program financially sound now and in the long term.''

The message is coming out loudly and clearly from our own lighthouse that Medicare is on a collision course with disaster. Yet some folks tend to pretend that nothing is wrong and that we do not have to change course. In fact, the board's report stated: ''Under a range of plausible and demographic assumptions, the HI Medicare program is severely out of financial balance in the short range, adding that the HI fund fails the solvency test by a wide margin.''

Mr. Speaker, I would encourage anyone who is watching on television at home or other Members who are watching in their offices, if they do want a copy they can call 202–225–3121 and get the number of their Member. I know that the Government Printing Office is running a bit behind in terms of keeping up with the demand for these reports, but I think it is important that if people would like to get a copy for themselves, they can read for themselves about what the Medicare trustees have said about the future of Medicare.

Mr. Speaker, that is the bad news, but unfortunately, it gets worse. Not only does the fund begin to spend more money than it takes in just next year, and not only does the fund go bankrupt in just 7 years, the really bad news is that people my age, I happen to be the peak of the baby boomers. As a matter of fact, when I graduated from college, I remember the speaker at our commencement address was director of the U.S. Census. He told us that there were more kids born in 1951 than any other year. The bad news is the baby boomers will start to retire in about 15 years. That is going to have a disastrous impact on the Medicare fund as we go forward.

That is why the trustees, Mr. Speaker, have made it so clear that we need to change course. Like that battleship, we are getting the clear signal that we are headed for the rocks, we are picking up speed, things need to change. What we are proposing, really, are modest changes in the Medicare system.

What we are trying to do is work with all of the providers, with seniors, with other groups, to try and come up with solutions. The good news is if we look at the private sector and what has happened in the private sector over just the last 18 months, we see some good examples of how costs can be contained. As a matter of fact, before I came to this Congress I was a Member of the Minnesota State Legislature. I was on the Health and Human Services Committee.

I remember just a few years ago being told that we were going to see double-digit inflation rates in the health care system for as far as the eye could see. In the private sector, private insurance carriers, private employers, literally sat down and said, ''This simply cannot be allowed to continue at this rate,'' so they employed a number of different methods to try and control those costs. The good news is we have seen virtually zero inflation in the private sector over the last 18 months in Minnesota, so it can be done.

We have examples in the private sector with just a little bit of working together. I think if the House and Senate can work together, if Republicans and Democrats can work together, I am confident that we can use some of the same things that have worked so effectively in the private sector to control costs here in the public sector, and particularly as it relates to Medicare.

It is an undeniable fact, Mr. Speaker, you cannot sink half of a boat. We are all in the same boat together. I think we owe it to ourselves, to the taxpayers, to the 36 million current beneficiaries to keep this ship afloat.

THE LABOR–HHS APPROPRIATIONS BILL

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Jersey [Mr. MENENDEZ] is recognized for 5 minutes.

Mr. MENENDEZ. Mr. Speaker, this week the House will consider the Labor-HHS appropriations bill. I think Americans need to be aware of provisions that were inserted into the bill that would severely curtail advocacy by organizations that receive Federal grants.

The bill currently sharply limits the amount of private money a Federal grantee may use to lobby elected officials, the reason being, ostensibly, that money is fungible. In other words, the award of Federal dollars makes it possible for an organization which gets a grant to use more of its own money for advocacy, instead of having to use it to provide services.

However, Mr. Speaker, that argument is not enough to warrant placing unprecedented restrictions on what Americans may do with their own money, and certainly not enough to warrant fiddling with first amendment rights. Who would be subject to these limitations? Church groups that receive Federal funds through their city to run a homeless shelter, small businesses that receive loans from the SBA, low-income nursing mothers and infant children who use the WIC Program to supplement their diets, farmers who utilize federally funded irrigation projects, children who receive subsidized school lunches, students who receive a college loan. The list is endless, and the answers to the questions are unclear, because the bill is so ambiguous as to what qualifies a grant.

In fact, the bill says that the term ''grant'' includes the provision of any Federal funds or other thing of value, something of value. Are not WIC benefits or food stamps things of value? Is not an irrigation system a thing of value? Is not a school lunch a thing of value? The sponsors of this language believe they are not, but the bill makes absolutely no distinction. It would be up to the courts to decide whether a thing of value is a grant or not under this confusing and wide-open definition. A person may be getting a so-called grant and not even know it, and if so, he will soon have to file reports to the IRS telling them now much he got and detailing how much money he spends writing to his Congressman to express his opinions. It is his right as an American, but he had better be prepared to report it to the Government.

How ironic. How ironic it is, in an age when we are supposed to be shrinking the Federal bureaucracy, that the solution to the imaginary problem of federally subsidized advocacy is to require thousands and perhaps millions of people to file new forms with the IRS, reporting what they said to their elected representatives, and how frequently they said it.

Mr. Speaker, I will be supporting an amendment to remove these provisions, because I do not believe they have been well thought out, and they certainly have not been examined thoroughly enough, given the sweeping changes the bill would make to the rights of Americans to petition their elected officials on issues of concern to them.

Remember, we are not talking about using Federal money to lobby. That is already prohibited under the law. We are talking about the use of private money. We are talking about stopping advocacy by groups on behalf of, for example, the mentally or physically handicapped, if they receive a grant in

their organization; by a college or university, if they receive a grant; by an antipoverty agency, if they receive a grant; by a woman's group if they receive a grant. The list is endless. I believe there is a conspiracy to silence voices in America that some do not want to hear from.

However, Mr. Speaker, if the House wants to insist on going ahead with this ill-conceived plan and if we cannot strike the provision, then I intend to offer an amendment that will put more people on a level playing field. The bill seeks only to control lobbying or advocacy by groups which receive Federal grants. That ignores a whole host of other benefits which the Federal Government provides, all of which makes it possible for the recipients to spend more money on lobbying. All of these benefits are every bit as fungible as grant money, yet there is no attempt to address them.

We have newspaper accounts of tax-exempt organizations paying for flying politicians around the country, paying for their television ads or distributing materials promoting a certain political agenda. They are more than abundant. Meanwhile, the Federal Government is allowing it to go on tax-free. That is a benefit that is not only fungible, it is worth more than all of the grants that this bill tries to deal with.

Therefore, Mr. Speaker, if my amendment is passed, any politician that accepts tax-exempt dollars to promote his or her political agenda loses their Federal salary. The group that provides the money has to pay taxes on it. That is lobbying reform with real teeth. If the issue is fungibility of money, let us not give the high and mighty who have certain access to nonprofit organizations an opportunity to have their voices heard, but have the voices of Americans across the country silenced.

THE MOST IMPORTANT CHALLENGE IN FIXING THE MEDICARE CRISIS: PREVENTING THE PART A TRUST FUND BANKRUPTCY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania [Mr. ENGLISH] is recognized for 5 minutes.

Mr. ENGLISH of Pennsylvania. Mr. Speaker, addressing the crisis in Medicare by preventing the Part A trust fund from going bankrupt may be the most important and the most difficult challenge for this Congress. Mr. Speaker, Medicare is part of a social compact we have with America's seniors. We in Congress serve as fiduciaries for this program, charged with the ultimate responsibility for its solvency.

This spring the Medicare board of trustees, including three members of the Clinton Cabinet, reported that Medicare will start running a deficit next year, and will be broke by the year 2002. Medicare will be broke in 7 years. Since then, we have been inundated with speculation on why this crisis happened, whose fault it is, and even whether the crisis is for real. Frankly, Mr. Speaker, sometimes in this debate there has been more heat than light.

Mr. Speaker, as a Member of the Committee on Ways and Means, I have been seeking a legislative solution to the Medicare crisis which simplifies and strengthens the program, while preserving it for future generations. Congress must find this solution quickly and get it right, or we will leave the public to face draconian budget cuts for seniors, or punitive tax increases for working families.

With the extremely short period of time Congress has to formulate a solution, I think it is vitally important to follow a three-step approach: Item one, to clean up the fraud and abuse; item two, to legislate a solution which preserves and protects senior benefits; and three, make sure the crisis does not happen again.

With this in mind, I have introduced two separate pieces of legislation to address the most overlooked aspects of the process, cleaning up the fraud, and establishing a mechanism to allow for a faster and less political approach to the threat of bankruptcy, to ensure that we never get to this point again.

Mr. Speaker, the costs of fraud and abuse to the health care system in general are staggering, with as much as 10 percent of the U.S. health care spending being lost to fraud and abuse every year. Over the past 5 years, estimated losses from health care fraud totaled about $418 billion, or as much as four times the cost of the entire savings and loan crisis to date.

Two of the most severely abused programs are Medicare and Medicaid. An extensive report compiled by one of our Senate colleagues states that for these two programs, the Federal Government pays out over $27 billion every year in fraudulent claims. These figures are even more disturbing in light of the fact that only a tiny fraction of the bad boys who rip off the Federal health care programs are identified and prosecuted. Even when they are caught, they are often allowed to keep right on doing business with the Federal Government, and with other health care plans.

For example, an alarming number of allegations of fraud and abuse have been leveled against agencies that provide services to homebound elderly and disabled. In February of this year the HHS inspector general proposed that ABC Home Health Services, Inc., which provides home health care services in 22 States through 40 wholly-owned subsidiaries, should be excluded from Medicare and State health care programs for a period of 7 years for padding its cost reports with false and fraudulent entries that were unrelated to Medicare patient care. This is simply unacceptable.

Mr. Speaker, to combat this problem and to provide an initial fundamental step in Medicare reform, today I introduced the House version of Senate legislation to expand criminal and civil monetary penalties for health care fraud, to ensure a stronger, better-coordinated efort in deterring fraud. Mr. Speaker, looking ahead to the future of Medicare, looking at ways to protect its solvency and provide a faster, fairer, nonpartisan process for controlling costs, today I introduced legislation to create an independent Commission on Medicare.

The Commission to Save Medicare Act of 1995 is designed to permanently protect the Medicare trust fund. The Commission proposed in my legislation would consist of seven members chosen in an entirely bipartisan manner, appointed by the President, and subject to Senate confirmation. The members would serve full time, and would consist of people who are nationally recognized for their expertise in health care policy. The Commission would report to Congress and to the President annually on the per capita value of services delivered of the Medicare benefits package and the projected growth in the program expenditures. In April of each year, Congress would set a target for Medicare spending for the upcoming year.

Mr. Speaker, I believe the combination of this Commission and the new sanctions against fraud and abuse will make the Medicare Program solvent in the long haul, and that has to be part of our solution.

□ 1815

BUDGET PRIORITIES

The SPEAKER pro tempore (Mr. METCALF). Under a previous order of the House, the gentlewoman from Oregon [Ms. FURSE] is recognized for 5 minutes.

Ms. FURSE. Mr. Speaker, at the start of what I have to say, I am just really amazed by the analysis I have heard of the Medicare Board of Trustees' report. I read it and nowhere did I find that they recommended a $270 billion cut in order to give a tax break to the privileged few.

Mr. Speaker, what I really want to talk about today is budget priorities. I want to remind you that this Congress has really only power over discretionary spending. That is about 54 percent of the budget, and that 54 percent is divided equally, 50–50, between military and nonmilitary spending. Well, that is, it was divided that way.

Mr. Speaker, we have all heard all this talk about how we are going to cut waste in this new Congress, we are going to balance the budget. But we may be surprised to hear that all of the cuts, all of them; I repeat, all the cuts, have come from nonmilitary spending. Did the military budget get a cut? No; it did not. In fact, it got a huge increase.

Now, poll after poll shows that the average American wants Pentagon

spending either kept the same or cut, but they do not want it increased. In the Republican plan, one star wars account, yes, we are still funding star wars, was actually increased 111 percent over last year's level. That is nearly $400 million more than the administration requested. Mr. Speaker, I think this is wrong and I would submit that the American people might think this is a wrong use of their money.

Now, it is true that we have made enormous cuts. But I would like to talk about what those cuts are, and keeping in mind that those cuts are at the same time we are increasing Pentagon spending, while some of the cuts have been direct attacks on our children and our country's future. The Republicans have approved cuts that would deny Head Start, the most successful program, everybody agrees on that, deny it to 180,000 children nationwide by the year 2002. In addition, Pell grants. Pell grants that help our young people get to college, they will be denied to 360,000 students in 1996. In fact, in my district, 3,000 students in Oregon will not have a chance to go to college because of these cuts. Then they are also attacking the environment.

Mr. Speaker, let me tell you some of the cuts in the environment. There is an elimination of all funding for listing of endangered and threatened species. These are species on which the fishing industry depends. We need support for these endangered species, but we are cutting all of the funding. There is a 40-percent reduction in solar and renewable energy, a 33-percent reduction in the EPA budget, including a $765 million cut in clean water funding. There is a 17-percent cut in all of the Environmental Protection Agency enforcement.

Well, what about the cuts to seniors? I talked about the $270 billion cut in Medicare. We have eliminated the low-income energy assistance program. This new Congress has cut senior nutrition programs by $24 million. The older worker programs, $46 million in cuts. All at the same time that we are increasing the Pentagon, we are cutting from children, from the environment, and from seniors.

Mr. Speaker, I would wonder, and I would wonder if the American people would agree, that to cut away at these security protections, the security of good education, safer streets, healthy children and seniors, a safe and healthy environment, is the right priority. Is that the priority that we believe in in this country? I would say it is the wrong priority.

Mr. Speaker, it is also important to realize that all of these cuts will not reduce the deficit, because the Republicans have a budget which increases Pentagon spending, gives a tax break to the privileged few, so we are taking all of the cuts out of children, the environment, seniors, and we are not even reducing the deficit.

Shame—I think it is a shame—when we have such very skewed economic priorities. I would say that they are not, in my view, the priorities of my constituents. I hope that we will look for sane, commonsense economic priorities.

BOARD OF TRUSTEES' REPORT ON MEDICARE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Georgia [Mr. KINGSTON] is recognized for 5 minutes.

Mr. KINGSTON. Mr. Speaker, I do want to say one thing to the gentlewoman from the opposite party. On Pell grants, the Labor-HHS bill increases Pell grants to the highest level that it has ever been increased to, and so perhaps we could provide some information to her constituents on that, or her office, so she can get it to those 3,000 students. But Pell grants are going up higher than ever before. Head Start is also funded at a very high level. It is increased 128 percent over 6 years. Ryan White's funding has actually increased. Special education funding is funded at $3 billion, $230 million more than President Clinton proposed.

Perhaps it is just a matter of not agreeing with what the educational priorities are. But I think that clearly, this bill does put a very high priority on education. We may not agree with all of the education programs that the Democratic Party does, but this bill is extremely proeducation, and I hope that the members of the opposite party will look at that, and maybe join in the process of balancing the budget, which I think is very important for us to do on a bipartisan level.

Maybe I am just out of it; maybe I do not know the ways of Washington, but I do think that it is very easy to sit there and say well, I would not have cut that, I would not have cut that. I mean, where is your balanced budget? I mean, do not nickel and dime things that you do not like unless you are going to come with a total package of where your balanced budget is.

Now, Mr. Speaker, if I could get those charts, I would like a little bit about the trustees' report on Medicare. This is one that Mr. HOKE has used. This time, it is not time to hide our heads in the sand on Medicare. The trustees clearly said, the Clinton-appointed trustees of the Medicare plan, said that Medicare is going broke by the year 2001. This is the plan, there is a report on it, we can get members of the public a report on the trustees' plan.

The trustees were appointed by President Clinton. Here is a Secretary of the Treasury Robert Rubin, Secretary of Labor, Robert Reich, Secretary of Human Services, Donna Shalala. They have said that Medicare is going broke. President Clinton said in his June 11 appearance in New Hampshire that it is going broke. NEWT GINGRICH has said it on the same platform. So it is appropriate that we, on a bipartisan basis, deal with the reality, that it is going broke.

Mr. HOKE. Mr. Chairman, will the gentleman yield?

Mr. KINGSTON. I yield to the gentleman from Ohio.

Mr. HOKE. This is the report that we are talking about, right?

Mr. KINGSTON. That is the April 3, 1995 report.

Mr. HOKE. Mr. Speaker, this is a summary of the report by the trustees. It is like an annual report to the American people on the Medicare trust fund, Social Security trust fund and other trust funds, but Medicare trust fund. The President said it is going broke, the Speaker has said it is going broke.

Mr. KINGSTON. And the President's appointees.

Mr. HOKE. Mr. Speaker, would the gentleman explain to me then why the minority leader on Meet the Press Sunday morning said, this is a hoax? The Republicans are saying, because the report says the fund will have solvency problems in the year 2002, there is an emergency. This is a hoax. Where is the hoax? I do not understand. Is this a sham? Were they making this up?

Mr. KINGSTON. Mr. Speaker, this is the first I have heard of it. President Clinton has come forward an said that this is going broke. It is not a Democrat-Republican thing. Now, it may be in the Congress that certain Members of Congress prefer the old tactic. You know, when in doubt, run to the sand.

Mr. HOKE. Mr. Speaker, I do not want to delay the gentleman's special order, but I think the American people deserve to read this report themselves and make their own decision. I would urge every American to call 202–225–3121, ask your Representative at 202–225–3121, to send you, mail you a copy of this report. It is the annual report of the Medicare trustees to the president of the United States.

Mr. KINGSTON. Well, thank you for that. Here is the actual dollar figures. But just the bottom line, more will be going out than is coming in. On an NBC Nightline report the numbers were that the average couple's contribution to Medicare, $69,000. The average amount going out per couple is $186,000. So you do not have to be a mathematician to know that we have a problem. It is going broke. Let use accept that.

Now, let us in a bipartisan fashion fix it. Let us fix it in a fair way. Let us do it so that it is not just on the backs of the senior citizens, and let us do not do it on the backs on the future generations. Let us do it across the board. We need to simplify it. We need to save it, we need to strengthen it. There are a lot of options that are out there for us.

Mr. Speaker, just a couple of the things that we can do. No. 1, offer a choice, the same choice that you and I as Members of Congress have, the same choice that our friends have.

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Hawaii [Mrs. MINK] is recognized for 5 minutes.

[Mrs. MINK of Hawaii addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.]

DEPARTMENT OF ENERGY'S TRIP TO SOUTH AFRICA

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio [Mr. HOKE] is recognized for 5 minutes.

Mr. HOKE. Mr. Speaker, I yield to my friend from Georgia, Mr. KINGSTON.

Mr. KINGSTON. Let me just conclude with what some of the options are that we are looking at, because I think it is important that our seniors know that we want to have reform plans that will simplify and strengthen Medicare, and yet give them all of the choices that they deserve, and one of them would be to keep the current Medicare plan that they are under. The other one is a coordinated benefit plan.

Mr. Speaker, another possible option is an employer association Medicare plan, because currently if someone is 65, they are forced off the private sector insurance, but they may want to keep it, and they may want to stay on their employer's plan. We want to give seniors that option.

Then there is the medical savings account, which would give seniors the right to save money and pocket the difference at the end of the year on what they save on their own health care costs. We, under these plans, are projecting a spending increase of about $1,900 per person, going roughly from $4,816 per person to $6,734 over this time period to the year 2002, a 7-year time period.

Mr. Speaker, this is not a Medicare cut. We keep hearing from the hide-their-head-in-the-sand Members of Congress that we are trying to cut Medicare. This is not a cut. Now I know Washington DC math does funny tricks, but this is not a cut.

So to conclude, we want to simplify Medicare, we want to say that we want to strengthen it. I am confident that we can do it, and I am glad to say that it will be on a bipartisan basis, because there are a lot of Members of both parties who are stepping forward to make the tough decisions and do what is right for our American citizens.

Ms. KAPTUR. Mr. Speaker, will the gentleman yield?

Mr. HOKE. Mr. Speaker, I yield for just a moment. Actually I want to talk about something else, but very quickly.

Ms. KAPTUR. Mr. Speaker, just taking a very brief time, in looking at this chart there, I have seen this chart several times, but we know health insurance is rising faster.

Mr. HOKE. Reclaiming my time——

Ms. KAPTUR. The 7 years you are talking about——

Mr. HOKE. Mr. Speaker, regular order.

Ms. KAPTUR. You are talking about over $8,100 a year, so I would disagree with the gentleman.

Mr. KINGSTON. I thank my friend.

Mr. HOKE. I am reclaiming my time.

Mr. KINGSTON. Mr. Speaker, I can answer it in 30 seconds if the gentleman will let me. Please, the lady is right, medical inflation on Medicare is going up 10.15 percent a year, but regular insurance inflation is at about 4 percent, and in the private sector, some corporations are actually having a 1-percent decrease. So what we are going to do, trying to do through all of these options, is slow down the rate of that increase so we can get——

Mr. HOKE. Mr. Speaker, reclaiming my time, we are going to slow it down to about 6.5 percent per year, and we believe, there is every reason to believe, that we as Americans looking forward are going to be able to do that, we are going to be able to save Medicare, strengthen it, improve it, and simplify it all at once.

□ 1830

For some reason, and I know that we have been feeling very bipartisan tonight, it just irritates me that the minority leader would call this report a hoax, or at least say that we are trying to create a hoax. I am not sure exactly what he meant. Every American should read this. Call (202) 225–3151, ask your Representative for a copy.

Mr. Chairman, I want to move on to something having to do with the Department of Energy. As the chairman of the Committee on the Budget's national security task force, I have been examining the Department of Energy's defense activities. I introduced H.R. 1628, creating the Nuclear Programs Agency, which would be responsible for nuclear weapons activity and environmental cleanup for former DOE defense-related facilities.

As a result of that study and responsibility that I was given on the Committee on the Budget, I discovered that Energy Secretary Hazel O'Leary directed the transfer of $400,000 from defense activities to the Office on Nonproliferation and National Security to pay for her security when she is traveling.

Of particular concern is the $241,000, which was transferred from the materiel support program, responsible for the production, surveillance, and safeguarding of special nuclear materials including tritium. Tritium is a gas that is critical to the ignition of thermonuclear warheads.

Secretary O'Leary has recently ordered the 23 DOE program offices, the Office of Congressional Affairs, the Office of Public Affairs, the general counsel's office, others, to pay the advance costs of at least two invitational delegation members, each, for a trade mission that is going to take place leaving on August 18 for 6 days to South Africa.

According to an internal DOE memo, the estimated cost per person is $9,570, and that does not include an additional $500 for transport to Washington. The per diem cost of $930 for 6 days was figured—has my time expired? Is that what that means?

This is very disappointing, Mr. Speaker. I will seek time later, perhaps the gentlewoman from Ohio will give me some time in exchange for the time I gave her.

TITLE X FUNDING

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California [Mr. FARR] is recognized for 5 minutes.

Mr. FARR. Mr. Speaker, I rise in strong opposition to the majority party zeroing out funding for title X, which is our Nation's critical Family Planning Program.

The title X Family Planning Program was created in 1970, with broad bipartisan support, as part of the Public Health Service Act. It was enacted and signed into law by then-President Richard Nixon, creating for the first time a comprehensive Federal program devoted entirely to the provision of family planning services on a national basis.

Mr. Speaker, in his message on population growth and the American future, Nixon declared that ''No American woman should be denied access to family planning assistance because of her economic condition. I believe, therefore,'' he continued, ''that we should establish as a national goal the provision of family planning services to all who want, but cannot afford them.''

Today, title X continues to be the glue that holds the national family planning service delivery system together, largely determining both its structure through its nationwide network of clinics and the substance of its services that are provided to low-income and moderate-income women and teenagers. In 1990, alone, 5.3 million family planning clients were served by clinics administered by title X-supported agencies.

Mr. Speaker, there has been a lot of misconception about the use of these title X funds. The far right claim that title X money is somehow used to pay for abortions. Nothing could be further from the truth. Since its inception in 1970, the title X statute has prohibited the use of the program's funds for abortions as a method of family planning.

In addition, congressional investigations during the 1980's found that all title X-funded clinics were operating in full compliance with the law. Of the more than 4,000 title X-funded clinics nationwide, approximately 80 provide abortions, all with other than title X funds, without exception. In fact, more than 50 percent of these clinics are in hospitals.

Mr. Speaker, let me tell my colleagues about title X and what it does.

Besides providing contraceptive methods, family planning clinics conduct related tests and examinations, including: pelvic exams, blood pressure measurement, anemia screening, Pap smear tests, diabetes, urinary tract infection screening, pregnancy tests, HIV testing, well-baby care, infertility counseling, prenatal care, midlife health programs, and mammography screening.

Health care services are also provided to men, including STD treatment, STD screening, HIV testing, infertility counseling, and testicular cancer screening, among others.

The importance of family planning is widely recognized. According to the Institute of Medicine Committee to study the prevention of low birthweight, it is important to stress that both young teenage status and poverty are major risk factors for low birthweight, and title X is specifically targeted at low-income women, including adolescents. As such, the program should be regarded as an important part of the public efforts to prevent low birthweight.

Mr. Speaker, according to the March of Dimes Birth Defects Foundation, ''Family planning counseling and services are essential elements of preconception and interconception care. We affirm that family planning should be an integral part of prenatal care to improve pregnancy outcome.''

Mr. Speaker, I urge my colleagues to join me tomorrow and vote against the Labor-HHS rule which prohibits an amendment to restore funding to title X, and in the event that the amendment to restore funding for title X ruled in order, I urge my colleagues to support it. Support restoring these vital title X dollars.

HONORING KANSAS TECHNICAL INSTITUTE ON ITS HUNDREDTH ANNIVERSARY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Kansas [Mr. BROWNBACK] is recognized for 5 minutes.

(Mr. BROWNBACK asked and was given permission to revise and extend his remarks.)

Mr. BROWNBACK. Mr. Speaker, it is my honor to stand on the floor of the House of Representatives and recognize an important part of Kansas and American history and that is the 100th anniversary of the Kansas Technical Institute. One hundred years ago, the State of Kansas created the Kansas Technical Institute that changed lives, providing careers and training for hundreds of men and women. It became a source of information, inspiration, and guidance to thousands.

From the beginning, the KTI was more than a school. To the school family, it became a mission to assist black women and men in pushing back any boundaries, real or perceived, that limited their lives.

The institution was founded in Topeka, KS, in 1895 by Edward Stevens and Izie Reddick. It was called the Industrial and Educational Institute and Mr. Stevens was its first President. The institute underwent many changes over the years, including several reorganizations and expansions. In 1919, it was made a regular State school by the legislature and in 1951, it became the Kansas Technical Institute.

In its 60 year history, this African-American institution graduated thousands of students in technical trades. Many of the institute's graduates went on to become business owners, doctors, nurses, lawyers, and other professionals, making one of the most significant contributions to the development of black leadership in the State of Kansas.

Mr. Speaker, I would like to commend the Kansas Technical Institute for its critical part in our history.

MENNINGER HOSPITAL HONORED AS BEST HOSPITAL IN PSYCHIATRY IN THE NATION

Mr. Speaker, on another matter that happened in my district this past month, U.S. News and World Report named America's best hospitals. In its sixth annual hospital guide, U.S. News worked with the National Opinion Research Center, assessed hospital care nationwide and ranked hospitals across the country in 16 specialties. A random selection of American Medical Association members and nonmembers were asked to rank the five hospitals they considered the best among the best in the Nation's 1,600 tertiary care centers. I am proud to state that Menninger Hospital, located in Topeka, KS, was named the best hospital in psychiatry in the Nation. Since its beginning, the Menninger clinic has been the foremost institution in applied psychiatry in the world. Menninger offers an unparalleled scope of treatment services, research, professional education, and prevention programs.

In the past 12 years, Menninger has been recognized as one of the country's top psychiatry centers of excellence 14 times by national publications.

So, Mr. Speaker, I stand here pretty proud of what has happened in my district in the past month; proud of my district for all it has contributed to the Nation, for African-American leadership development, for leadership in psychiatric care, and I am pleased to be able to recognize that on the floor.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Jersey [Mr. PALLONE] is recognized for 5 minutes.

[Mr. PALLONE addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

RETIREMENT OF ROGER SLAGLE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California [Mr. MINETA] is recognized for 5 minutes.

Mr. MINETA. Mr. Speaker, I rise this evening to recognize a member of the staff of the Transportation and Infrastructure Committee, Roger Slagle, and to express, on behalf of the committee, my gratitude to Roger for his hard work, wise counsel, wonderful sense of humor, and great personal friendship.

Roger will be retiring next week after nearly two decades of Government service and advocacy for a sound and balanced transportation system.

After graduating from Georgetown University in 1976, Roger came directly to the Hill to work on the Senate Commerce Committee. Then in 1981, he moved to Los Angeles where he served ably as the chief liaison for Federal and State Governments for the Southern California Rapid Transit District. Roger joined the House Public Works and Transportation Committee in 1988, and to our advantage, he came with a storehouse of knowledge and experience on transportation issues.

One of the great truths of Capitol Hill is that good staff work is the foundation of sound legislation. I strongly agree and think of Roger as a perfect example of that. His understanding of transportation issues and effective communication skills have combined to guide us on the committee in making many intelligent decisions. Roger's imprint can be found on many significant pieces of legislation. During the committee's consideration of the Intermodal Surface Transportation Efficiency Act in 1991, or ISTEA as it has come to be known, Roger was an energetic advocate for the cause of mass transit. Frankly, Roger is recognized as one of the most knowledgeable people in transit issues in Washington and as a leading expert among transit people in the Nation. Not only does he have a solid understanding of transit law, but he also knows many of the systems around the country first hand, making it a point to see them and ride the system—often without the local transit authorities knowing and providing escort.

Roger helped to ensure the recognition that planning for effective and efficient transportation systems is instrumental in helping to address our Nation's clean air problems. He was the lead on ISTEA on all the planning provisions which helped local governments, giving them the tools they needed to help put local governments back in charge of their transportation planning processes.

Roger was the point man for the committee staff in formulating the Americans With Disabilities Act, a monumentally important piece of legislation in opening up access for our disabled citizens.

In addition to being an extremely dedicated professional, Roger is a delightful individual with many varied interests. His personal travel takes him all over the globe, and he delights in bringing back stories and artifacts and building upon his knowledge of interesting food and diverse architecture. I have enjoyed working with Roger over these many years, admiring his irrepressible spirit and respecting his talent.

As a friend and a colleague, Roger will be missed on our committee. I join with his many friends in wishing him the best in his retirement.

NAFTA'S IMPACT ON AMERICA'S DRUG PROBLEM

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Ohio [Ms. KAPTUR] is recognized for 5 minutes.

(Ms. KAPTUR asked and was given permission to revise and extend her remarks.)

Ms. KAPTUR. Mr. Speaker, let me also add my congratulations and thanks to Keith Jewell, who has served as chief in our Office of Photography for so many years, for his distinguished service, for his courtesy, for his good humor, for all the years that he has served here, and we wish him very well in his future endeavors. We hope he will stop back many times to see us.

Mr. Speaker, today I would like to call upon the Clinton administration to convene a very high level working group, reporting directly to the President, to address the ever more serious and growing illicit drug trafficking problem facing us from Mexico, Central America, and South America.

This drug scourge is truly crippling our Nation: every one of our neighborhoods, every town, every city, 80 percent of the crime in this country, the burglaries, the robberies, murder, 80 percent of the people in our prisons and our local jails, all related to the drug problem.

Recently, three penetrating articles appeared in publications across the country that detailed the magnitude of this assault on civilized society. One of them appeared in the Nation magazine on July 10, 1995, written by Andrew Reding, entitled ''The Web of Corruption: Narco-politics in Mexico.''

He talks about the problem not just being a Mexican problem, of course, but a problem for our country as well. He then points out that integration of our continent's economies, formalized by the North American Free Trade Agreement, is increasingly binding our fates. He talks about the importance of a populous, unstable Mexico corrupted by narco-dollars threatening to subvert prospects for regional economic expansion. He adds that economic integration requires a common political currency, starting with democratic accountability and a rule of law.

Then this past Sunday, in the New York Times, on July 31 and then yesterday, Monday, there were two superb articles summarizing the Mexican connection growing as the chief cocaine supplier to our country. In the article on Sunday and yesterday, the authors expressed a concern that the fate of the North American Free Trade Agreement [NAFTA], got caught up in collusion by our Government with the Government of Mexico to not deal with the growing drug problems in order not to jeopardize the passage of that treaty.

The article says that both the Clinton and Bush administrations kept the problems of drugs and corruption from jeopardizing the trade accord and the new economic partnership that it symbolized. A senior official for international drug policy in our government was quoted in the article as saying, ''People desperately wanted drugs not to become a complicating factor for NAFTA and there was a degree of illicit activity that was just accepted.''

''What a shame for us as a country,'' the article states. It talks about a community just south of our border in Ciudada Juarez, Mexico, where the bodies of police informants, people who want to try to help, turn up around this sprawling border city, their mouths sometimes stuffed with one of the fingers that they might have pointed at drug traffickers. if you try to be an honest citizen, if you try to help, you can be sure that you will be shot for your desire to try to deal with this critical issue.

As Mexico's political and economic ties to the United States have strengthened, American demand for illegal drugs has helped a new generation of Mexican traffickers to consolidate their power, carving out an ever-larger share of the world's drug trade and posing a growing threat on both sides of the border.

If we do not do something both in the southern United States and in Mexico, Mexico will take over from Colombia in a few years as the traffickers' headquarters of choice, undermining democracy, undermining commercial development and, in fact, undermining the very free trade agreement that was supposed to be helped out by wiping out this drug trafficking.

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American officials, who once trumpeted Mexican cooperation in fighting drugs, now worry that the Government of Mexico has lost control of most of its police. When the authorities located a leading cocaine trafficker last month after his rented Learjet crashed as he flew to a wedding in Guadalajara, they needed army troops to capture him. The city's federal police commander and most of his deputies were on the trafficker's payroll, and while America's officials lavishly praised Mexico's cooperation in fighting drugs under the prior President, Mr. Salinas, growing evidence indicates that protection for the traffickers reached high into his administration.

I urge the American people, I urge President Clinton, to read these articles I am going to put into the RECORD. Let us get serious. Let us deal with a real war on drugs in this country. It is ripping our Nation apart.

(The articles referred to are as follows:)

[From the Nation magazine, July 10, 1995]

WEB OF CORRUPTION—NARCO-POLITICS IN MEXICO

(By Andrew Reding)

The Tijuana cartel is one of three powerful border cartels that manage the multi-billion-dollar business of transshipping cocaine from Colombia's Cali cartel and heroin from Southeast Asia and Pakistan into the United States. At one end of the border, in Matamoros, the Gulf cartel dominates the eastern delivery routes into Texas. The Juárez-based Chihuahua cartel, run by Amado Carillo Fuentes, dominates the central border. At the other end, strategically straddling the busiest of all border crossings, the Tijuana cartel dominates Pacific delivery routes. To defend this coveted turf from rivals, the Arellanos have hired what amounts to a private army, ranging from federal and state police to members of San Diego gangs.

This is not just a Mexican problem but a U.S. one. Integration of the continent's economies, formalized by the North American Free Trade Agreement, is increasingly binding our fates. A populous, unstable Mexico corrupted by narco-dollars threatens to subvert prospects for regional economic expansion, overwhelm U.S. capacity to absorb immigrants, add to budget deficits with expensive bailouts and, as demonstrated by the harm inflicted on the dollar by the plunge of the peso, undermine our global stature and standard of living. Economic integration mandates a common political currency: democratic accountability and the rule of law.

[From the New York Times, July 30, 1995]

MEXICAN CONNECTION GROWS AS COCAINE SUPPLIER TO U.S.

(By Tim Golden)

CIUDAD JUÁREZ, MEXICO.—The bodies of police informants still turn up around this sprawling border city, their months sometimes stuffed with one of the fingers they might have pointed at drug traffickers.

As Mexico's political and economic ties to the United States have strengthened in recent years, American demand for illegal drugs has helped a new generation of Mexican traffickers to consolidate their power, carving out an ever larger share of the world's drug trade and posing a growing threat on both sides of the border.

''If we don't do something, both in the southern United States and in Mexico, Mexico will take over from Colombia in a few years as the traffickers' headquarters of choice,'' the United States Ambassador to Mexico, James R. Jones, said. ''It will undermine democracy. It will undermine commercial development. It will undermine free trade.''

American officials who once trumpeted Mexican cooperation in fighting drugs now worry that the Government has lost control of most of its police. When the authorities located a leading cocaine trafficker last month after his rented Learjet crashed as he flew to a wedding in Guadalajara, they needed army troops to capture him. The city's federal police commander and most of his deputies were on the trafficker's payroll, officials said.

While American officials lavishly praised Mexico's cooperation in fighting drugs under Mr. Salinas, growing evidence indicates that protection for the traffickers reached high into his Administration. Those directly implicated in taking bribes include former federal police commanders and two of the administration's three drug enforcement directors.

American officials say huge amounts of drug money have flowed into Mexico's tourism, transportation and construction industries, helping to fuel the speculative rise of the economy until last year. Without offering details, a senior F.B.I. official, James Moody, asserted recently that many of the state-owned companies privatized under Mr. Salinas had been bought by traffickers.

The bursts of violence that have attended the traffickers' rise have led many Mexicans to fear that their country is sliding toward the sort of terror that the Medellin cocaine cartel unleashed on Colombia during the late 1980's and early 1990's.

In the last three years, the victims of drug-related shootings have included the Roman Catholic Cardinal of Guadalajara, a crusading police chief of Tijuana, two former state prosecutors and more than a dozen active and retired federal police officials.

TRADE PACT HELPS ALL ENTREPRENEURS

Law enforcement officials say more and more drug cargoes are moving through Mexico into the United States as part of the widening flow of legal commerce between the two countries.

Clinton Administration officials insist that the 19-month-old trade agreement has not quickened the flow of drugs through Mexico. But United States Customs Service officials acknowledge that the smugglers are moving more of their drugs into the United States taking advantage of rising truck traffic and a falling rate of inspections.

[From the New York Times, July 31, 1955]

TO HELP KEEP MEXICO STABLE, U.S. SOFT-PEDALED DRUG WAR

(By Tim Golden)

Concerned for Mexican stability and the fate of the North American Free Trade Agreement, officials said, the United States often exaggerated the Mexican Government's progress in the fight against drugs, playing down corruption and glossing over failures.

Above all, though, American officials said they were kept in check by the desire of the Clinton and Bush Administrations to keep problems of drugs and corruption from jeopardizing the trade accord and the new economic partnership it symbolized.

''People desperately wanted drugs not to become a complicating factor for Nafta,'' said John P. Walters, a senior official for international drug policy in the Bush White House. ''There was a degree of illicit activity that was just accepted.''

Mexican and American officials also acknowledged that at least half a dozen top-level traffickers, including the man now considered Mexico's most powerful cocaine smuggler, Amado Carrillo Fuentes, were arrested during the Salinas Government and quietly freed by corrupt judges or the police.

A MODEST INCREASE IN THE MINIMUM WAGE WOULD BOOST THE ECONOMY

The SPEAKER pro tempore (Mr. METCALF). Under a previous order of the House, the gentlewoman from North Carolina [Mrs. CLAYTON] is recognized for 5 minutes.

Mrs. CLAYTON. Mr. Speaker, I was troubled, although not surprised, recently when I learned of the plans of a company in my district to relocate certain of its production to other places and to eliminate or relocate about 1,000 jobs, over a 5-year period.

The downsizing of this plant is part of a disturbing trend that is sweeping the Nation.

According to recent, credible news reports, across America, corporate profits are soaring, while wages remain stagnant and consumer spending continues to slow. Despite profits that are at a 45-year high, Businessweek magazine reports that a ''hard-nosed, cost-cutting philosophy * * * has spread through executive suites in the 1990s.''

Although the fine details surrounding the company in my district's decision have not been revealed, a press release from the company indicates that their goal is to ensure the ''supply of the highest quality medicines in the most cost-efficient manner.'' The press release also indicates that many of the operations at the plant ''will be transferred to other sites around the world.''

Far too often these days, the need for greater efficiency and the consideration of other locations has meant that corporations have sought cheaper labor venues.

The Businessweek article recounts the decision by a company, founded and based in Milwaukee since 1909, that decided to move 2,000 jobs to other States where lesser wages could be paid.

The Washington Post made findings similar to Businessweek in a recent, published article. Citing data from the Bureau of Labor Statistics, the Post confirmed that productivity and profits are rising, but workers pay and benefits is the smallest since 1981.

According to the Post, workers pay has ''been falling on an inflation-adjusted basis for nearly 20 years.'' It is understandable that business would seek to be more competitive by cutting costs and reducing payrolls. But, this approach can be short-sighted with other considerations.

The Post article quotes Labor Secretary Robert B. Reich, who observed that, ''workers are also consumers, and at some point American workers won't have enough money in their pockets to buy all the goods and services they are producing.''

Ultimately, the operations at the plant in my district and others that produce the various products, are financed by the very workers who now face job loss and relocation.

The gap in income is growing between those who have a lot of money and those who have less or little money. That is unacceptable.

According to an earlier article in Business Week, the income gap ''hurts the economy.'' Almost half of the money in America is in the hands of just 20 percent of the people. That top 20 percent is made up of families with the highest incomes. The bottom 20 percent has less than 5 percent of the money in their hands. A modest increase in the minimum wage could help the bottom 20 percent, and, it will not hurt the top 20 percent.

But, more importantly, a modest increase in the minimum wage will result in increases in other wages, and ultimately a lifting of the standard of living for all workers, a narrowing of the income gap between the very rich and other Americans and a boost to the economy.

The Department of Labor's Bureau of Labor Statistics recently released a report entitled, ''A Profile of the Working Poor, 1993.'' In that report the Bureau found that in 1993, 1 in 5 or 8.2 million of the 40 million people in poverty in this Nation, had a job.

The study further pointed out that the poverty rate for the families of working people in America is 7.5 percent, a rate that has been increasing over the past 4 years.

Most disturbing, children, according to the report, were present in 85 percent of all poor families with at least one worker.

Between 1980 and 1992, income for the top 20 percent increased by 16 percent. During that same period, income for the bottom 20 percent declined by 7 percent. For the first 10 of those 12 years, between 1980 and 1990, there were no votes to increase the minimum wage. Without an increase in the minimum wage, those with little money end up with less money. That is because the cost of living continues to rise.

Mr. Speaker, that amount of money makes a big difference in the ability of families to buy food and shelter, to pay for energy to heat their homes, and to be able to clothe, care for and educate their children. That amount of money makes the difference between families with abundance and families in poverty. An increase in the minimum wage would not provide abundance, but I can raise working families out of poverty.

An increase in the minimum wage can be the kind of spark the economy needs to get moving again.

It makes little sense to discuss welfare reform when working full time does not make a family any better off than being on welfare full time. Work should be a benefit. It should not be a burden. Work is a burden when, despite an individuals best effort, living is an unrelenting, daily struggle. Work is a benefit when enough is earned to pay for essentials.

In addition, a recent study indicates that job growth in America is lowest where the income gap is widest. Closing the gap helps create jobs rather than reduce jobs. Those who argue that an increase in the minimum wage will cause job losses, fail to look at the facts. The fact is that not increasing the minimum wage has caused job losses.

Mr. Speaker, there are 117,000 minimum wage workers in North Carolina. Those workers are not just numbers. They are people, with families and children.

They are farmers and food service workers, mechanics and machine operators. They are in construction work and sales, health and cleaning services, and a range of other occupations. Their families helped build this Nation, and they can help rebuild it.

They do not need charity, they need a chance. A chance is a modest increase in the minimum wage. We should reward work, Mr. Speaker, stimulate the economy and and lift this Nation up. We have time for Waco and Whitewater, let us make time for wages.

TRAVEL EXPENSES AT THE DEPARTMENT OF ENERGY

The SPEAKER pro tempore. Under the Speaker's announced policy of may

12, 1995, the gentlewoman from Washington [Mrs. SMITH] is recognized for 40 minutes as the designee of the majority leader.

Mrs. SMITH of Washington. Mr. Speaker, I yield to the gentleman from Ohio [Mr. HOKE].

Mr. HOKE. Mr. Speaker, I very much appreciate the gentlewoman from Washington yielding so I could finish what I tried to start earlier with respect to just talking about some of the problems that have been exposed in the Department of Energy and Secretary O'Leary's travel. What I was saying before is that the Secretary has demanded that 23 of the DOE program offices each advanced moneys from their program budgets to pay for at least two of the invited delegation members on a trade mission to South Africa. These are for non-DOE employees. In many cases those moneys are then reimbursed back, not to the program departments, program offices, but directly to the Secretary of Energy, and the GAO has come out with a report that indicates the impropriety of that and that that is not the way that the program money is supposed to be spent. I am going to talk a little bit more about that in a moment.

The per diem cost on this trip that is coming up August 18 for 6 days where there are going to be some 47 people going on this trip, the total cost of this delegation's trip is $700,000. Now there are 35 individuals planning to go to South Africa separately from the official delegation from the Department of Energy, 28 in advance, 7 separately. This is down, by the way, from 51, Mr. Speaker. There were going to be 51, but apparently, due to some criticism that has been levied from the Congress, it is down now to 35, and they are going to go for and spending at least 2 weeks in the country in advance doing advance work for reasons that are not completely clear. That raises the overall cost of the mission to approximately $1.2 million.

Well, what is wrong with that? Well, first of all, let us look at the justification that the Secretary has made for a previous trade mission. She claimed that she has gotten $19½ billion in business for U.S. firms as a result of that. Almost all of these claims were based on memoranda of understanding and letters of intent, not on actual contracts. Actually the DOE has not provided any accounting that shows that there are actually signed contracts, and frankly it begs another question, and that is would these firms have made these agreements otherwise? Would they not still have gone to contract this business? Would they not still be interested in creating these relationships? I would certainly think they would.

Second, the DOE inspector general conducted an audit of two of Secretary O'Leary's previous trade missions and found problems with respect to managing the cost of DOE international travel and recouping the costs associated with non-Federal passengers. Let me give you what the four suggestions were from the Inspector General, the IG.

First, prepare formal procedures for acquisition of international air services including a clarification of responsibilities for all interested parties.

Second, implement full cost-recovery policy for non-Federal passengers as provided for in 10 C.F.R. 1009.

Third, establish a procedure which insures that the Department collects passenger air fares before the trip occurs.

Fourth, establish accounts receivable for non-Federal passengers on the India and Pakistan flights and aggressively pursue collection of air fare costs from those passengers.

Well, those four steps have not been taken. There does not appear to be any plan to reimburse the program offices that fronted the money for the South Africa trip. In fact, this has been the problem with previous trips, the previous trips to India and to Pakistan. As the money being transferred was properly authorized and appropriated by Congress, I find it extremely troubling that funds that have already been obligated are now being redirected without any congressional consultation or approval. While it would be easy to dismiss that as an oversight by DOE, unfortunately there is a long history of congressional concern regarding DOE's reprogramming practices.

And lastly, Secretary O'Leary has proposed a substantial reorganization of DOE, and that is to her credit. I would eliminate DOE completely, but she has proposed a substantial reorganization of DOE with significant numbers of Federal jobs being eliminated, and at the same time it seems extremely strange that the Secretary is mounting an extensive international expedition with already strained program offices bearing the burden of the costs.

According to the L.A. Times, Mr. Speaker, the Secretary has spent more on her travels than any of her Cabinet colleagues. She stayed in higher-priced accommodations using more expensive flight classes and more expensive with the very, very high-security details as a result of that. Secretary O'Leary is always accompanied by large entourages on these trips.

Now the last thing that I want to do, and I guess my main concern in sharing all of this, and I do not want to use up any more of the gentlewoman's time, and I appreciate her giving it to me, is that it seems to me there is a real problem with respect to an abuse of the travel accounts at the Department of Energy, and somebody has got to blow the whistle. A senior DOE official provided me with the graphics of a T-shirt that Secretary O'Leary was going to distribute to each participant of the South Africa trip that was created at the Department of Energy on a Department of Energy computer. I understand that they have been working furiously all day to vet or to purge the computer of this work so the graphics would not show up, but it was designed and was going to be created and purchased at taxpayers expense. I think that it appears now the Secretary's office has canceled the T-shirt order, and, if I have anything to do with that, I am glad of that.

Obviously creating some T-shirts that look like a rock concert is not the issue. The issue here is that there is an arrogant and flagrant abuse of taxpayer dollars with respect to travel expenses at a time that those programmatic moneys are being taken out of the area that specifically insure the safety and the safeguarding of our nuclear programs in the Department of Energy.

□ 1900

Mrs. SMITH of Washington. The gentleman is making an example that is pretty flagrant, but people around America see these things. They live and they see and they hear their neighbors talk about these things, and I think it makes sense, then, when we see the polls that we just saw that came out in the last few days, a bipartisan pollster took a poll on the confidence in government, and, basically, we flunked. Seventy-five percent of the people do not trust government, whether it be politicians or whether it be these agencies. They see things like this and they feel robbed.

We have to do what the gentleman is doing. We have to dig it out, we have to make it public, and we have to change the old ways.

Mr. HOKE. What is unfortunate about this is that this was shared with me by a top official in the Department, and now they are scrambling like crazy. They are probably watching this very broadcast and saying, ''Oh, my goodness, what will we do next?'' What they have done is purged their computers. They have canceled the orders. I think that is great, but they will try to hang one DOD staffer out to dry, cover the whole thing up, and claim the Secretary knew nothing about it and had nothing to do with it, and that this was strictly the idea, independently, of one person. I thank the whistleblowers in our Government.

Mrs. SMITH of Washington. Mr. Speaker, the gentleman has really brought into focus what we wanted to talk about tonight, and that is confidence in government.

There are several Members of Congress that have been working on building confidence in government now for several weeks, in fact, clear from last December, when many of us were elected, and we have this knowledge that people do not trust this place of Congress because of the practices, and yet we watch us do so many things. The people have watched us do so many things. At first, we opened up hearings that have never been opened. We stopped proxy voting. That is where a Member sends a pile of votes and lets

someone else vote for them. Good representation, is it not? We decreased the size of staff here so people are not drafting legislation that have very little to do with it and then policymakers come out here and run somebody else's legislation.

Mr. Speaker, we also got the amount of cost of this place down, and yet the poll comes out and 75 percent of the people still do not trust us. I think it is because every day there is a new report on a trip one Member took to one warm place in the middle of winter, or a gift that they received, or a report on something like the sugar lobby, about who got the most money from the sugar lobby, or, last week, the report came out on who got the most money from the tobacco lobby, always assuming if we vote a certain way, we voted that way because we got the money.

Now, Mr. Speaker, that is clearly not true with everyone on every vote, but it is awfully hard to keep a straight face and convince the American people that the money is not connected to the vote.

We resolved finally, a group of us, that we would have to draft something that was clean, honest with the American people, honest with the incumbents that are here, treating them with respect, but that worked, and we drafted the Clean Congress Act, 2072. At first, we tried to reduce contributions from special interests, but everyone said why leave anything? Then we tried to raise contributions for individuals to balance, and they said, ''Oh, good, now the rich control campaigns.'' It always came back to one basic premise: We needed to get groups out of D.C. and close the checkbooks; literally stop any checkbook from being opened in Washington, DC., and drive the campaigns back home.

PACs had a good original purpose, but they have been perverted from the very beginning from their purpose. We find that what happens now is the very best people come here, often running against those that got their money from PACs. A lot of freshmen did this year. They get here and they have had a PACs spending war, because the incumbent they challenged was funded by PACs.

Mr. Speaker, these Members get here with debt. They are here 80 hours a week. They get to go home to their home district maybe on the weekend, because we vote the rest of the week, and we throw everyone into a system of paying off debts with PAC money and then we turn around and we have a new opponent that is raising PAC money, and so it goes, and so it goes.

Good people come here with good intentions, and it is like swimming in a polluted lake. We just do the best we can with the system we have. We decided to drain the lake. We realized that most people are in the middle of a campaign right now, and that campaign started the day after most of us were elected, with often our prior opponents announcing they were running against us again and they started raising PAC money to get us out of office.

We cannot lay down our arms in the middle of a war. That would not be bravery, it would just be stupidity. We do say that at the end of this campaign cycle, we want everyone to disarm at the same time and send the campaigns home. Do not take money from anybody outside our State. Groups can organize still, even put together their groups and call them PACs, they just cannot give money to Federal candidates. We want to drive campaigns home.

Mr. Speaker, I want to show you just a couple of charts that show why it is so vital. It used to be PACs played a little bit in the race, to let some of the groups that had a little more trouble become a part of the political system. Over the last 10 years especially, however, we have seen an elevation of PACs that totally excludes the individual and leaves the individual as a minor player instead of a major.

The total PAC contributions have gone from right at 80 million, less than 80 million in 1984, to 132 million this last campaign cycle. This is just to the House, not the Senate. If you start looking at what people started raising in January to pay off debt, especially these new Congress people that ran against PAC kings and queens, who raised millions before they even filed against them, they are paying off debt. They have to clean up their old campaign, and they are facing a new person who is adding to that level, too.

Mr. Speaker, some will say let us just change the numbers and leave it here; let us continue to get money from groups and just change the numbers a little bit, or from larger individual contributions. I will tell you, however, to look at what it does. Incumbents get over 53 percent of their money from PACs. That is not including the wealthy. That is just PACs. Excuse me, 43 percent; 53 percent from individuals. Not quite half and half. 2½ percent or so from parties.

Challengers, on the other hand, have to raise over 80 percent of their money from individuals. That sounds pretty good to me, if it was on both sides. In PACs, they get 11 percent. Now, do you wonder, and it is no wonder, that challengers have had a tough time getting through these doors? The fluke of last year was the people getting fed up. Will they stay fed up to that level? Probably not. They get weary.

Mr. Speaker, they kicked a lot of old-timers out. Sorry old-timers listening on the screens, but last year they put in new blood. Should the new blood have to swim in the polluted lake? We advocate no, and so we are asking the American people to join us. We are going as a delegation to the United We Stand Conference next month, or this month, on the 12th. We are presenting the challenge to the Nation through that group.

This group is organizing around the Nation. We have pulled in other good government groups and grass roots groups all over the Nation, and we are raising the voice of the American people. If you want to raise your voice with the American people, whether you are Members in your offices or others listening, join us in supporting 2072, but at least become a part of the voice. If the American people do not speak out and say this is enough, then it will be the same next campaign, and the next campaign, and we will build a new generation of PAC kings and queens.

I would like now to yield, Mr. Speaker, to CHARLIE BASS of New Hampshire, a gentleman who is also moving in this area, working on campaign reform, and I think you have a plan to try to move campaigns back to the State, too.

Mr. BASS. I thank the gentlewoman from Washington [Mrs. SMITH] for yielding to me, and I want to commend her for the courageous effort that she has made as a freshman Member of Congress to swim against a tide of incumbency.

I said many times during my campaign last year that there are really three parties in Washington, Republicans, Democrats, and incumbents, and the incumbents is the largest party of all. I think on November 8 many of us who did not take any significant amount of political action committee money showed that we can make a difference here in Washington. As one of those new Members of Congress who is here today, and proud to be here, I want to create a Congress that the American people can be proud of, a Congress that is elected by people and supported by people from Members of Congress' districts.

I also want to commend the gentlewoman for standing up here tonight and bringing to the American people the need to reduce the influence of special interests, to require that campaign funds come from a candidate's own district. I am here tonight to discuss with you, also, an idea I have thought about for many years, as one who has sponsored legislation in my own home State to limit campaign spending overall, to limit the influence of special interests in my own home State, and to establish, among other things, a legislative Ethics Committee to limit independent expenditures.

Mr. Speaker, I feel that we ought to be returning some of the power to qualify Federal offices to the States, and it is my intention in the coming week to send out a ''Dear Colleague'' letter to my friends asking them if they would be willing to join me in an effort to repeal the provision of the Federal Election Campaign Act, which preempts all State and Federal regulations for Federal officeholders.

The effect of this repeal would be to give States, such as New Hampshire or the State of Washington, or, for example, the State of Indiana, which currently has a law on its books that says that anyone who contracts with the State cannot contribute to candidates,

or lobbyists cannot contribute to candidates. If that is what the people in Indiana want to do, they should be able to do that.

We are in a Congress now that says that we ought to give States more rights. We have a new attitude here that says that local control is better. I feel that the people and voters of New Hampshire or any other State in this country should be able to set the qualifications and determine spending limits, determine other limits, as long as they are more stringent than the Federal limits, and enact those laws and have them apply to candidates for Federal office.

Mrs. SMITH of Washington. Mr. Speaker, I understand the gentleman intends to distribute that this week. That means all the Members listening would have a chance to take a look and sign on. I know that I certainly will look at anything seriously and get it moving that returns power to the States and gets those campaigns back into the streets of the States where we come from instead of the side rooms or the side cafes and rooms around this place.

Mr. BASS. Mr. Speaker, if the gentlewoman would yield back, nothing that I would envision by repealing this preemption provision, which, by the way, is only three lines long, would in any way affect any laws we made here in Washington to restrict the influence of political action committees and so forth. It would allow the States, however, to go farther than anything we decided to do here in Washington.

Let me point out that in a State like California, and my colleague here is from California, lives in the State of California, and they have different conditions, different populations, different numbers of Members of Congress, a larger delegation and different demographics, it may be different from Alaska, where there is only one Member of Congress in a huge and rather less populated State, or my home State of New Hampshire.

We established campaign spending limits in New Hampshire. I think we were the first in the country to do so after the Buckley-Valeo case in 1972, which outlawed campaign spending limits, and now other States have adopted. Vermont, I think, Arizona, and other States. I think these new laws should apply to Members of Congress as well as State officeholders. They do, in effect, apply in a de facto sense because nobody has challenged these new laws.

I think if we were to repeal the Preemption Act, then we would allow the States to have more control over the people they send to Washington and not center all the control of the Federal election process in one place, Washington, DC. It is time we turned that trend around, and I thank the gentlewoman from Washington for yielding to me.

□ 1915

Mr. HORN. Mr. Speaker, will the gentlewoman yield?

Mrs. SMITH of Washington. Mr. Speaker, I would be honored to yield to someone who has worked on this long before me, but been very serious about the battle.

Mr. HORN. I commend you, as did my colleague, for the eloquence and energy that you bring to this project. It is going to take a lot of that and we are going to need a lot of allies. I think you are absolutely right. Our problem with government is too many people are running the government, be it the executive branch or Congress over the years, based on public opinion polls. They have not sat down to think, as the gentlewoman has, with the climate of distrust for representative government, which is shocking, that we have got to deal with the real problems. And the real problems are exactly what the gentlewoman is talking about: Over use of money and its influence in American politics.

Now, the Republican Party grappled with this in the 103d Congress, and we came forth with an excellent proposal. It banned PAC's, it banned soft money, that money from labor unions and corporations, organized groups, that go to the political party to conduct registration drives, administration of their own operations. It also said raise most of the money in your constituency.

Now, those fundamentals I think are basic, and I think most of us would agree with that. The argument comes, do you do it at the three-fourths level, the majority level, or whatever.

I had an opponent last time that raised 1 percent of his money in the 38th Congressional District in California, and 99 percent of his money in the east coast, Midwest and other parts of California. I do not think that is good for representative government. If your local citizens cannot back you, why do we expect others to back us except for one reason, that they can get their agenda through you imposed on the legislative process.

Mrs. SMITH of Washington. Mr. Speaker, I was trying to explain to one of the major news magazines today what was bothering me about this place and why I wanted to change it, and I finally came to a cultural issue. That sounds odd. I said I want to change the culture. The culture becomes centered on Washington, DC, and people do not have to go home after a few years, because they become a chair or they meet enough of the special interest groups, and the money kind of comes in after you are elected.

So what this will do, if you take any versions of this, the one they introduced last year, eliminating PAC's, making it all come from people mostly in your State, or all in your State, I prefer all in your State obviously, but it changes the culture, because instead of us fighting the war here we move it back into the streets of America, the war of public opinion, I cannot stay here next year if I want to run for office if my opponents are at home raising money, and I cannot raise it here anymore. It will drive the incumbents back home. You will not have people just staying here.

What a wonderful thing for America when America's people reclaim the political system. Will it not be great to see some people who have not had to go home but once every 2 months or so, and then for special things, have to go back and explain votes? I am talking about this whole place. I know Members who say they go home every so often. They have been here long enough, they do not have to do that anymore. That is a serious statement, do not have to do that anymore.

Mr. BASS. Mr. Speaker, I am taken by the comments of my colleague from California about sources of income. I think the gentleman makes an excellent point. If you received 2 or 3 percent of the money from your district that you run on, and it is a high dollar campaign, who do you really represent? Who do you really represent?

That is what is so cancerous about this system. If all the money comes from the Route 495 Beltway or some big metropolitan area where there may be some special issue, the key here is you ought to be accountable to the people who sent you to Washington. Those are the people that really count, and there is nothing wrong with that. There ought to be limitations on sources of income, and that ought to be one of the highest priorities of this Congress in campaign spending reform.

The gentleman from California could not have done a better job in illustrating that. From my own perspective, I have a similar experience in that my opponent's funds were less than 10 percent from the whole State of New Hampshire, and I think that was made very clear that there was some question as to the quality of that representation. I think the gentleman, talking in his own home State of California, makes an equally good point.

Mr. HORN. If the gentlewoman will yield a moment, the other thing you started on, you are quite correct, what is the cancerous decay.

Even though these are all wonderful people, all nice people, and they are doing wonderful things, but when you raise the money as easy as it is when you are a committee chair, when you are a ranking minority Member, when you are in a position of influence and you come to Washington, as you both have suggested, and every night of the working week you can either go to the Democratic National Club or the Republican Capitol Hill Club, and you will find it $500 a clip, not just once a year, but now increasingly four times a year, and if you are a committee chair in the last Congress, Democrat-controlled, or this Congress, Republican-controlled, it is $1,000 a clip.

Who is bringing those checks? The PAC people. Are they based in your district? No. They might have a plant

there, but most of them that show up do not have a plant there, because you sit on the right committee that affects their livelihood, be it agriculture, be it commerce, be it banking and financial institutions, whatever it is. And so they say, if you talk to the PAC representative, why are you doing it, they say, gee, if I do not do it, I will not have access and I have got to be able to get my message over.

That is a pretty sad commentary on representative government, if you have got five hundred a crack on a quarterly basis or one thousand a crack, in order to have access to get your message across.

Mrs. SMITH of Washington. I think the point is I do not believe that most people just say well, you did not give me $1,000, so you do not have access. I think what happens is everyone thinks that. So now some might be playing hard ball and saying ''Do not even come see me if you do not bring money.'' That is the exception. The American people think that is how it operates.

But it has it started to be that is they do it because someone on another issue might counter you, and if you do not do it, what if they do it, and it becomes a spending war here.

In Washington State, when I first arrived, it bothered me there as much, and I was in the State legislature, as it is doing here. I realized they had fund raisers immediately before a session, even though they did not have them officially during the half year or so they were in session. They would have them and just back people up into these huge rooms and continually, several a night, raise money. They had office funds, which is where the gifts were put, and that is the money they could use for stereos and things like that, then they would have campaign funds. And every chair kept track of who came and who did not come, and it was pretty blatant there. I do not know if it is here or not, but the American people perceive both as disgusting.

It took me actually 4 years of trying with the legislature, to finally have an initiative. I abolished office funds, removed all fund raising where we vote, which is what I would like to do here, stopped any kind of transfer of money from one candidate to another, forced the special interests, our Supreme Court is a little different, more liberal, and our Constitution is, to very small amounts of contributions, literally took them out of power in 2 years, and returned it to where grass roots candidates flipped the legislature to beat nearly 60 new people in 1 year, and there are only 98.

So what happened is people, when they had a chance, they came in. But it was impossible. For 40-some years it stayed about the same. In fact, the Senate stayed in party control for 42 years with no change, somewhat like here. And what happened is the place became so ingrown, the staff was ingrown, it is a terrible terminology, that staff actually drafted bills, they became so powerful. When the Chair was there so long, they did not have their own ideas, so staff came in. They became powerful. The whole place separated more and more from the people.

The moment we removed the money, within 2 years the whole place flipped, and a whole bunch of old-timers did not like the idea of running without money, and a bunch of challengers said ''We have the chance.'' They hit the streets in the most vibrant campaign cycle we ever had.

Mr. HORN. If you will recall, a few years ago Members in this House were able to retire and take the campaign fund they had in their bank account with them. In some cases, that meant they could take $1 million into retirement. That no longer can be done. Congress finally faced up to the idiocy of that operation.

But you mentioned these office funds at the State legislature. One of the things eventually we are going to have to deal with, and I am going to put in a bill this year on that, among other things we are all going to do, is dealing with leadership PAC's, where whether it be the other body in this Congress, or this body, regardless of party, you have major leaders with PAC's that they have built up. That is why some of them are major leaders. That is why some of them 5, 10, 15 years ago have been major leaders, or Lyndon Johnson in the 40's and 50's, is they raised the money in their State, they doled it out to the Members, and, guess what? The Members that they doled it out to just happened to vote for them when Congress reconvenes and chooses its leaders. That is a further influence of money that often overcomes talent.

Mrs. SMITH of Washington. You, know, we saw that in the State. They would have these big fund raisers, and actually the special interests did not want to take on another incumbent, so what they would do is give a whole lot of money or channel from their membership a whole lot of money to one member who they would like to see as a chair of a committee or some leadership. They would then take that money and give it to someone else, not only for their own benefit, but to launder the money. So that they did not have to worry about that PAC. If they lost this bet on that particular raise, they did not have to worry about them getting mad, and they would play both sides.

Mr. HORN. That is exactly what happens nationally as well. It is the old line of a lobbyist, the railroad owner in New York 100 years ago. He said when I am in a Democrat's district, I am a Democrat. When I am in Republican's district, I am a Republican. But I am always for the Erie Railroad.

That is what is really gets down to. They are always putting their agenda first. if we do what you and CHARLIE BASS and I and others are suggesting, let us get that back to the district. Then it is the district's agenda, which is what representative government is all about.

I found it sort of ironic, I have not taken PAC money in either the 1992 campaign when I was first elected or in 1994. It is sort of humorous. Out of the blue came $20,000 in PAC money, which the campaign manager, my son, immediately sent back, and just explained we do not take PAC money.

People could not believe it. There is about 35 of us in this Chamber, maybe with the freshman now 40, that do not take PAC money. That is 10 percent of the House, including Members in both parties, about equally divided. We have got to encourage others to do the same. One of our problems is the Supreme Court of the United States, which might say you cannot ban PAC money. Those people have a right to give all they can.

Well, I think that is personally nonsense. I think Congress ought to be able to cap the amount of money, either individuals give, which we do, and the amount of money PAC's give, which we do. Now, the question would be, if we are for banning PAC's, do we have to let them give just $1,000 at most to get by the Supreme Court. I think we also ought to limit what individuals can spend of their own money.

Mrs. SMITH of Washington. Buckley versus Valeo is a decision that both at the State level, and I had one Supreme Court case against our initiative, and won, by the way, in our State, and they used Buckley versus Valeo, and there are some State supreme court decisions.

You have to really watch that and decide whether or not this Supreme Court would look at it the same way, and whether they would decide allowing them to go ahead and organize, so you do not remove their ability to associate, and spend within their group, if that would satisfy now. Because if you look at the language, it was pretty squishy total to begin with. And we have a new Supreme Court. We also probably, to be a little safer than totally banning PAC's, letting them organize, work within their Members. We do not remove their ability to associate and we do not remove their ability to participate. That seems to be an easier place to be with a constitutional challenge.

But we do have to wrestle with this, and I think we the Congress should set the best policy we can to clean up this place, do the best job we can, bring all of our ideas together, and run with it.

Now, we are taking a plan to Dallas this month and we are taking it to groups all over the Nation, and we are just saying we want to call a truce next November. We want it to be over. We want this place to have no more special interest money, and we want to work on that direction. But so many people are coming up and saying we can make it better. And I think this place had better work in honesty with the American people and come out with something good, or we are going

to face next November's election with people going, ''This Congress was just like the other Congresses,'' and we are not just like the other Congresses. We have done some revolutionary things.

But when you throw a little dirt in the barrel, it makes the whole barrel look dirty, even though you know it is cleaner. It still looks dirty and we need to get rid of that dirt.

Mr. HORN. You are absolutely correct, because unless we do, everything we do will be called into question, when it simply is not true. I think if we treat the voters as they are, intelligent, thinking, human beings, I have always found you get an excellent response. If you level with them, tell them what the problem is, just as you are leveling with them, and saying ''Look, we know it is a problem. We want to do something about it.''

What galls me when I hear some of our colleagues on the floor talk about the gift ban, but they are taking PAC money practically by the wheelbarrow fulls, we ought to combine both, the gift ban and the ban on PAC's or severely limiting PAC's.

□ 1930

And then let us get that package before the House and let us see if some of those gift ban people are quite willing to give up their several hundred thousand dollars of PAC money for their $50 gift ban.

Mrs. SMITH of Washington. I looked at a lot of the bills when I first got here thinking, I do not care if they are Democrats or Republicans, I was a Democrat 30-some years and then a Republican after that, lesser time, and my husband says, ''Honey, you're not born a Democrat; you're not born anything.''

But at 32 I changed. And I looked at all of them thinking, there has to be something good in there. I found holes big enough to fly a 747 bound to a warm place paid for by a lobbyist in it. They were using them for political tools.

I looked at one we faced on the first day. They had left trips. They just called them fact-finding trips, but if you looked at it, not only did they leave trips, they left trips for their wife or husband. They left trips for their staffs. Those are the big gifts. So they did not even deal with gifts. They had 20-some pages of exceptions, then they played around with whether you could eat a hot dog with a lobbyist. I do not give a rip if they eat a hot dog with a lobbyist. I care deeply about them going to Mexico to check something out. And we all know Americans go to Mexico.

So they have played games long enough. The American people do not trust us. So we do have to come out with a package. And 2072 says no gifts, no trips and no money from any special interest group here, only people from your States.

People are saying, why do you not just let people give you money here? Because lobbyists are people, wealthier people. And Bill Gates, bless his heart, he can give everybody here as much as we would want, it probably does not even affect him. So we can shift it to individuals and say, let us just let individuals take everywhere, go ahead and give everywhere, but those individuals will shift right into this place and instead of having lobbyists fund raisers or PAC fund raisers, we are going to end up with large donor, trial lawyers for certain people, medical for other people, they are going to move in with large, large checks. And the influence is going to stay here. So we have to move it out.

Mr. HORN. On that very point, I mentioned the Republican bill we brought to the floor in the 103d Congress. We had a compromise bill also that we tried to get to the floor. The Democratic bill came in where they want the public to pay for their campaigns. The Republican bill came in, no PAC money, no soft money, raise most of it in your district. But the so-called Synar-Livingston bill, Mike Synar, then a Representative from Oklahoma, now suffering some ill health, was the leader on it with BOB LIVINGSTON, the chairman of our Committee on Appropriations now. And there were eight others of us that did not take PAC money, generally, that were on it.

And what he did was cut PAC's down to $1,000 from their current $5,000 in the primary they can give you and $5,000 in the general election. He cut them down to $1,000, and he cut the present maximum of $1,000 from an individual down to $500 and felt that was par and that would pull back both of them, a little bit of nuclear disarmament, as you have been talking about. Of course, what happened was the Democratic leadership knew we could get that passed in the House.

Mrs. SMITH of Washington. They were not real serious.

Mr. HORN. And they would not let us get to the floor and the Democratic-controlled Committee on Rules refused to let us have a vote on Synar-Livingston. And obviously, I think we could have passed that. I think enough Democrats who were holding out for the public financing and did not like the complete abolition of PAC's would have bought that package. But they would not even let us vote on it.

Mrs. SMITH of Washington. I think it points to the fact that many people here over the years know what the American people want. And they want this place cleaned up. But they are not real serious about doing it. But they want to make it look like they are trying. When I got done looking at all the proposals that were being floated out, so many of them were a game.

I want to thank the gentleman for joining me.

Mr. HORN. I thank you for your leadership in this area.

Mrs. SMITH of Washington. We will work together and we will make it happen with the people's help.

CUTS IN INDIAN HOUSING IN THIS YEAR'S VA, HUD APPROPRIATIONS BILL

The SPEAKER pro tempore (Mr. METCALF). Under the Speaker's announced policy of May 12, 1995, the gentleman from American Samoa [Mr. FALEOMAVAEGA] is recognized for 60 minutes as the designee of the minority leader.

Mr. FALEOMAVAEGA. Mr. Speaker, as ranking member of the House Subcommittee on Native American and Insular Affairs, I want to speak to the Members of this body about the real impact that the fiscal year 1996 VA, HUD appropriations bill—which we passed last night—will have on this country's first people, the Native Americans. I want to talk about how Native American tribes and their members remain among the poorest rural people in this great country; how they continue to live without safe, decent sanitary housing; and how the housing situation they find themselves in today is both scary and tragic.

In 1990, the Bureau of Indian Affairs found that more than 55,000 new homes were needed in Indian country and that more than 35,000 homes needed extensive repairs. This was more than 5 years ago and knowing that this body allocates less than 3,000 units per year to Indian housing, it is highly unlikely that this acute need has diminished since that time. In addition, the figure that I have just mentioned does not account for the thousands of Native Americans who live away from their homelands but would return if they could be assured that they would find a home upon their return.

The 1990 U.S. Census has found that Native Americans living in rural America have the highest percentage of homes without complete plumbing, more than any other population group in the United States. More than 12 percent of Native Americans living in homes in rural areas, which includes Indian reservations and communities and Native Alaskan villages, live without running water and flush toilets—amenities which most Americans take for granted.

The 1996 VA, HUD appropriations bill cuts funding for new Indian housing starts by 61 percent. While in fiscal year 1995 Congress provided the Department of Housing and Urban Development with enough funding to construct 2,820 new Indian homes, the fiscal year 1996 budget will enable HUD to build just 1,000 new units. In addition, the bill cuts funding to operate Indian housing authorities by 14 percent, and funding for the modernization of Indian housing by 33 percent. Indian housing authorities manage HUD's Indian housing programs and throughout Indian country are the major providers of housing to Native Americans. When funds are cut to Indian housing authorities, we are literally denying homes to thousands of impoverished Native Americans. In other words, we

are denying them the right to live as the rest of us.

Private financing has not yet arrived in Indian country. Due to a complex system of trust land provisions, and BIA title record keeping, as well as an absence of appropriate financial markets, private lenders have not moved into Indian country. If private lenders are not present and Federal funding is being sharply reduced, how do we plan to house the thousands of Native Americans living on reservations and communities who need housing? Does this body propose to let them continue to live impoverished forever? America's first real contract with its citizens was when the Federal Government signed the first treaty with an Indian tribe. The more than 550 Native American tribes and their members constitute America's first people and it is about time that we begin to live up to the treaty obligations—such as decent housing—that we owe them.

CALLING FOR A CESSATION OF FRENCH NUCLEAR TESTING IN THE SOUTH PACIFIC

Mr. FALEOMAVAEGA. Mr. Speaker, last month, French President Jacques Chirac announced that France will abandon the global moratorium on nuclear testing and explode eight more nuclear bombs in the South Pacific beginning in September. Chirac said that the eight nuclear explosions—one a month, with each up to 10 times more powerful than the bomb that devastated Hiroshima—will have no ecological consequences.

Mr. Speaker, I cannot comprehend how President Chirac can say with a straight face that setting off the equivalent of 80 Hiroshima bombs—1.2 million tons worth of TNT—in a short time on the tiny coral atolls of Moruroa and Fangataufa will have no ecological consequences. My constituents, the United States citizens and nationals in American Samoa, feel threatened by France's action and don't believe Chirac's assurances. Neither do the nations and peoples of the South Pacific.

After detonating at least 187 nuclear bombs in the heart of the South Pacific, France's intent to resume further nuclear poisoning of the South Pacific environment has resulted in a firestorm of outrage and alarm in the countries of the region, as well as with the world community.

House Concurrent Resolution 80, a measure I introduced which has passed the House International Relations Committee and which awaits floor action, recognizes the environmental concerns of the 28 million men, women, and children of Oceania and calls upon the Government of France not to resume nuclear testing on French Polynesia's Moruroa and Fangataufa atolls.

I want to express my thanks to House International Relations Committee chairman, BEN GILMAN, for his support in passing House Concurrent Resolution 80 out of committee and would also extend my appreciation to the ranking member of the committee, LEE HAMILTON, for joining us as an original cosponsor. This measure has broad bipartisan support, and I would thank the members of the International Relations Committee, Representatives JIM LEACH, HOWARD BERMAN, DOUG BEREUTER, TOM LANTOS, CHRIS SMITH, GARY ACKERMAN, DANA ROHRABACHER, SAM GEJDENSON, JAY KIM, SHERROD BROWN, and ELIOT ENGEL, who are original cosponsors or supporters of House Concurrent Resolution 80.

Mr. Speaker, when the United States stopped atmospheric nuclear testing in 1963 and initiated underground tests, it moved from the Pacific islands to Nevada. One reason for this was the assessment that fragile coral atolls permeated with water were not suitable for underground explosions.

After almost three decades of French nuclear testing in the South Pacific, involving more than 140 underground tests, French Polynesia's Moruroa atoll has been described by researchers as a ''swiss cheese of fractured rock.'' Moruroa and its sister French test site at Fangataufa are water-permeable coral atolls on basalt, and they now contain several Chernobyls' worth of radioactivity. The great fear in the region is that if Moruroa suffers further damage, the radioactivity encased from over 100 nuclear tests would spill into the Pacific, causing unimaginable harm to the marine environment and the health of the Pacific peoples.

Leakage of radioactive waste from the underground test sites to the surrounding waters and air has been predicted, and is inevitable. It is hardly surprising that so many people in the Pacific draw a connection to the epidemic-like outbreaks in surrounding communities, with symptoms including damage to the nervous system, paralysis, impaired vision, birth abnormalities, and increased cancer rates among Tahitians, in particular. Whether these health problems are connected to radioactive leakage or destruction of the coral ecosystem, it defies credibility to claim there are no environmental consequences to France's nuclear testing. Is it any wonder that the French Government has kept medical records at Moruroa a top secret and has permitted no long-term follow-up study of workers' health there.

Mr. Speaker, I would also challenge President Chirac on his statement that France's testing program is harmless to the South Pacific environment and would take him up on his offer inviting scientists to inspect their testing facilities. If President Chirac is acting in good faith and he wants to get to the truth of the matter, then he should have no reservations in authorizing full and unrestricted access—before the resumption of tests next month—for an international scientific mission to begin to conduct a serious, independent and comprehensive sampling and geological study of Moruroa and Fangataufa atolls. In conjunction with the monitoring, there should be a fully independent epidemiological health survey and full disclosure of the French data bases on the environmental and health effects from nuclear testing. Mr. Speaker, permission for an unrestricted and unimpeded scientific investigation has never been granted before. If French President Chirac's assertions are to be believed, then there is nothing to hide and it should be an easy request to meet.

Until we get a response, Mr. Speaker, it is interesting to note that although France has detonated over 200 nuclear bombs in the past 35 years, not one of these bombs has been exploded on, above or beneath French soil. In the truest form of colonial arrogance, France, instead, has exploded almost all of its nuclear bombs in its South Pacific colony—after being driven out of Algeria, a former colony also used as a nuclear testing dump.

If the Government of France must explode eight nuclear bombs that undermine the historic progress achieved with the recently concluded nuclear nonproliferation treaty, then it should explode its bombs on French soil. Resuming the detonation of nuclear weapons in Polynesia would make France the only nuclear power to test outside the borders of the nuclear weapons states.

Mr. Speaker, I would urge the Members of the House to adopt this resolution which sends a strong message of support for the 28 million men, women and children of the Pacific that are fighting to protect their way of life against France's colonial arrogance and nuclear adventurism.

Mr. Speaker, I also want to share with my colleagues and our listening audience throughout America, some additional developments concerning France's attempt to explode eight additional nuclear bombs in the South Pacific under the Moruroa Atoll—

Mr. Speaker, I have learned through recent media reports that some 60 parliamentarians from the nations of the Pacific, from Asia and from Europe—all plan to travel to French Polynesia to protest the French nuclear testing program which will commence next month. In fact, Mr. Speaker, the French Government has already transferred the canisters and related materials to detonate the first out of 8 nuclear bombs for the next eight months.

Mr. Speaker, it is my understanding the people and government of Germany are calling for an ''intense boycott'' of all French-made goods and products. Also, that a flotilla of yachts, schooners, and just about anything that can float—are all planning to voyage the Pacific and go to Moruroa to protest this immoral and politically expedient policy of the French Government to continue nuclear testing in the Pacific.

Mr. Speaker, I ask my colleagues and every good citizen of our Nation to support the 28 million men, women and children who make the Pacific Ocean a part of their existence on this planet—I ask for the goodness and compassion of the American people to support our

Pacific island nations by boycotting all French goods and products that are being sold here in the United States.

Mr. Speaker, this is the only way President Chirac and has military subordinates are going to listen to the concerns of millions of people around the world. Mr. Speaker, I have nothing personal against President Chirac and his military advisers, but I am in every way against such a stupid and unnecessary policy of the French Government to explode eight more nuclear bombs in the Pacific.

As one can see on this map, Mr. Speaker—the Pacific Ocean covers almost one-third of our planet's surface. And I submit, Mr. Speaker, the Pacific Ocean is not a stationary mass of ocean water—the Pacific Ocean is a constant moving body of ocean currents that impacts the entire marine environment of every country that is part of this gigantic region of the world—this includes the entire State of Hawaii, the coastlines of the States of Washington, Oregon, and California.

Now, Mr. Speaker, let's look at the map—this is the Morurao Atoll, which is located about 600 miles from the main island of Tahiti—and on this group of islands there are some 200,000 native Tahitians and expatriates who are all French citizens, Mr. Speaker. I ask, Mr. Speaker, has President Chirac ever taken the time and courtesy to consult with the French citizens living there. Of course not, because it is my belief that even the lives and health of these people are determined by the military and President Chirac as expendable. The same way, Mr. Speaker, on how the French Government determined that the lives of some 75,000 French citizens who were forcibly deported to Nazi concentration camps during World War II. And why? Because they were expendable.

Mr. Speaker, I ask the good people of France to support the concerns of millions of your fellow human beings who live in the Pacific by telling President Chirac and his military cronies—France does not need to explode eight more nuclear bombs in the Pacific.

Mr. Speaker, despite indications that the public in France and in French Polynesia do not support French nuclear testing in the Pacific—why does President Chirac insist that France explode eight more nuclear bombs? Some say to verify the reliability of its nuclear trigger system. But Mr. Speaker, the United States has already exploded over 1,000 times—nuclear bombs to verify and to test the reliability of our nuclear arsenals. Mr. Speaker, our country has already developed the technology—we have even offered France the technology—why is President Chirac reinventing the wheel, Mr. Speaker?

It troubles me, Mr. Speaker—and what a sad commentary to make of the new leadership of France. What arrogance and total disregard that President Chirac makes of the serious environmental concerns that nations of the Pacific have had to make about the dangers to marine life and to the lives of people living in the Pacific region.

Mr. Speaker, I respectfully ask the world community and our own citizens to boycott all French goods, products, and services wherever and however such goods and products are sold in those countries, and especially here also in the United States. It appears that this is probably the only way leaders like President Chirac is going to seriously reevaluate and reexamine this most stupid and asinine policy of exploding eight nuclear bombs in order to catch up with the nuclear technology that has already been developed—and even more asinine, Mr. Speaker, is for the President of France to explode these eight nuclear bombs 15,000 miles away from French soil—and exploding these eight nuclear bombs in the middle of the largest ocean in the world—an ocean that is marine sensitive to all forms of marine life whereby the lives of millions of men, women, and children do depend upon every day in their lives.

Mr. Speaker, I make this appeal again to all Americans—make your voices heard by boycotting all French goods and products and services—send a strong message to President Chirac that his policy of exploding eight nuclear bombs is absurd and totally wrong.

FRENCH NUCLEAR OFFICIAL VOWS SAFETY OF TESTS

A senior official of the French Atomic Energy Commission told the French Parliament Defense Committee last week that, from a purely technical viewpoint, nothing prevented France form conducting nuclear tests on its own territory.

The testimony, likely to be given widespread publicity, will supply new arguments to opponents of French nuclear tests who have suggested, half jokingly, that the tests be conducted in France if they are indeed as harmless as claimed by French president Jacques Chirac.

Despite mounting international criticism, Chirac confirmed last week that France will proceed with plans to resume nuclear tests in its Pacific territories.

JAPAN THREATENS ACTION OVER FRENCH TEST PLAN

Japanese leaders have intensified protests to France over its declared resumption of nuclear tests in the Pacific Ocean, threatening that Tokyo will propose a resolution to the United Nations, send a protest flotilla and boycott French imports, including weapon systems for the Defense Agency.

Prime Minister Tomiichi Murayama said July 19 in Hiroshima that Japan, plans to submit a draft resolution to the U.N. General Assembly in the fall calling for comprehensive prohibition of any kind of nuclear detonation testing.

FRANCE IS READY TO MEET PEACE FLOTILLA WITH ARMADA

PAPEETE, TAHITI.—France has stretched cables across the entrance to Mururoa Atoll's lagoon and installed a sophisticated security system to stop a peace flotilla from reaching its South Pacific nuclear test site.

Vice Adm. Philippe Euverte, commander in chief of the armed forces in French Polynesia, also said the French navy is prepared to send its own armada to stop the flotilla from interfering with the blasts.

He also made it clear French soldiers would be prepared to use tear gas against members of the flotilla of small boats, yachts and Greenpeace vessels planning to sail to Mururoa to protest the resumption of nuclear testing in September.

There won't be any mass invasion of the exclusion zone.'' Euverte said. ''It's not easy to enter the lagoon at Mururoa.''

More than 60 legislators from Australia and New Zealand have volunteered to join the flotilla.

Japanese and European lawmakers also will go along. Japanese Finance Minister Masayoshi Takemura confirmed today he planned to be part of the protest fleet, organizers announced in Sydney, Australia.

Some politicians have warned they will try to enter the 12-nautical mile exclusion zone around Mururoa.

''There won't be any violence used whatsoever—no more than was used three weeks ago,'' said Euverte, who ordered naval commandos using tear gas to seize the Greenpeace flagship Rainbow Warrior II at Mururoa on July 9.

France has two frigates, three patrol boats and several naval tugs and cargo vessels stationed in French Polynesia. The French navy could also use its powerful tugboats as a physical barrier against protest vessels.

At Mururoa and the nearby test site of Fangataufa Atoll, preparations are under way for the series of eight underground nuclear tests, due to stretch from September to May.

France said the tests will be its last.

NUCLEAR PLAN BLAMED FOR CHIRAC'S POPULARITY DROP

(By David Buchan)

French president Jacques Chirac's decision to resume nuclear testing has now hit him where it hurts most—at home. According to an opinion poll published yesterday, the president's standing has fallen 20 percentage points in the past month.

The survey by the Ifop polling institute showed that the number of people satisfied with Mr. Chirac's rating fell from 54 per cent in June to 44 per cent this month. In his first month of office between May and June, the president's populatrity fell five points.

Analysing the poll in yesterday's Journal du Dinanche newspaper, Professor Jean-Luc Parodi, a Paris political scientist and consultant to Ifop, said there was no doubt that Mr. Chirac's June 13 announcement of a final series of eight tests in the south Pacific by next May was the main cause for the fall.

The nuclear test decision was ''spontaneously cited in a massive and exceptional way'' by respondents to the poll, Prof. Parodi said.

Mr. Chirac insisted on June 19, and subsequently, that he would not go back on his decision to end the three-year moratorium in French nuclear testing. But yesterday's poll will come as an unpleasant surprise to the Chirac administration that had counted on French public opinion remaining immune to the foreign outcry.

France has a realitively weak anti-nuclear movement of its own and a rather distant relationship with Australia and New Zealand where protests have been loudest. But the spread of the protests to Europe, and the prospect of a growing commercial boycott of French goods and services, has now brought criticism at home.

Some respondents in the Ifop survey complained that Mr. Chirac had given little warning of his nuclear decision during his election campaign and does little to justify it since.

French diplomats are resigned to the prospect of criticism continuing over the next

few weeks, first at a series of meetings in Brussels at the end of this month by the Association of South East Asian Nations, and then on the occasion of the August 6 and 9 anniversaries of the atomic bombings of Hiroshima and Nagasaki.

The Bosnian crisis does not appear to have contributed to the decline in Mr. Chirac's popularity.

But it was noteworthy yesterday that prime minister Alain Juppe, whose remit is mainly domestic policy, fared far better in the Ifop poll than his president. His ''satisfaction'' rating fell from 55 to 51 per cent over this past month.

A PENTAGON SHELL GAME WITH EVERYTHING TO LOSE

(By Frank von Hippel)

Around the world, expressions of outrage have greeted French President Jacques Chirac's decision to carry out major nuclear weapons tests—some perhaps as large as 100,000 tons TNT equivalent—in the South Pacific this winter. France characterizes the tests as the ''last'' before a comprehensive test ban is signed next year. Little attention, however, has been paid to France's determination to conduct powerful ''small'' tests—100 or 200 tons TNT-equivalent—forever.

This would be a perfect time for the United States to urge Chirac to reconsider this position. Unfortunately, the Clinton Administration is not doing so. Instead, its attention is focused on a Pentagon proposal to leapfrog the French position and require that the comprehensive test ban allow tests with even larger yields.

A test ban that allowed tests with yields of hundreds of tons would create an opening for efforts to develop ''usable'' ''micro-nukes'' and ''mini-nukes.'' It would therefore be seen as a fraud by virtually all of the 170 non-nuclear states that agreed this spring to an indefinite extension of the Non-Proliferation Treaty after receiving a commitment that the Comprehensive Test Ban Treaty would be signed next year.

The Pentagon, like the French military, argues that it will lose confidence that its weapons will retain their destructive power if it cannot see their fission triggers tested now and then at partial yield. Lack of confidence is a psychological state, however, in this case largely self-inflicted by the Pentagon's requirement that the power of warheads be guaranteed to within a margin for which there is no military justification. Any objective assessment of the record of more than 1,000 U.S. nuclear tests would give great confidence that the immense destructive power of the current stockpile can be maintained without detonation tests. This confidence extends to faithful copies of these weapons if it becomes necessary to remanufacture them.

Those arguing the contrary position often ask rhetorically, ''Would you expect your car to work if you stored it for 20 years without testing?'' Of course not, but the analogy is misleading. A nuclear warhead ''works'' only one time. Still, if you supported multibillion-dollar laboratories to test the components of your car under stressful conditions, adjusting and replacing them as necessary, would it work? You bet it would

The functioning of nuclear warheads is also checked by replacing the plutonium with an inert simulant and then using a powerful X-ray machine to verify that it implodes into a configuration that would produce a nuclear explosion of the desired yield. All of our nuclear weapons have been designed with these and other sophisticated implosion tests before actual testing. As a result, the nuclear tests were successful with remarkably few exceptions.

Test ban opponents have made much of the few cases where there were surprises in tests of new warhead designs. But in every case, a new feature—for example, a new type of chemical explosive—had been introduced whose performance was known by the designers to be questionable under some conditions. Such problems have little relevance to the well-tested designs in the enduring stockpile.

To the argument that use of a new plastic or a change in the technique used to manufacture plutonium components might degrade the performance of the warheads, we would respond, ''Don't fiddle with them'' At the same time, experience has shown that the designs are robust enough to tolerate the inevitable minor changes that would occur in remanufacture. There were more differences between the warheads in the stockpile and the prototypes made by the nuclear-weapons laboratories than there would be with future remanufactured warheads. Yet both worked.

Based on U.S. experience, the objective value of ''reliability'' tests is negligible in comparison with the cost of reneging on the deal with the non-weapons state, which promises that we will all work together against the spread and to reduce the numbers of these terrible devices. President Clinton should reject the demands of those who would test forever and should urge President Chirac to do the same.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 1555, THE COMMUNICATIONS ACT OF 1995

Mr. LINDER, from the Committee on Rules, submitted a privileged report (Rept. No. 104–223) on the resolution (H. Res. 207) providing for consideration of the Communications Act of 1995, which was referred to the House Calendar and ordered to be printed.

□ 1845

UNITED STATES-RUSSIAN JOINT EFFORTS

The SPEAKER pro tempore (Mr. METCALF). Under the Speaker's announced policy of May 12, 1995, the gentleman from Pennsylvania [Mr. WELDON] is recognized for 60 minutes as the designee of the majority leader.

Mr. WELDON of Pennsylvania. Mr. Speaker, I will not take the entire hour, but rise this evening to focus on an issue that will be heavily discussed tomorrow and later this week as we vote on the next fiscal year Defense appropriation bill.

Mr. Speaker, I think it is important that we approach defense spending in this day and age with a very cautious eye to what is happening, not just in the Soviet Union, but around the world. To that extent, I will be entering some documents into the RECORD this evening. I think Members should especially focus on, not just for the votes that will occur tomorrow and the rest of the week, but also for debate that we will be having further on in this session of Congress, during the conference process and as we begin to debate the relative importance of continuing within the confines of the ABM Treaty.

First of all, Mr. Speaker, let me say I rise as a 9-year member of the National Security Committee and the current chairman of the Research and Development Subcommittee, and as someone who is not just a self-proclaimed hardliner when it comes to dealing with the former Soviet Union and now Russia, as well as those rogue nations around the world, but as someone who spent the bulk of my last 20 years working on building bridges with the Russian people.

My approach to Russia is one of pragmatism. Reach out to the Russian people, work with them, build relationships on trust and mutual cooperation, but hold them accountable when they violate treaties on defense and foreign policy issues.

My background is in Russian studies, my undergraduate degree is in that area. Twenty years ago I spoke the language fluently. I have traveled throughout the country, stayed in Russian people's homes, and I have this year hosted well over 100 members of the Duma in various meetings and sessions.

Mr. Speaker, currently I am the cochair of the Russian-American Energy Caucus with my colleagues, the gentleman from Texas, GREG LAUGHLIN, on the Republican side, and the gentleman from Maryland, STENY HOYER, and the gentleman from Illinois, GLENN POSHARD, on the Democratic side. Working with the 16 multinational energy corporations, we attempt to foster relationships that build bridges between our energy corporations and joint venture opportunities in Russia to allow them to bring in the hard currency they need. Most recently, this past year, we worked with our administration and the Yeltsin administration and members of the Duma to complete the final support and approval within the Duma for the Sakhalin project, a project that is in fact the largest energy project in the history of not just Russia, but the entire world, that will ultimately see approximately $10 to $15 billion of western investment through companies like McDermott Marathon go into the Sakhalin area for development of Russian energy resources.

Mr. Speaker, we are also working on the Caspian Sea project, which we hope will provide a force to unify some of the warring factions down in the Caspian Sea area, and also further help stabilize the Russian economy through development of their energy resources.

Mr. Speaker, I also cochair an effort working with the Duma members on environmental issues. Just last year I led a delegation of Members to Murmansk, the North Sea fleet, to talk about how we could work with them in finding ways of disposing of the Russian nuclear waste that is coming from the dismantlement of their ships and their submarines, as well as to try to help the Russians stop what has been a recurring practice over the past two decades of dumping nuclear reactors

and nuclear waste into the Bering Sea, the Arctic Ocean, and even out in the East, in the Sea of Japan. That effort is paying tremendous dividends, and there is an ongoing effort right now among members of the parliaments of not just Russia, but the European Parliament, the Japanese Diet, and our Congress to focus on this as one of our major priorities, the stopping of all dumping of waste, especially nuclear waste, in the oceans of the world. To that extent we held a conference here in Washington just a month ago where we had attendees from Russia, Japan, Europe, and the United States in trying to form a cooperative relationship in dealing with these problems.

Mr. Speaker, we are currently working with the Russian shipyard at St. Petersburg, the Baltic shipyard, to convert it to an environmental remediation center, where Russian workers who formerly built warships can be trained to dismantle old rusty vessels where the steel can be melted down and reused to benefit the Russian economy.

Mr. Speaker, we are working in Siberia, Nizhneyansk, in a joint venture to establish environmental opportunities with American firms and Russian firms to create jobs and economic opportunity and to also help stabilize environmental problems in Russia.

Third, Mr. Speaker, we are working on an effort to establish a joint Duma-Congress relationship between members of the Duma Defense Committee and members of our National Security Committee. Two months ago, the gentleman from South Carolina, FLOYD SPENCE, chairman of the Committee on National Security, the gentleman from Louisiana, BOB LIVINGSTON, chairman of the Committee on Appropriations, and the gentleman from California, DUNCAN HUNTER, chairman of the Subcommittee on Military Procurement, and I met for 3 hours with five members of the Russian Duma Defense Committee.

Mr. Speaker, the purpose of that meeting was to reach out to them and say look, we are not out to establish some kind of a dominant relationship over your people or your country, we are out to work with you, to change the whole notion of the way that we focus our efforts in the world, so that instead of building up more and more nuclear weapons and continuing this ridiculous posture of mutually assured destruction, to move toward a defensive posture where we asked the Russians and their leadership and their technical experts to work with us in developing defensive capabilities, much like Ronald Reagan first proposed some 10 years ago. In fact, we had that meeting, which was very successful, and we are currently planning on taking a group of similar leaders to Russia to continue that dialog with members of the Russia Duma Defense Committee.

Mr. Speaker, all of these efforts are designed to show that yes, we must reach out to the Russian people, to their government, to their leaders, to show them that we sincerely want to work with them to bring about the economic reforms that they want, the political reforms, the freedoms that they long for. But at the same time, we must not underestimate what is happening within the former Soviet Union, and now Russian, military.

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Many of those military leaders there today were in power during the Soviet regime. Many of the ideals and goals of those leaders are similar today to what they were then, and we must understand that.

We must deal with the Russian leadership from a position of understanding while showing compassion and willingness to work with them to help stabilize their economy and their country.

Mr. Speaker, before continuing, I yield to the gentleman from Georgia [Mr. LINDER].

Mr. WELDON of Florida. Mr. Speaker, the point being that we must continue to reach out to the Russian people and their leadership. As a Member of Congress, I pledge my efforts to reach out to members of their Duma. But we must also let them understand that we will not be shortsighted, that we will not allow blinders to be pulled over our eyes in terms of what is happening in their country.

Mr. Speaker, it is not just talk or rhetoric that is important; it is the substance and actual extent of involvement of both countries in bringing about long-term peaceful relations. My own fear as a member of the Committee on National Security is that our two biggest security threats, as we approach the next century, involve terrorism throughout the world and in this country, and the proliferation of missiles and weapons of mass destruction. To that extent, we must understand what our threats are, what we can do about those threats and how we can work with our allies and countries like Russia to develop common defenses against those threats.

Some in this body would have us believe that the Russians are no longer putting money into sophisticated weapons systems. Mr. Speaker, that is just not true.

Mr. Speaker, I would like to submit for the RECORD an article taken from the FBIS reports, which I scan on a daily basis. This article is taken from Moscow Kommersant-Daily, printed in Russian on July 20 of this year, entitled ''START II Treaty Ratification Seen Assured,'' and in it the author Aleksandr Koretskiy, goes through the determination that it is in Russia's best interest to ratify START II and, therefore, that will occur.

What is interesting in the article, that we should be aware of, is that the Russians are still developing state-of-the-art military technology.

A number of statements were made in the hearings,

these are hearings among the Duma members,

each of which, in fact, amounts to a sensation. First, Russia is developing, at the design stage so far, a new submarine missile cruiser. To all appearances, its technological performance will by far eclipse that of the American 'Ohio' type subs which form the basis of the U.S. nuclear forces until the year 2020 at a minimum. In other words, Russia plans for more than one day ahead despite the unprecedented cuts in funds for military R&D.

Second, a new missile for bombers is being developed which will make it possible to keep them effective also into the start of the next century at small cost. Work is in progress also in other fields.

The point of this article is that Russia, while it has certainly cut back its funds for the military, is still developing state-of-the-art technologies, not just to match what America has, but to give them an edge, an edge that we have to be able to deal with through the turn of the century.

Mr. Speaker, I include the article for the RECORD:

START II TREATY RATIFICATION SEEN ASSURED

[Report by Aleksandr Koretskiy: ''START II Hearings. Cuts Are In Order Because There Are No Maintenance Funds'']

[FBIS Translated Text] The ratification of the START II treaty (on further cutting and limiting strategic offensive weapons) will help Russia minimize the difference between its nuclear potential and that of the United States. As for Russia's counter-force potential, it will even grow 20 percent despite the cuts as a result of the implementation of START II owing to a marked decrease in the corresponding potential of the United States. Such is only the smaller part of the arguments by those who advocate the ratification of the treaty voiced in the course of the first open hearings in the Duma. The final conclusions on the feasibility and, perhaps, additional terms of ratification will be drawn in September—there will be separate hearings on the financial aspects of START II implementation. One can already today, however, say with confidence: despite the pessimistic forecasts of its opponents, the treaty will be ratified with no special problems by the current State Duma.

The treaty was signed by Boris Yeltsin and George Bush in Moscow 3 January 1993. Many a lance has been broken since over the ratification problem both in Russia and the United States: some congressmen are sure that START II considerably lowers America's defense potential. A similar view, but as applied to Russia, is also voiced by a number of Russian deputies. The Russian politicians primarily doubt the feasibility of what is at first sight an abrupt change in the structure of the Russian strategic nuclear forces: under the treaty, the sea-based component of Russia's nuclear forces should be upped from 30 percent to between 50 and 58 percent. And this should be done by cutting the number of ground-based missiles. Russia will in fact have to scrap the new generation SS–18 and SS–19 ground-based intercontinental missiles. Shifting the center of gravity to sea-based missiles can take place only in theory: 90 percent of the submarine missile cruisers were built before 1990, which implies that their service life will be up in the year 2015. Russia actually does not build new subs—their keels have been laid but construction has been halted by lack of funds. A relative stability will only prevail in strategic aviation—the fleet of Tu–95 MS and Tu–160 bombers will be cut under the treaty by as little as 24 bombers. By 1998, the Air Force is supposed to have not more than 113 planes

whereas their number today is 137. and 53 of them are outside Russia (7 in Kazakhstan and 44 in Ukraine), for which reason no Russian planes should be scrapped. Incidentally, it came to light during the hearings that Moscow did not lose all interest in Ukrainian strategic aviation at all—the Russian Air Force is still counting on it.

All the military strategy doubts of the politicians were dispelled by Vladimir Zhurbenko, first deputy chief of the General Staff. He thinks that by cutting the number of warheads to 3,500, START II facilitates the formation of a grouping of strategic offensive forces which is adequate to that of the United States. Indeed, reducing the number of warheads mounted on intercontinental missiles and submarine-based missiles does not call for remodeling or replacing the MRV [multiple reentry vehicle] platform and the destruction of the warheads removed from them, which gives potential advantages—this creates the danger of a quick increase in nuclear potential if the United States pulls out of the treaty. In this case, the United States will have more warheads than Russia by 55 percent. But this is still less than what it would have had under START I. This is to say, the United States is not getting a real edge, while Russia retains the effectiveness of its nuclear forces in retaliatory actions.

As regards the change in the structure, Zhurbenko stated that it would have to be altered in any case—most ground-based missiles are at the end of their useful life. They are supposed to be replaced by new missiles which Russia does not have. More accurately, there is no base for building heavy missiles of the SS–18 and SS–19 type which are produced in the Ukrainian ''Yuzhmash.'' In principle, industrial cooperation could be arranged, but after Kiev joined the Nuclear Nonproliferation Treaty, this opportunity was lost. As a result, Russia is able today to produce on its own only one type of missile—the single warhead ''Topol,'' on whose basis its ground based forces will be developing. Plans call for production of two versions of this missile—one for the existing mobile missile systems, and the new ''Topol-M'' system.

An important START II provision, the military thinks, is the fact that, in the number of warheads, the treaty brings U.S. nuclear forces down closer to a level which Russia is objectively capable of maintaining. The Russian military, one might say, dreamed of really counting in the warheads carried by bombers provided for by START II. The thing is that under START I, each Russian strategic bomber can carry 8 nuclear-tipped missiles (in reality this figure is 6), whereas a U.S. Air Force bomber can carry 10 missiles (in reality 20).

Generally, the military and diplomats convinced the deputies: START II is almost manna as far as Russia is concerned. At any rate, Russia cannot afford forces that the USSR could have hardly maintained. The problem is not so much direct funding but also the industrial and technological base that ended up on the territory of independent CIS republics. when all is said and done, we should also take account of Russia's new geostrategic situation, different foreign policy priorities, and the development of military technology.

Apropos of technology. A number of statements were made in the hearings, each of which, in fact, amounts to a sensation. First, Russia is developing (at the design stage so far) a new submarine missile cruiser. To all appearances, its technological performance will by far eclipse that of the American ''Ohio'' type subs which form the basis of the U.S. nuclear forces until the year 2020 at the minimum. In other words, Russia plans for more than one day ahead despite the unprecedented cuts in funds for military R&D. Second, a new missile for bombers is being developed which will make it possible to keep them effective also into the start of the next century at small cost. Work is in progress also in other fields.

The deputies' reaction to the reports of military and independent experts and the nature of the questions asked make it possible to claim: the Duma is not only going to ratify START II, but it may also pass a special Russian strategic nuclear forces development program with corresponding funds.

On the issue of a new superfighter, in a FBIS report summarizing a Moscow Interfax article, dated July 20 of this year, talking about the capabilities of the new Russian superfighter, and I will quote:

''The Sukhoy Design Bureau will exhibit its latest product, the superfighter Su–35, at the MAKS–95 Moscow air show in August,'' this month, ''the bureau's designer-general, Mikhail Siminov, told a solemn meeting on the occasion of the 100th anniversary of Pavel Sukhoy's birthday. Siminov told Interfax that Su–35 was a dramatically modified version of the Su–27 jet. However, the new aircraft differed from the original by its exceptional maneuverability, adjustable thrust vector, new armament system to simultaneously destroy 6 ground and naval targets and artificial-intelligence computer.''

He goes on to say, '''In the West, such fighters do not yet exist,' Siminov said. 'The only exception is the U.S.-made X–31, but no other analogues will appear within the next five years,' he added.

''If sufficient funds are set aside by the state, Russia's superfighter Su–27 and versions of it will occupy the first position in the world's arms market in the third millennium, Western experts say.

''At present, Russia's Air Forces have over 250 Su–27 fighters.''

Mr. Speaker, I include the article for the RECORD:

MILITARY, NUCLEAR & SPACE ISSUES

MOSCOW, July 20.—The Sukhoy Design Bureau will exhibit its latest product, the superfighter Su–35, at the MAKS–95 Moscow air show in August, the bureau's designer-general, Mikhail Simonov, told a solemn meeting on the occasion of the 100th anniversary of Pavel Sukhoy's birthday.

Simonov told INTERFAX that Su–35 was a dramatically modified version of the well-known Su–27 jet. However, the new aircraft differed from the original by its exceptional maneuverability, adjustable thrust vector, new armament system to simultaneously destroy six ground and naval targets and artificial-intelligence computer.

''In the West such fighters do not yet exist,'' Simonov said. The only exception is the U.S.-made X–31, but no other analogues will appear within the next five years, he added.

If sufficient funds are set aside by the state, Russia's superfighter Su–27 and versions of it will occupy the first position on the world's arms market in the third millennium, western experts say.

At present, Russia's air forces have over 250 Su–27 fighters.

Mr. Speaker, evidence that Russia is still continuing to develop state-of-the-art technology. Not just for its own protection, but perhaps more significantly to begin to sell these conventional arms to other nations that may not have the same peaceful intentions as Russia's current civilian leaders and we have.

Mr. Speaker, we witnessed this past year the selling of three Russian submarines to Iran. We have witnessed efforts to sell technology to China. As a matter of fact, I was aghast when I read that we were, in fact, allowing proliferation to occur involving the Russians in countries where we could have imposed sanctions and yet had backed down on repeated occasions.

Mr. Speaker, this is an issue that this body has got to deal with, an issue that we have got to confront. it is important for Members, as we get ready to debate the issue of defense appropriations levels for next year and the defense conference process that will unfold in the fall, that we understand what is happening, based on the facts. It is important that we understand proliferation that is occurring throughout the world, not just by Russia, but by other countries.

China is a perfect example. The Clinton administration, Mr. Speaker, to my mind, seems incapable of employing a toughness in terms of proliferation of weapons of mass destruction.

A good example of that is China's sale of missiles and missile technology to Iran and Pakistan. Classified evidence of these sanctionable transactions have been on the books since the President's first day in office.

What has been the President's response? First, the State Department tried to sanction China's missile maker, the Great Wall Industries, but not long after, withdrew those sanctions. Then United States officials claimed that they had secured Chinese pledges not to proliferate.

Evidence of Chinese missile proliferation to Iran and Pakistan continued and was leaked in the press last month. This evidence continues to mount. So far this administration has taken no new action.

And then there is Russia, Mr. Speaker. Here the administration lifted sanctions that were imposed by the Bush administration against Glavkosmos, a Russian firm that violated the MTCR, missile technology control regime, guidelines. It had exported sensitive upper-stage rocket technology to India's Indian Scientific Research Organization, including production and integration technology. This know-how could help India extend the range of its missiles to reach Bejing and improve Indian upper rocket stages in general.

In exchange for Russian pledges to stop such technology transfers to India, the administration, in September 1993, offered Moscow hundreds of millions of dollars in space cooperation projects.

Mr. Speaker, I am not saying that we should not cooperate, but we have got to set a tone of firmness. When countries, whether it be China or Russia,

violate proliferation agreements and violate understandings that we have, this administration has got to be firm. That has not worked.

What Clinton officials have chosen not to do about MTCR violations, however, is far less disturbing than what they recently announced that they are planning to do. That is to make MTCR members of the nations that are violating the regime. The Clinton administration hopes this will encourage problem proliferators to become part of the nonproliferation solution. In fact, I think it is shortsighted diplomatic public relations that will trivialize the MTCR and, worse, turn the regime into a major proliferation promotion organization.

How is this possible? Simple. Both U.S. law and the missile technology control regime guidelines discourage U.S. exporters and other members of the MTCR against selling missile technology to non-MTCR members who have missile projects of concern or who have had a bad track record proliferating missile technology to other nations.

Once these countries are made members of MTCR, which the Clinton administration proposes to do now, there is a legal presumption of approval for the very missile transfers that were previously barred, which means that once these countries are able to be a part of the MTCR, they can sell their missiles without any sanctions being available to the United States and other countries.

Under U.S. law, a nation that becomes a member of the MTCR can no longer be sanctioned for importing the hardware or technology needed to complete dangerous rockets or missiles or export it to any MTCR member.

What sort of nations might these be? Until the past few months, even the Clinton administration claimed that they included Brazil and Russia.

Mr. Speaker, I will enter into the RECORD, with unanimous consent, articles where Brazil, in fact, has been working on the capability for rocket technology which they have purchased from Russia through the black market. And I will provide an article once again from the FBIS documents that Members can read.

In addition, Brazil has made it known that they would like to have the capability that one of the most sophisticated Russian rockets offers in terms of a space launch capability.

SS–25 is perhaps the most sophisticated intercontinental ballistic missile that Russia has today. It has a range of 10,500 kilometers. It can hit any city in any part of America with that range. It is a mobile-launched system, launched off of the back of a mobile-launch tractor that can be moved around the country. Russia has somewhere less than a thousand of these launchers throughout Russia and the former Soviet republics.

Each missile battery has the potential of launching three missiles, which currently have nuclear warheads on them. However, what Russia has been doing for the past 2 years is, it has been trying to sell a version, a modified version, of the SS–25 to any country that, in fact, would want to have a space launch capability.

What problems does this present for us? Well, imagine, Mr. Speaker, a missile that has a range of 10,500 kilometers. Take the nuclear warhead off of that missile and modify it to become a space launch vehicle, and you can offer it for sale to anyone.

Brazil has been very interested in acquiring this capability and, in fact, had a tentative deal worked out until the administration and Members of Congress, including myself, stepped up and said, ''We cannot allow this to go forward;'' and Brazil temporarily backed off. We understand Russia has had other discussions with other countries who would like to use this technology for space launch purposes.

Now, you are not going to have a nuclear warhead on this missile, but, Mr. Speaker, what we are talking about doing is giving other nations the capability that comes with a missile that has a range of 10,500 kilometers. Furthermore, if you believe what the Clinton administration tells us in terms of the current command and control of the Russian nuclear arsenal, that all dissipates when you take the SS–25, as modified, and you give it to a Russian profitmaking venture to market on the open market as a space launch vehicle.

That is exactly what is happening today. In fact, several months ago, the world witnessed the first unsuccessful launch of an SS–25 modified rocket with an Israeli satellite on board from the Pozitiskiya Aerodrome. It was not successful, and the rocket and the satellite fell into the Sea of Okhotsk. The fact remains, Mr. Speaker, that Russia is aggressively trying to export this technology.

Make no mistake about it, Mr. Speaker, I do not fear for the safety of our people from an all-out nuclear attack by Russia. That is not my concern. What I fear, Mr. Speaker, is the capability the Russians have with the SS–25 and the SS–18, which they are also currently trying to market for space launch purposes to a Third World rogue nation.

You give any of the rogue nations of this world one of those missile launch systems, allow them then to put a conventional weapon on board, a conventional bomb or perhaps a chemical or biological weapon, and with the range of an SS–18 or an SS–25, our country and our people are under direct threat.

Mr. Speaker, this is reality. This is not some hypothetical situation made up in some star wars movie. Mr. Speaker, this is what is occurring today inside of Russia as proliferation of these missiles is a top priority. As the Russians are looking for ways to bring in hard currency, they see one of the quickest ways as selling off this technology, like the SS–25 and the SS–18.

Mr. Speaker, here is the real problem, besides the lack of attention and focus by the administration and the clear and consistent policy to call these acts when they occur, like the recent sale of rocket motors to China by the Garrett Engine Co., which are being used for fighter planes.

But unless the administration takes some overt action this year, the technology will be transferred to China, which we think will allow them to increase the capability of their cruise missiles. This administration has remained silent on blocking that technology transfer.

Again, Mr. Speaker, what we are talking about, whether it is it is the SS–25, whether it is the SS–18, whether it is technology to help the Chinese improve their cruise missile capability, whether it is North Korea Taepo Dong-1 or -2, which has a range of 5,500 kilometers, which today could hit Guam or Alaska, Mr. Speaker, these are real situations that every Member of this body has to understand.

No longer can this body vote in a vacuum. We must understand and recognize the facts as they are. The documents that I am placing in the CONGRESSIONAL RECORD today are factual statements by leaders in Russia, documented articles of situations occurring with China, North Korean developments in China. It will take only one of those systems to get in the hands of a rogue nation and then what do we do, Mr. Speaker?

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General O'Neill, who is the administration's point person on missile defense, has said repeatedly in our congressional hearings this year that if a nation acquires the capability of an SS–25 or SS–18, or perhaps even a Taepo Dong II with a range of 5,500 kilometers, we, as a country, have no defense against an accidental or deliberate launch of one vehicle. We have no system available today, with all the money we spend on defense, with all the money we spend on military every year, we have no system available today to protect the American people from such a launch.

Mr. Speaker, to me that is outrageous, and to most of our colleagues in this body that is outrageous, and that is why this year, in our defense bills, we have plussed up missile defense accounts by about $900 million in the House. Hopefully, through the conference process, we will come somewhere in between what the Senate plussed up, about $600 or $700 million, and what we plussed up.

We focused on four specific areas, Mr. Speaker. We focused on theater missile defense to give our troops protection when they are in a theater of operation against an incoming missile attack, like we saw in Desert Storm with the Scud. In the world today, 71 nations have cruise missiles, have the capability of attacking our soldiers and our allies. The only systems we have in

place today are the upgrades of the Patriot, quickly becoming outmoded. We have funded theater missile defense to allow us to continue to develop and deploy the most sophisticated theater based systems that money can buy, and our funding does that in this year's defense bill.

The second thing we did, Mr. Speaker, is we plussed up national missile defense spending. This will give us the eventual capability to protect the mainland of America against the kind of rogue launch that I talked about earlier. If a rogue nation were to get an SS–25 or an SS–18, or if North Korea would sell off a version of the Taepo Dong II, that we would be able to protect our people in this country from a single launch. We would not be able to protect our country if a massive launch were to occur, but, by all practical standards, we do not think that will happen.

No one can assure us, however, that a rogue nation will not get the capability of one, two, or three missiles, or, say, a battery of SS–25's that could be threatened to be launched against an American city. Today we have no protection for that, Mr. Speaker. Not one iota of protection. Our plus-up in the national missile defense account allows for $400 million of increased funding that, even with this level of funding, will not allow us to deploy a program, in General O'Neill's estimation, until approximately 4 years. Four years of vulnerability.

If the people of this country see what has been happening around the world with terrorism, and see what happens when rogue nations and people like Saddam Hussein get capabilities beyond their ability to manage, we then are threatened, and for 4 years, under the administration's plan, we will have no protection, Mr. Speaker.

The third area that we plussed up funding was for a program called Brilliant Eyes. Brilliant Eyes is a space-based sensor program that will allow us to see a missile when it is launched. We do not have that capability today. If a rogue country launches a missile, and the ultimate destination is America, today we do not have a system in space that can tell us that launch has occurred. Why is that important? It is important because it gives us more time to take that missile out once it is launched, and to take it out on the rise as opposed to on the descent. We plus-up the Brilliant Eyes program to give us that technical capability.

The fourth thing we do in both the authorization and the appropriation bills is we plus-up funding for ballistic missiles by about $75 million so that we can enhance our ability to protect our troops and our country against the very real threat of ballistic missiles that dominate the world today.

I mentioned, Mr. Speaker, 77 countries today have cruise missile capability. Seventy-seven countries. Twenty nations can build and are building cruise missiles today. Granted, some are very crude, like the Scud system that we saw used by Iraq over in Desert Storm, but, Mr. Speaker, some of them are extremely sophisticated and present real challenges to us from a defensive posture.

Mr. Speaker, all the more reason why we have to focus on the threat that is out there and what is happening in these rogue nations. We have to understand that when we make a decision as to how much money we are going to spend on defense or on missile defense or missile proliferation activities that it must be based on sound scientific evidence.

Mr. Speaker, another article I want to submit for the RECORD is a recent publication appearing in the Brooking Review written by Bruce Blair entitled ''Lengthening the Fuse'', and, by the way, Mr. Blair has been a witness at hearings, primarily brought in by Democrats to testify on missile proliferation issues. This article is must reading for every member of this body, because Mr. Blair now makes the case that from the standpoint of operational safety, Russian's nuclear posture today is more dangerous than it was during the cold war.

He goes through the scenario of the possibilities for nuclear anarchy, from unauthorized use of weapons by rebellious commanders in the field, to political breakdown in Moscow, to a spread of nuclear weaponry and material on the global black-market.

Mr. Speaker, another article I will submit for publication in the RECORD today is an article within the Russian news media focusing on the problems of the control of the nuclear arsenal and the lack of adequate dollars to fund those military personnel who are monitoring on-site the Russian nuclear arsenal.

In that article there is discussion about the fact that you can have all the safeguards you want from a technology standpoint, but if the men and women who are monitoring those systems are not being paid, if they do have the quality of life issues that are important to them, the technical considerations go out the window, and that is the kind of threat that we have to fully assess.

Mr. Blair goes through that in great detail, and some of the quotes in here are the kinds of quotes that Members have to look at and understand, because they are critical to our posture in terms of defending our people in this country against what could happen in the former soviet Union. Let me quote just one piece from this article.

''The disintegration of the former Soviet Union and the dangers emerging from the attendant turmoil make loss of control the central problem of nuclear security. Indeed, the specter of nuclear anarchy in the former Soviet Union animates U.S. policy toward Russia.''

He goes on to say, and I quote, ''The specter of a catastrophic failure of nuclear command and control looms even larger.''

Mr. Speaker, this is not some radical right wing conservation bashing the former Soviet Union. This is a respected individual who has studied the issue of command and control of the Russian nuclear arsenal. In fact, he goes on to say in his article that the Pentagon itself has conducted exercises to practice United States responses to nuclear anarchy in Russian, including scenarios that feature illicit strategic sites by Russian commanders. Can you imagine that, Mr. Speaker?

We now have evidence that our own Pentagon leaders have done practice sessions that, in fact, would have us assume that nuclear anarchy has broken out in Russia and that perhaps the American mainland is at threat. That is being done, Mr. Speaker, at a time where we have no capability to defend our mainland against a nuclear attack, either isolated or perhaps a multiweapon or multilaunched nuclear attack.

Another quote from Mr. Blair. ''From the standpoint of operational safety, Russia's nuclear posture is more dangerous today then it was during the Cold ''War.'' Again a quote. ''The Pentagon has so internalized deterrence as the essence of its mission that it simply cannot bring the two different conceptions of nuclear threat, the risk of deliberate attack and the danger of loss of control, into clear focus and perspective.''

Another quote. ''If safety is ever to be put first in U.S. nuclear planning, it will be because public discussion and broad public support, not the Pentagon, put it there.''

Mr. Speaker, Bruce Blair has hit the nail on the head. We are not doing an adequate job of monitoring what is happening and what could happen in the former Soviet republics. Some would argue all is well.

Perhaps I will submit another article for the RECORD with unanimous consent again, Mr. Speaker, that talks about what has recently happened in Belarus. Belarus, Mr. Speaker, is one of those former Soviet republics that happens to have nuclear weapon capability. Just in July of this year less than 1 month ago, what did the President of Belarus say about his country's agreement to put all the SS–25's back into Russia? There are 18 remaining in Belarus. He said, and this article was printed on July 6, 1995, in Moscow's Izvestiya, in Russia, he said, and this is Alyaksandr Lukashenka, the President of Belarus, that he had made a decision to stop the movement of the SS–25's back to Russia; that he was going to leave the remaining 18 SS–25's in Belarus. He stated the reasons, which are in the article, which I will put in the RECORD, are twofold: First of all, it harms the national prestige of Belarus to give up the remaining parts of their nuclear arsenal; and, second, one day Russia and Belarus will be united again.

Now, Mr. Speaker, this is not me talking, this is the President of

Belarus. I asked our State Department if we had gotten any clarification to this statement made by President Lukashenka of Belarus. They told me verbally we had; that he had denied that statement was made, even though it was printed both in Izvestiya and as well as on Moscow TV. To this date, Mr. Speaker, I have not had any statement from the State Department to refute the statement from the State Department to refute the statement by Mr. Lukashenka in terms of not complying with the agreed terms that Russia, Belarus, the United States, and the other former Soviet republics entered into to return those SS–25's back to Russia for dismantlement.

Mr. Speaker, the problem continues. My bottom line concern is that the intelligence community is not giving us the full scoop and the full picture. I do not say this lightly, Mr. Speaker; and, in fact, in September of this year, we will have a full hearing on the command and control of the Russian nuclear arsenal. However, Mr. Speaker, we are also going to have something else in that hearing. We are going to look at what has been the posture of our intelligence community in bringing to the Members of Congress and to the American public the threat that exists.

Mr. Speaker, we in this body need to base our decisions on fact. I am not an alarmist. I am not here to demagogue this issue. I am not here to call the Russian people an evil empire, because they are not. As I started my comments tonight, I am one who has devoted a significant amount of my personal time to building relations inside of Russia. I will match my efforts in those categories with any Member of this body in the area of Russian joint energy ventures, environmental cooperation, defense cooperation, economic cooperation, and I will continue that as I did on the House floor when I sided with the ranking member of the Committee on Appropriations, Mr. OBEY and the chairman of that committee, Mr. LIVINGSTON, in fighting back an effort to decrease Russian aid because of the importance of stabilizing their economy.

However, Mr. Speaker, We cannot allow anyone to dumb down our intelligence. We cannot allow anyone to pull the cloud over our eyes to the extent that we do not know really what is happening. That would be the worst travesty that could be brought on this body, to have any administration, or the intelligence community, dumb down information that is important for us as we determine how much money to spend on the defense of the people of this country.

We should not, Mr. Speaker, ever have any intelligence body think that they have to answer politically to some broader agenda of the administration of supporting the current Russian leadership. I support Boris Yeltsin. I support whoever the Russian people decide to have as their elected President. However, Mr. Speaker, we should never allow our support for the elected President of that country to downplay our understanding of the real threats that are there. That is my concern, Mr. Speaker. It is a concern that I think every American and every Member of this body has to understand and appreciate.

General O'Neill came in before our subcommittee earlier this year and he said, ''Congressman, I am not satisfied with our intelligence assessment of the threat coming from Russia and other countries around the world in terms of nuclear proliferation, so I went to the intelligence community and I asked them to give me a new assessment, and that assessment is going to be published by the middle of June.''

Mr. Speaker, the middle of June came, and then the end of June came, July 1 came, the middle of July, and yesterday July ended, and now this is August 1.

□ 2030

Mr. Speaker, we still have not gotten the upgraded intelligence assessment that General O'Neill asked for so that we can logically base our threat needs on what is out there.

Mr. Speaker, that is an outrage. The intelligence community has got to get its act together. They have got to give us the focus. They have got to give us the real facts, not sensationalized numbers, the real facts in terms of what is occurring. And they have got to give us real assessments about whether or not there is a potential for a nuclear anarchy, as Mr. Blair stated in his article.

Mr. Speaker, these issues go to the very core of what our Federal Government is all about, because in the end the primary purpose of a Federal Government is to protect and defend the American people, to protect and defend the American people from what I think are the two biggest threats that we are going to face in the next century: Terrorism and proliferation of weapons of mass destruction, especially missiles and nuclear missiles.

Mr. Speaker, this is the first in what will be a series of discussions that we have to have in this body, and they will be based on fact. They will be based on articles published in Russian news media, reported in reports that every Member of Congress can get access to, and reported by other foundations and groups that are out there every day giving us the summaries of what is being said and what is occurring throughout Russia and the former Soviet republics.

It is extremely important, Mr. Speaker, as we approach our debate tomorrow, as we approach the conference process, the ultimate debate on the ABM Treaty, that we have good intelligence, that has not been filtered, has not been whitewashed, has not been dumbed down, so that we can make intelligent decisions that in the end will allow us to protect the American people, because that is what our job is all about, protecting the American people.

I hope my concerns will be shared by my colleagues in this body, and by the general public, who has to understand that today we have no protection in these areas. That is a shortcoming we are going to try to address in this budget process, which will hit the House floor tomorrow.

Mr. Speaker, I will put into the RECORD the items I highlighted during my comments.

[From the Brookings Review, Summer 1995]

LENGTHENING THE FUSE

(By Bruce G. Blair)

During the Cold War a massive array of opposing Soviet and U.S. nuclear forces stood ready for launch on a moment's notice. In accord with the perceived needs of deterrence, strategic and tactical nuclear weapons were scattered around the globe, carried by a host of ground, sea, and airborne delivery systems, and primed to inflict instant apocalyptic devastation in retaliation against any nuclear aggressor.

Today, the ideological tensions of the Cold War have dissolved, the urgency of the need for deterrence has diminished, and the Russian and U.S. nuclear arsenals are smaller. Yet thousands of warheads on both sides remain on hair-trigger alert. And, by a bitter irony, the geopolitical revolution that defused the Cold War confrontation has posed a chilling new nuclear danger—loss of control. In an atmosphere of political turbulence and economic duress, Russia must now oversee the far-flung nuclear weaponry of the Soviet Union, much of it still ready for instant launch. The possibilities for nuclear anarchy are many—from unauthorized use of weapons by rebellious commanders in the field, to political breakdown in Moscow, to a spread of nuclear weaponry and material onto the global black market.

But dangerous as these scenarios are, an effective and realistic solution exists: an international agreement to take all nuclear weapons off hair-trigger alert, remove warheads or other vital components from the weapons delivery systems, and institute monitoring arrangements to verify compliance. Such an agreement would drastically reduce the risk of a catastrophic failure of nuclear control. But it would also require nuclear planners to back away from their traditional focus on deterrence—and to make a commitment to safety instead.

SAFETY ALWAYS CAME SECOND

The vast nuclear arsenals maintained by the superpowers during the Cold War were a product, of course, of deep political and ideological antagonisms. But they were also a product of the adversaries' commitment to deterrence, their faith that rational decisionmakers would refrain from striking first if they knew an opponent could retaliate with devastating effect. War was to be prevented by ensuring that each of the opposing forces was capable of retaliation destructive enough and credible enough to override any potential gain from striking first. The two defense establishments deployed forces capable of retaliating against tens of thousands of enemy targets—and to do so in the moments between enemy missile lift-off and arrival.

In all this, deterrence came first. Safety came second. Not that safety's importance was lost on the rival strategic organizations. After all, neither would likely have survived the political repercussions of a major failure in safety. Much of their mundane activity revolved around safety during peacetime. They strove to prevent the accidental, inadvertent, or unauthorized detonation of even a single weapon. Nuclear weapons received

continuous scrutiny, augmented on occasion by high-level special investigations, to identify safety hazards and remedies. Both sides evolved sophisticated weapon design principles and operational procedures to preserve effective control. On the essential point—nuclear detonation—the record was perfect. On lesser but still critical points—notably, nuclear accidents resulting in the dispersal of toxic plutonium—it was nearly perfect.

That deterrence took precedence over safety is nonetheless demonstrable. If safety had been a governing influence at the planning level, the strategic deployments would not have been so large, so dispersed, and so geared to rapid use. At the design and daily operational level, too, trade-offs between safety and deterrence were regularly resolved in favor of deterrence. For example, locks to prevent low-level U.S. weapons commanders from firing strategic forces were not installed on heavy bombers until the early 1970s, on intercontinental ballistic missiles until the late 1970s. And they were installed only after a finding that they would not impede the wartime retaliatory mission. They were never installed on ballistic missile submarines because of fears that they would jeopardize the ability of submarine crews to carry out authorized launches. And although the missile propellants used in Trident and M–X missiles, as well as the conventional explosives used in Trident warheads, are relatively susceptible to accidental detonation, safety requirements were waived for the sake of wartime performance.

CHANGING PERSPECTIVES

Despite history's abrupt change of course with the end of the Cold War, the established practice of deterrence, with all its inherent danger, remains unchanged. Despite the rollback of the nuclear arsenals set in motion by the Strategic Arms Reduction treaties, nuclear policy and force deployment on both sides are still directed toward deterring deliberate attack. The nuclear confrontation is thus being sustained by a dubious rationale that sustains hair-trigger postures that undercut safety.

In key respects both the U.S. and Russian nuclear portfolios are actually being enlarged. Russia, for example, has dropped nuclear ''no-first-use'' policy from its new military doctrine and expanded the role of nuclear forces to compensate for the sharp decline in its conventional strength. The United States also appears reluctant to lower further its nuclear profile, despite the evaporation of the primary threat justifying nuclear vigilance during the Cold War: Soviet invasion of Western Europe. The United States now projects conventional superiority over all prospective adversaries and thus can rely more on conventional and less on nuclear forces. Accordingly, further reciprocal nuclear reductions would be beneficial. Yet the U.S. security establishment seems content with the numbers allowed under START II and shows little interest in another round of reductions.

Prompting that reluctance are fears that Russia may revert to authoritarian rule and revive nuclear hostility toward the West. Despite the grim outlook for the rejuvenation of Russia's economy and the projected steep decline in its defense spending for the next decade or more, uncertainty about the Kremlin's attitudes toward the outside world has assumed critical importance in U.S. estimations of the future nuclear threat and in planning U.S. nuclear posture through at least 2005. The Pentagon strongly supports the traditional U.S. strategic mission as an insurance policy. As Defense Secretary William Perry put it in the 1994 Defense Department annual report, ''these Cold War tools of nuclear deterrence remain necessary to hedge against a resurgent Russian threat.''

U.S. nuclear planners also envisage new missions tied loosely to contingencies in the third world. Although the Pentagon plans to use conventional weapons in dealing with weapons of mass destruction brandished by third-world states, U.S. nuclear forces will doubtless play a major retaliatory and deterrent role. The U.S. Air Force is identifying targets in third-world nations that are developing weapons of mass destruction—chemical, biological, and nuclear. And the U.S. Strategic Command has assumed major responsibility for planning both nuclear and nonnuclear strikes against these targets, whose numbers could easily reach many hundreds and might approach a thousand. China will also figure more prominently in the global strategic balance as it modernizes its ballistic missile forces. Any significant increase in the nuclear threat China projects at the United States may well prompt a review of U.S. nuclear planning, particularly the decision in the early 1980s to remove China from the U.S. strategic war plan.

Like the United States and Russia, other charter nuclear states are also disposed to invoke deterrence to justify aggressive alert operations. Britain and France seem committed to maintain a large portion of their nuclear forces on active alert, while China's extensive program of strategic modernization could bring its ballistic missile forces to a comparable level of combat readiness. Other states such as India, Pakistan, and Israel appear heading down the same path. In spite of strenuous international efforts to deny membership in the nuclear club, de facto and aspiring members not only have nuclear weapons programs but also surely have plans if not current capabilities for ''weaponization''—mating nuclear warheads with dispersed delivery vehicles capable of rapid use. Intentions and technical progress are difficult to gauge, but the general picture is clear enough and does not bode well.

The proliferation of advanced aircraft and ballistic missiles with increasing range and accuracy certainly expands delivery options. In the name of deterrence, emerging nuclear states can be expected to equip, or prepare to equip quickly, these delivery systems with nuclear weapons from their stockpile. And the decision by the United States, Russia, Great Britain, and France to preserve rapid reaction postures sets an international standard that encourages emulation. Moreover, if the history of the nuclear superpowers is a reliable guide, and the classical dilemmas of nuclear security come to bear strongly on regional dynamics, regional rivals will be induced to shorten the fuses on their arsenals. Absent effective international constraints, the standards for daily combat readiness seem destined to rise.

SAFETY FIRST?

There can no longer be any justification for putting operational safety second. Not only is deterring a deliberate nuclear attack a less demanding challenge today than it was during the Cold War; ensuring safety has become more demanding. The disintegration of the former Soviet Union and the dangers emerging from the attendant turmoil make loss of control the central problem of nuclear security. Indeed, the specter of nuclear anarchy in the former Soviet Union animates U.S. policy toward Russia and drives U.S. support for the Yeltsin government and Russia's fledgling democratic institutions. Nor are weaknesses in nuclear control confined to the former Soviet Union. Lacking sophisticated systems for safety managing their arsenals, the aspiring nuclear weapon states also face problems of control. And while deliberate nuclear aggression growing out of regional tensions in areas like South Asia, the Korean peninsula, the Middle East, and other potential hot spots is conceivable, the specter of a catastrophic failure of nuclear command and control looms even larger.

If safety is to become the paramount goal of nuclear security policy, the operational stance of the world's nuclear forces—in particular, their high combat readiness—will have to change. The major defense establishments must lower their alert levels and coax the rest of the world to follow suit.

To de-alert the bomber forces, bomber payloads would be moved to storage facilities far away from the bombers' home bases. The retrieval and uploading of the payloads would require elaborate, time-consuming, and observable procedures. Similarly, warheads (or other vital components such as guidance sets) would be removed from land-based missiles and put in storage—a standard Soviet practice for all land-based strategic forces until the late 1960s. Although warheads could also be removed from ballistic missile submarines (SSBNs), an attractive alternative is to take guidance sets off the sea-based missiles and place them in storage on board attack submarines (SSNs) deployed at sea. Under routine practices, the components would remain separated at all times and invulnerable to attack. If necessary during a nuclear crisis, the SSBNs and SSNs could rendezvous and quickly transfer the guidance sets. The SSBNs could then install the components on all missiles in about 24 hours.

We should strive to further lengthen the fuse on all nuclear forces, extending the time needed to bring them to launch-ready status to weeks, months, and ultimately years.

Taking all nuclear weapons off alert—adopting a stance of universal ''zero alert'' in which no weapons were poised for immediate launch—would not only create a strict international standard of safety for daily alert, but also ease nuclear tensions by removing the threat of sudden deliberate attack. Certainly, a surprise or short-notice nuclear strike by any of the major nuclear powers is already implausible. But because all of them except China can mount a strike with ease, their strategic nuclear forces, particularly those of the United States and Russia, maintain a daily posture of rapid reaction to deter it. A remote, hypothetical scenario thus induces alert operations that feed on themselves. Although designed only to deter, the operations confer the ability either to strike back in retaliation or to initiate a sudden attack. The opposing forces create and perpetuate the very threat they seek to thwart.

In fact, an internationally monitored agreement to remove all nuclear weapons from active alert status could serve much the same purpose as traditional deterrence. Any initial preparations to restore alert status prior to attack would be detected and disclosed by monitors, allowing for counterbalancing responses, thereby denying a decisive preemptive advantage to any side contemplating redeployment and sneak attack.

Zero alert would thus eliminate the technical pretext for sustaining tense nuclear vigils in the post-Cold War era. Besides improving safety, it would relax the nuclear stances, bringing them into harmony with improved political relations.

OVERCOMING INERTIA

Left to themselves, the nuclear establishments will never adopt a zero alert posture. The bureaucracies that created the standard practices of deterrence cannot be expected to put safety before deterrence.

Typical arms negotiations, for example, have little scope for reining in aggressive alert practices. Even with the low ceilings on strategic nuclear arsenals imposed by

START II at the turn of the century, the nuclear superpowers could still keep thousands of warheads poised for immediate release. The nuclear control systems that regulate force operations are still generally peripheral to mainstream arms control. If arms control were to proceed as usual, the numbers of weapons would continue to drop, but their reaction time would not change. The last weapon in the arsenal would still be cocked on hair-trigger alert.

The U.S. defense establishment is aware of the danger of nuclear anarchy. Recognizing the unstable and transitional character of the Russian political center, the Pentagon has quietly initiated extensive military-to-military contacts to nurture durable cooperation between the U.S. and Russian military establishments. It has also conducted exercises to practice U.S. responses to nuclear anarchy in Russia, including scenarios that feature illicit strategic strikes by Russian commanders. Furthermore, U.S. strategic war planners are devising options that allow selective nuclear strikes against breakaway units of the Russian nuclear forces as a last resort to neutralize such units. The Pentagon is also spearheading an effort to assist Russia in dismantling its nuclear arms, an endeavor it portrays as an urgent priority of U.S. national security.

Taken to its logical conclusion, this policy thrust would lead the Pentagon to make bold operational changes, including some form of zero alert, to ensure the safety of nuclear weapons in the former Soviet Union and elsewhere. Yet the Pentagon's overriding commitment remains deterring Russian nuclear aggression.

The review of the U.S. nuclear posture completed last September exemplifies the Pentagon's parochial perspective. The review advocates aggressive hedging against a turn for the worse in U.S.-Russian relations. It ignores the safety hazards that persist or grow as a result of aggressive hedging. It advances a U.S. nuclear force structure and operational posture that will reinforce Russia's reliance on quick launch. From the standpoint of operational safety, Russia's nuclear posture is more dangerous today than it was during the Cold War. And current U.S. nuclear planning will likely induce Russia to take yet *more* operational risks to buttress deterrence.

The Pentagon has so internalized deterrence as the essence of its mission that it simply cannot bring the two different conceptions of nuclear threat—the risk of deliberate attack and the danger of loss of control—into clear focus and perspective. At the height of the Cold War nuclear planners could argue, with some justification, that the danger of deliberate attack necessitated putting safety second. Today they cannot.

Redirecting nuclear policy toward an emphasis on safety not only addresses the danger of nuclear anarchy but would also constrain the ability of any state to launch a sudden nuclear attack. But if safety is ever to be put first in U.S. nuclear planning, it will be because public discussion and broad public support—not the Pentagon—put it there.

[Russia National Affairs]

MILITARY, NUCLEAR & SPACE ISSUES

GRACHEV URGES YELTSIN TO RECTIFY FINANCE PROBLEMS

[Interview with Defense Minister Pavel Grachev by unidenitifed correspondent; place and date not given; from the ''I Serve Russia'' progam—recorded]

[FBIS Translated Text] [Grachev] In the first half of the financial year the situation is such that for the month of June we were, for the first time this year, unable to finance the personnel of the Army and the Navy. We were able to meet only forty percent of the allowance for servicemean and wages for blue and white-collar workers.

We were practically totally unable to finance the military complex enterprises. Food, fuel, and lubricating materials have been financed to a very small extent.

The president, therefore, as they say, ought to enter the battle now, and this active efforts we will try to rectify this problem.

ARMY'S FOOD SUPPLY SAID ON 'BRINK OF DISASTER'

[FBIS Transcribed Text] Moscow, July 17 (INTERFAX)—The food supply of the Russian armed forces is on the brink of disaster, chairman of the State Duma, or lower house, defense committee Sergev Yushenkov (Russia's Choice) told INTERFAX Monday.

By July, the Russian army had ''even used its emergency stocks'' as the supply of food for both officers and solders became a ''most grave issue.''

The committee held a closed meeting Monday involving representatives of the Defense and Finance Ministries ''To start stocking up with potatoes and vegetables for the winter, the army is asked to immediately pay over 500 billion rubles in advance.'' Yushenkov said.

According to Yushenkov, the Defense Ministry has used about 1.7 trillion rubles for the military operations in Chechnya, making its budget very restricted.

The committee will recommend the State Duma to ask the government to find means to supply the army with food and prepare a corresponding amendment to the 1995 federal budget.

GOVERNMENT APPROVES FUNDING FOR ITER PROJECT

[Russian Federation Government directive No. 924-r, signed by V. Chernomyrdin, chairman of the Russian Federation Government; dated Moscow, 1 July 1995—from the ''Document'' section]

[FBIS Translated Text] With a view to honoring the Russian Federation's commitments arising from the quadripartite Agreement on the Joint Development of an International Thermonnuclear Experimental Reactor [ITER] of 21 July 1992:

1. The Russian Ministry of Atomic Energy's proposal, coordinated with the Russian Ministry of Finance, regarding the allocation of $1.55 million for the funding of the ITER project, including $0.95 million for the upkeep of Russian specialists at international project development centers and for Russian experts' short-term assignment abroad and $0.6 million for the payment of the Russian Federation's annual membership of the Joint Project Fund, is hereby adopted.

2. In 1996 the Russian Ministry of Finance is to allocate to the Russian Ministry of Atomic Energy the federal budget appropriations necessary to honor the Russian Federation's commitments as mentioned in Point of this directive stemming from membership of the ITER project.

[Signed] V. Chernomydrin, chairman of the Russian Federation Government

[Dated] Moscow, 1 July 1995

RS-18 ICBM UNDER CONVERSION INTO SPACE BOOSTER

(By Anna Bakina)

[FBIS Transcibed Text] Moscow July 17 (ITAR-TASS)—The Russian Khrunichev space enterprise is converting the intercontinental ballistic RS–18 missile into a new space booster which is to be launched from the Russian northern Plesetsk cosmodrome and, possibly, from the missile base in the Far East which is also to become a space launching site.

The ''Rokot'' craft will use the boosters of the first and second stages of RS–18. Tass was told Monday by a spokesman of the Khrunichev enterprise.

Besides, the ''Breeze'' booster has been devleoped which will allow to increase the payload launched to medium orbits. Its equipment is capable of ensuring high-precision placing of spacecraft into orbit, the necessary orientation of the payload and power supplies to it during a seven-hour long space flight.

The spokesman said the new booster is planned to blast off from the Plesetsk cosmodrome and, possibly from silos at the Svobodny missile base in the Far East which is to be developed into a space launching site.

So far three successful ''Rokot'' test launches have been carried out from silos at the Baykonur cosmodrome in Kazakhstan. The latest launch orbited a RADIO-ROSTO satellite for radio amateurs.

Foreign offers of a joint use of the new booster have already been received. Thus, the German Daimler Benz Aerospace company and the Khrunichev enterprise created a joint venture to market the ''Rokot'' for launching satellites of up to 1.8 tonnes of weight to low orbits. The first commercial launches are expected from the Plesetsk cosmodrome in the end of 1997.

FEDERAL ASSEMBLY—POSTPONEMENT OF KOZYREV DUMA SPEECH DETAILED

[From the ''Diplomatic Panorama'' feature by diplomatic correspondents Aleksandr Korzun, Igor Porshnev, Yevgeniy Terekhov, and others]

[FBIS Transcribed Text] Moscow, July 14 (INTERFAX)—The State Duma, Russia's lower house of parliament, has put off till autumn a report by Foreign Minister Andrey Kozyrev, originally scheduled for Friday.

Kozyrev, however, was ready to address the Duma on Friday, Valentina Matviyenko, a senior Foreign Ministry official told INTERFAX.

On Wednesday Duma speaker Ivan Rybkin informed the house that, at Duma's demand, Kozyrev has been invited to report on his ministry's performance during the so-called ''government hour'' at Friday's evening session of the house. On Thursday, however, the majority of leaders of Duma factions proposed deferring the report until the house reconvenes after the summer recess.

''The minister officially confirmed his readiness to speak at the scheduled time and made proper amendments to his schedule,'' said Matviyenko, head of the ministry department for contacts with the country's regions, parliament and public organizations.

Last week Kozyrev already spoke in the Federation Council, the upper house, she said. ''Apparently the lower house deputies are busy with more important matters and found no time to hear a report by the head of the top foreign policy body of Russia,'' Matviyenko said ironically.

Another senior Foreign Ministry official said on Friday the postponement was ''discourteous, to say the least.''

Kozyrev is not only foreign minister but also deputy of the Duma, where he represents the Murmansk Region, the official stressed in an interview with INTERFAX.

''Before canceling their decision, the deputies should have thought about the fact that a minister's schedule is very tight and that he is busy every minute of his working day. So, if there was an arrangement for Kozyrev to speak in the State Duma on July 14, (the house) should have stuck to it, if only out of respect for the extreme business of the head of the Ministry of Foreign Affairs of the Russian Federation,'' the official said.

Moreover, Kozyrev was ''carefully preparing'' for the address. ''Apparently in the autumn he will again have to look for spare time and make amendments to his report,'' he said.

DUMA DEPUTIES TREAT ELECTION NEWS 'POSITIVELY'

[Report by Petr Zhuravlev and Gleb Cherkasov under the ''Start'' rubric: ''Duma Elections Set for 17 December. Lower House Finishes Forming Election Laws'']

[FBIS Translated Text] Boris Yeltsin has set 17 December as the date for the election of deputies to the Sixth (Second) State Duma of Russia. The signing of the corresponding edict was reported yesterday by the Kremlin press service, which had received the decision of the head of state, who is still in the hospital.

Many observers do not think there is anything surprising about the date itself—all election organizers and future rivals did set their beads at the first Sunday after 12 December. The surprising thing is that the edict should appear in July rather than in August. As a matter of fact, the election law says that the president is supposed to announce the voting day ''not later'' than four months in advance, meaning that it is not against the law that the elections have been called five months in advance. At the same time, this may spoil things for many parties and blocs, something Vyacheslav Nikonov (PRES) [Party of Russian Unity and Accord] cited yesterday.

EAST-CENTRAL EUROPE

Belarus Stops Arms Reductions. Izvestiya on 6 July reported that Belarusian President Alyaksandr Lukashenka has announced that Belarus will suspend the withdrawal of nuclear missiles from Belarus to Russia. Lukashenka said the decision to withdraw the weapons was a political mistake made by the previous leadership. He also commented that it was unnecessary since Belarus and Russia may soon unite. RFE/RL reported Stanislau Shushkevich, former chairman of the Supreme Soviet, as saying the decision was a disgrace to Belarus's international image. Shushkevich was head of state when Belarus agreed to give up its inherited nuclear arsenal of 81 single-warhead mobile SS–25 Topol missiles. So far, 63 missiles have been withdrawn and the remaining 18 were to have been removed to Russia this month. Izvestiya commented that the decision to stop nuclear reductions was also prompted by financial considerations.—Ustina Markus, OMRI, Inc.

AZERBAIJAN—AZERBAIJAN: TRANSIT POINT FOR NUCLEAR MATERIALS SMUGGLING

[Article by N. Medzhidova: ''Our Borders Are Transparent to Nuclear Materials Transshipment: Azerbaijan Accused of Being One of the Main Routes for Nuclear Materials Smuggling'']

[FBIS Translated Text] The Russian media have reported that the principal routes for transshipment of atomic bomb materials from Russia and other countries pass through Ukraine and Azerbaijan. In addition, the German Bundestag's Security Commission has prepared a report based on intelligence service data regarding the disappearance of nuclear materials and their sale on the black market. According to DER SPIEGEL, former military officers and KGB agents and corrupt officers in Russia's Northern Fleet, where nuclear submarines are fueled, are involved in the smuggling of radioactive materials. They are the ones who have created this ''caravan rout'' between West and East. The bomb-making materials are transshipped from Russia to other countries mainly through Ukraine and Azerbaijan, continuing on through the Bosporus. All transshipment into Western Europe passes through Turkey, says DER SPIEGEL. German experts report that a ''specialized international mafia'' is taking shape, and that it includes Russian radioactive materials dealers. Most likely this international mafia will find its place in a black market where the buyers are Third World countries.

We asked Fikret Aslanov, head of the Radiation Medicine Department of the Azerbaijani Republic Center of Hygiene and Epidemiology, a leading specialist on radiation safety and candidate of medical sciences, to comment on this report.

''Unless steps are taken to tighten control over radioactive materials, our republic could well be accused of facilitating international terrorism and dealings in and smuggling of these particularly dangerous substances. As a rule, it is impunity that leads to the kind of violations your newspaper has described.''

One year ago in an article entitled ''Azerbaijan at Risk of Becoming a Radioactive Dump'' we wrote about the illegal importation of radioactive sources into the Azerbaijani Republic, and in particular about the fact that in December 1993 a plane owned by U.S. owned Buffalo Airways delivered a radioactive cargo from Amsterdam to Baku's Bina Airport in a container weighing 763 kilograms. The container was shipped by the French company Schlumberger under a contract with the Azerbaijani Republic State Oil Company.

The contract indicated that the customer and the executor held each blameless in the event of any consequences. It was unclear who was supposed to be liable in the event of a radiation accident and pollution resulting from it, something that would take a great deal of manpower and money to clean up,'' said Fikret Aslanov.

The airport's customs service did not note the fact that a radioactive cargo had arrived, and customers agents, lacking dosimeters, merely looked over the shipping documents that arrived with cargo.

A similar incident occurred in February 1994. Three boxes weighing a total of 196 kilograms arrived at Bina Airport on a charter flight from the United States, addressed to a company called Ponder International Servis [sic]. According to the bill of lading, the boxes contained radioactive materials. No permit had been received to transship or import these radiation sources. Furthermore, there was no document indicating that the freight was insure in the vent of an accident or other unforeseen occurrence.

The illegality of both cases rests on the fact that importation of radiation sources into the republic was carried out without the knowledge of the republic's Ministry of Health and Ministry of Internal Affairs, which oversee imports, exports, storage, use, transportation and disposal of radioactive substances in accordance with ''Radiation Safety Standards,'' ''Fundamental Sanitary Regulations'' and the Azerbaijani Republic law ''On Sanitary and Epidemiological Health.''

Another recent incident also escaped the attention of those agencies: a citizen of Azerbaijan was arrested by the Turkish security service attempting to sell 750 grams of enriched uranium. Our republic does not have any facility that would use that kind of nuclear material. Therefore it is clear that it was brought into Azerbaijan from somewhere else, passing through all border controls, then was transferred to Nakhichevan and subsequently carried to Turkey.

There is no guarantee that similar incidents will not occur over and over again. Currently the customs service does not have any dosimetric instruments, and customs agents are not informed about radioactively hazardous shipments. All these things make our borders transparent not only for radiation sources and wastes, but also, so it seems, for nuclear materials.

There is another interesting fact: according to information from the Russian media, the removal of nuclear waste from the Armenian Nuclear Power Plant and its resupply with nuclear fuel is the responsibility of the Russian Atomic Energy Agency. The question arises: by what routes are the necessary equipment and other nuclear materials being delivered to Armenia? This cannot be done by air for technical reasons. It would have been impossible to deliver these materials by rail through Georgia, because deliveries coincided exactly with the height of the Georgian-Abkhazian conflict. That leaves only one direct route: through Azerbaijan.

Judging by all this, continued F. Aslanov, the transshipment of nuclear materials and fuels was carried out through Azerbaijani territory. The specially marked trains traveled through under ''green light'' status, without inspection. Even if Azerbaijan's government does not permit Russia to transport this freight after the reopening of rail connections, our republic is still not protected from this radiation hazard: Russia's government, under the guise of supplying military freight to the Russian separatist forces deployed in Georgia (taking part in the Georgian-Abkhazian conflict) and in order to equip six military bases in Georgian territory (under the terms of a mutual agreement with Russia) may transport nuclear fuel, radioactive materials and wastes into Armenia in specially marked trains sealed as ''particularly hazardous freight.'' (According to preliminary estimates, the operations of the Armenian Nuclear Power Plant will create approximately 14 metric tons of radioactive waste annually. And Armenia is not capable of disposing of that waste within its own territory).

According to F. Aslanov it is therefore essential to install automated radiation monitoring instruments at all border crossings as quickly as possible. This is the only solution to this situation. These installations will make it possible to inspect even special trains without opening them. The cost of each such instrument is $3,000–3,500—less than the price of the foreign-manufactured automobiles that crowd the streets of Baku. Our republic needs at least six of these installations to ensure the public's safety from radiation and prevent Azerbaijan from becoming a radioactive waste dump.

It is quickly becoming obvious that if emergency measures are not taken we could find ourselves facing a variety of consequences all at once: accidents like Chernobyl, and an image as a country that facilitates international nuclear terrorism.

START II HEARINGS: 'PARADOXICAL SITUATION' SEEN

[Report by Gennadiy Obolenskiy: ''Pentagon May State Its All'']

[FBIS Translated Text] The discussion of questions connected with the ratification of the Treaty on Strategic Offensive Arms II [START II] in continuing in U.S. Congressional committees. In this connection, it would not be out of place to recall that the limitations and reductions of strategic offensive weapons envisaged in it, partially already implemented, have only became possible under conditions of the preservation of the 1972 ABM Treaty of unlimited duration.

This reminder is appropriate in connection with the paradoxical nature of the situation that has taken shape during the hearings. On the one hand, representatives of the Pentagon and the administration as a whole are expressing a clear desire for a real limitation of strategic offensive weapons (of course, primarily Russian ones). And on the other hand

they want to evade observing the basic provisions of the ABM Treaty through agreeing with Russia the kind of parameters of so-called non-strategic anti-missile defense (or theater ABM) which would make this system entirely capable of setting strategic tasks too.

The idea of conducting talks on demarcating strategic and non-strategic ABM defense and agreeing on the specifications of the latter in the form of a separate accord was proposed to us by the Americans. Even the specific time schedules for conducting them were outlined. Reports have appeared to the effect that within the Pentagon's apparatus the accelerated preparation of a draft of such an agreement has begun. But the Americans themselves unexpectedly refused to continue the talks. Why?

Undoubtedly the emergence of a republican majority in the U.S. Congress plays a fairly major role here. The Congressmen have obviously decided not to be hasty as regards expanding cooperation with Russia and will try to wring new concessions from it. And in this connection, [they have decided] not to be in any hurry with getting up the ABM accord proposed by Washington shortly beforehand.

But there is also another side to this matter. The Americans' proposals on ABM defense have proved to be in direct contradiction to the limitations on strategic offensive arms envisaged by the START-II Treaty, and may hinder its ratification. And after all, it is extremely advantageous for the United States, and Washington is very interested in its implementation. That is why it should be expected that following the conclusion of the ratification process, the Americans proceed to additional steps to ''push through'' ideas in the sphere of anti-missile defense that will in fact lead to the collapse of the ABM Treaty.

Discussions can also be heard among independent American experts to the effect that once it has achieved significant reductions of Russian strategic offensive weapons, the Pentagon will stake its all, and, using its own homespun interpretations of the provisions of the ABM Treaty, will de facto stop taking it into account. Particularly since in the Pentagon's understanding, the ABM Treaty will not restrict the theater ABM. Admittedly, at the same time, the fact that this is a question of mobile ground-, sea-, and air-based ABM systems, which are banned by this treaty, is being deliberately kept quiet.

And I would like to stress the following here. Until the sides agree where the distinction between authorized and banned activity lies in respect of such ABM systems, there are no grounds for stating unilaterally that the creation of a particular ABM theater of military operations systems corresponds to the treaty and does not undermine it. Otherwise, the entire process of arms control might as well be scrapped.

Although the rumors about a ''Russian nuclear mafia'' are somewhat exaggerated, according to Mikhail Kulik, Northern Fleet military prosecutor's office investigator for special cases, cited by the paper CHAS PIK, there are criminal groupings in the Northwest region that are busy trying to get into depots containing nuclear materials.

The conference in St. Petersburg was attended by atomic energy specialists from Russia, the CIS countries, and Lithuania, senior officials from the International Atomic Energy Agency European Commission, representatives of the European Fuel Cycle Consortium, and nuclear experts. It was noted that the EU spent $400 million in 1991–1994 on improving the system of safeguarding nuclear safety in the countries on the territory of the former USSR. This involves training specialists at Obninsk and developing a robot capable of performing radioactivity measures, which is being designed at the Radium Institute in St. Petersburg. It was stressed that the EU is interested in importing nuclear materials from Russia on the basis of proper agreements, provided that effective international nonproliferation guarantees are found.

INTELLIGENCE SERVICE ON SECURITY OF NUCLEAR MATERIAL

[FBIS Translated Excerpt] The Russian Foreign Intelligence Service [FIS] is not aware of a single case of weapons-grade nuclear materials being smuggled out of Russia. This was stated by the press secretary of the FIS director to the Ekho Moskvy radio station.

To recall, STERN magazine alleges that Viktor Sidorenko, Russian deputy defense minister for nuclear energy, was involved in the 1994 scandal when 239 grams of weapons-grade plutonium was brought to Munich.

''There may be some minor theft from Russian civilian nuclear installations, but the military nuclear network so far appears to be sealed,'' Tatyana Samolis said.

''Only an expert analysis can reveal when the radioactive materials were manufactured and where they come from. These analyses have proved that there has been no smuggling of weapons-grade nuclear materials from Russian territory,'' she added. [passage omitted—reiteration of allegations that the Munich plutonium was of European origin]

NUCLEAR SAFEGUARDS STILL NOT 'AS WE WOULD LIKE'

[Report by Yuriy Kukanov: ''Rumors About a 'Russian Nuclear Mafia' Are Highly Exaggerated'']

ST. PETERSBURG.—Talk about the danger of nuclear terrorism has clearly alluded to a ''Russian fingerprint'' in the international smuggling of radioactive materials. Asked by your ROSSIYSKIYE VESTI correspondent to comment on reports about German special services' involvement in an incident at Munich airport in which a container of plutonium 239 from Moscow was detained late August, Rolf Linkohr, president of the European Energy Foundation and member of the European Parliament, replied that he knew nothing about it. If it had occurred, he said, there would have been a government crisis in Germany.

Anyway, he said, it is immaterial where nuclear materials are being stolen—in the East or in the West. This view was supported by his foreign colleagues attending the first international meeting on cooperation between the European Union, the CIS, and the Baltic countries in the sphere of control over the use of nuclear materials, held in St. Petersburg in mid-April. The main thing, they stressed, is to combat this evil, create reliable national systems for recording nuclear materials, and strengthen the rules controlling their nonproliferation on the territory of the CIS and the Baltic countries. The EU countries were not mentioned.

We must combat it, of course. But it is not very clear how, if we do not know where the thefts are taking place. Lev Ryabev, Russian first deputy minister of atomic energy, flatly denied the story of a ''Russian fingerprint'' on nuclear contraband. There are rigorous standards which enable us to tell who fissile materials belong to. The data on the isotope structures and composition of the permissible impurities of the highly enriched uranium and plutonium seized in West Europe unequivocally demonstrate their non-Russian origin.

But in the Russian nuclear house, too, all is not as well as we would like. The Atomic Energy Ministry representative cited earlier had to admit that there have been 18 thefts of nuclear materials in the past 18 months.

He was referring to the ''Luch'' enterprise near Moscow and a Moscow scientific research institution where several hundred grams of highly enriched uranium materials were stolen. Otherwise we are dealing with natural, depleted uranium with a low, 235 isotope content, which poses no real danger. In none of these cases has stolen material crossed the state border. But it is worth pointing out that in the 50-year existence of the Soviet nuclear industry there have been no incidents of that kind.

It is difficult to block for certain all escape routes. The country's checkpoints do not appear to be equipped with the proper apparatus to enable them to detect and prevent unauthorized exports of uranium and plutonium. Storage of nuclear materials at Army depots is a worry. Three officers are currently being tried in Severomorsk, accused of stealing three fuel assemblies for submarine nuclear reactors containing 4.5 kg of uranium. This is not the first time it has happened in the Northern Fleet. But nuclear fuel for submarines is still stored at depots like potatoes: The criminals only had to contend with a standard barn-door lock.

STRATEGIC MISSILE TROOPS SAID IN FINANCIAL DIFFICULTIES

[From the ''Vremya'' newscast]

[FBIS Translated Text] Military experts have never doubted that the design of Russian missile silos would enable them to withstand any movement of the earth's crust. After all, these silos are designed to withstand a nuclear attack by a possible enemy. However, some experts point out that by the year 2003, when the period of storage of Russian missile rocket complexes which are kept in a combat-ready condition comes to an end, the facilities where they are kept in suspension will be rather dilapidated.

However, the high command of the Russian strategic missile troops, which is responsible for all land silos and mobile missiles, says there is no concern about the technical condition of the nuclear weapons. Nevertheless, it also says that insufficient funding for new developments in the nuclear sector may lead to the complete nuclear disarmament of Russia as early as 2005, when SS–33 [as heard] type missiles will have outlived their potential.

Today, the missile troops, who are constantly monitoring the nuclear safety of Russia, live in accordance with the favorite expression of their commander in chief: anyone can be on combat alert when there is money, but try to do so without it.

Although the largest units of the Russian nuclear triad, the strategic missile troops, are supposed to use only eight percent of the Russian military budget, they say that they do not see even a small part of this money.

Yuriy Kononov, commander of the largest missile division in Europe and based near Saratov, says the danger lies not in earthquakes, but in the lack of money for the smallest part of the Russian Armed Forces. The administrative infrastructure is in disarray and there is a permanent danger of electricity power cuts at command points. It seems that Russia's nuclear safety does not depend on the design of missile silos after all. [Video shows missile silos which Russian strategic missile troops have for nuclear warheads; facility in an unidentified location, servicemen and women monitoring equipment, warheads being transported; Yuriy Kononov, identified as commander of a missile division stationed near Saratov, also shown]

VOTERS BILL OF RIGHTS

The SPEAKER pro tempore. Under the Speaker's announced policy of May

12, 1995, the Chair recognizes the gentleman from Michigan [Mr. HOEKSTRA] for 30 minutes.

Mr. HOEKSTRA. Mr. Speaker, tonight I come to reflect on the first months of this what in many ways may be an historic Congress. We have done what many people have said we could not do. Early in this year we met our commitments by passing many of the elements, but completing the Contract With America. We met our commitment of considering and voting on all of this legislation within 100 days. We actually did it within 93 days.

After we completed the Contract With America, we completed another historic activity which many people in America said we could not do, and that is we passed a House budget resolution which puts us on a 7-year glide path to a balanced budget. We then went on and did an additional thing that people said will never happen. We worked through our differences with the Senate and we passed a conference budget resolution that both the House and the Senate passed which again put us on a glide path, a 7-year glide path, to a balanced budget.

We are now completing this week or have already completed something else that people said we probably would not get done. We have passed 10 appropriations bills through the House of Representatives, 10 appropriations bills that match or are under the spending caps that were contained in our budget resolution. As we finish this week, we will probably complete two additional bills, so by the time we go on our recess, we will have completed 12 out of the 13 appropriations bills within the budget guidelines and the budget caps that were outlined in the conference budget resolution.

The interesting thing with this, as we have gone through this process, today in the Washington Times this report comes out. Three of four Americans distrust Government, the most in polling history. According to this, this came out of a joint survey by Democrat and Republican pollsters.

This I think reflects an unfinished agenda that I hope that this Congress will take up during the fall and the winter of 1995 and the winter of 1996. We have a responsibility to make this Government, to make this House, to make this town, more responsive to the American people, to bring back the interconnectiveness between the wishes, the desires of what the American people want and what we do here in Washington.

One of the primary reasons for this significant distrust of the American people is that so often what people and politicians say in their campaign ring hollow once they come to Washington.

Last week I introduced a series of bills that I call my Voters Bill of Rights, a series of legislative initiatives that will, I think, lay the framework, create the foundation, for I think renewing American citizenship. I have written some thoughts about why I think this is needed, why I think it is important, and why I think that these initiatives will help deal with this problem of 75 percent of the American people not trusting what we do here in Washington.

The reason is that Washington has to start recognizing that the world is changing. There are forces at work in our society, in technology, in education, in business, and in health. They are moving us into an area of public policy which the current centralized bureaucracy, this current centralized Government in Washington, is incapable of addressing effectively.

The challenges we face in the coming years, whether it is Social Security, Medicare, taxation, health care, the Federal debt, if they are left unresolved, will undermine the legitimacy of our constitutional government. Our outdated systems in Washington I think need to be completely rethought. I believe that the Voters Bill of Rights will do that.

It is interesting to note that today more Americans between the ages of 18 and 40 believe in UFO's than believe in Social Security, or that Social Security will be there for them when they retire. They believe that we are wasting their money, and they feel helpless to act.

This national survey again said reasons that people listed for distrusting government include 93 percent believe that Washington is wasting their money. They feel helpless to act. Poor voter participation rates in recent elections reveal a deep lack of connectiveness between the American people and those who govern them. Elections have become more a battle of sound bites than a substantive debate about the issues facing our country.

Again, the survey indicates that 88 percent of the American people believe that politicians will say whatever it will take to get them elected, and do whatever they want once they are elected. We have to change that relationship and that process. Because when it comes right down to it, the bond between our citizens and their Government in Washington has been damaged because elected officials are unresponsive to critical issues. Issues and parties have less effect on voters' decisions. Personalities, money and narrow interests have far too great an impact. Through deliberate tactics and fudged by special interests, politicians personalize their appeal to voters. What they do is they avoid controversial or decisive issues. While this may win elections—I do not think it may win elections, I think it does win elections—the result is that politicians elected on such personality-centered campaigns believe the way to govern is to avoid responding to these issue agendas, but merely presenting a pleasing personality and satisfying the parochial needs of individuals and narrow interests is the best way to govern.

I think we should be very concerned about this direction and about this crisis of confidence. If unchecked, declining confidence will destroy the credibility of our national institutions so much that governing sensibly will become nearly impossible. I think some people would say that we have already reached that point.

The most important question for those concerned with these problems is how to restore confidence in our republican form of government. That is republican with a small r.

Policy making at the national level is really a two-step process. First we develop an issue agenda, and then these issues which make it on the agenda are debated and they are hopefully settled. Elections should allow voters to set the agenda as candidates courting their votes debate the relative importance of the issues and their positions on them. In casting their vote for a particular candidate, voters choose both what issues they want debated and whom they most trust to resolve them.

That is how it should work. But I do not think elections work that way anymore. Individual Members of Congress have devoted their staff and financial resources to doing individualistic favors and avoiding positions on broader national issues. The personalization of campaigning means that the agenda settling functions of elections has been short-circuited, left almost exclusively in the domain of Washington centered interests, rather than the broad national interests.

What I am saying here is that what we should have is we should have the national electorate setting the issue agenda for Washington, but because elections have become centered on personalities, these personalities get elected to Washington and they then set the agenda here.

I think a major corrective step would be to restore the connection between national elections and national issues. Unfortunately, one cannot rely only on individual candidates to do so, since the current campaign strategies are so effective. That is focusing on personalities rather than issues.

So we have to do some other approaches. I think allowing the voters to use the Voters Bill of Rights to help set national priorities would be an effective way to restore that connection. The ideas contained in the Voters Bill of Rights would reconnect issues to Congressional elections without violating the basic form of the Constitution or the founders' views of the proper role of Government.

The Constitution is a mix of elements forming our representative democracy, a form of government in which people freely choose their decision makers, but do not make the decisions themselves. We are and should remain a republic. We do not want to go to a pure democracy.

The founders rightly feared the momentary passions of even the limited property owning male and fairly well-educated electorate of their time. For them democracy meant rule by the

demos, or mob. They evolved a situation to be avoided for its tendency to trample minority rights. Madison believed a republican form of government would refine and enlarge the public views, by passing them through the medium of a chosen body of citizens whose wisdom may best discern the true interests of their country, whose patriotism and love of justice will be least likely to sacrifice it to temporary and partial considerations.

In large measure the main constitutional elements of separation of government, separation of powers, federalism and bicameralism, are all designed to allow time for the passions of the masses to cool, hopefully turning dangerous impulses into more reasoned effective change. Madison is usually considered one of the more levelheaded founders of this country. His critic of the direct democracy is sound and broadly admired. His optimism, however, about—and when is the last time we heard people described Congress this way—full of wisdom, patriotism and love of justice, love of justice of elected representatives, seems, in light of current events, naive and anachronistic.

The brace against the mob rule written by the founders in the Constitution should not be lightly dismissed. There are, on the other hand, constitutional elements to promote the Democratic impulse. These include wide suffrage, short election terms for the House of Representatives, and the required origin of all money bills in the House.

Constitutional amendments have been added, they include the expansion of the right to vote and to make the Senate directly elected. Remember, the Senate used to be appointed. Guaranteed participation rights to excluded groups preserved and promoted individual freedoms. Extra constitutional development, such as the rise of mass political parties and the expansion of offices filled by elections, have further enhanced the voice of all the people. Sadly, these changes to broaden participation have not improve our Government or are not effective in dealing with some of the problems that we face today.

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The changes clearly have made elected officials more responsive to the immediate opinion of individual voters, yet major issues remain unresolved. Individual citizens have more opportunities to participate in political debate but see little substance in what is being debated. Institutional developments and campaign change made Members of Congress almost invulnerable to mass public judgment, while at the same time empowered them to manipulate the opinions of isolated constituencies and individuals.

Representatives cultivated individuals through case work, narrow constituencies by targeted mail and political action committees resolutions. The power to appease constituents on an almost individual basis has empowered Representatives to ignore larger issues and placed the blame for inaction on the institution. Thus today we have a far more responsive government than ever, but its officials are far better able to evade responsibility for inaction and gridlock. We have not been dealing with the tough issues. This Congress has seen its vote on term limits, has seen its vote on a balanced budget amendment and a line-item veto.

The voters bill of rights, however, I think fundamentally empowers citizens to have a more direct impact on this town.

Now, let us talk a little bit about what we have as part of this voters bill of rights. What are we proposing in a series of legislative initiatives that will deal with this problem of 75 percent of the American people still being cynical about Washington? I think what we need to do is open up the process, invite them in, invite the grassroots population in, not to make decisions but to help set the agenda for what we work on here in Washington.

The voters bill of rights is our first step and perhaps the only step that realistically has a chance of passing in this Congress. I will have to be honest with the speaker. Most of these ideas are not very widely accepted in Washington, not very widely accepted in this House.

We have not been here long. But as I go through the list of ideas, I think you will be able to understand why these ideas resonate at the grassroots level and want to be buried and hidden once we get here in Washington.

The first one, I think, is a fairly harmless suggestion, an experiment that I think we could pass in this Congress and actually have in place in 1996, November of 1996. It is called the national advisory referendum. It is H.R. 2115 and H.R. 2116.

What is a national advisory referendum? Many of our States have binding referenda, but this is an advisory referendum. It allows for a national vote during the November 1996 general elections on issues such as term limits, tax reform and tax limitation.

Specifically, what this means is that if this legislation passed next summer, early next fall, we would have a debate on these three national issues. On election day in November of 1996, citizens would go in, they would go into their place, their voting booth, vote for President. They would vote for perhaps a Senator. They would vote for their Congress person.

Then they would see this funny little box in the corner, advice to Congress or to Washington, three questions. The three questions should be or will be: Should Congress approve a constitutional amendment to limit the terms of Representatives and Senators? Yes and no.

Remember, this would have been, these questions would be well defined before, so voters would recognize what the questions were. I bet they would want to know where the people they were voting for stood on these issues. Should Congress approve a constitutional amendment to limit the terms of Representatives and Senators? Second question, remember these are advisory: Should Congress approve a law to replace the current income tax system with a flat tax? Yes or no.

The third question: Should Congress approve a constitutional amendment to require a popular vote by the American people for any future income tax increases?

Three simple questions, helping to frame the debate for the next Congress, term limits, tax reform and a reform or vote empowerment on tax increases.

These are nonbinding issues. So the process then becomes one of debate these issues, advise Congress, the next election, probably elect people that are consistent with your views on these issues. We would come back in the 105th Congress, and we would have feedback from the American people on these three issues so that we could seriously debate, discuss and hopefully deal with these three issues early in the next session of Congress.

So the agenda that we would be working on here in Washington would be consistent with the agenda and the direction that the American people had set, but the direction we would be going in or the final details of how these would be worked out would be left up to this House, to our companion House and to the President.

The second piece of legislation that we have introduced would be very fitting as a follow through on this. It is House Joint Resolution 105. Here is where we move from the doable to the desirable, but unlikely in this Congress. It is called recall. What this does, it allows voters to circulate petitions calling for the recall of Senators and/or Representatives.

If a sufficient number of petitions are selected and certified, a recall election shall be held. If a majority choose to recall the elected official, a new election is called to fill the vacancy. Would that not be a wonderful process, if we could get both of these done, where you would have a debate, an advisory referendum, Congress would act, and then perhaps some constituents along the process might feel the need for a recall.

One of the things that we have heard so much about in the last few months is people that said we are in favor of term limits. We are in favor of a balanced budget. We are in favor of a balanced budget amendment. That is what they campaigned on. That is what they promised their voters. They came here, they had the opportunity to vote. And what did they do? They did what 88 percent of the American people believed that politicians do. They did and they said what will get them elected, and then they will do whatever they do or whatever they want once they are elected.

So the two elements that we discussed so far in this voters bill of

rights, empowering the American citizenship, or national advisory referendum, connected with that is the opportunity for recall.

The third item that we have as part of this process goes to election day.

How many times have not people gone into the voting booth and said, I am really not pleased with any of the choices here, but the only choice that I have is to either vote for the people on this list or not vote in that category at all. Well, we are proposing that they have another choice.

The choice that they have would be the candidates who have gone through the normal process to get their names on the ballot, then a little box that is on their automatically. Again, not an idea that is well liked here in Washington, it is called none of the above. A little box there, you can vote for Mr. X, Mrs. Y, Ms. So-and-so, or none of the above.

What happens if you go through this process and at the end of the election day the votes are tabulated and counted and none of the above wins? It is a clear signal that the people have been dissatisfied with the choices that they were given by the major parties or independent people who worked to get on the ballot. And it says, none of these people meet our criteria, so we voted for none of the above. We would like a new election. None of the people that ran in this initial election are eligible for the second election.

So none of the above, the third element in our voters bill of rights.

The last two pieces of legislation that we have introduced, again, significantly empower voters to help set the agenda here in Washington. Actually allowing for voters to add in binding referenda so that they can actually help us and pass legislation through the referenda process, and the last piece of legislation is a national citizens initiative amendment process to actually enable, there are two ways to start a constitutional amendment now, through action in the Congress, action by the States, the third way we are saying now is to actually enable the voters to start the amendment process to the Constitution, not the complete process, but a third way of beginning the amendment process.

Just think if we had had that process in place today, I have a high degree of certainty that we would have passed term limits. We would have passed the balanced budget. We would have passed a line-item veto. Those things would have been part of our Constitution. They would have stopped a Congress that many people think has acted irresponsibly over the last number of years by spending more than what it takes in. The American people knew that, but Congress, as many believe, was unwilling to act.

What this whole voters bill of rights does is it makes the American people fuller and more complete partners with us in governing this country. It does not move us to a democracy. It just makes us, in an information age, it makes them more complete partners with us in the process so that we will not be reading anymore headlines like this that say, ''75 percent cynicism rate suggests a third party.''

The answer is not a third party. The third party will suffer from many of the same problems that the current process has. We need to change the process to enable people to more completely feel engaged in the process of funning this country. The current model says Washington knows best, that knowledge flows from Washington to the people.

This new model says, not says, actually demonstrates that the people know best and that the people should be allowed to speak in a more direct fashion to help set the agenda in Washington. They do not make the final decisions. That is the job of this House, of this Congress, working together with the President, to make the final decisions on how we implement what we do, how we will do it. But it is a way to more fully engage the American people. The voters bill of rights proposals will help citizens set the agenda in Washington without changing the essential nature of the way decisions are made.

The advisory referenda proposals are a modest means to induce congressional action. It is a half step, but I think it is the only step that this Congress is willing to take. If such a process bears fruit, the constitutional amendments I have proposed might prove unnecessary, but I think the experiment is worth going through. More likely, however, the more forceful mechanism, the joint resolution proposals, that is, the advisory referenda, none of the above, recall, are necessary to redirect Congress' attention back to the interests of the people. These items are outlined to give people an ability to enact laws through an initiative process, without disrupting the structure of our representative form of government.

The petition requirements, the supermajority, limitations built in this ensure that the genuine and unique characteristics of our form of government do not change. This is a way to create partnership, not to change the core values of how we run this government.

The voters bill of rights preserves many of the advantages of our current system, preserving our representative form of government, protecting minorities, preventing hasty decisions, fostering compromise and conciliation.

New benefits they bring include the potential to stimulate the dangerously flagging public participation in civic affairs. Why do not people come to elections? They feel disconnected. They do not believe what politicians say. And they do not trust us when we get here. This process, where they are more actively engaged, this will hopefully get them to come back out and participate in our electoral process.

Elections would once again be about both issues and candidates, not just candidates, about both issues and candidates. That is what we need to do. Voters would go to the polls confident that they are sending a signal to Congress on which issues they want addressed. Candidates would be more likely to take positions on ballot issues. I do not think they would be more likely to. I think voters would require them to take positions. And they would be less able to go into office based merely on name recognition and slick campaign styles or slogans.

The underlying contemporary malaise, alienation, and cynicism toward politics is all too apparent today. Unchanneled into productive expressions of citizens control, it is likely to erupt in ways far more dangerous to our constitutional principles and longstanding political traditions such as political parties.

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We need to address these issues. We can no longer sit on the sidelines with 75 percent of the American people cynical about what we do here in Washington. This Congress boldly acted when we said, we are listening to the American people, we know and we hear that you want us to deal with the deficit. We are doing that, and I congratulate this Congress on doing it. But now we have to deal with this cynicism and this contempt that people hold for this Congress.

Mr. Speaker, a Voter's Bill of Rights provides a framework to begin that discussion. It provides a framework, and actually it provides, I think, some legislative initiatives that we can pass and we can begin on the road to this citizen involvement.

A further benefit of the Voters' Bill of Rights is to provide national leadership for the legislature. Such leadership has been far too absent from the congressional power structure. A national initiative, either of the advisory referendum type, or the more powerful legislative proposal, would provide a national publicly-developed agenda of issues of which Congress would be forced to grapple with in its next session of Congress. Congress would be transformed from an assemblage of parochial agents to a body forcing the debate and defending the public good. What a wonderful change that would be.

Other attempts at more lightened debate like more Oxford-style debate are puny and hollow. They do not require resolution of any issues. They may make the House more entertaining, more fun to watch. We are not in the entertainment business, we are into education and resolving public policy date. Forced debate on say term limits would guarantee an open an educational debate on an issue otherwise inadequately considered.

The Voters' Bill of Rights provides us, I think, with the framework, with the foundation, to build on what I

think is a record of success of this Congress. We have dealt with the budget, we have dealt with the contract, we have dealt with appropriations bills. Now is the time that we start doing the people's agenda, engaging in a full partnership with them, providing them with a light at the end of the tunnel that says, Washington is open. We want you to provide us with more direct feedback, more direct contact, and as a result of that new cooperation, that new dialogue, we are going to be a more responsive and a more effective body, so that you, once again, can be proud of the process here in Washington, and I think the result will be, you will also be prouder of the product that we produce here in Washington.

Mr. Speaker, the Voters' Bill of Rights is a step forward, a step to frame the debate and the discussion on how we can empower the American people, and how we can renew American citizenship.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 2127, DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATION ACT, 1996

Mr. MCINNIS, from the Committee on Rules, submitted a privileged report (Rept. No. 104–224), on the resolution (H. Res. 208) providing for consideration of the bill (H.R. 2127) making appropriations for the Departments of Health and Human Services, an Education, and related agencies, for the fiscal year ending September 30, 1996, and for other purposes, which was referred to the House Calendar and ordered to be printed.

WHITEWATER INVESTIGATION

The SPEAKER pro tempore (Mr. METCALF). Under the Speaker's announced policy of May 12, 1995, the Chair recognizes the gentleman from Indiana [Mr. BURTON] for 30 minutes.

Mr. BURTON of Indiana. Mr. Speaker, I would like to talk today about the conviction of Webster Hubbell, the indictment of Governor Jim Guy Tucker (both close friends of President Clinton) and the two Arkansas judges overseeing these cases.

The judge in Webster Hubbell's case stepped aside because of his close ties to all of Arkansas' top Democrat politicians. The judge in Governor Tucker's case has made no move to recuse himself, even though many observers believe he has even more conflicts of interest.

Mr. Speaker, about a month ago former Associate Attorney General Webster Hubbell was sentenced to 21 months in prison. On December 6, 1994, Mr. Hubbell pled guilty to one count of mail fraud and one count of tax evasion to the independent counsel investigating Whitewater, Kenneth Starr. Last week, Mr. Hubbell, who a little more than a year ago was the Nation's third highest ranking law officer, testified before the Senate about the death of Vincent Foster and the obstructions of the investigation at the White House.

I'd like to talk for a moment about Webster Hubbell. He is often characterized in the media as the President's frequent golfing partner. But he is much more than that.

Mr. Hubbell was a partner along with Hillary Clinton, William Kennedy III, and the late Vincent Foster at Little Rock's powerful Rose Law Firm. In fact, Mr. Hubbell served as the firm's managing partner. He also served as mayor of Little Rock, and was appointed by then-Governor Bill Clinton as interim Chief Justice of the Arkansas State Supreme Court.

He came to Washington with the Clintons after the 1992 election and, in the opinion of many Washington insiders, ran the Justice Department until Janet Reno was confirmed by the Senate. Mr. Hubbell resigned as Associate Attorney General in March 1994 after his former partners at the Rose Law Firm began to investigate him for overbilling some of his clients, including the federal government for work done in a case against the auditors of Madison Guaranty Savings and Loan. Now, like many of the President's friends from Arkansas, Mr. Hubbell has left the government in disgrace and legal trouble.

On June 23, 1995, Mr. Hubbell asked the judge presiding over his case for leniency, stating that he had made proper restitution to his former firm. Under the sentencing guidelines, Mr. Hubbell was required to serve a mandatory minimum sentence unless the independent counsel asked the presiding judge for leniency. Mr. Starr replied to Mr. Hubbell's request by stating that he had no intention to ask for leniency.

The fact that Mr. Starr had no intention of asking for the court to be lenient with Mr. Hubbell leads us to believe that Hubbell did little to help Starr's investigation.

After he left the Justice Department, Hubbell landed a new job at G. William Miller and Co., the law firm of Michael Cardozo. Cardozo is the former Clinton Justice Department official who handles the Clintons' legal defense fund. He became notable in the summer of 1993 because he spent the entire weekend with Vincent Foster three days before Foster's death. Webster Hubbell and Michael Cardozo spent the weekend at the Eastern Shore secluded with Mr. Foster and his wife. Both have claimed that Foster did not seem unusually depressed, even though investigators have cited Foster's depression as the reason for his suicide 3 days later.

And somehow, Mr. Hubbell's wife was offered a job at the Interior Department after Mr. Hubbell entered his plea. We know that Mrs. Hubbell's hiring was orchestrated by talks between the White House and the Interior Department. Since Mr. Hubbell and his wife were both being employed by their friends, many people wonder whether he cooperated with the Starr probe as much as he might have.

The judge originally assigned to preside over the Hubbell case was one William Wilson in Little Rock. However, as is so often the case among the political and social elite of Arkansas, Judge Wilson had close associations with Bill and Hillary Clinton, and before becoming a judge was very active in the Arkansas Democrat party. Judge Wilson realized the possible conflict of interest, and 2 days after Mr. Hubbell's guilty plea he recused himself from the case. In doing so, Judge Wilson stated, ''Not only must you do justice, you must have an appearance of doing justice.'' I take that quote from an editorial in the June 21, 1995 edition of the Wall Street Journal and ask that this editorial be entered into the RECORD.

WHO IS HENRY WOODS?

Last year, the President was reminiscing with Connie Bruck of The New Yorker about his 1990 gubernatorial race. At one point, he said, he was undecided about running and an influential Arkansan came up with a substitute: Hillary Clinton. The powerful member of the Arkansas political family ''desperately wanted her to run for governor,'' the President told Ms. Bruck, ''and it got out and around the state.''

That gentleman was Judge Henry Woods of the U.S. District Court for the Eastern District of Arkansas. ''Henry,'' a friend of the judge told Ms. Bruck, ''just hangs the moon on Hillary.'' Judge Woods has contributed 15 years of distinguished service to the judiciary, particularly in the long-running Little Rock school desegregation cases. At a critical point in 1987, Judge Woods named Mrs. Clinton counsel to a citizens' committee working for racial balance in the schools. ''I called on Hillary a lot,'' he told Ms. Bruck. ''She was not just functioning as advisor to the committee.''

Judge Woods will soon be back in the news, starting with tomorrow's arraignment of Arkansas Gov. Jim Guy Tucker and two associates. They're charged with defrauding the government in a scheme linked to David Hale's Capital Management Services. While the arraignment will take place before other magistrates in Little Rock, the trial is scheduled to unfold in the courtroom of Mrs. Clinton's biggest fan.

Gov. Tucker has angrily declared his innocence and says he may challenge Independent Counsel Kenneth Starr's jurisdiction. ''None of the allegations,'' Gov. Tucker said, ''involve President Clinton, Mrs. Clinton or any other person in the executive branch that the regular U.S. Attorneys would have had a conflict in prosecuting.'' As we have noted in regard to the Clintons, this is correct in a narrow sense; but it is also true that the indictments and guilty pleas so far obtained by Mr. Starr paint a disturbing picture of the political and business landscape from which the President and First Lady emerged.

Understandably, for example, Gov. Tucker would have preferred that ''the regular U.S. Attorney'' handle his case. That would be Paula Casey, the long-time Friend of Bill who first received criminal referrals from the Resolution Trust Corp. allegedly naming the Clintons and Mr. Tucker. After making some crucial decisions, Ms. Casey belatedly recused herself from the Madison Guaranty case, in November 1993, in the midst of a six-week period which saw Treasury contacts

with the White House. Bruce Lindsey informing the President about the referrals, two Clinton-Tucker meetings, and Associate Attorney General Webster Hubbell's own recusal from Whitewater matters.

The problem, of course, is that everyone from the Arkansas political culture comes from the Arkansas political culture. When it came time for Mr. Hubbell to plead guilty to a scheme to defraud the government and his former partners at the Rose Law Firm, he stood before U.S. District Court Judge William Wilson in Little Rock. Two days after the plea, Judge Wilson stepped down from the case, saying his contacts with the Clintons over the years might be misconstrued. ''Not only must you do justice,'' Judge Wilson said, ''you must have an appearance of doing justice.''

Naturally Judge Woods has the same sort of associations. Now 77, he was for some 40 years a close associate of Arkansas financier and legislator Witt Stephens—head of the Stephens Inc. investment giant until his death in 1991. ''Mr. Witt'' first earned a reputation as a political kingmaker with the 1948 election of Gov. Sid McMath; Henry Woods was Gov. McMath's top aide. Mr. Woods later fought segregationist Gov. Orval Faubus and was a supporter of current Sen. Dale Bumpers and Rep. Ray Thornton, among others. Messrs. Clinton, Tucker, Hale, and James McDougal of Madison Guaranty fame all got their early political education from one of the towering figures in Arkansas politics, former Sen. William Fulbright. It's a tight, if sometimes feuding, family.

Mr. Woods actively supported Mr. Bumpers' 1970 gubernatorial run. In 1974, Gov. Bumpers knocked Sen. Fulbright out of the Democratic primary and went on to the Senate; Mr. Fulbright went to work for the Saudis and Stephens Inc. In 1978, Mr. Woods supported Mr. Stephens' nephew, Mr. Thornton, in a three-way primary race against then-U.S. Rep. Tucker and David Pryor for the Democratic nomination to the Senate. President Carter nominated Mr. Woods to the federal bench in 1979; when he was sworn in, Gov. Clinton saluted him, saying he was a man who would ''feel the pain'' of the people.

The defendant to the contrary, the Tucker case is not just another case, but one pregnant with implications for the President, the First Lady and the whole circle of the judge's friends and associates. Judge Woods can best honor his distinguished record on the bench by following Judge Wilson's example and stepping aside.

This editorial raises an interesting question, because we are awaiting the trial of Bill Clinton's successor as Governor of Arkansas, Jim Guy Tucker. On June 7, 1995, Governor Tucker and two associates were indicated by a Federal grand jury in Little Rock. Governor Tucker was indicated for fraudulently obtaining a federally backed small business loan and evading taxes and is facing up to 12 years in prison if convicted.

On October 6, 1993, Jim Guy Tucker and President Bill Clinton met privately at the White House. About a week before this meeting, White House Counsel Bernard Nussbaum and White House Advisor Bruce Lindsey and other top administration officials were informed of the fact that the Resolution Trust Corporation had forwarded criminal referrals regarding Madison Guaranty Savings and Loan to the Justice Department. These criminal referrals named not only Bill and Hillary Clinton but also Jim Guy Tucker.

The White House has stated that President Clinton and Governor Tucker never discussed these criminal referrals, neither at the White House meeting nor at a later meeting in Seattle. But we have no way knowing. That is why so many people are so concerned about the many improper contacts between the White House staff and the Treasury Department.

The judge assigned to preside over the Tucker case is Judge Henry Woods. For some background on Woods, I refer my colleagues to the Wall Street Journal editorial I quoted earlier, as well as a column by former elected Arkansas Supreme Court Justice Jim Johnson that ran in the June 23, 1995, edition of the Washington Times. I ask that these articles be entered into the RECORD.

[From the Washington Times, June 23, 1995]

THE LIFE AND TIMES OF JUDGE HENRY WOODS

(By Jim Johnson)

To understand how the federal courts work in Arkansas, you have to understand Stephens Inc.

To understand Stephens, you have to understand Henry Woods, 77, the senior U.S. judge in Arkansas, and the judge to whom the fortunes of Jim Guy Tucker, our governor now under federal indictment, have been assigned.

You might say, ''it's an Arkansas thing.''

U.S. district judges and other major officials of the federal judiciary are selected by political appointment, and politicians are moved by political influence. The most powerful political influence in Arkansas for the past 40 years has been Stephens Inc., owned and operated for many years by Witt Stephens and his younger brother, Jack.

Stephens Inc., is the largest bond house off Wall Street, bigger than any in Chicago or Los Angeles or Dallas, and one of the top commodities traders in the nation. Stephens took Tyson Foods and a number of other business giants public, for example, and continues to influence their operations.

In 1992, when the Clinton campaign was knocked to its knees by the first allegations of the candidate's draft-dodging and womanizing, a Stephens subsidiary advanced him over $3 million to save his campaign. This advance was identical to the sum the Stephens organization got in a sweetheart deal it had manipulated with the Clinton-controlled Arkansas Student Loan Fund just a few months earlier.

These people play hardball, and play it well. When Sen. John L. McClellan died in 1977, the Stephens brothers determined to replace him with their nephew, Rep. Ray Thornton, who then represented a district in southern Arkansas. Our governor, Jim Guy Tucker represented the Little Rock district, and David Pryor, now our junior U.S. Senator, was the governor.

All three entered the race for Mr. McClellan's seat. The nephew ran a close third, leaving the Stephens brothers in a position to pick the winner in the runoff primary, by throwing the nephew's support to one of the two top candidates.

They selected David Pryor, on condition that he arrange the appointment of their friend, Henry Woods, a Little Rock lawyer, to a U.S. district judgeship. As soon as Mr. Pryor was elected, he kept his promise.

I first knew Henry Woods when I arrived in Little Rock in 1951 to represent Ashley County, where I was born, in the Arkansas state senate. Henry was the executive secretary to Sidney S. McMath, the governor. In that era, our governors exerted complete control over the state Highway Department, the agency that expended millions of dollars annually, by far the agency with the most rewards to dispense.

Henry was promising roads to everybody who could offer something in return. He became such a promising fellow that I, along with a number of other members of the state senate, introduced legislation to require an audit of the state's highway-construction operations.

Our bill became law, over the strenuous objections of the governor, and the audit commenced. It wasn't long until it appeared that Henry had his hands in the highway funds up to his elbows, and a Pulaski County grand jury was empaneled to determine whether crimes had been committed.

The hearings waxed hot and heavy, and three weeks before the governor's term expired, and with it Henry's job as the governor's executive secretary, the judge presiding over the grand jury abruptly and unexpectedly resigned, thereby enabling the governor to appoint his replacement. The governor appointed a Little Rock lawyer distinguished mostly for his enthusiastic appreciation of distilled spirits, and his first judicial act was to dismiss the grand jury—which, according to speculation the grand jurors never discouraged, was about to indict Henry.

Henry Woods is an empire-builder. He concerns himself not only with the appointment of federal judges, but clerks, magistrates, U.S. district attorneys, U.S. marshals, the office secretaries, clerks and even the janitors. Henry spent World War II on the home front, working as an FBI agent. He keeps himself informed as to every sparrow that falls by being the most active alumnus in the FBI association. Henry does not miss much.

Henry was the closest friend Witt Stephens ever had. He took lunch with Witt every day for years in the private dining room at Stephens Inc., in downtown Little Rock, and when Witt passed away two years ago Henry gave the eulogy. Henry knew of every federal vacancy before it occurred, just in time to make the wishes of the Stephens brothers known to the official assigned to fill the vacancies.

For example, Henry engineered the appointment of his former classmate and co-campaign manager, Elsijane Trimble Roy, to the federal bench in Arkansas. His public admiration of the president and the first lady has been remarked on for years, and when they went to Washington he saw to it that they leased a presidential office in the Stephens Building, even though ample space was available in Little Rock's spacious new federal office building.

When Mr. Clinton became the president, another of Henry's friends, his former law partner, William R. Wilson, was appointed to a federal judgeship, too. Mr. Wilson had been Henry's leg man and gofer for years; it was well known in Little Rock that when Mr. Wilson walked into your office you were actually dealing with Henry.

When Webster Hubbell, the U.S. associate attorney general and the No. 3 man in the Justice Department, pleaded guilty to having committed 2 of 47 felonies charged against him, the case was assigned to Judge Wilson for sentencing—even though Webb Hubbell worked on Judge Wilson's appointment, and as a lawyer Judge Wilson had represented Roger Clinton, the president's brother, when he was charged in a drug case. He had represented Mrs. Virginia Kelley, the president's late mother, in another matter. It did not occur to Judge Wilson to recuse himself until the pressure created by national news coverage became to intense that he finally stepped aside.

This brings us to Whitewater. Six judges sit in Little Rock for the Eastern District of Arkansas. Three are there through the maneuvering of Henry Woods, affording those persons indicted as a result of the investigation that began with the president and Mrs. Clinton a 50–50 chance of drawing a judge with a connection to Henry and Stephens Inc. Jim Guy Tucker had just such luck.

Further, anyone indicted as a result of an investigation into whether someone at Tyson Foods, Inc., bribed Mike Espy, the former U.S. secretary of agriculture, would be tried in the Western District of Arkansas, headquarted in Fort Smith, before Judge Harry Barnes, the former law partner of Sen. David Pryor; Judge Franklin Waters, the former law partner of James Blair, who is the chief counsel for Tyson and the guru of Hillary Clinton in the making of her miraculous fortune in the commodities-trading market; or Judge Jim Larry Hendren, the former personal attorney for Sam Walton, the founder of Wal-Mart. Stephens Inc., took Wal-Mart public. Jack Stephens and Hillary Clinton have been members of the board of Wal-Mart.

Kenneth Starr, the independent counsel, appears to us in Arkansas to be conducting his investigation in a vigorous and professional manner, but members of Congress should bear in mind that even if these judges recuse themselves, the judicial machinery for the selection of U.S. grand and petit juries will remain in place and exercise a marked influence on the outcome. All clerks, marshalls, secretaries, and even the janitors know they will be spending the remainder of their careers under the supervision of the judges who would be stepping aside only until the great spotlight dims, silence falls and the special prosecuting lawyers leave Little Rock.

If justice should be done with convictions secured, the convictions will be appealed to the U.S. Court of Appeals for the Eighth Circuit in St. Louis. The chief judge there is Richard Arnold, a protege of Henry Woods, who lunches with him nearly every day he is in Little Rock, at Stephens Inc. Witt is gone but the private dining room lives on.

His brother, Morris Arnold, also serves on the appeals court. Morris (or Buzz, as we call him at home) was the only Republican confirmed by the old Democratic Senate after Bill Clinton was elected president of the United States.

On his last visit home, Mr. Clinton spent the first several hours with Richard Arnold, the chief judge of the St. Louis court, which hears all federal appeals in Arkansas. The Paula Jones case is before that court now.

Judge Richard Arnold was an administrative assistant to Sen. Dale Bumpers, whose wife Betty is the chief Washington lobbyist for the largest utility company in our state. Arkansas can be an accommodating place.

Judge Arnold was, in the president's own description, Bill Clinton's sentimental choice for the seat that finally went to Stephen Breyer. Judge Arnold said his health was not good. It was also disclosed, in the FBI check into his background, that he earned more than $500,000 last year in the commodities-trading market—the very same market where Hillary struck gold ''Brutus is an honorable man,'' said Mark Anthony ''So are they all, all honorable men.'' But why, someone must ask, given their loyalties and the uncanny coincidences that thrive in Arkansas like Delta cotton in August, must we lead them into temptation?

Arkansas is a small state with a wealth and abundance of many wonderful God-fearing people. I was born here and when I die my mortal remains will return to the soil I love as a Southerner loves the land of his people. Many hearts have been broken by the squalid evidences of corruption paraded past America over these past 2½ years, besmirching the reputation of the state we love. We should have done something about it years ago. We failed.

Now Congress must meet its obligations to the Constitution and to the people who sent them to Washington to defend that Constitution. Congressional hearings on the order of Watergate must be conducted at once, and only when they are concluded after a thorough and vigorous effort, and everything has been laid out before America, can America know that justice has been done.

Judge Woods is a longtime member of the Arkansas political elite. He is a major power broker in the Arkansas Democrat party. He served as chief assistant to Democratic Governor Sid McMath. He freely admits that he is good friends with Bill and Hillary Clinton. Judge Woods named Mrs. Clinton to a State panel to work toward racial balance in schools. Woods and McMath later went on to form a law partnership, McMath, Leatherman, and Woods. McMath's son, Sandy McMath, a member of the law firm, was an instrumental leader in the early political campaigns of Jim Guy Tucker. So even if Judge Woods and Governor Tucker aren't the best of friends, they are undoubtedly members of the same tightly knit network from which Bill Clinton emerged.

In the Webster Hubbell case, Judge Wilson realized immediately that he had no business trying the case. Even if he could have been completely objective, many people would still question what they saw as the appearance of a conflict. In the Jim Guy Tucker case, Judge Woods has given us no indication that he intends to recuse himself, despite his multiple potential conflicts of interest. With Judge Woods, the conflict of interest is more than just an appearance. It is a very serious matter.

QUESTIONS:

If Jim Guy Tucker's attorneys move to throw out the indictments claiming that Kenneth Starr has exceeded his jurisdiction, would Judge Woods' many ties to the State Democrat party color his decision?

What other connections exist between Judge Woods and Governor Tucker that we do not know about?

With Judge Wilson's recusal due to possible conflicts of interest in the Hubbell case, isn't it in Judge Woods' best interest, after a long and illustrious career, to follow his example and recuse himself?

What did Jim Guy Tucker and Bill Clinton talk about at their meeting at the White House in 1993? How can we ever know for sure whether or not they shared confidential information about the RTC criminal referrals that had been revealed to the White House?

What did Jim Guy Tucker and Bill Clinton talk about in their meeting in Seattle?

DAVID HALE

When Jim Guy was indicted, the media were quick to proclaim that the indictment was not connected in any way to Bill and Hillary Clinton. But this isn't the case. The charges brought by the Independent Counsel against Governor Tucker are the direct result of testimony and documentary evidence provided by Judge David Hale.

Judge Hale is the same man who has accused the president of pressuring him to approve an illegal loan in 1986 to obtain funds to help the failing Madison Guaranty Savings and Loan.

Judge Hale pled guilty to defrauding the Small Business Administration. He has testified to a Federal grand jury that he was pressured by Governor Bill Clinton and his Whitewater partner, James McDougal, and by Jim Guy Tucker, to provide an illegal $300,000 loan to McDougal's wife, Susan McDougal. This loan was never repaid, and more than $100,000 of the loan reportedly ended up in Whitewater Development Company's account.

The day after the Tucker indictment, Mr. Starr secured a guilty plea from Stephen A Smith, who was one of Bill Clinton's top aides during his first term as Arkansas governor. Smith pleaded guilty to defrauding the Small Business Administration, lying to obtain $65,000 from David Hale's lending agency, Capital-Management Services.

The indictment of Jim Guy Tucker and the guilty plea of Stephen Smith show us that the grand jury—made up, incidentally, or normal citizens of Arkansas, not a bunch of right-wing Clinton critics—is looking closely at the documents and listening very carefully to the testimony offered by David Hale. The actions taken by Mr. Starr tell us that both the independent counsel's office and the grand jury consider David Hale a credible witness.

[From the Washington Post, March 4, 1995]

WHITE HOUSE OFFICIALS DETAIL AIDE'S ROLE IN HUBBELL HIRING

(By Susan Schmidt)

Administration officials yesterday offered more details about the White House role in helping Suzanna W. Hubbell secure a political post at the Interior Department last month, saying that Bruce Lindsey, a top presidential aide, was involved only peripherally.

Hubbell is the wife of former associate attorney general Webster L. Hubbell, who has agreed to cooperate with Whitewater independent counsel Kenneth W. Starr in hopes of receiving a reduced sentence on felony fraud and tax charges. Among other matters, Starr is investigating Lindsey's handling of campaign funds in then-Gov. Bill Clinton's 1990 presidential campaign.

Sen. Lauch Faircloth (R–N.C.), has complained that Lindsey should not have discussed Suzanna Hubbell's job with the Interior Department, given that her husband is cooperating with a criminal investigation that touches Lindsey. But White House officials said yesterday that Lindsey did nothing to help Suzanna Hubbell return to her $59,022-a-year job after an 11-month leave of absence caused by her husband's legal problems.

Suzanna Hubbell, formerly a special assistant in the secretary's office, came back to a job as an assistant to the director of external affairs.

Interior spokesman Kevin J. Sweeney said yesterday that Suzanna Hubbell had arranged to return to the department Feb. 6.,

and Interior officials sought throughout January to get the White House's okay, without success. When Suzanna Hubbell showed up for a staff meeting on that date, Interior Chief of Staff Tom Collier directed his deputy, B.J. Thornberry, to pull her out, until the White House approved her status. Hubbell and Thronberry then both got on the phone and tried to get an answer themselves, Sweeney said.

''Suzy called Lindsey to see if he could find out about the request for approval,'' said Sweeney. Lindsey, the associate White House counsel and a family friend, was unavailable, so she left a message.

Suzanna Hubbell then called Deputy White House Chief of Staff Erskine Bowles, who said he would get back to her, Sweeney said.

While she waited, Lindsey returned Suzanna Hubbell's call, and talked to both Thornberry and Hubbell. ''He said he'd check and get back, which he did not do,'' said Sweeney. Later, Sweeney said, Bowles called Thornberry and said that Suzanna Hubbell could be reinstated.

A White House official, who asked not to be named, described Lindsey's conversation differently. The official said that by the time Lindsey called Suzanna Hubbell back, the ''glitch'' already had been resolved and Thornberry told Lindsey that. The official said Lindsey was not asked to do anything, and was not involved in or aware of a decision by White House counsel Abner J. Mikva that day to allow Suzanna Hubbell to return to work.

The accounts given by the White House and Interior Department officials yesterday not only differed slightly from each other, they varied from Sweeney's statement Wednesday that Thornberry initiated the contact with Lindsey as ''a courtesy'' to inform him that Suzanna Hubbell had been reinstated.

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Let me just end up by saying that Judge Woods, we believe, should recuse himself to eliminate any possibility of an appearance of impropriety in the case involving Jim Guy Tucker. I think that most of my colleagues, when they look at this information and read it in the CONGRESSIONAL RECORD, will agree with that.

One other thing, Mr. Speaker, I would like to put into the CONGRESSIONAL RECORD tonight and talk about is an article that was in the Washington Post today. The FDIC says that the Rose Law Firm, for which Hillary Rodham Clinton was a partner, was faulted by this agency's inspector general.

Mr. Speaker, I submit the following:

[From the Washington Post, Aug. 1, 1995]

FDIC, ROSE LAW FIRM FAULTED BY AGENCY INSPECTOR GENERAL

(By Susan Schmidt)

The inspector general of the Federal Deposit Insurance Corp. concluded yesterday that the agency ignored numerous conflicts of interest in hiring the Rose Law Firm and glossed over its failings in a report last year intended to examine whether Rose had been improperly hired.

The report issued yesterday took both Rose and FDIC lawyers to task.

The inspector general's investigation was prompted by Republican charges of a ''whitewash'' in the FDIC's earlier inquiry into conflict of interest charges involving the Arkansas law firm, where first lady Hillary Rodham Clinton was a partner.

The inspector general's office said it sent the report to the FDIC general counsel for possible legal sanctions against the Rose firm, including recovery of overbillings, and said it reported professional misconduct to authorities. The report came a week before the House Banking Committee is expected to examine Rose's work for the government as part of overall hearings into Whitewater.

Former Rose partner Webster L. Hubbell came in for the harshest criticism for failing to disclose his own and his firm's extensive ties to Madison Guaranty Savings & Loan when he agreed to sue the failed thrift's accountants on behalf of taxpayers in 1989.

Hubbell, the former number three official in the Clinton Justice Department, is scheduled to report to prison next week for defrauding his firm and overbilling clients, including the FDIC.

Among the conflicts the inspector general said Rose failed to disclose to the FDIC was the fact that the firm—in particular partner Hillary Clinton—had represented Madison before the Arkansas state securities department during the mid-1980s when the struggling S&L was seeking approval for a recapitalization plan. As part of that effort, Rose presented statements prepared by the accounting firm of Frost & Co. showing that Madison was in good financial shape, though the thrift was actually close to insolvency.

Hillary Clinton was on a $2,000-a-month retainer at Madison during the mid-'80s. The inspector general's report found no conflict of interest in her performance of a few hours of work in an S&L case that involved Dan Lasater, a Little Rock bond dealer and Clinton supporter who went to prison for cocaine distribution.

Hillary Clinton gave an affidavit to the FDIC inspector general, then submitted to an interview, but was not placed under oath. Her attorney, David Kendall, said she would have been willing to take questions under oath, but the inspector general did not want a court reporter present, as Kendall said he would have required.

The inspector general's office launched its investigation 18 months ago after the FDIC legal division issued a report finding that neither the Rose firm nor the FDIC had al(?) look into both the alleged conflicts and how the report was prepared.

In 1989, Hubbell circulated a memo among his colleagues saying he intended to sue Frost & Co. on behalf of the FDIC. He asked whether anyone knew of any Rose firm conflicts that would prevent the firm from taking the case, but got no reply.

Hubbell's own conflicts should have kept the firm out of the case under a standard that forbids even the ''appearance of impropriety,'' according to the inspector general.

Hubbell failed to tell FDIC lawyers that his father-in-law was a Madison consultant and borrower whose loans were among those the government contended Frost & Co. should have flagged for Madison board members.

Rose's conflicts were so extensive, said the inspector general, that the firm was even representing a company partly owned by the very auditor who did Madison's books—putting Rose in position of both suing and representing the same person.

Rose managing partner Ronald Clarke said lawyers there ''disagree with everything in the report. We did not have a conflict of interest in the Madison-Frost litigation.'' He said the firm hired two independent legal experts who agreed it did not have conflicts, but he said lawyers there believe the inspector general's findings were inevitable given the political interest in the issue in Congress.

The House Banking Committee's hearings next week will focus on Madison and owner James B. McDougal's financial relationship with the Clintons, including their joint ownership of Whitewater. Madison failed in 1989 at a cost to taxpayers of $65 million.

The voluminous FDIC report and backup documents were sent to congressional banking committee leaders Friday. The agency released a seven-page executive summary yesterday. A separate report is expected soon from the inspector general's office of the federal S&L cleanup agency, Resolution Trust Corp., for which Rose also did work.

Mr. Speaker, the fact of the matter is there have been numerous people indicted, numerous people removed from positions of authority in the White House, numerous people who have been convicted or will be convicted, I believe, because of the indictments that are coming down who are connected to this administration.

I believe and hope that the Banking Committee here in the House and the corresponding committee in the other body, will get to the bottom of all of this and bring to justice those people who broke the law.

At the very least, the appearance of impropriety for so many people in this administration is something that everybody in this country ought to be worried about. As the weeks and months come as these investigations continue to unfold, I will bring to the floor information for my colleagues to take a look at, because I think it is extremely important that the people's House and the people who represent the people of this country are apprised of all the facts of the case of Whitewater, the Arkansas Financial Development Authority, the Madison Guaranty Corporation, and other situations involving people in this administration.

With that I yield back the balance of my time.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. YATES (at the request of Mr. GEPHARDT), for Monday, July 31, after 7:45 p.m., on account of personal reasons.

Mr. TUCKER (at the request of Mr. GEPHARDT), for Monday, July 31, on account of official business.

Mrs. MEYERS of Kansas (at the request of Mr. ARMEY), on July 27, 28, and 31, on account of illness in the family.

Mrs. THURMAN (at the request of Mr. GEPHARDT), for today, on account of illness in the family.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. FARR) to revise and extend their remarks and include extraneous material:)

Mr. SKAGGS, for 5 minutes, today.

Mr. FRANK of Massachusetts, for 5 minutes, today.

Mr. MILLER of California, for 5 minutes, today.

Mr. MARTINEZ, for 5 minutes, today.
Mr. ENGEL, for 5 minutes, today.
Mr. MENENDEZ, for 5 minutes, today.
Ms. FURSE, for 5 minutes, today.
Mrs. MINK of Hawaii, for 5 minutes, today.
Mr. FARR, for 5 minutes, today.
Mr. PALLONE, for 5 minutes, today.
Mr. MINETA, for 5 minutes, today.
Ms. KAPTUR, for 5 minutes, today.
Mrs. SCHROEDER, for 5 minutes, today.
Mrs. CLAYTON, for 5 minutes, today.
Mr. OBEY, for 5 minutes, today.
(The following Members (at the request of Mr. DUNCAN) to revise and extend their remarks and include extraneous material:)
Mr. WELLER, for 5 minutes, today.
Mr. NORWOOD, for 5 minutes, today.
Mr. DUNCAN, for 5 minutes, today.
Mr. GUTKNECHT, for 5 minutes, today.
Mr. ENGLISH of Pennsylvania, for 5 minutes, today.
Mr. KINGSTON, for 5 minutes, today.
Mr. HOKE, for 5 minutes, today.
Mr. BROWNBACK, for 5 minutes, today.
Mr. JONES, for 5 minutes, on August 2.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

(The following Members (at the request of Mr. FARR) and to include extraneous matter:)
Mr. HASTINGS of Florida.
Mr. STARK.
Mr. LAFALCE.
Mr. LEVIN.
Mr. FROST.
Mr. HAMILTON.
Mr. BERMAN.
Mr. STUDDS.
Mr. STOKES.
Mr. BORSKI.
Mr. MOAKLEY.
Mr. DEUTSCH.
Mr. KLECZKA.
Mr. FAZIO of California.
(The following Members (at the request of Mr. DUNCAN) and to include extraneous matter:)
Mr. STUMP.
Mr. ROGERS.
Mr. FRELINGHUYSEN.
Mr. BILBRAY.
Mr. QUILLEN.
Mr. FORBES in two instances.
Mr. CLINGER.
Mr. HANSEN.
Mr. RADANOVICH.
Mr. KIM.

ENROLLED BILLS SIGNED

Mr. THOMAS, from the Committee on House Oversight, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 2017. An act to authorize an increased Federal share of the costs of certain transportation projects in the District of Columbia for fiscal years 1995 and 1996, and for other purposes.

BILLS PRESENTED TO THE PRESIDENT

Mr. THOMAS, from the Committee on House Oversight, reported that that committee did on this day present to the President, for his approval, a bill of the House of the following title:

H.R. 2017. An act to authorize an increased Federal share of the costs of certain transportation projects in the District of Columbia for fiscal years 1995, and 1996, and for other purposes.

ADJOURNMENT

Mr. BURTON of Indiana. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 9 o'clock and 23 minutes p.m.), the House adjourned until tomorrow, Wednesday, August 2, 1995, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1284. A letter from the Deputy Chief, Programs and Legislation Division (Office of Legislative Liaison), Department of the Air Force, transmitting the Secretary's determination that it is in the public interest to award the evolved expendable launch vehicle [EELV] low cost concept validation [LCCV] module contracts using other than full and open competition, pursuant to 10 U.S.C. 2304(C)(7); to the Committee on National Security.

1285. A letter from the Chief of Legislative Affairs, Department of the Navy, transmitting notification that the Department intends to renew lease of one naval vessel to the Government of New Zealand, pursuant to 10 U.S.C. 7307(b)(2); to the Committee on National Security.

1286. A letter from the Secretary of Education, transmitting a compilation and analysis of reports submitted by States in accordance with the Stewart B. McKinney Homeless Assistance Act, pursuant to 42 U.S.C. 11434(b)(5); to the Committee on Banking and Financial Services.

1287. A letter from the Secretary of the Treasury, transmitting the Department's third monthly report to Congress, as required by section 404 of the Mexican Debt Disclosure Act of 1995, pursuant to Public Law 104–6, section 404(a) (109 Stat. 90); to the Committee on Banking and Financial Services.

1288. A letter from the Secretary of the Treasury, transmitting the annual audit of the Student Loan Marketing Association [Sallie Mae] for the year ending December 31, 1994, pursuant to 20 U.S.C. 1087–2(k); to the Committee on Economic and Educational Opportunities.

1289. A letter from the Secretary of Education, transmitting final regulations—centers for independent living—compliance indicators, pursuant to 20 U.S.C. 1232(d)(1); to the Committee on Economic and Educational Opportunities.

1290. A letter from the Secretary of Education, transmitting final regulations—nonprocurement debarment and suspension, student assistance general provisions, and Federal Family Education Loan Program, pursuant to 20 U.S.C. 1232(d)(1); to the Committee on Economic and Educational Opportunities.

1291. A letter from the Administrator, Energy Information Administration, transmitting the Department's report entitled, ''Uranium Purchases Report 1994,'' pursuant to 42 U.S.C. 2296b–5; to the Committee on Commerce.

1292. A letter from the Secretary of Health and Human Services, transmitting the 1990–94 annual report on the National Health Service Corps [NHSC], the NHSC Scholarship Program [NHSCSP], and the NHSC Loan Repayment Program [NHSC/LRP], pursuant to 42 U.S.C. 254i, 254l(i), 254l–1(i), and 254q(a); to the Committee on Commerce.

1293. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting the texts of ILO Convention No. 175 and recommendation No. 182 concerning part-time work, adopted by the International Labor Conference at its 81st session, at Geneva, June 24, 1994; to the Committee on International Relations.

1294. A letter from the General Counsel, U.S. Arms Control and Disarmament Agency, transmitting copies of the English and Russian texts of five implementing agreements, three negotiated by the Special Verification Commission for the INF Treaty, and two negotiated by the Joint Compliance and Inspection Commission [JCIC] for the START Treaty; to the Committee on International Relations.

1295. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 11–127, ''Revised Fiscal Year 1996 Budget Request Act,'' pursuant to D.C. Code, section 1–233(c)(1); to the Committee on Government Reform and Oversight.

1296. A letter from the Director, Administrative Office of the United States Courts, transmitting the actuarial reports on the Judicial Retirement System, the Judicial Officers' Retirement Fund, the Judicial Survivors' Annuities System, and the Court of Federal Claims Judges' Retirement System for the plan year ending September 30, 1994, pursuant to 31 U.S.C. 9503(a)(1)(B); to the Committee on Government Reform and Oversight.

1297. A letter from the Commissioner, Bureau of Reclamation, transmitting a report on the necessity to construct modifications to Twin Buttes Dam, San Angelo Project, TX, in order to preserve its structural safety, pursuant to 43 U.S.C. 509; to the Committee on Resources.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. GOODLING. Committee on Economic and Educational Opportunities. H.R. 1225. A bill to amend the Fair Labor Standards Act of 1938 to exempt employees who perform certain court reporting duties from the compensatory time requirements applicable to certain public agencies, and for other purposes; with an amendment (Rept. 104–219). Referred to the Committee of the Whole House on the State of the Union.

Mr. SPENCE: Committee on National Security. House Joint Resolution 102. Resolution disapproving the recommendations of the Defense Base Closure and Realignment Commission; adversely (Rept. 104–220). Referred to the Committee of the Whole House on the State of the Union.

Mr. DIAZ-BALART: Committee on Rules. House Resolution 206. Resolution waiving points of order against the conference report

to accompany the bill (H.R. 1854) making appropriations for the legislative branch for the fiscal year ending September 30, 1996, and for other purposes (Rept. 104–221). Referred to the House Calendar.

Mr. CLINGER: Committee on Government Reform and Oversight. H.R. 1670. A bill to revise and streamline the acquisition laws of the Federal Government, to reorganize the mechanisms for resolving Federal procurement disputes, and for other purposes; with an amendment (Rept. 104–222 Pt. 1). Ordered to be printed.

Mr. LINDER: Committee on Rules. House Resolution 207. Resolution providing for the consideration of the bill (H.R. 1555) to promote competition and reduce regulation in order to secure lower prices and higher quality services for American telecommunications consumers and encourage the rapid deployment of new telecommunications technologies (Rept. 104–223). Referred to the House Calendar.

Mr. SOLOMON: Committee on Rules. House Resolution 208. Resolution providing for consideration of the bill (H.R. 2127) making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies, for the fiscal year ending September 30, 1996, and for other purposes (Rept. 104–224). Referred to the House Calendar.

TIME LIMITATION OF REFERRED BILL

Pursuant to clause 5 of rule X the following action was taken by the Speaker:

H.R. 1670. Referral to the Committees on National Security and the Judiciary extended for a period ending not later than August 2, 1995.

PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. WAMP (for himself, Mr. DUNCAN, Mr. HILLEARY, Mr. SCARBOROUGH, Mr. RIGGS, Mr. FOLEY, Mr. KINGSTON, Mr. DAVIS, Mr. LARGENT, Mr. BASS, Mr. GUTKNECHT, Mr. WELDON of Florida, Mr. WICKER, Mr. SANFORD, Mr. BUYER, Mr. BLUTE, Mr. LATOURETTE, Mr. KLUG, Mr. SOUDER, Mr. TATE, Mr. FOX, Mr. COBURN, Mr. ENSIGN, Mr. TRAFICANT, Mr. ISTOOK, Mr. RADANOVICH, Mr. ZIMMER, Mr. DEAL of Georgia, Mr. GRAHAM, Mr. STOCKMAN, Mr. UPTON, Mr. MILLER of Florida, Mr. DICKEY, Mr. CHRYSLER, Mr. EWING, Mr. ROHRABACHER, Mr. MCINTOSH, Mr. BALLENGER, Mr. SCHIFF, Mr. HEINEMAN, Mr. BURR, Mr. GALLEGLY, Mr. OXLEY, Mr. GREENWOOD, Mr. DOOLITTLE, Mrs. WALDHOLTZ, Mr. MCCRERY, Mr. PARKER, Mr. HUTCHINSON, Mr. CONDIT, Mr. SAXTON, Mr. MCKEON, Ms. DUNN of Washington, Mr. JACOBS, Mr. BAKER of Louisiana, Mr. WHITE, Mr. BARTLETT of Maryland, Mr. HORN, Mr. BILBRAY, and Mr. THORNBERRY):

H.R. 2148. A bill to reduce the influence of political action committees in elections for Federal office and to require that more than half of the contributions to a House of Representatives candidate be from in-State individual residents, and for other purposes; to the Committee on House Oversight.

By Mr. SHUSTER (for himself, Mr. MINETA, Mr. COBLE, Mr. TRAFICANT, and Mr. OBERSTAR):

H.R. 2149. A bill to reduce regulation, promote efficiencies, and encourage competition in the international ocean transportation system of the United States, to eliminate the Federal Maritime Commission, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mrs. MEYERS of Kansas:

H.R. 2150. A bill to amend the Small Business Act and the Small Business Investment Act of 1958 to reduce the cost to the Federal Government of guaranteeing certain loans and debentures, and for other purposes; to the Committee on Small Business.

By Mr. ENGLISH of Pennsylvania:

H.R. 2151. A bill to provide for enhanced penalties for health care fraud, and for other purposes; to the Committee on Commerce, and in addition to the Committees on Ways and Means, the Judiciary, and Government Reform and Oversight, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ENGLISH of Pennsylvania (for himself, Mr. MCHALE, Mr. CLINGER, Mr. WELDON of Pennsylvania, and Mr. STEARNS):

H.R. 2152. A bill to establish the Independent Commission on Medicare to make recommendations on how to best match the structure of the Medicare Program with the funding made available for the program by Congress, to provide for expedited consideration in Congress of the Commission's recommendations, and to establish a default process for meeting congressional spending targets for the Medicare Program if Congress rejects the Commission's recommendations; to the Committee on Ways and Means, and in addition to the Committees on Commerce, Rules, and the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LIPINSKI:

H.R. 2153. A bill to amend title 49, United States Code, to require the Secretary of Transportation to issue regulations and encourage the States to adopt and implement laws prohibiting the operation of certain uncovered commercial motor vehicles on highways; to the Committee on Transportation and Infrastructure.

By Mr. LIPINSKI (for himself and Mr. POSHARD):

H.R. 2154. A bill to privatize environmental testing analysis, and for other purposes; to the Committee on Commerce, and in addition to the Committees on Transportation and Infrastructure, and Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. STUMP (for himself and Mr. MONTGOMERY) (both by request):

H.R. 2155. A bill to amend title 38, United States Code, to restrict payment, in the case of incarcerated veterans, of the clothing allowance otherwise payable to certain disabled veterans and to create for pension purposes a presumption of permanent and total disability for veterans over age 65 who are patients in a nursing home; to the Committee on Veterans' Affairs.

H.R. 2156. A bill to amend title 38, United States Code, to change the name of the Servicemen's Group Life Insurance Program to Servicemembers' Group Life Insurance, to merge the Retired Reservists' Servicemembers' Group Life Insurance Program into the Veterans' Group Life Insurance Program, to extend Veterans' Group Life Insurance coverage to members of the Ready Reserve of a uniformed service who retire with less than 20 years of service, to permit an insured to convert a Veterans' Group Life Insurance policy to an individual policy of life insurance with a commercial insurance company at any time, and to permit an insured to convert a Servicemembers' Group Life Insurance policy to an individual policy of life insurance with a commercial company upon separation from service; to the Committee on Veterans' Affairs.

H.R. 2157. A bill to amend title 38, United States Code, to authorize the termination of Servicemen's Group Life Insurance when premiums are not paid; to the Committee on Veterans' Affairs.

By Mr. VENTO (for himself, Mr. GONZALEZ, Mr. FRANK of Massachusetts, Mr. KENNEDY of Massachusetts, Mr. MFUME, Mrs. MALONEY, Mr. BARRETT of Wisconsin, Mr. HINCHEY, and Mr. BENTSEN):

H.R. 2158. A bill to streamline the regulatory treatment of financial institutions, and for other purposes; to the Committee on Banking and Financial Services.

ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 390: Mr. DIXON, Mr. GENE GREEN of Texas, and Mr. LATHAM.

H.R. 394: Mr. SANDERS, Mr. LEACH, Mr. ORTIZ, Mr. FAZIO of California, and Mr. QUINN.

H.R. 427: Mr. ZELIFF and Mr. GUNDERSON.

H.R. 436: Mr. GOODLATTE, Mr. KLUG, Mr. BILBRAY, Mr. PARKER, and Mr. CONDIT.

H.R. 534: Mr. DELLUMS, Mrs. WALDHOLTZ, Mr. SCHAEFER, Mr. DICKEY, Mr. JOHNSON of South Dakota, Mr. HOLDEN, Mr. POMEROY, Mr. PAYNE of Virginia, and Mr. ROHRABACHER.

H.R. 580: Mr. GILCHREST.

H.R. 700: Mr. FRANKS of Connecticut.

H.R. 752: Mr. REGULA, Mrs. SCHROEDER, Mr. POMBO, Mr. CASTLE, Mr. PETRI, Mr. BARRETT of Nebraska, Mr. BONO, Mr. EMERSON, Mr. GRAHAM, Mr. ROSE, Mr. TOWNS, Mr. HEFNER, Ms. ROS-LEHTINEN, Mr. BEVILL, Mr. SCOTT, Mr. TORRICELLI, and Mr. RIGGS.

H.R. 795: Mrs. THURMAN, Mr. SMITH of New Jersey, and Mr. HOKE.

H.R. 842: Mr. HAMILTON, Mr. BUYER, Mr. JOHNSON of South Dakota, Mr. DEUTSCH, Mr. SCOTT, Mr. MCHALE, Mr. CRANE, Mr. ENGEL, and Ms. WOOLSEY.

H.R. 863: Mr. STUDDS.

H.R. 969: Mrs. SCHROEDER, Mr. LANTOS, and Mr. MORAN.

H.R. 1023: Mr. BOEHLERT.

H.R. 1127: Mr. EVANS, Ms. MCKINNEY, Mr. CANADY, Mr. LAUGHLIN, Mr. FIELDS of Texas.

H.R. 1162: Mr. LAHOOD, Mr. SCARBOROUGH, Mr. BARTLETT of Maryland, Mr. LOBIONDO, Mr. HOKE, and Mr. METCALF.

H.R. 1172: Mr. BENTSEN.

H.R. 1385: Mr. PASTOR.

H.R. 1406: Mr. GINGRICH.

H.R. 1512: Mr. GOODLATTE, Mr. BACHUS, and Mr. PAXON.

H.R. 1619: Mr. CANADY.

H.R. 1748: Mr. SMITH of Michigan.

H.R. 1930: Mr. FOX, Mrs. KELLY, Ms. PRYCE, Mr. FROST, and Mrs. MEEK of Florida.

H.R. 2011: Mrs. CLAYTON and Mr. YATES.

H.R. 2078: Mr. JOHNSTON of Florida.

H.R. 2086: Mr. DAVIS.

H. Con. Res. 42: Ms. LOFGREN.

H. Res. 30: Mr. HOBSON and Mr. HILLIARD.

H. Res. 134: Mr. POSHARD, Mr. LOBIONDO, Mr. GOSS, Mr. MEEHAN, Mr. ZIMMER, Mr.

RIGGS, Mrs. SEASTRAND, and Mr. INGLIS of South

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

32. By the SPEAKER: Petition of the Lower Township Council, NJ, relative to the township's opposition to solid waste flow control; to the Committee on Commerce.

33. Also, petition of the council of the city and county of Honolulu, HI, relative to urging congressional support and passage of the Filipino Veterans Equity Act of 1995; to the Committee on Veterans' Affairs.

AMENDMENTS

Under clause 6 or rule XXIII, proposed amendments were submitted as follows:

H.R. 1555

OFFERED BY: MR. UNDERWOOD

AMENDMENT NO. 6: Page 77, line 9, strike the close quotation marks and following period and after such line insert the following new section (and conform the table of contents accordingly):

"SEC. 275. EQUAL ACCESS AND RATE INTEGRATION FOR GUAM.

''Upon implementation of equal access, Guam shall be considered a part of the domestic United States rate plan, and all calls between the Guam and all other United States points shall be considered domestic calls. Rates charged by providers of interstate, interexchange telecommunications services for calls between Guam and all other domestic points shall be based upon domestic, rate-integrated principles.''.

H.R. 1555

OFFERED BY: MR. UNDERWOOD

AMENDMENT NO. 7: Page 77, line 9, strike the close quotation marks and following period and after such line insert the following new section (and conform the table of contents accordingly):

"SEC. 275. EQUAL ACCESS AND RATE INTEGRATION FOR GUAM.

''Upon implementation of equal access, Guam, the Commonwealth of the Northern Marianas, and American Samoa shall be considered a part of the domestic United States rate plan, and all calls between the Guam, the Commonwealth of the Northern Marianas, or American Samoa and all other United States points shall be considered domestic calls. Rates charged by providers of interstate, interexchange telecommunications services for calls between Guam, the Commonwealth of the Northern Marianas, or American Samoa and all other domestic points shall be based upon domestic, rate-integrated principles.''.

H.R. 2126

OFFERED BY: MS. DELAURO

(Amendment to the Amendment Offered by Mr. Dornan)

AMENDMENT NO. 48: Page 94, after line 3, insert the following new section:

''SEC. 8107. None of the funds made available in this Act may be used to administer any policy that permits the performance of abortions at medical treatment or other facilities of the Department of Defense, except when it is made known to the Federal official having authority to obligate or expend such funds that—

''(1) the life of the mother would be endangered if the fetus were carried to term; or

''(2) in the case of a medical treatment or other facility of the Department of Defense located outside the United States, any cost incurred by the United States in connection with such procedure will be reimbursed from private funds.''

H.R. 2126

OFFERED BY: MR. EDWARDS

AMENDMENT NO. 49: Page 28, after line 16, insert the following caption:

(INCLUDING TRANSFER OF FUNDS)

Page 28, line 24, after the dollar amount, insert the following: ''(reduced by $17,300,000)''.

Page 29, after line 3, insert the following:

Of the amount provided under this heading, $23,000,000 shall be transferred to and merged with the appropriation in this Act for ''Operation and Maintenance, Defense-Wide''.

H.R. 2126

OFFERED BY: MR. EDWARDS

AMENDMENT NO. 50: Page 94, after line 3, insert the following new section:

''SEC. 8107. The amounts otherwise provided by this Act are revised by reducing the amount made available for ''Research, Development, Test and Evaluation, Defense-Wide'', and increasing the amount made available for ''Operation and Maintenance, Defense-Wide'', by $40,300,000 and $23,000,000, respectively.''

H.R. 2126

OFFERED BY: MR. KENNEDY OF MASSACHUSETTS

AMENDMENT NO. 51: Page 28, line 11, after the dollar amount, insert the following: ''(reduced by $2,338,718,000)''.

H.R. 2126

OFFERED BY: MR. SANDERS

AMENDMENT NO. 52: Page 94, after line 3, insert the following new section:

''SEC. 8107. None of the funds made available in title III may be used for the procurement of any article produced or manufactured outside of the United States, except pursuant to a contract in effect before the date of the enactment of this Act.''

H.R. 2126

OFFERED BY: MR. SANDERS

AMENDMENT NO. 53: Page 94, after line 3, insert the following new section:

SEC. 8107. None of the funds made available in title III may be used for the procurement of any article when it is made known to the Federal official having authority to obligate or expend such funds that—

(1) the article is produced or manufactured outside of the United States; and

(2) the procurement is not pursuant to a contract in effect before the date of the enactment of this Act.

H.R. 2126

OFFERED BY: MR. UNDERWOOD

AMENDMENT NO. 54: Page 94, after line 3, insert before the short title the following:

SEC. 8107. None of the funds made available in this Act may be used by the Under Secretary of Defense (Comptroller) or the Director of the Defense Finance and Accounting Service for fingerprinting, photographing, and questioning a military retiree in any State or Territory of the United States for purposes of investigating irregularities with respect to that retiree's receipt of military retirement benefits except when it is made known to the Federal official to whom the funds are made available that, based on an examination of the financial records of that military retiree (and a comparison of those financial records with other relevant data), probable cause exists to fingerprint, photograph, and question the military retiree to investigate such irregularities.

H.R. 2127

OFFERED BY: MR. BALLENGER

AMENDMENT NO. 81: Page 22, insert after line 6 the following:

SEC. 109. No funds appropriated under this Act may be expended by the Occupational Safety and Health Review Commission until such Commission shall enter of record and issue to the public and the parties as official actions and final orders of the Commission the decisions in Arcadian Corp., OSHRC Docket No. 93–1270, and Hartford Roofing Co., OSHRC Docket No. 92–3855, or until such Commission shall provide a report to its authorizing committees and the respective appropriations committees of the House of Representatives and the Senate stating whether the sitting members of the Commission as of April 27, 1995, voted as to the merits of such cases, and whether 2 then sitting members of the Commission voted affirmatively as to the merits.

H.R. 2127

OFFERED BY: MR. CUNNINGHAM

AMENDMENT NO. 82: Page 88, after line 7, insert the following:

TITLE VII—OTHER PROGRAMS

WORKING PROGRAMS

(INCLUDING TRANSFER OF FUNDS)

In addition to amounts otherwise provided in this Act, for carrying out title VIII of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7701 et seq.); title VI of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7301 et seq.); for title II of the Carl D. Perkins Vocational and Applied Technology Education Act (20 U.S.C. 2331 et seq.); for the National Institute for Literacy under section 384 of the Adult Education Act (20 U.S.C. 1213c), respectively, $49,580,000, $40,000,000, $80,450,000, and $4,870,000, to be derived from amounts under the head ''NATIONAL INSTITUTES OF HEALTH'' by reducing each amount under such head by 1.465 percent.

Page 42, beginning on line 13, strike the colon and all that follows through ''8003(e)'' on line 22.

H.R. 2127

OFFERED BY: MR. CUNNINGHAM

AMENDMENT NO. 83: Page 88, after line 7, insert the following:

TITLE VII—OTHER PROGRAMS

SUCCESSFUL PROGRAMS

(INCLUDING TRANSFER OF FUNDS)

In addition to amounts otherwise provided in this Act, for carrying out title VIII of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7701 et seq.); title VI of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7301 et seq.); for title II of the Carl D. Perkins Vocational and Applied Technology Education Act (20 U.S.C. 2331 et seq.); for the National Institute for Literacy under section 384 of the Adult Education Act (20 U.S.C. 1213c), respectively, $46,000,000, $40,000,000, $69,130,000, and $4,870,000, to be derived from amounts under the head ''NATIONAL INSTITUTES OF HEALTH'' by reducing each amount under such head by 1.34 percent.

Page 42, beginning on line 13, strike the colon and all that follows through ''8003(e)'' on line 22.

H.R. 2127

OFFERED BY: MR. CUNNINGHAM

AMENDMENT NO. 84: Page 88, after line 7, insert the following:

TITLE VII—OTHER PROGRAMS

SUCCESSFUL PROGRAMS

(INCLUDING TRANSFER OF FUNDS)

In addition to amounts otherwise provided in this Act, for carrying out title VIII of the

Elementary and Secondary Education Act of 1965 (20 U.S.C. 7701 et seq.); title VI of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7301 et seq.); for title II of the Carl D. Perkins Vocational and Applied Technology Education Act (20 U.S.C. 2331 et seq.); for the National Institute for Literacy under section 384 of the Adult Education Act (20 U.S.C. 1213c), respectively, $46,000,000, $40,000,000, $39,310,000, and $4,870,000, to be derived from amounts under the head ''NATIONAL INSTITUTES OF HEALTH'' by reducing each amount under such head by 1.0888 percent.

Page 42, beginning on line 13, strike the colon and all that follows through ''8003(e)'' on line 22.

H.R. 2127

OFFERED BY: MS. DANNER

AMENDMENT NO. 85: Page 41, insert after line 8 the following new section:

SEC. 210. The amounts otherwise provided by this Act are revised by reducing the amount made available for the ''OFFICE OF THE SECRETARY'' for ''GENERAL DEPARTMENTAL MANAGEMENT'' which is not transferred from trust funds, and increasing the amount made available for the ''OFFICE OF THE SECRETARY'' for the ''OFFICE OF THE INSPECTOR GENERAL'' which is not transferred from trust funds, by $5,981,000.

H.R. 2127

OFFERED BY: MR. ENGEL

AMENDMENT NO. 86: Page 55, line 25, strike ''$240,000,000'' and insert ''$260,000,000''.

H.R. 2127

OFFERED BY: MR. GOODLING

AMENDMENT NO. 87: Page 75, after line 24, insert the following new section.

NATIONAL INSTITUTE FOR LITERACY

(INCLUDING TRANSFER OF FUNDS)

''SEC. 514. For expenses to carry out the literacy program of the National Institute for Literacy under section 384 of the Adult Education Act (20 U.S.C. 1213c), to be derived from amounts provided in this Act for ''Education, Research, Statistics, and Improvement'', $4,869,000.''

H.R. 2127

OFFERED BY: MR. GUTIERREZ

AMENDMENT NO. 88: Page 35, strike lines 11 through 15.

H.R. 2127

OFFERED BY: MR. GUTIERREZ

AMENDMENT NO. 89: Page 35, line 15, strike ''$1,000,000,000'' and insert in lieu thereof ''$750,000,000''.

Page 42, line 7, strike ''$645,000,000, of which $550,000,000'' and insert in lieu thereof ''$395,000,000, of which $300,000,000''.

H.R. 2127

OFFERED BY: MR. KENNEDY OF MASSACHUSETTS

AMENDMENT NO. 90: Page 18, strike lines 17 through 24.

H.R. 2127

OFFERED BY: MR. LAZIO

AMENDMENT NO. 91: Page 38, line 6, after the dollar amount, insert the following: ''(reduced by $15,000,000)''.

Page 55, line 19, after the dollar amount, insert the following: ''(increased by $15,000,000 for the National Senior Volunteer Corps)''.

H.R. 2127

OFFERED BY: MR. MCINTOSH

AMENDMENT NO. 92: Page 33, line 12, after the dollar amount, insert the following: ''(reduced by $200,000)''.

Page 33, line 15, after the dollar amount, insert the following: ''(reduced by $200,000)''.

H.R. 2127

OFFERED BY: MR. MCINTOSH

AMENDMENT NO. 93: Page 41, after line 8, insert the following new section:

SEC. 210. Of the amount otherwise provided by this title for ''Health Care Financing Administration—Program Management'', $200,000 shall be available only for compensation to Henry County Memorial Hospital, in New Castle, Indiana.

H.R. 2127

OFFERED BY: MR. MENENDEZ

AMENDMENT NO. 94: At the end of the bill, insert after the last section (preceding the short title) the following new section:

SEC. . NONE OF THE FUNDS MADE AVAILABLE BY THIS OR ANY OTHER ACT MAY BE USED TO PAY THE SALARY OF ANY GOVERNMENT OFFICIAL (AS DEFINED IN SECTION 4946(C) OF THE INTERNAL REVENUE CODE OF 1986) WHEN IT IS MADE KNOWN TO THE FEDERAL OFFICIAL HAVING AUTHORITY TO OBLIGATE OR EXPEND SUCH FUNDS THAT THERE HAS BEEN AN ACT OF SELF-DEALING (AS DEFINED SECTION 4941(D) OF SUCH CODE, DETERMINED BY TREATING SUCH OFFICIALS AS DISQUALIFIED PERSONS) BETWEEN SUCH OFFICIAL AND ANY ORGANIZATION DESCRIBED IN PARAGRAPH (3) OR (4) OF SECTION 501(C) OF THE INTERNAL REVENUE CODE OF 1986 AND EXEMPT FROM TAX UNDER SECTION 501(A) OF SUCH CODE.

H.R. 2127

OFFERED BY: MR. MORAN

AMENDMENT NO. 95: Page 30, line 13, insert before the period the following: ''*: Provided further,* That of the funds made available under this heading, $7,500,000 shall be available for carrying out the activities of the Office of Alternative Medicine under section 404E of the Public Health Service Act''.

H.R. 2127

OFFERED BY: MS. PELOSI

AMENDMENT NO. 96: On page 2 line 15, strike $3,180,441,000 and insert $3,412,441,000 on page 2 line 16, strike $2,936,154,000 and insert $3,168,154,000.

H.R. 2127

OFFERED BY: MS. PELOSI

AMENDMENT NO. 97: On page 2 line 15, strike $3,180,441,000 and insert $3,412,441,000.

On page 2 line 16, strike $2,936,154,000 and insert $3,168,154,000.

On page 7 line 18, strike $64,113,000 and insert $68,613,000.

On page 8 line 19, strike $246,967,000 and insert $268,967,000.

On page 12 line 17, strike $263,985,000 and insert $307,985,000.

On page 12 line 18, strike $65,319,000 and insert $70,000,000.

On page 15 line 6, strike $185,154,000 and insert $199,154,000.

On page 25 line 5, strike $2,085,831,000 and insert $2,115,831,000.

On page 58 line 6, strike $123,233,000 and insert $170,733,000.

H.R. 2127

OFFERED BY: MS. PELOSI

AMENDMENT NO. 98: On page 2 line 15, strike $3,180,441,000 and insert $3,412,441,000.

On page 2 line 16, strike $2,936,154,000 and insert $3,168,154,000.

On page 7 line 18, strike $64,113,000 and insert $68,613,000.

On page 8 line 19, strike $246,967,000 and insert $268,967,000.

On page 12 line 17, strike $263,985,000 and insert $307,985,000.

On page 12 line 18, strike $65,319,000 and insert $70,000,000.

On page 15 line 6, strike $185,154,000 and insert $199,154,000.

On page 25 line 5, strike $2,085,831,000 and insert $2,115,831,000.

On page 58 line 6, strike $123,233,000 and insert $170,733,000.

On page 32 line 8, after the word ''expended'' insert:

''*: Provided,* that none of the funds in this Act may be used to reimburse any State for expenditures incurred under title XIX of the Social Security Act based on a Federal matching rate under section 1905(b) or any related provision in excess of 69 percentum''.

H.R. 2127

OFFERED BY: MS. PELOSI

AMENDMENT NO. 99: On page 7 line 18, strike $64,113,000 and insert $68,613,000.

H.R. 2127

OFFERED BY: MS. PELOSI

AMENDMENT NO. 100: On page 8 line 19, strike $246,967,000 and insert $268,967,000.

H.R. 2127

OFFERED BY: MS. PELOSI

AMENDMENT NO. 101: On page 12 line 17, strike $263,985,000 and insert $307,985,000.

H.R. 2127

OFFERED BY: MS. PELOSI

AMENDMENT NO. 102: On page 12 line 18, strike $65,319,000 and insert $70,000,000.

H.R. 2127

OFFERED BY: MS. PELOSI

AMENDMENT NO. 103: On page 15 line 6, strike $185,154,000 and insert $199,154,000.

H.R. 2127

OFFERED BY: MS. PELOSI

AMENDMENT NO. 104: On page 25 line 5, strike $2,085,831,000 and insert $2,115,831,000.

H.R. 2127

OFFERED BY: MS. PELOSI

AMENDMENT NO. 105: On page 58 line 6, strike $123,233,000 and insert $170,733,000.

H.R. 2127

OFFERED BY: MR. PETRI

AMENDMENT NO. 106: Page 51, line 12, strike '', of which'' and all that follows through ''1996'' on line 25.

Page 52, line 2, strike ''(1)''.

Page 52, line 5, strike '', or (2)'' and all that follows through ''(IPAs)'' on line 18.

H.R. 2127

OFFERED BY: MR. RIGGS

AMENDMENT NO. 107: Page 88, after line 7, insert the following:

TITLE VII—OTHER PROGRAMS

WORKING PROGRAMS

(INCLUDING TRANSFER OF FUNDS)

In addition to amounts otherwise provided in this Act, for carrying out title VI of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7301 et seq.); for title II of the Carl D. Perkins Vocational and Applied Technology Education Act (20 U.S.C. 2331 et seq.); for the National Institute for Literacy under section 384 of the Adult Education Act (20 U.S.C. 1213c); for the National Education Goals Panel under Title II of the Goals 2000: Educate America Act (20 U.S.C. 5801), respectively, $83,532,000, $83,532,000, $4,870,000 and $3,000,000 to be derived from amounts under the head ''National Institutes of Health'' by reducing each amount under such head by 1.465 percent.

H.R. 2127

OFFERED BY: MR. RIGGS

AMENDMENT NO. 108: Page 88, after line 7, insert the following:

TITLE VII—OTHER PROGRAMS

WORKING PROGRAMS

(INCLUDING TRANSFER OF FUNDS)

In addition to amounts otherwise provided in this Act, for carrying out title VIII of the

Elementary and Secondary Education Act of 1965 (20 U.S.C. 7701 et seq.); title VI of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7301 et seq.); for title II of the Carl D. Perkins Vocational and Applied Technology Education Act (20 U.S.C. 2331 et seq.); for the National Institute for Literacy under section 384 of the Adult Education Act (20 U.S.C. 1213c); for the National Education Goals Panel under Title II of the Goals 2000: Educate America Act (20 U.S.C. 5801), respectively, $49,580,000, $38,500,000, $78,950,000, $4,870,000 and $3,000,000 to be derived from amounts under the head ''National Institutes of Health'' by reducing each amount under such head by 1.465 percent.

Page 42, beginning on line 13, strike ''That notwithstanding'' and all that follows through the comma on line 20.

H.R. 2127

OFFERED BY: MR. RIGGS

AMENDMENT NO. 109: Page 88, after line 7, insert the following:

TITLE VII—OTHER PROGRAMS

WORKING PROGRAMS

(INCLUDING TRANSFER OF FUNDS)

In addition to amounts otherwise provided in this Act, for carrying out title VIII of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7701 et seq): title VI of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7301 et seq.); for title II of the Carl D. Perkins Vocational and Applied Technology Education Act (20 U.S.C. 2331 et seq.); for the National Institute for Literacy under section 384 of the Adult Education Act (20 U.S.C. 1213c); for the National Education Goals Panel under Title II of the Goals 2000: Educate America Act (20 U.S.C. 5801), respectively, $49,580,000, $38,500,000, $78,950,000, $4,870,000 and $3,000,000 to be derived from amounts under the head ''National Institutes of Health'' by reducing each amount under such head by 1.465 percent.

Page 42, beginning on line 13, strike the colon and all that follows through ''8003(e)'' on line 22.

H.R. 2127

OFFERED BY: MR. RIGGS

AMENDMENT NO. 110: Page 88, after line 7, insert the following:

TITLE VII—OTHER PROGRAMS

WORKING PROGRAMS

(INCLUDING TRANSFER OF FUNDS)

In addition to amounts otherwise provided in this Act, for carrying out title VIII of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7701 et seq): title VI of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7301 et seq.); for title II of the Carl D. Perkins Vocational and Applied Technology Education Act (20 U.S.C. 2331 et seq.); for the National Institute for Literacy under section 384 of the Adult Education Act (20 U.S.C. 1213c); for the National Education Goals Panel under Title II of the Goals 2000: Educate America Act (20 U.S.C. 5801), respectively, $49,580,000, $38,500,000, $78,950,000, $4,870,000 and $3,000,000 to be derived from amounts under the head ''National Institutes of Health'' by reducing each amount under such head by 1.465 percent.

Page 42, beginning on line 13, strike the colon and all that follows through ''8003(e)'' on line 22.

H.R. 2127

OFFERED BY: MR. RIGGS

AMENDMENT NO. 111: Page 88, after line 7, insert the following:

TITLE VII—OTHER PROGRAMS

WORKING PROGRAMS

(INCLUDING TRANSFER OF FUNDS)

In addition to amounts otherwise provided in this Act, for carrying out title VII of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7301 et seq.); for title II of the Carl D. Perkins Vocational and Applied Technology Education Act (20 U.S.C. 2331 et seq.); for the National Institute for Literacy under section 384 of the Adult Education Act (20 U.S.C. 1213c); for the National Education Goals Panel under Title II of Goals 2000: Educate America Act (20 U.S.C 5801), respectively, $83,532,000, $83,532,000, $4,870,000, and $3,000,000, to be derived from amounts under the head ''NATIONAL INSTITUTES OF HEALTH'' by reducing each amount under such head by 1.46524 percent.

H.R. 2127

OFFERED BY: MR. RIGGS

AMENDMENT NO. 112: Page 88, after line 7, insert the following:

TITLE VII—OTHER PROGRAMS

WORKING PROGRAMS

(INCLUDING TRANSFER OF FUNDS)

In addition to amounts otherwise provided in this Act, for carrying out title VIII of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7701 et seq.); title VI of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7301 et seq.); for title II of the Carl D. Perkins Vocational and Applied Technology Education Act (20 U.S.C. 2331 et seq.); for the National Institute for Literacy under section 384 of the Adult Education Act (20 U.S.C. 1213c), respectively, $49,580,000, $40,000,000, $80,450,000, and $4,870,000, to be derived from amounts under the head ''NATIONAL INSTITUTES OF HEALTH'' by reducing each amount under such head by 1.465 percent.

Page 42, beginning on line 13, strike the colon and all that follows through ''8003(e)'' on line 22.

H.R. 2127

OFFERED BY: MR. RIGGS

AMENDMENT NO. 113: Page 88, after line 7, insert the following:

TITLE VII—OTHER PROGRAMS

WORKING PROGRAMS

(INCLUDING TRANSFER OF FUNDS)

In addition to amounts otherwise provided in this Act, for carrying out title VIII of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7701 et seq.); title VI of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7301 et seq.); for title II of the Carl D. Perkins Vocational and Applied Technology Education Act (20 U.S.C. 2331 et seq.); for the National Institute for Literacy under section 384 of the Adult Education Act (20 U.S.C. 1213c), respectively, $49,580,000, $40,000,000, $80,450,000, and $4,870,000, to be be derived from amounts under the head ''NATIONAL INSTITUTES OF HEALTH'' by reducing each amount under such head by 1.465 percent.

Page 42, beginning on line 13, strike ''That notwithstanding'' and all that follows through the comma on line 20.

H.R. 2127

OFFERED BY: MR. RIGGS

AMENDMENT NO. 114: Page 88, after line 7, insert the following:

TITLE VII—OTHER PROGRAMS

WORKING PROGRAMS

(INCLUDING TRANSFER OF FUNDS)

In addition to amounts otherwise provided in this Act, for carrying out; title VI of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7301 et seq.); for title II of the Carl D. Perkins Vocational and Applied Technology Education Act (20 U.S.C. 2331 et seq.); for the National Institute for Literacy under section 384 of the Adult Education Act (20 U.S.C. 1213c), respectively, $85,032,000, $85,032,000, and $4,870,000, to be derived from amounts under the head ''NATIONAL INSTITUTES OF HEALTH'' by reducing each amount under such head by 1.465 percent.

H.R. 2127

OFFERED BY: MR. RIGGS

AMENDMENT NO. 115: Page 88, after line 7, insert the following:

TITLE VII—OTHER PROGRAMS

WORKING PROGRAMS

(INCLUDING TRANSFER OF FUNDS)

In addition to amounts otherwise provided in this Act, for carrying out; title VI of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7301 et seq.); for title II of the Carl D. Perkins Vocational and Applied Technology Education Act (20 U.S.C. 2331 et seq.); for the National Institute for Literacy under section 384 of the Adult Education Act (20 U.S.C. 1213c), respectively, $85,032,000, $85,032,000, and $4,870,000, to be derived from amounts under the head ''NATIONAL INSTITUTES OF HEALTH'' by reducing each amount under such head by 1.46524 percent.

H.R. 2127

OFFERED BY: MR. SOLOMON

AMENDMENT NO. 116: Page 88, after line 7, insert the following new title:

TITLE VII—ADDITIONAL GENERAL PROVISIONS

SEC. 701. None of the funds appropriated in this Act may be made available to any institution of higher education when it is made known to the Federal official having authority to obligate or expend such funds that—

(1) any amount, derived from compulsory fees (such as mandatory nonrefundable fees, mandatory/waivable refundable fees, and negative checkoffs), compulsory student activity fees, or other compulsory charges to students, is used for the support of any organization or group that is engaged in lobbying or seeking to influence public policy or political campaigns; and

(2) such support is other than—

(A) the direct or indirect support of the recognized student government, official student newspaper, officials and full-time faculty, or trade associations, of an institution of higher education; or

(B) the indirect support of any voluntary student organization at such institution.

United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 104th CONGRESS, FIRST SESSION

Vol. 141 WASHINGTON, TUESDAY, AUGUST 1, 1995 No. 126

Senate

(Legislative day of Monday, July 10, 1995)

The Senate met at 9:30 a.m., on the expiration of the recess, and was called to order by the President pro tempore [Mr. THURMOND].

PRAYER

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

Let us pray:

Gracious Father, whose presence and power is revealed to the heart that longs for Your guidance, to the mind that humbly seeks Your truth, and to those who are united in oneness to serve You in a great cause, we ask that this time of prayer be an authentic experience of communion with You that issues into an inspiring conversation with You throughout the day.

We seek to receive Your presence continually, to think of You consistently, and to trust You constantly. We urgently need divine wisdom for our leadership of this Nation, and we have discovered that this only comes in a reliant relationship with You. Prayer enlarges our minds and hearts until they are able to be channels for the flow of Your spirit. You Yourself are the answer to our prayers.

As we move through this day, we seek to see each problem, perplexity, or person as an opportunity to practice Your presence and accept Your perspective and patience. We do not want to forget You, but when we do, interrupt our thoughts and bring us back into an awareness that You are waiting to bless us and equip us to lead with vision and courage. Thus, may our work be our worship this day.

In Your holy name. Amen.

RECOGNITION OF THE ACTING MAJORITY LEADER

The PRESIDENT pro tempore. The able senior Senator from Alaska is recognized.

SCHEDULE

Mr. STEVENS. Mr. President, this morning there will be a period for morning business until the hour of 10 a.m. At 10 a.m., the Senate will immediately begin a rollcall vote on the motion to invoke cloture on the State Department reorganization bill. The Senate will recess between the hours of 12:30 p.m. and 2:15 p.m. for the weekly policy conferences. If cloture is not invoked in the morning, a second cloture vote will begin at 2:15 p.m. immediately following the recess. If cloture is not obtained, the majority leader has indicated the Senate may resume consideration of the energy and water appropriations bill or begin consideration of the Department of Defense authorization bill. Rollcall votes can, therefore, be expected throughout the session today.

Also, as a reminder, Members have until 10 a.m. this morning to file second-degree amendments to qualify postcloture and until the hour of 12:30 p.m. today to file first-degree amendments under the cloture procedure.

MORNING BUSINESS

The PRESIDING OFFICER (Mr. CAMPBELL). Under the previous order, there will now be a period for the transaction of morning business, not to extend beyond the hour of 10 a.m., with Senators permitted to speak for up to 5 minutes each.

Under the previous order, The Senator from Ohio, Senator GLENN, is recognized to speak for up to 15 minutes.

BENEFITS OF NASA-FUNDED RESEARCH

Mr. GLENN. Mr. President, I rise today to begin a series of statements in which I want to outline some of the research and other scientific benefits derived from NASA-funded programs. These are programs that have benefit, by and large, for every man, woman, and child in this country; indeed, for people all over the globe.

I note with pleasure that just recently, the House passed their appropriations bill regarding NASA's space station by a vote of 299 in favor and 126 against. That is well over a 2-to-1 margin. I hope we can match that in the Senate.

But every year in the Senate, when the time comes to consider the NASA budget, there are those doubters, there are those people who want to cut it. I do not want to see excess money going into NASA either, but I also think we need to step back once in a while and look at what we are talking about with regard to research.

If there is one thing this Nation should have learned throughout its history, it is that money spent on research usually has a way of paying off in the future beyond anything we can see at the outset. That is just as true with research in space as it is with research that we have done in other areas. Research by its very nature is not as amenable to cost accounting procedures as are some other programs. But that is why it is research: It is looking into the unknown, it is having inquiry into things we do not yet know about and do not yet know the value of. Yet, that has been at the heart of every bit of advance in science and technology that we have ever made as a nation.

Someone has to wonder, someone has to have a curiosity about what we do not know in a certain area, how can we do things better, what would happen if we knew the answer to a certain question. And they are willing to go out and do something about it. They are willing to exercise their wonderment, their curiosity. This Nation is just replete with examples of where that has been to our advantage.

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

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For example, we can think back in agriculture and we can see the old settlers planting corn. When I was a boy back in New Concord, OH, a good corn crop was probably 48 to 50 bushels per acre. That was considered pretty good around there in those days. Do you know what it was last year not far from where I grew up? There was one farm pointed out to me that won the competition in that little part of our State near Utica, OH, where our good friend, Gene Branstool, who was in the Department of Agriculture for awhile, comes from. That area had 239 bushels per acre last year on one of the farms—239 bushels per acre.

Back when I was growing up, the people thought 48 to 50 bushels was pretty good. Why do we need research? Why would anybody spend money on it when we are getting 48 to 50 bushels off this land, where people before had only 30 or 35? But we put money into an agricultural research system, and out of that system came improvements in soil and fertilizers and hybrids, a tremendous step forward when you got to hybrids.

So the increase in production is not something that indicates farmers are working six or seven times as hard as they worked back when I was a boy, but it means that we did basic research, even though nobody knew what the outcome of it was going to be at that time.

Out of that research then came improvements in the hybrids, machinery, fertilizers, soil stabilization, and all these things that give us this wonderful production today that makes us the envy of the world. We are not the envy of the world just because—just because—we have great plains on which to conduct all of our agriculture. We have that agricultural production out there largely because we did basic research more than anyone else in the world, and we are the envy of the rest of the world with that system that we set up in agriculture.

I can give other examples. In metals, we develop metals that now give more reliable engines, valves, and generators, and all the things that go to make up our industrialized society. We did metallurgical research that was the envy of the rest of the world. Now there are some places in the world, Russia being one of them, where we envy them in some of the metallurgical research they are doing. In some areas, we believe they are probably ahead of some of our metallurgical research.

Aeronautical research—why would anybody want to get up and fly like the birds? The Wright brothers wondered why not and then did it. That first flight they made was 120 feet long and took 12 seconds. Before that day was over, they had done four flights, the longest one just a little under 900 feet, 59 seconds I believe it was. But they were curious about why we could not get up and do sustained flights. People have wondered for thousands of years, I suppose, why we could not fly like the birds.

The Wright brothers were curious about it, and they were ridiculed by some of the people at the time, because why would anyone want to do this? Later on, when they were trying to sell one of the airplanes, or a series of them, to the Army to use and were in Washington demonstrating it, one of the people in Congress in one of the hearings was quoted as saying, ''Why not just buy one airplane and let them take turns using it?''

Well, it shows how myopic the view is of some people. The airplane was developed in part because we did basic research. Out of that start came an aeronautical industry that, in turn, had its own research done. The Government invested in wind tunnels and conducted lift experiments and drag experiments and metallurgical experiments along with some of that to see what would hold up in a wind tunnel. Out of that came the lifting bodies and the aerodynamic surfaces that were the basis of our whole aeronautical industry and helped develop such giants as Boeing, Lockheed, Grumman, Northrop, McDonnell-Douglas, and all the rest of the aviation companies that did not do all of that themselves. They could not. They did not have the resources. Yet, the Government went ahead with the research that let this whole new industry develop.

In medicine, we have had people concerned since we have been a nation in doing more medical research than any nation. Out of that has come a medical system that is the envy of the world. At the same time, we have problems with it because we want to see more people benefiting from that system. But we have made our medical advances and breakthroughs largely because of basic, fundamental research. We have people willing to go into the laboratories and conduct that kind of research in oceanography, for example.

Those who would think that just because we have moved into this new environment of space—there are some who think we should lay that down and it cannot possibly have any advantage to us. Yet, we have found in the past that exploring the unknown, whether it be in the lab or geographical expansion—can be just as valuable as any of the other kinds of research that we do. But we still have those who doubt.

I am reminded of a quote that is sort of a favorite of mine because it shows how myopic some views can be. It involves Daniel Webster. He rose on the Senate floor when they were considering some territorial acquisitions from Mexico back in 1852. These were the lands beyond the Mississippi. These were the great plains beyond the Mississippi. These were the mountains and plains clear to the west coast. He did not like that idea very much. Daniel Webster rose on the Senate floor and spoke in opposition to the purchase. He is quoted as having said the following:

> What do we want with this vast worthless area, this region of savages and wild beasts, of deserts of shifting sands and whirlwinds of dust and cactus and prairie dogs? To what use could we ever hope to put these great deserts or the mountains that are covered to their very base with eternal snow? What can we ever hope to do with the western coast, a coast of 3,000 miles rock-bound, cheerless, uninviting, and not a harbor on it? What use have we for this country? Mr. President, I will never vote one cent from the Public Treasury to place the Pacific coast one inch nearer to Boston than it is now.

We look back today and think how myopic that view was. I am sure everyone that comes from States west of the Mississippi would first be amused by Daniel Webster's statement. It shows how myopic the views of even well-educated, great public servants can become when they try and just assume that the status quo is what we are going to live with forever, and should live with forever.

When we look up at space, in order to stay up there, you have to go fast enough to set up enough centrifugal force going around the Earth so that you balance gravity, so that, we now can assume a zero gravity or microgravity environment. You cannot do that here on Earth. You can throw something up in the air and for the time period it is going up and coming back down, it will be in a zero gravity condition or zero-G condition. However such experiments are very short-lived.

In the spacecraft we have now, whether it be the space shuttle or the coming orbiting space station, up there on a permanent basis, we now have the capability of exercising this curiosity, exercising our wonder, exercising our look into the unknown to see how it can benefit us here on Earth. That is the reason why I rise today, to talk about the value of this and some of the things that, even at this early stage of investigation, this early stage of research in space, is of value to everyone right here on Earth.

Let me take the last Space Shuttle flight that went up as an example. The last flight was called an ''Ohio flight'' because, as it turned out, four out of the five people on board were from Ohio. The flight was not set up that way, as an Ohio flight, to begin with. It was just the luck of the draw on that assignment of crew that it turned out that four of the five people were from Ohio.

I went down before their launch and spent a couple of days with that crew down at Houston. It was intensely interesting. We went through some of the simulations the astronauts use for training there, as well as reviewed some of the experiments and things they were going to do on that particular flight. This was not an unusual flight in that regard. It was a flight that had a number of experiments on board—a dozen or so—and some of them that may have a particular benefit to people right here on Earth.

The people on that flight were Commander Tom Hendricks from Woodville, OH; Nancy Jane Curry from Troy;

Mary Ellen Weber of Bedford Heights, Don Thomas of Cleveland; Kevin Kriegle from Amityville, NY, who we made an honorary Ohioan for the duration of that particular mission. They did a great job. Many people watched the other day as they landed successfully at the cape after being delayed in coming back because of weather.

But the important thing I want to stress this morning is that just on that one flight, some of the things they had aboard may be of extreme value to everybody right here. Actually, they had a total of 18 different experiments that were on board that flight. The primary mission was to put into space the TDRS satellite, the tracking and data relay satellite system. This is a final installation of a series of space-based communication and tracking networks that will be used for lower Earth orbit communications.

The amount of communications of data relay that that particular satellite will be able to handle, to me, is sort of mind boggling. Once it is fully up and fully operational—it is up there now but not fully operational—it will be used as a spare in case one of the other TDRS satellites develops problems. But its capacity, when fully operational, will be to transmit information per second, equal to about a 20 volume encyclopedia, to be able to transfer that amount of data per second. The communications that something like that provides and the ability to communicate with different parts of the world almost instantaneously is rather mind boggling to even consider.

I will not try and go through all 18 of these experiments, but another one I was particularly interested in—and that the scientists at NASA are very excited about—is the bioreactor system. We were briefed on that in Houston, and one of the scientists describing this says that if this comes through the way they think it may, this is Nobel Prize material. Well, it may well be. What it does is it makes a new way of studying cancer cells and other cells that are in the human body. It provides a new way of analyzing these cells and may lead to a new way of treating them.

The reason it is different is this. In a laboratory here on Earth, if you want to grow some cancer cells you usually must grow them on the bottom of a Petri dish. These cells grow in essentially a two-dimensional way. Scientists can then analyze the cells, but because they are two dimensional, they do not exactly replicate how these cancer cells are found in the body.

A two dimensional model is not the cells' natural environment. Cancer cells in the blood stream, cancer cells in a tissue, are surrounded by other body fluids, body parts.

With the bioreactor, researchers can grow cells in a three-dimensional environment, more similar to what is found in the human body. When cancer cells are allowed to grow in three dimensions, researchers can use different experimental techniques, different drugs or lasers or whatever, to see how these cells or tumors may best be treated. On a lab here on Earth a bioreactor has been used to grow small three dimensional breast cancer cells, but eventually the forces of gravity take over and these models fall apart. In a constant microgravity environment, like that of the space shuttle or space station larger cell clusters can be grown—more similar to what is found in the human body.

The first efforts at that are being done now, and were conducted with this bioreactor development system which flew on the most recent shuttle. Stated in other terms, the ability of a bioreactor to provide the environment and metabolic support required to grow and maintain mammalian cell cultures in microgravity.

This is a short statement, meaning, basically, what I said a moment ago. The experiments that they were starting on this last flight on STS–70 were with cancer cells. They want to see what reaction they get, how they can maintain the cells there, what reaction they have to different conditions, and so on.

Can I say right here that we have the answer to cancer near at hand, or the answer to AIDS near at hand? No. But out of an inquiry like this might well come some advances that combine with others, and other research may give us a handle.

Surely, this environment that they are in, where they are surrounded by the normal body fluids in the reactor, is much more conducive to research.

The effect of microgravity on bone development has been an ongoing area of research. Research into osteoporosis, which is a degenerative bone disease, is one prime example. One thing that happens in microgravity is the body starts to correct itself, as it no longer needs the same skeletal strength it has here on Earth to maintain itself up there.

We used to worry about this because if one's body eliminated enough calcium and the bones became much less rigid, we used to joke about the possibility of ''jelly bones.'' Sometime in the future if a person went on a long space flight, maybe you would come back and your bones would be so weak, so much calcium was out of them, you might not be able to stand without taking a chance of breaking your leg.

Osteoporosis goes through much of this same process. Prolonged bed rest in the hospital creates some of that same process—the body throwing off much of the calcium that it has in its bones.

In space, you develop some of these characteristics much more rapidly. That is the reason why you see some of the pictures coming back, people are up there exercising, exercising, exercising, about an hour every day on a treadmill, tied down with bungee cords, because they find that hard exercise every day is the best way to prevent that from happening.

Here on Earth, one of the ways people prevent osteoporosis is by daily exercise. Up there, we can then use additional chemicals or medicines or whatever to see if we cannot reverse this process or at least prevent it from happening, which will have a direct relationship right here on Earth.

Another experiment, commercial protein crystal growth. Crystallized human alpha-interferon protein. The protein crystal growth experiments have been particularly interesting. These crystal growths occur with more purity and sometimes in much different size in the weightlessness of space than they do here on Earth. It opens up a whole new area of experimentation with regard to what may be of benefit right here on Earth. This particular crystal also may have some cancer benefits.

All of these things are not just curiosities in space, to be applied in space. They are of benefit to people right here on Earth. It always surprises me when people do not seem to want to realize or they talk down projects that may result in a whole new approach to disease. It may result in what we call tailormade drugs; in other words, drugs that will be tailored to a specific benefit to cope with a particular disease or a particular medical difficulty. They are doing those experiments there now.

Another experiment that has a title that is rather unwieldy may have some defense applications for us. We do not know yet. We think it may. It is called the HERCULES project. Now, HERCULES stands for hand-held, Earth-oriented, cooperative, real time, user-friendly, location targeting, and environmental system. That is some handle for the project HERCULES. What it is, is a space-based geolocating system to locate a wide variety of features on the ground with great accuracy. It has some defense applications that may come out of that, as well as other scientific applications.

Another experiment is microencapsulation in space to produce novel pharmaceuticals in a weightless condition which can be done with more purity than they can be done here on Earth.

Another one is a midcourse space experiment, which supports the development of surveillance capabilities of ballistic missiles during the midcourse of their flight. There are a number of experiments they perform on just that one flight.

Going back one flight before that, we all watched as astronaut Hoot Gibson flew the STS–71 mission, the shuttle-MIR mission. There were great pictures of that, that I am sure many of my colleagues saw. On that mission, in addition to just being able to rendezvous with two 100-ton vehicles coming together up there in space, they did metabolic experiments: Studying physiological responses in space, changes in blood volume, cardiovascular and pulmonary research, neurosensory research, how zero gravity affects brain

communication. Does that tie in with brain communication? We need information with regard to Alzheimer's disease or whatever. Also, behavior and performance research, long-term effects of microgravity on muscle coordination, mental acuity, and once again, the protein crystal growth experiments.

These are just a few of the things that are going on in the space program these days. I just mention these things now and, in subsequent remarks here on the floor, I want to give more information on some of these. I wanted to set the stage this morning by going back in just a few of the things that I have mentioned with regard to the value of basic research in this country, and that NASA is out there, right now, doing that kind of cutting edge, basic research, in this new laboratory of space.

Every year, NASA publishes a book called ''Spinoffs.'' This one is ''Spinoff, 1994,'' a whole book full of some of the things that NASA has been doing that are of value right here on Earth. Health and medicine, environment and resources management, public safety, consumer, home, recreational spinoffs, transportation, computer technology, industrial productivity, and manufacturing technology.

I will not try to read all the things here this morning for people, but I commend them to my colleagues and the staffs here on the floor for reading, to see what is going on in some of these areas. We will be talking more about some of these things as time goes on.

I know the time is limited here this morning. I will make some more lengthy remarks in days ahead. I wanted to take this time this morning to set the stage for the upcoming debate on NASA's budget.

People have looked up for hundreds of thousands of years and wondered what is up there in the air, and then the Wright brothers went ahead and learned how to fly and learned how to stay up there for a period of time, and people first thought, what use was it. But we know what use it became later on—our whole aircraft and airline industry that lets people travel to far places around the world.

Every time we come up with a new capability for doing research, it seems that there are those who do not want to recognize that something good may come out of it, whether it be agriculture research, metals research, aeronautical research, oceanography, geographical research, or whatever.

But, as I said starting out, if there is one thing this Nation has learned, it is that money and time spent on basic, fundamental research in whatever area usually comes back and shows more value than we could ever foresee at the outset.

Mr. President, I yield the floor.

TRIBUTE TO C. ABBOTT SAFFOLD, SECRETARY FOR THE MINORITY

Mr. HEFLIN. Mr. President, I rise today to join my colleagues in hailing the faithful service of Abby Saffold, who has served as secretary to the Democratic caucus since 1987. Abby has been one of the greatest fixtures in this body, and I cannot imagine the remarkably different place this Chamber would have been without her.

I remember well the days when this body was not so divided by party lines. Abby is a rare example of a person who provided her expertise to all, regardless of party. She did not concern herself with which side of the aisle we were on. She was helpful to anyone who needed of her.

I am sure Abby could tell remarkable stories about the questions that were posed to her throughout her career in the Senate. If someone was planning a vacation for 1999, they would first call Abby to ask if the Senate would be in session—and she would know. I am sure that she has been asked countless times ''When will be be out of here tonight?'' ''What's on the lunch menu today?'' or ''What's the best joke you can tell me, Abby?''

Abby has served as a school teacher and a case workers, and I am sure that those experiences have led to her expertise in working for and with Members of the Senate. She is well known for her endless knowledge of legislative procedures and negotiating skills, and for avoiding disaster through her expertise.

Abby was here with us all the late nights, still sharp, awake, and aware. There was no question whether she would be on the floor the next morning, and she was just as cheerful.

Abby is undoubtedly one of the brightest luminaries we have had the opportunity to work with here in the Senate. She learned from her experiences in Senator BYRD's office, working her way up from legislative correspondent to her position as the secretary of the majority, and most recently, as the secretary to the minority.

Senator BYRD taught her well. He passed on his attention for detail and professionalism to a truly great staffer. In appointing her, Senator BYRD gave us one of the greatest gifts any colleague could have—the opportunity for us to know the endless kindness of Abby Saffold. As Senator BYRD recently said, ''Abby has done it all, and done it all very, very well.''

As I look toward my own retirement, I would like to express by best wishes to Abby for hers. I doubt I will ever meet any finer person. We will all miss her presence here in this Chamber.

TRIBUTE TO DUANE GARRETT

Mrs. FEINSTEIN. Mr. President, only 48 years old, a veritable dynamo, exuding ideas and proposals, knowing his words commanded attention from the humblest abode to the White House itself, Duane Garrett seemed to have it all.

With a loving family, legions of friends, the respect and admiration of the lowly and highly placed alike, Duane appeared boundlessly blessed.

Lawyer, businessman, political adviser, art and stamp collector, sport savant, historian for the San Francisco Giants, fishing boat skipper—no one could fillet a salmon with such aplomb—radio talk show host, television commentator, Duane was a talented universalist—the proverbial Renaissance man.

Serious and thoughtful in his political analysis, witty and full of fun in conversation, a tenacious fighter for what he believed, yet practical and down-to-earth in his judgments, Duane was a true prodigy.

A giving man, always surprising friends with a gift—a stamp to a collector, a baseball card from a hero of long-ago to a young fan—but as only the generous can, Duane brushed aside gratitude. ''It was nothing. Just thinking about you,'' he would say.

And he would mean it because he gave from his heart.

With him, everything was done with enthusiasm born of interest in people and intensified by an endless curiosity about our world and our place in history.

He took to the microphone of his talk show with the same unrestrained gusto as he would enter a private conversation with an old friend.

He never held back. He always gave his all. He drew unselfishly from his knowledge and experience. Widely read and deeply thoughtful, he cut quickly and expertly to the heart of issues.

Certainly, I benefited from this ability as he advised me over the years, most recently as the cochair of my campaign for the U.S. Senate.

His candor could be counted upon. His word was his absolute bond. His thought was as rich and inventive as any person I know.

Also, he was a good friend, a person of great warmth and compassion. His mere walking into a room brought a brightness and warmth.

His bearish looming over a podium at a political dinner—and he was master of ceremonies at countless of them for me—was sure to give instant vibrancy to festivities. He was a master not only of long range ideas and concerns, but of the moment.

Actually, when his many talents and attributes are added together, the sum seems larger than life.

That makes his loss all the greater.

A giant who suddenly, without hint or warning, silences himself inevitably conjures a mystery.

But even in death there can be no detraction from what he contributed to life, no diminution of his love for Patty and his daughters, Laura and Jessica; no devaluation in the worth of the counsel and friendship he gave, or of the affection and respect he received in return.

While we may never learn or understand why this ebullient man should end his life, we can never subtract from his accomplishments.

We may never fathom the why of death, but we shall always be thankful for the fullness of his life.

Outwardly, Duane was the epitome of confidence and elan, seemingly so impregnable. Whatever pain he felt, or doubts he had, remained concealed behind the customary lift of his head and broad smile.

What drove him to that final, solitary walk on the Golden Gate Bridge may elude us, but what we shall always know is his love for his family and his zest whenever he was on the other end of the phone, or sitting in the living room or booming his opinion on radio or television.

His life is what matters. His death is mere punctuation that makes clear the substance and meaning that came before.

Indeed, Duane seemed to have it all, and for those of us who knew him he endlessly seemed to give his all.

So very much alive, so bursting with ideas, so expressive, so reaching out to help others, Duane, even now that he is gone, reverberates in our mind in endless reminders of the vigor and principle he brought to politics and other endeavors.

Campaign manager, advisor, counselor, invariably shrewd and insightful, always helpful, thoroughly unselfish, unfailingly available and generous with his time, Duane Garrett was always there.

And always shall he be.

FOREIGN RELATIONS REVITALIZATION ACT

Mr. MCCAIN. Mr. President, I intend to offer an amendment to the Foreign Relations Revitalization Act of 1995 to assist the President in his efforts to deal with the growing threat to American interests from Iran. President Clinton clearly sought to address this threat with his May 6 Executive order establishing a full United States embargo of Iran. It is my hope that short of successfully encouraging other nations from trading with Iran, an extremely challenging task, the President will be able to use the authority in this amendment to encourage other countries to at least refrain from contributing to Iranian weapons capability.

The 1992 Iran-Iraq Arms Non-Proliferation Act, which I cosponsored with then-Senator GORE, established sanctions against third parties which assist Iran and Iraq in their efforts to rebuild their weapons capabilities. It was a start, but it did not go far enough. Efforts by Senator LIEBERMAN and me last year to expand the legislation were unsuccessful.

The 1992 bill was intended to target not only the acquisition of conventional weapons, but weapons of mass destruction as well. In the process of amending the bill to the 1993 Defense Act, however, the explicit references to weapons of mass destruction were dropped.

The amendment I am offering today attempts to make these applications absolutely clear. It also removes from the proposed sanctions exceptions for assistance under the Freedom Support Act, thereby removing the benefit of the doubt Congress gave Russia in 1992. As I will explain later in my statement, Russia has used this exception to the detriment of United States policy in the Persian Gulf.

To the current list of sanctions against persons assisting Iran and Iraq in its weapons programs, which already include procurement and export sanctions, the amendments we are offering today add the denial of visas, denial of commercial credit, and denial of authority to ship products across United States territory. To the list of sanctions against countries offering similar assistance, the amendment adds the denial of licenses for export of nuclear material, denial of foreign military sales, denial of the transfer of controlled technology, denial of the transfer of computer technology, suspension of the authority of foreign air carriers to fly to or from the United States, and a prohibition on vessels that enter the ports of sanctioned countries.

The threat from Iraq is not an immediate concern. The most important aspect of our policy with regard to Iraq must be to remain firm on the U.N. embargo. But given the history of the Iraqi military buildup before the gulf war, the sanctions included in the Iran-Iraq Act may at a later date be as important with regard to Iraq as they are currently in the case of Iran. Once the embargo is lifted, there will be a great temptation for cash-strapped economies to resume sales of military hardware to Iraq. Outside forces may once again be compelled to maintain a balance in the region through arms sales and a dangerous escalation of firepower.

It is also vitally important to prevent the reemergence of an Iraqi conventional military threat. One need only observe the origins of the weapons which constituted the Iraqi threat in 1990 to know that the key to any post-embargo containment strategy will depend on our ability to influence Iraq's trading partners in Europe, Russia, the People's Republic of China, and North Korea.

The threat from Iran is more immediate. The Iranian buildup in the Persian Gulf is common knowledge. Its importation of hundreds of North Korean Scud-C missiles, its intention to acquire the Nodong North Korean missiles currently under development, and its efforts to develop nuclear weapons are well established—as is its conventional weapons buildup.

Successive CIA directors, and Secretaries Perry and Christopher have all testified to the effect that Iran is engaged in an extensive effort to acquire nuclear weapons. In February, Russia signed an agreement to provide Iran with a 1,000 megawatt light water nuclear reactor. The Russians indicate that they may soon agree to build as many as three more reactors—another 1,000 megawatt reactor, and two 440 megawatt reactors.

I have raised my concerns regarding this sale with the administration on a number of occasions. I have maintained that under the Freedom Support Act of 1992, which the Iran Iraq Act of 1992 was intended to reinforce, the President must either terminate assistance to Russia or formally waive the requirement to invoke sanctions out of concern for the national interest.

The State Department has informed me that ''to the best of its knowledge, Russia has not actually transferred relevant material, equipment, or technology to Iran,'' and so there is no need to consider sanctions. I have been further informed that they are ''examining the scope of the proposed Russian nuclear cooperation with Iran, and as appropriate, they will thoroughly evaluate the applicability of sanctions,'' presumably, if at a later date they can confirm the transfer.

I have no reason to question the State Department's evaluation of the facts on the ground. However, I would note that there have been public reports of as many as 220 Russians employed at the site of the proposed reactor. There seems to be a dangerously obscure standard for determining when material, equipment, or technology useful in the manufacture of nuclear weapons has actually been transferred, especially when as is the case with Iran, the reactor may already be partially complete.

At what point in the construction of the reactors does the transfer become significant? Do we allow the Russians to build portions of the reactor which do not strictly involve the transfer of dangerous equipment or technology while Iran obtains the most vital assistance from other sources? Although I cannot make this determination myself, common sense and an appropriate sense of caution would dictate that any assistance provided Iran in its efforts to acquire nuclear technology is significant.

The administration declined to identify the dispatch of technicians to the site as sufficient proof that a technology transfer was occurring. However, now that we are approaching the completion of site inspection and preparation, and nearing the start of the actual construction, it is my hope that the President will make another assessment of the situation.

I would point out that although the administration may have technical grounds for arguing that it is not yet required to invoke sanctions, making a determination on the applicability of sanctions sooner rather than later would serve as necessary leverage in resolving the issue. My intention is not to gut U.S. assistance to Russia. It is

to prevent Russia from providing Iran dangerous technology. Waiting to make a determination until the transfer is complete defeats the purpose of the sanctions.

Ultimately, I fear that the reason the administration has not made a determination is that it does not want to jeopardize our relationship with Russia.

Based on this assumption and anticipating that the State Department may at a later date find other ways to avoid compliance with the Freedom Support Act, the legislation we are introducing today makes the President's legal responsibility under the act more explicit.

We sent our Armed Forces to war in the Persian Gulf once in this decade. They endured hardship to themselves and their families. Some will live with the injuries they suffered in service to our Nation for the rest of their lives. And, as is the case with every war, some never returned. With the cooperation of our friends in Europe, whose own sacrifices to the effort to free Kuwait should not be forgotten, we must see that the service of these brave men and women was not in vain.

Stability and security in the Persian Gulf is vital to the world economy and to our own national interests. Aggressors in the region should know that if we must, we will return to the Persian Gulf with the full force of Operation Desert Storm. At the same time, our friends and adversaries elsewhere in the world should understand that the United States will do everything in its power to preclude that necessity. It is my sincere hope that his legislation will serve as an indication of just how serious we are.

DON'T ABANDON HANFORD

Mr. GORTON. Mr. President, the Nation's nuclear facilities are being singled out for strident criticism these days. The Hanford site in Washington State is one of those pointed to for its alleged waste and inefficiency. In fact, some of my distinguished colleagues have proposed legislation that would dramatically, fundamentally, and perhaps dangerously affect the principles which govern cleanup at Hanford.

I am troubled by these criticisms, Mr. President, not because they do not make some good points—for certainly, Hanford's cleanup operation is not perfect—but because they ignore two important factors: first, that cleanup operations at Hanford are actually progressing; and second, that this Government has an obligation to help communities which contributed in no small part to our victories in World War Two and the cold war.

The massive undertaking to clean up nuclear waste at Hanford is overseen by what is known as the Tri-Party Agreement. This agreement, forged in 1989, includes the Department of Energy, the Washington State Department of Ecology, and the U.S. Environmental Protection Agency, and is showing itself to be an effective means for guiding cleanup. As a recent article in the Tri-Cities Herald noted:

> Many in the Northwest, including former adversaries, say the pact is the engine driving cleanup and, while slow in the beginning, it now is speeding the work along.

From safety to new technology to administrative savings, Hanford has made great strides. I submit for the RECORD a list of Hanford's recent accomplishments from the Tri-Cities Herald. It shows how far Hanford has come, and how the Tri-Party Agreement has influenced and moved cleanup efforts.

The Blush Report, a review of Hanford commissioned by my distinguished colleague Senator JOHNSTON, cited the Tri-Party Agreement as the primary obstacle to efficient cleanup. But that report was wrong. Just ask the people who signed the Tri-Party Agreement, the contractors who follow its guidelines, and the people of Washington State who benefit from its success. For all its faults, the Tri-Party Agreement serves as a constant reminder to the Federal Government that cleanup at Hanford is a top priority.

And officials at Hanford are now looking to move 2,300 tons of spent nuclear fuel away from the Columbia River three years earlier than originally planned. This is not only good for the environment, but for the taxpayer as well—it may save as much as $120 million. Would the Federal Government, on its own, take the initiative like this and actually try to finish a project ahead of schedule? I have my doubts.

A unique example of innovation at Hanford is the use of microorganisms to get rid of pollution. These microscopic creatures are, according to DOE News, ''stimulated with a vinegar-like solution to 'eat' chemical pollutants such as carbon tetrachloride and nitrates.'' Mr. President, surely no one can say that Hanford is in the grips of bureaucratic sclerosis when it enlists what one local paper calls ''vinegar-swigging microbes'' in the fight against pollution.

I recently received a letter from Mr. Kenneth Kensington of Viatech, Inc., in Hastings, MI. Viatech is cooperating with the Department of Energy on certain aspects of the cleanup, and Mr. Kensington writes that such cooperation is valuable not just to Hanford, but to the private sector and the advancement of research and development as well.

Administratively, Hanford is also making great strides. Last April members of the Tri-Party Agreement met in St. Louis to create a ''Blueprint for Action and Cost Control.'' As the Tri-City Herald reports, ''[t]he officials at the St. Louis meeting examined how to better manage projects, reduce costs and increase competition, track savings and streamline the regulatory process.''

Mr. President, this strategy goes hand-in-hand with the legislation my fellow members of the Washington State delegation and I have introduced to reform cleanup at Hanford.

There is, Mr. President, another aspect to this issue, and that is the responsibility the United States of America has for supporting facilities like Hanford which provided the manpower and the materials that helped fight and win both World War Two and the Cold War.

Beginning in the 1940's, the Federal Government asked the Hanford community to join in the effort to combat Japanese, then Soviet, aggression. Hanford responded to the country's call, and performed its task magnificently, producing the materials to build up our Nation's defenses and face up to first the fascist and then the Communist threat. Tens of thousands of men and women worked on this mission, each contributing in their own way to American strength and security.

Now, Mr. President, as we all know, the cold war is won, communism is vanquished, and we should all be thankful for the hard work and dedication of people in communities like Hanford. After all, these communities sacrificed a great deal. At Hanford, thousands of tons of nuclear waste lie underground, the result of a decades-long nuclear effort. I understand, Mr. President, that some of my distinguished colleagues may be concerned by the cost of cleanup at Hanford, but I cannot believe they would suggest that we simply turn our backs on the people who never faltered in their duty to their country.

On Tuesday, the Senate Energy and Water Subcommittee approved funding for Hanford for 1996. I was very pleased by this, Mr. President. But I am still concerned about Hanford's long-term situation. I am very concerned that we stand by our commitments.

Mr. President, I hope my colleagues will consider this issue carefully. I hope they will do what is right by the people of Hanford, and not, in their rush to save dollars, forget Hanford's invaluable service to America.

Mr. President, I ask that this article from the Tri-City Herald be printed in the RECORD.

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

[From the Tri-City Herald, July 2, 1995]

SIGNIFICANT ACCOMPLISHMENTS HAVE BEEN MADE, MILESTONES REACHED SINCE SIGNING OF TRI-PARTY AGREEMENT

Here's a rundown of major accomplishments at Hanford since the Tri-Party Agreement was signed in 1989:

Hanford's highest risk—the ''burping'' tank 101–SY—was resolved by installing a giant mixer pump that controls releases of hydrogen gases from the tank.

Fabrication was completed on a spar pump, the second of its kind for waste tank use.

Contaminated liquid discharges to the soil were eliminated.

K Basins, which hold highly radioactive used nuclear fuel, were made earthquake-proof.

Forty million dollars was saved by selling nitric acid stored in the Plutonium Uranium Extraction Finishing Plant to British Nuclear Fuels in England.

Getting that nitric acid out of PUREX will cut 10 months off the former chemical processing plant's deactivation schedule. The first shipment of nitric acid arrived in Great Britain this month. Two shipments will leave Hanford each week until December, when all 190,000 gallons will have been removed.

The Uranium Oxide Plant deactivation is done, which mean the former processing plant is ready for final cleanup and disposition. This project was done four months early and $800,000 under budget. Deactivation reduced the annual cost of maintenance from $4 million to $40,000.

This so-called interim sludge stabilization program was completed at the Plutonium Finishing Plant (PFP) 85 days early. That was the first major step in the eventual cleanup of the plant.

The work was done inside two small furnaces in a PFP glovebox. Moist, chemically reactive plutonium scraped from 236 containers was heated to 1,000 degrees Celsius, converting it into about 30 kilograms of impure plutonium oxide that was sealed in containers and placed in PFP's shielded vaults. Stabilizing this material reduced total worker radiation exposures by 25 percent.

Fuel was removed from the Fast Flux Test Facility four months ahead of schedule and $475,000 under budget.

An evaporator was constructed and has reduced the amount of radioactive liquids in underground tanks from 61 million gallons to 55 million gallons. By evaporating a portion of the water and thus concentrating the remaining liquid waste in double-shell tanks, there will be more available storage space for wastes to be transferred out of other troublesome tanks.

The extra tank space provided by the evaporation means six new tanks, at an estimated cost of $378 million, won't be needed.

With evaporation, only water is removed. The condensate water is being piped to nearby basins to await final processing.

In the N Reactor complex, 13 of 32 buildings have been deactivated and are ready for final disposal. Cleanup of the N Reactor's fuel basin is to be done in 1997.

Two effluent disposal facilities have been built in central and southern Hanford to treat contaminated liquids. The liquids will no longer be dumped into the soil; a practice that began in 1943.

The 200 Area Treated Effluent Disposal Facility was $25 million under budget and fulfilled 12 TPA milestones.

Reduced annual overhead costs by $200 million and infrastructure costs by $22 million.

The $31 million Waste Sampling and Characterization Facility was built, a laboratory to provide analysis of Hanford's wastes. The complex includes an analytical laboratory, nuclear spectroscopy laboratory and solid-waste storage facility. Nonradioactive and low-level radioactive samples can be analyzed, as can samples that cannot be sent to commercial laboratories.

250,00 pounds of carbon tetrachloride will soon have been removed from the soil in the 200 Areas, nearly 34 million gallons of contaminated ground water will have been treated, 56,000 cubic yards of contaminated soil excavated and 52 buildings decontaminated and decommissioned.

A new drilling technology now in use at Hanford is safer, three times faster and minimizes wastes better than conventional drilling methods while producing higher-quality samples.

K Reactor water basins have been converted into fish-rearing ponds to revive Columbia River salmon runs. The project is in cooperation with the Yakama Indian Nation.

The Hanford Advisory Board was created to provide public direction on cleanup from stake-holders throughout the Northwest.

A super landfill was created in central Hanford to receive debris and soil from the planned riverside cleanup.

Numerous buildings, including the B Reactor water treatment plant, have been demolished.

Construction is under way on the $230 million Environmental and Molecular Sciences Laboratory, a 200,000-square-foot building that will house equipment and programs to study molecular interactions and likely will lead to improved cleanup technology.

The Fitzner-Eberhardt Arid Lands Ecology reserve and the North Slope have been cleaned. Combined, they make up 45 percent of the 560-square-mile site. The lands, which had contained no radiological contamination, are to be turned back to the public, but a debate continues on who will get the land. By 1997, another 65 square miles along the Columbia River will be available for other uses.

Additionally, several new technologies are in use. They include:

Virtual reality, a simplified version of a special stereoscopic viewing system to inspect Hanford tanks. The system gives operators the feeling they're actually in the tank looking for structural flaws.

A high-temperature melter system to allow for more ''waste loading'' during eventual vitrification of tank waste. Increased operating temperatures allow greater flexibility to incorporate more volume of waste into the glass, thus reducing the number of radioactive glass logs to be sent to a permanent repository.

A device that for the first time measured the amount of gas in tank 101–SY.

a tungsten ball, about the size of a softball, that has been suspended into that tank on a wire cable to provide information on the thickness of waste inside.

WAS CONGRESS IRRESPONSIBLE? CONSIDER THE ARITHMETIC

Mr. HELMS. Mr. President, as of the close of business yesterday, Monday, July 31, the Federal debt stood at $4,960,151,653,142.55. On a per capita basis, every man, woman and child in America owes $18,828.82 as his or her share of that debt.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER (Mr. SANTORUM). Under the previous order, the hour of 10 a.m. having arrived, morning business is now closed.

FOREIGN RELATIONS REVITALIZATION ACT

The PRESIDING OFFICER. The clerk will report the pending business.

The assistant legislative clerk read as follows:

A bill (S. 908) to authorize appropriations for the Department of State for fiscal years 1996 through 1999, and to abolish the United States Information Agency, the United States Arms Control and Disarmament Agency, and the Agency for International Development, and for other purposes.

The Senate resumed the consideration of the bill.

Pending:

Dole amendment No. 2025, to withhold certain funds for international conferences if funds were expended for U.S. participation in the United Nations Fourth World Conference on Women while Harry Wu was being detained in China.

Helms amendment No. 2031, to authorize reduced levels of appropriations for foreign assistance programs for fiscal years 1996 and 1997.

Kerry (for Boxer) amendment No. 2032 (to Amendment No. 2025), to express the sense of the Senate regarding the arrest of Harry Wu by the Government of the People's Republic of China.

Hutchison amendment No. 2033 (to Amendment No. 2025), to express the sense of the Congress that the United Nations Fourth World Conference on Women, to be held in Beijing, China, should promote a representative American perspective on issues of equality, peace and development.

CLOTURE MOTION

The PRESIDING OFFICER. Under the previous order, the clerk will now report the motion to invoke cloture.

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 S. 908, the State Department reorganization bill:

Senators Dan Coats, Spencer Abraham, Nancy Kassebaum, Rick Santorum, Jesse Helms, Judd Gregg, Rod Grams, Olympia Snowe, Bob Dole, Thad Cochran, Paul Coverdell, Larry Craig, Phil Gramm, Kay Bailey Hutchison, Don Nickles, Trent Lott.

CALL OF THE ROLL

The PRESIDING OFFICER. Under the previous order, the mandatory quorum call has been waived.

VOTE

The PRESIDING OFFICER. The question is, Is it the sense of the Senate that debate on S. 908, the State Department reorganization bill, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

The yeas and nays resulted—yeas 55, nays 45, as follows:

[Rollcall Vote No. 345 Leg.]

YEAS—55

Abraham	Gorton	Murkowski
Ashcroft	Gramm	Nickles
Bennett	Grams	Packwood
Bond	Grassley	Pell
Brown	Gregg	Pressler
Burns	Hatch	Roth
Campbell	Hatfield	Santorum
Chafee	Helms	Shelby
Coats	Hutchison	Simpson
Cochran	Inhofe	Smith
Cohen	Jeffords	Snowe
Coverdell	Kassebaum	Specter
Craig	Kempthorne	Stevens
D'Amato	Kyl	Thomas
DeWine	Lott	Thompson
Dole	Lugar	Thurmond
Domenici	Mack	Warner
Faircloth	McCain	
Frist	McConnell	

NAYS—45

Akaka	Feingold	Leahy
Baucus	Feinstein	Levin
Biden	Ford	Lieberman
Bingaman	Glenn	Mikulski
Boxer	Graham	Moseley-Braun
Bradley	Harkin	Moynihan
Breaux	Heflin	Murray
Bryan	Hollings	Nunn
Bumpers	Inouye	Pryor
Byrd	Johnston	Reid
Conrad	Kennedy	Robb
Daschle	Kerrey	Rockefeller
Dodd	Kerry	Sarbanes
Dorgan	Kohl	Simon
Exon	Lautenberg	Wellstone

The PRESIDING OFFICER. On this vote, the yeas are 55 and the nays are 45. Three-fifths of the Senators duly chosen and sworn, not having voted in the affirmative, the motion is rejected.

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

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

The Senator from Washington is recognized.

Mr. GORTON. Mr. President, I ask unanimous consent to proceed for 5 minutes as if in morning business.

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

Mr. GORTON. I thank the Chair.

(The remarks of Mr. GORTON pertaining to the introduction of S. 1099 are located in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

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

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

FOREIGN RELATIONS REVITALIZATION ACT

The Senate continued with the consideration of the bill.

AMENDMENT NO. 2033

Mr. HELMS. Mr. President, what is the pending business?

The PRESIDING OFFICER. The pending business is amendment No. 2033 offered by the Senator from Texas.

Mr. HELMS. Mr. President, Senator HUTCHISON's amendment providing guidance to the U.S. delegation to the U.N. Conference on Women in Beijing is important for the signal it sends to the administration—and to the United Nations.

The upcoming Beijing Conference offers a smorgasbord for radicals who are constantly fighting against traditional family values—paid for, in part, by American taxpayers. Organizers of this U.N. Women's Conference are determined to peddle their bizarre views of the family and the role of women. There is already too much kowtowing to fringe elements at the United Nations in New York and that is why this amendment is necessary.

The Senator from Texas and the Senator from Indiana clearly explained the amendment yesterday. It simply urges the U.S. delegation to the Beijing Conference to promote genuine women's rights and traditional family values, and not the agenda of a few activists who have captured the hearts and minds of U.N. bureaucrats.

In all honesty, Mr. President, it is astounding that an amendment even needs to be offered to protect the institutions of motherhood and the family. But, experience has shown that if Congress ignores the Beijing Conference, the United Nations will soon be pushing every country in the world to accept the United Nations strange notion of motherhood and family and even gender.

Some ideas promoted in the Beijing Conference ''Platform for Action'' are too bizarre to be believed, as I will explain in a moment. But, the American people know exactly what is going on, thanks to a multitude of news stories in the Christian and secular media.

You may remember, Mr. President, that some folks—but not this Senator—were sold a worthless bill of goods before last year's U.N. Conference on Population Control in Cairo. Senators and Congressmen were assured, promised, and guaranteed that Cairo Conference organizers and the U.S. delegation would not promote abortion-on-demand as a so-called international ''reproductive right.'' But that is exactly what happened thanks to Tim Wirth, who was being advised by former Congresswoman Bela Abzug.

Senator HUTCHISON's amendment does not address this issue. But, it should come as no surprise that organizers of the Beijing Conference are determined to repeat what happened at the Cairo Conference—that is, they will attempt to coerce prolife foreign governments into creating a so-called ''right'' to abortion-on-demand.

Making matters worse, Mr. President, is the fact that this conference on women's issues is to take place in China of all places, where women are routinely forced to undergo abortions and sterilizations against their will, in the name of population control. Holding the Conference in China is nothing less than a slap in the face to women everywhere. It sends the clear signal that the United Nations finds China's grotesque behavior acceptable.

Lest anyone think that I have exaggerated the extent to which the United Nations has pandered to extremists, ask yourself why the word ''mother'' is virtually nonexistent in the Conference ''Platform for Action'' document. This is a conference on women, after all. Conference organizers prefer ''caretaker.'' The reason: because they dare not condemn—indeed they probably endorse—so-called homosexual marriages.

Ask yourself, Mr. President, why Beijing Conference organizers refuse to agree to a definition of the word ''gende'' as meaning only male and female. The United Nations apparently has decided that the world is made up of five genders: male, female, homosexual, bisexual, and transsexual—whatever that is. The U.N. Conference Secretariat stated that, ''gender is relative.'' What in the world does that mean?

This administration is also on record stating that ''gender differences'' are ''cultural—changeable, variable.'' [AID ''Gender Analysis Tool Kit'']. And what is worse, Mr. President, they arrogantly want to shove this nonsense down the throats of American taxpayers, and ask them to pay for it.

It is obvious what is going on. These strange ideas and values may be acceptable to U.N. bureaucrats or even to some in this administration, but they are not acceptable to the American people, and that is why this amendment is important. I urge Senators to support Senator HUTCHISON's amendment.

It is my understanding that the distinguished Senator, the manager on the other side, is willing to accept the amendment.

Mr. KERRY. Mr. President, we have looked at this amendment. We will be happy to accept it.

The PRESIDING OFFICER. Is there further debate on the amendment? If not, the question is on agreeing to the amendment.

The amendment (No. 2033) was agreed to.

Mr. HELMS addressed the Chair.

The PRESIDING OFFICER. The Senator from North Carolina.

AMENDMENT NO. 2041

(Purpose: To express the sense of Congress regarding the consolidation and reinvention of the foreign affairs agencies of the United States)

Mr. HELMS. Mr. President, I send an amendment to the desk and ask it be stated. It is already at the desk. I ask that the clerk read it slowly because the amendment speaks for itself.

The PRESIDING OFFICER. Is there objection to setting aside the pending amendment? Without objection, it is so ordered.

The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from North Carolina (Mr. HELMS) proposes an amendment numbered 2041.

At the end of the bill, add the following:

SEC. . SENSE OF CONGRESS REGARDING CONSOLIDATION AND REINVENTION OF FOREIGN AFFAIRS AGENCIES.

(a) FINDINGS.—The Congress finds that it is necessary in order to make the Government more efficient and to realize significant budgetary savings for the American taxpayer—

(1) to consolidate and reinvent foreign affairs agencies of the United States within the Department of State;

(2) to provide for the reorganization of the Department of State to maximize efficient use of resources, eliminate redundancy in functions, and improve the management of the Department of State;

(3) to assist congressional efforts to balance the Federal budget by the year 2002;

(4) to ensure that the international affairs budget function shoulders an appropriate share of the reductions in United States Government spending necessary to eliminate the $4,800,000,000,000 budget deficit; and

(5) to strengthen—

(A) the coordination of United States foreign policy;

(B) the leading role of the Secretary of State in the formulation and articulation of United States foreign policy;

(C) the authority of United States ambassadors over all United States Government personnel and resources located in United States diplomatic missions, in order to enhance the ability of the ambassadors to deploy those resources to the best effect that will attain the President's foreign policy objectives; and

(D) the United States Foreign Service, as the forward deployed civilian force of the United States Government, through renewed emphasis on the original principles which undergird the distinct Foreign Service personnel system. These include worldwide availability, assignments based on the needs of the service, rank in person, and merit-based advancement.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the President should—

(1) consolidate within the Department of State, or eliminate, such duplicative, overlapping, or superfluous personnel, functions, goals, activities, offices, and programs that the United States Arms Control and Disarmament Agency, the United States Information Agency, and the Agency for International Development have in common with the Department of State in order to realize a budgetary savings to the American taxpayer of at least $3,000,000,000 during fiscal years 1996 through 1999;

(2) encourage the United States foreign affairs agencies to maintain a high percentage of the best qualified, most competent American citizens serving in the United States Government while downsizing significantly the total number of people employed by these agencies; and

(3) ensure that all functions of diplomacy be subject to recruitment, training, assignment, promotion and egress based on common standards and procedures, with maximum interchange among the functions.

Mr. HELMS addressed the Chair.

The PRESIDING OFFICER. The Senator from North Carolina.

Mr. HELMS. I thank the Chair.

Mr. President, if ever an amendment submitted in this Senate spoke for itself, this one does. That is why I asked the able clerk to read it in its entirety. And if there is a Senator who can offer an equivalent savings while preserving foreign affairs programs, I ask that Senator, whomever he or she may be, to do so.

The point is, and the fact is, they cannot do it. It cannot be done. So we are playing games with this business of not voting cloture and proceeding on this bill in concert with the administration, which has set out at the outset to say we will delay, we will obfuscate, we will do everything to block this bill. That is what is going on.

Mr. President, I ask for the yeas and nays. We do not need anybody except the two managers.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

Mr. KERRY addressed the Chair.

The PRESIDING OFFICER. Does the Senator from North Carolina yield the floor?

Mr. HELMS. Yes, I yield the floor, of course.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KERRY. Mr. President, I thank the distinguished Senator from North Carolina. Let me say to my friend from North Carolina that I think it is unfortunate that within a mere matter of hours on a bill we proceed to a cloture vote and behave as if somehow there is a major effort to delay a bill. I think there are 139 amendments on this bill—139 amendments; 94 of them—it is now 144 amendments—94 of them are from the Republican side of the aisle. Most of them are from my colleague from North Carolina.

So to suggest that a bill that was laid down yesterday—was laid down Friday afternoon, to be technically correct—but first debated yesterday for a few hours, beginning at 2 o'clock in the afternoon is now suddenly, on Tuesday morning, the subject of some kind of delay confuses me and, in fact, I think sort of does an injustice to the legislative process.

This is a very important bill. It represents a major overhaul of the means by which the United States of America delivers all of its foreign policy effort in the world. It has the most significant reorganization in it in modern history. It has some $3 billion-plus of cuts. It is a very significant altering of the mechanism of foreign policy.

There are many people in the U.S. Senate, Mr. President, who feel that it runs roughshod over the constitutional prerogatives of the President of the United States. Let me give you an example. I think every word of the amendment that the Senator just put in, with the exception of maybe five, I would support.

I think it is a very strong statement of what the Secretary of State ought to do. It is a very strong statement, an exhortation to reorganization, we should do that. But it has a specificity as to a particular department or a particular movement that we have suggested in keeping with constitutional prerogatives of the President ought to be decided by the President.

All we are suggesting is give the President a mandate from the Congress to make the cuts, but allow the President to determine exactly how they are going to be made.

I can remember my friends on the other side of the aisle over the years that President Reagan and President Bush were in office consistently coming to the floor and saying, ''Get the cotton-picking micromanaging hands out of the administrative process. Congress shouldn't micromanage. Congress shouldn't decide every single movement of personnel. There ought to be some administrative capacity here.''

Here we are suddenly, because President Clinton is in office, and we are going totally role reversal back on all of those restraints on micromanagement, and we are telling them, ''You have to specifically get rid of this department, you have to put it here; you have to get rid of this department, you have to put it here; you have to get rid of this department, you have to put it here.''

Now, all we have suggested is this would not be a problem if we came to the floor and adopted a compromise that was proposed by the administration and Democrats, which would have suggested, look, give the President a mandate for consolidation, but allow the President to decide what he wants to consolidate and where, how it best will function.

Here there is a mandate that you put certain departments within the Department of State when all of the former Secretaries of State have said, while they may be in favor of the concept, they have no confidence that the current State Department has the capacity to effect it. We have not addressed that here. There is nothing that deals with the capacity of Foreign Service officers to pick up these particular missions. There is nothing that deals with the capacity of these missions to be effected within the context of the State Department. So while, on the one hand, you are making this enormous shift, there is no commensurate administrative capacity or enablement to be able to actually implement the shift.

So I just say to my friend, this is an effort to legislate, not an effort to delay. Legislating is what we ought to do. We are supposed to come to the floor of the Senate and make some wise decisions about how to best demand change or mandate it and how best to make these savings.

I wonder if my friend from North Carolina would be willing to mandate the savings but take out the specificity and simply say we are going to try to find X amount of savings within this Department in order to try to reduce the budget, but leave up to the President the capacity to be able to choose where that might occur.

May I ask my friend from North Carolina—turning to his sense-of-the-Senate request on page 3, reading at line 15, paragraph 1, the Senator says, ''It is the sense of the Congress that the President should consolidate within the Department of State or eliminate * * *.'' —I wonder if the Senator intends that it be an option of one or the other, just to clarify.

Mr. HELMS. Well, I say to the Senator, I have a corrected amendment here, and to call for the regular order on amendment 2031, I will send a second-degree amendment——

Mr. KERRY. I have asked a question of the Senator. But I do have the floor.

Mr. HELMS. Of course you do. But I thought you wanted a remedy.

Mr. KERRY. I wanted to know what his intention was before I give up the floor for any further action. I am trying to find out the status of the amendment.

Mr. HELMS. I will answer that in due time, I say to the distinguished Senator. If he yields the floor, I will do it right this minute.

Mr. KERRY. I would like to just pursue a few thoughts, Mr. President, before we perfect this. I gather now that it does need an amendment, needs to be perfected. I may not object to that. I want to clarify what it is we are precisely talking about.

Mr. HELMS. If the Senator will yield, why do you not put in a quorum call, we will discuss it, and I think he will agree to the modification.

Mr. KERRY. Mr. President, I will do that in a moment in order to try to see if we can make an agreement on this. The Senator from Connecticut was here a moment ago. I know he wanted to address this particular amendment. So I am hopeful to give him that opportunity. I simply say to my friend again—and we can discuss this privately while in a quorum call—it is something we have had some discussion on in the past. I personally am not averse to some kind of consolidation, and I have said that to the Senator. I personally think that there are ways to more effectively deliver the interests of the United States through our foreign policy establishment.

I do not think that this particular recommendation ought to be treated lightly, and I have never suggested that. What I do think is that we should try to construct a mechanism which affords the administration the maximum amount of flexibility in keeping with the notion that it is really their responsibility to decide which ''t'' to cross and which ''i'' to dot. I think, as the Senator from Connecticut will demonstrate, there are very strong feelings here about one particular shift versus another. So I ask my friend if, rather than putting in a quorum call, he and I could spend a minute visiting while the Senator from Connecticut addresses the amendment.

Mr. HELMS. That is a call of the Chair. We have two Senators seeking recognition. I will leave that to the Chair.

Mr. KERRY. I yield the floor.

Mr. SANTORUM. The Senator from Maine is recognized.

Ms. SNOWE. I certainly want to speak to this amendment and to the issue of consolidation, because I think it is more. As I said yesterday in my opening statement, I thought it was essential that there should be bipartisanship on this consolidation. This is not a new issue. In fact, Secretary of State Christopher had recommended this originally, only to be rejected in the inner-agency process. The Vice President has said through the process of reinventing Government he recommended and, in fact, said they would submit a proposal to the Congress that would yield $5 billion in savings through the consolidation, through the merging and streamlining within the State Department and its related agencies. We have yet to see that proposal.

There has been no proposal forthcoming from the administration to achieve the goals that are outlined in the authorization in this amendment before us today, or as mandated by the budget resolution that passed the Congress. We have a certain mandate to meet specific funding levels for the 150 account, and the consolidation helps us to reach that goal. So the administration, for the last 5 or 6 months, has not worked with the committee on this consolidation proposal in any fashion. They have not been proactive; they have not made recommendations. They simply rejected the idea of any consolidation. This is not a new issue.

Five former Secretaries of State did support this proposal. The fact is, they were not reticent in their support for this proposal. Former Secretary of State Eagleburger said that this consolidation was necessary in order to change the focus at the top within the State Department. This would be the impetus for creating the change that is necessary for this consolidation to work and that it was vital because the State Department was going to have to approach its own agenda differently in advancing foreign policy goals.

After rejecting the Secretary of State's plan within the administration, the only proposal the administration made with respect to consolidation and merging were two small elements within the department. One was consolidating the State Department and the USIA Office of Inspector General and a merger of the State Department Office of Foreign Missions and the Bureau for Diplomatic Security. That was it.

So we are now saying that we are going to move forward with the proposal. But that still could include the administration's proposal because the mechanism that is included in this legislation allows the President to propose alternatives or refinements to this plan and is required to submit a reorganization plan for each agency that would be considered by Congress by a resolution of approval under expedited procedures.

So we give the President the opportunity to address this particular consolidation plan. But today they have been silent. So I think that we have an obligation to move forward on this issue because five former Secretaries of State said this is the direction we should take in order to reintegrate these policy functions, but also to make sure that we revitalize these agencies and these functions. That is what is important.

We have provided a detailed way in which to streamline and consolidate the funding and personnel of foreign affairs agencies.

We need to take that approach. The administration, and I know that no one thinks that we should dictate to the administration as to how we should consolidate, but the President has a right to offer a plan. It is not just going to be this President who will be affected by this consolidation. It is not aimed at a Democratic President by a Republican Congress, because future Presidents—certainly I hope there will be future Republican Presidents—will also have to live under this consolidation proposal.

I said yesterday it is not a Republican plan, it is not a Democratic plan. It is an American plan as to how to make the State Department more efficient and function more effectively in administering our foreign policy goals.

I hope we can support this consolidation. I think it is worthwhile for the future. We have had a number of people who testified before the subcommittee, suggesting this would be the appropriate approach to take. We have to look differently at the way in which we handle our goals within the State Department.

It is the end of the cold war. We have to make a transition to a balanced budget. We have to consider new approaches.

This requires us to look at the kind of consolidation and integration in our foreign affairs infrastructure that will be more flexible and cost effective. I think that is what is so important. We need a more flexible foreign policy structure. That is why it requires us to integrate our program decisions with changing, and frequently changing, policy goals.

It was less of a problem before the cold war ended. We had a single particular focus. Today, that is not the case. What was the rule is now the exception. What was the exception is now the rule. That is why this consolidation is so essential.

I hope that rather than engaging and saying this is a partisan approach, we want it to be a bipartisan approach. Unfortunately, the administration was unwilling to be forthcoming in any suggestions, other than to say they were opposed to it. I yield the floor.

PRIVILEGE OF THE FLOOR

Mr. LIEBERMAN. Mr. President, I ask unanimous consent that Frederic S. Baron, a Pearson fellow in my office, be permitted privileges of the floor for the duration of the debate on S. 908 and S. 961.

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

Mr. LIEBERMAN. Mr. President, a number of Senators on both sides of the aisle have focused with some seriousness on the questions raised in this bill. The amendment currently before the Senate, offered by the Senator from North Carolina, is, of course, a serious proposal and deserves the kind of reasoned consideration that our colleague from Massachusetts has described.

I rise to speak about the impact of the bill before the Senate on one particular agency, which is the U.S. Information Agency, and to make the case,

respectfully, to my colleagues and to the chairman of the committee and members who come forth with this proposal, why I believe the USIA uniquely should not be consolidated as part of the State Department, although the general request for consolidation I think is a very worthy one.

Mr. President, I suppose I could spend this time explaining and defending the work of the USIA. It is a modest but highly effective foreign affairs agency. I do first want to say that I believe more is at issue here than just the work of the USIA.

The proposal to consolidate or perhaps to abolish the USIA presents another opportunity in this debate to address the choice that has been referred to here on the floor that we face at this juncture in our history between two profoundly different views of America's role in the post-cold-war world.

The choice, put simply, is this: Will America remain involved and lead in shaping the values and ideas, the military realities and the markets of the modern world? Will we continue to reach out in search of economic opportunities, cultural enrichment, and the alliances that strengthen our national security? Or will we step back and become a detached and reactive power that regards the wider world chiefly as a source of difficulty and danger?

Mr. President, I am convinced that on both sides of the aisle here the overwhelming majority of my colleagues have chosen the former course, which is to say staying involved in the world, exercising America's leadership role in the world, because that is not only the correct course but the realistic course.

Having made that choice, it seems to me that we are then left with the question of methods. What is the method we choose to remain involved and to remain the leader of the world, not just the free world, but the world overall?

Mr. President, I understand that some of my colleagues who share my concern for maintaining America's involvement and leadership have reservations about some aspects of our foreign aid program, including our involvement in the United Nations and other international institutions.

Mr. President, I want to respectfully suggest that for anyone who thinks that America must lead in today's world, it does not make common sense to favor the consolidation of the functions of the USIA to the Department of State, or certainly not to favor the abolition of the USIA. In fact, if we reduce our foreign aid and scale back our involvement in other multilateral organizations, as other parts of the bill before the Senate would do, I suggest that we will even have a greater need for a more robust, and I might say agile, USIA.

Mr. President, the distinguished chairman of the committee, Senator HELMS, and his committee, I say, have acted on a sound impulse, which is that we do need a searching reappraisal of the way we conduct our foreign policy in the post-cold-war era. The committee has produced a coherent, centralized, new architecture for our foreign affairs agencies.

However, no organization is an end in itself. Organizations are tools that we create to carry out our strategic and moral purposes as a nation. What are the goals? What is the strategy that the new centralized foreign affairs edifice laid out in this bill is meant to serve?

It is, indeed, an impressive organization, but I think we have to continue to come back and ask, What is its purpose? In that sense, what is our purpose—our American purpose—in the world, after the cold war?

Today, the cold war that possessed our thinking and our energies for four decades is over. The period of conflict with aggressive global totalitarianism reaches back another generation even beyond the beginning of the cold war. That is at an end. We are grappling with large and difficult questions about what role America should play in the world that go deeper than our country has faced for over a half century.

Now, the problems we face in developing a broad foreign policy to guide us into the next century are extraordinarily difficult. As was clear on the Senate floor last week in the debate on Bosnia, we have not yet reached a universal consensus about just when and how and under what circumstances the United States should exert its power and prestige in world affairs.

But disagree as we may about the specifics, so far as I have suggested a moment ago, I think we have maintained a remarkably broad consensus about one thing; that is, that the United States must continue our engagement with the world and must retain the capacity to lead, not out of the goodness of our hearts, but in the interests of our security and our principles.

That brings me back to the proposed consolidation or abolition of the U.S. Information Agency. Why is this such a key matter—an issue that I personally regard as a fork in the foreign policy road?

Mr. President, although we are searching for a new course for the future, I want to argue here that we should not abandon existing institutions just because they were developed during the cold war. Rather, we should profit from our experience in the cold war, which was, obviously, a very difficult and trying experience, but it was ultimately a successful experience. Where once we faced the Soviet Empire and feared a third world war, now, democracy and free market systems are establishing themselves from Vilnius to Vladivostok.

It is clear our military might was central to our success in the cold war. So, too, was the skill and perseverance of our diplomats and negotiators, and our political leaders. But what else ultimately helped us win this struggle that we sometimes overlook? My answer to that is that we engaged people, not just governments, but the people of the nations who were our potential adversaries in debate and discussion about the values, ideas and interests that guide the United States in world affairs. Our not-so-secret weapon here in the cold war was information and contact with people throughout the world, particularly those living under totalitarian regimes with the democratic world.

I think that had an enormous influence and helped and inspired peoples who were captive behind totalitarian walls to sustain their hopes and ultimately to rise up and create the pressure that miraculously crumbled the Berlin wall and all that it represented.

Mr. President, rather than wiping our foreign policy slate clean, I think we should draw upon the successes of the past to develop the foreign policy strategies for America's future. We must do this work together. Republican administrations can and should take credit for some of the great successes of public diplomacy which have enduring relevance today. The Reagan administration revived our understanding of the importance of values, ideas, and information in international affairs, and strongly supported the independent role of the USIA in conveying those values, ideas, and information. Far from losing importance, our values, ideas, and information—and an independent USIA—I think will be even more crucial as we chart our course in the next phase of world history after the cold war.

This new world is ever more democratic, ever more integrated into a global market economy, ever more linked by electronic communications. In such a world, relations among governments obviously remain important. But, frankly, such government-to-government relations simply do not matter as much as they did before. Increasingly, I believe, relations between countries will depend, as they have in the recent past, upon the perceptions and interests of the public within those countries, and particularly of what might be called key subsections of the public within those countries—political and intellectual elites, are two examples.

So, U.S. foreign policy in the next phase, with communications particularly growing as rapidly and in as revolutionary a fashion as they do today, must go beyond government-to-government relations and reach the people of the world.

We always say the world is a small world. It is a dramatically smaller world today. When I can sit at my personal computer—I have just been educated in the last several months—and try to reach one of my children who is at school in Boston, in the State of my colleague from Massachusetts, and find I cannot get into the so-called ''Gopher'' index to Massachusetts, so I go to the worldwide index of indexes and I am instructed to go through the index

of the University of Southern Australia in Perth, find an opening there, then go to North America, then to the United States, then to Massachusetts, then, at the risk of offending my colleague and alumnus of Yale, to Harvard, then to my son's room—and all of that happening in about 20 seconds—it is a very, very small world indeed.

We all know one of the forces that brought the Berlin wall crumbling down was the availability of knowledge within the countries of the former Soviet Union and Eastern Europe about what was happening elsewhere, knowledge that they obtained in ways that could not be stopped by the dictators. They obtained it over the radio and they obtained increasingly over the fax machine and the personal computer.

So the central roles of the Department of State as I see them are to develop our overall foreign policy and manage the relations our Government has with the governments of other countries. The Department of State, obviously, has extraordinary experience and skill at the work of government-to-government relations. But, as a recent statement by Freedom House put it: ''Public diplomacy—which is to say—our open efforts to win understanding and support among the peoples of foreign countries on matters that affect U.S. national interests—suffers when it is subordinated to the demands of formal diplomacy.''

This Freedom House statement is a remarkable statement for its content and those who have signed it. It lays out in greater detail the argument for the separation of public diplomacy from formal diplomacy.

Mr. President, I ask unanimous consent that the Freedom House letter on the USIA be printed in the RECORD following my remarks.

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

(See exhibit 1.)

Mr. LIEBERMAN. Mr. President, this statement is especially impressive for the list of leaders in America's foreign affairs community who have endorsed it—a list that includes Democrats and Republicans, conservatives and liberals. The signatories include, and it is a large list, Dr. Zbigniew Brzezinski, former National Security Adviser in the Carter administration, Dr. Edward Feulner of the Heritage Foundation, our distinguished former colleague, Senator Malcolm Wallop, Lane Kirkland, President of the AFL–CIO, Malcolm S. Forbes, Jr, and Ambassadors Jeane Kirkpatrick and Andrew Young, all signing this statement. A remarkable group, reflecting a broad consensus across ideological and partisan lines in the foreign policy leadership of our country, in favor of keeping the USIA independent and strong, not consolidating it into the State Department.

These opinion leaders base this judgment on long, practical experience in the tough work of international relations. They recognize, and I quote again from their statement: ''The culture of the State Department differs substantially from the culture of USIA.'' Formal diplomacy requires quiet, sometimes even secret negotiation; careful attention to consistency, nuance and form; and a willingness to continue even when the pace is painfully slow. That is the work of the State Department. Public diplomacy—the work of the USIA—requires openness, rapid response, and a willingness to put aside differences in order to make the most of agreement on broader themes that are shared by people throughout the world.

It says the obvious to say I have the highest respect for the foreign policy and diplomatic professionals of the Department of State. But their training and their experience, in my opinion, does not prepare them for the work in the informational environment, in the communications environment, the public-to-public environment, in which USIA and its officers and employees operate.

Let me say, responding to what has been said here a while ago, that the President and the Secretary of State should clearly determine the foreign policy of the United States. It is in the management and implementation of that policy that I believe the distinctions between formal and public diplomacy, between the State Department and an independent USIA, have their importance. It is in the management and implementation that the differences in organizational cultures add their respective values to the product.

The value of distinct organizational cultures is no novel, New Age idea. It was grasped by President Eisenhower when he founded USIA, and has proven itself in foreign affairs, now, for more than 40 years.

Operational autonomy is increasingly followed by corporations and other large financial institutions in the private sector. Centralized, pyramidal structures are what modern management is, frankly, trying to avoid. Teamwork is a recipe for success in both the public and private sectors. And the essence of teamwork, as it is understood in the modern organizational context, is in using the different talents of the different members of the team in working to achieve a common goal. That is why I believe, here, organizationally, the better course is to leave USIA independent.

As so many have said before me in this debate, victory in the cold war presents the United States with rare new opportunities. To grasp these opportunities, to advance our national interests and our moral principles, a more forward-positioned, engaged in aggressive economic, political, cultural, and communications, stance is required. The new world we face also holds many challenges and dangers and obviously we must be prepared to meet them. But I think we can best overcome those challenges and avert or mitigate those dangers and build a more stable, peaceful, and democratic international environment through purposeful engagement—engagement which is enhanced by the kind of active public diplomacy that an independent USIA can carry out.

What we now have is a plurality of means for engaging the wider world, and presenting American policy and projecting American interests and principles to different audiences, and one might say different consumers, worldwide. USIA inhabits the realms of the media, of education, of what we are happy to call in this country civil society, and what we are hoping to help develop in many of the fledgling new democracies that were former wards of the Soviet Union.

The USIA, incidentally, Mr. President, serves all agencies of the U.S. Government, not just the Department of State—but Commerce, Justice, Treasury, Defense, and others.

It is useful, I think, to all involved, that the USIA's program stand at one removed from the government-to-government functions carried on by the Department of State. When the Voice of America carries a news broadcast on a subject that is of some discomfort to a foreign government, is it not a good thing that our Ambassador can honestly say that the Voice of America is not controlled by—or organizationally aligned with—the Department of State?

Or to give another example, when one of our exchange programs brings a scholar from a foreign country to the United States who may be out of favor with the government of his country, is it not helpful that our ambassador can point out that the USIA, which has brought this scholar to America, is separate from the Department of State? And when that dissident goes home, will he or she not find it useful honestly to assert that their visit to the United States was not a foreign policy mission in behalf of the Department of State?

Mr. President, this formal separation is central I think to the credibility of our exchange and broadcast programs which have so well served America's interest in the cold war, which have so well served the interests and the aspirations of people living behind the Iron Curtain during the cold war and can so well serve people throughout the world who still yearn to be free?

People listening to USIA broadcasts around the world know that they are not hearing a propaganda instrument of the State Department but an independent voice—incidentally, a voice speaking so often in their language—reporting on world events and reflecting the views and values of the American people and helping make links between them in this country and the people of this country.

Mr. President, the United States Information Agency should not be part of the reorganization of foreign affairs agencies that are central to this bill. I say that respectfully. One of the

amendments that I have filed among the 144 that are filed would remove the USIA from the consolidation aspects of this bill, with the minor exception of the consolidation of inspector general functions, and would maintain the USIA as an effective and independent agency.

We learned in the cold war that persuasion and involvement with peoples is the most powerful instrument that American democracy has in foreign affairs. The power of an idea, the power of an American idea, of the American idea conveyed to people around the world, ultimately is what cracked the Berlin wall. The kind of engagement USIA had, for instance, with Solidarnosc—not just with people generally, but with specific heroes in the fight for freedom—with Solidarity in Poland or with the pro-democracy movements in Central America is the kind of engagement we need today throughout the world, and particularly, may I say, with the coming generation of leaders in China and with the modernizers in the Islamic world.

This is no time to pull back and stop speaking to the people of the world and their future leaders. This is the time to continue effective public diplomacy through the USIA—independent and strong—to meet new challenges, seize new opportunities, and advance America's principles and strategic interests throughout the world.

I thank the Chair. I yield the floor.

EXHIBIT 1

[From Roll Call, May 11, 1995]

THE FUTURE OF U.S. PUBLIC DIPLOMACY

New proposals have been advanced to place the United States Information Agency (USIA)—long the chief instrument of American public diplomacy—under the centralized control of the State Department. We believe this proposed consolidation and centralization would weaken American public diplomacy.

Why should the USIA remain independent? Through its broadcasting, numerous exchange programs and links with people throughout the world, it already is highly successful in promoting American interests and articulating who we are and how our policies and values are shaped. The State Department has a different though related role. It explains U.S. foreign policy to Americans and presents our government's official positions to foreign governments. The State Department values quiet negotiations, government-to-government contacts, protracted discussion, compromise and sometimes secrecy. A credible public diplomacy, by contrast, requires openness, the ability to respond quickly to rapidly changing world events, and independence in reporting, analysis and comment. In short, the culture of the State Department differs substantially from the culture of the USIA.

There are other important reasons to retain the USIA's present status.

Public diplomacy and formal diplomacy. While formal diplomatic relations conducted by the State Department are an important aspect of our government's diverse engagement with other societies, public diplomacy—our open efforts to win understanding and support among the peoples of foreign countries on matters that affect U.S. national interests—suffers when it is subordinated to the demands of formal diplomacy. We have long-term interests in developing flexible relationships with foreign educators, journalists, cultural leaders, minority and opposition leaders that must not be subjected to the daily pressures of official government-to-government affairs. USIA has filled this niche by setting up exchanges that introduce foreign representatives to U.S. governmental, nongovernmental, private, business and cultural institutions.

American values: independent voices, one theme. The promotion of American political and economic values has been an auspicious aspect of our foreign policy in recent times. The spread of democracy and the global communication revolution indicate that this form of engagement in foreign affairs will be of great importance in the future. Diversification and independence—not centralization and uniformity—make the U.S.'s message more meaningful and credible. The USIA's broadcasting and exchange programs should remain free of interference from officials with responsibilities in other areas. Radio Free Europe/Radio Liberty, Voice of America and Radio Marti remains vital sources of information around the world. In East Central Europe and the former Soviet Union (where independent media continue to face difficulties) RFE/RI is trusted precisely because of its journalistic integrity. This would be seriously compromised if they were perceived as official organs of State Department policy.

Re-orientation before re-organization. The structure of our foreign affairs agencies needs to be considered in light of America's global strategy in a rapidly changing international environment. Reorganization not rooted in a clear and comprehensive understanding and consensus about goals and missions cannot work or last. The USIA and federally-funded international broadcasting have track records of success and will continue to work. Indeed, with today's menacing phenomena of international criminal activity, terrorism, inter-ethnic hatreds and anti-democratic forces around the world, the work of USIA is more critical than ever.

We understand that there will have to be some significant reorganization and reprioritization in foreign policy. Those who have offered proposals for change have done some service. The world has changed, in no small measure because of our multilayered and multi-faceted foreign policy structures. Our goal should be coordination between agencies, not the kind of consolidated administrative centralism that will not work. The task of the State Department and the public diplomacy agencies should nurture one another, but must remain separate to be truly effective.

Ned W. Bandler, Vice Chairman, Freedom House; Saul Bellow, Author; Hon. Michael Barnes, Former Congressman, Chairman, Center for National Policy; Walter Berns, American Enterprise Institute; Daniel J. Boorstin, Librarian of Congress Emeritus, Historian; Dr. Zbigniew Brzezinski, Former National Security Advisor, Center for Strategic & International Studies; Hon. John H. Buchanan, Jr., Former Congressman; Hon. Richard R. Burt, Former Ambassador to Germany; Hon. Henry E. Catto, Chairman of the Board Catto and Catto, Former Director, USIA; William Van Cleave, Director, Center for Defense & Strategic Studies, Southwestern Missouri State University; Kerry Kennedy Cuomo, Executive Director, Robert F. Kennedy Memorial, Center for Human Rights; James S. Denton, President, National Forum Foundation; Patricia Murphy Derian, Former Assistant Secretary of State for Human Rights and Humanitarian Affairs; Vivian Lowery Derryck, President, African American Institute; Larry Diamond, Senior Research Fellow, Hoover Institution; Hon. Paula Dobriansky, Former Associate Director, USIA; William C. Doherty, Jr., Executive Director, American Institute for Free Labor Development.

Thomas R. Donahue, Secretary-Treasurer, AFL–CIO; Susan Eisenhower, Chairman, Center for Post Soviet Studies; Hon. Dante B. Fascell, Former Chairman, House Foreign Affairs Committee; Hon. Geraldine A. Ferraro, Former Congresswoman; Edward J. Feulner, Jr., President, The Heritage Foundation; Malcolm S. Forbes, Jr., Former Chairman, Board for International Broadcasting, Forbes Magazine; Al From, President, Democratic Leadership Council; Alton Frye, Senior Vice President & National Director, Council on Foreign Relations; Hon. Frank J. Gaffney, Jr., President, Center for Security Policy; Hon. Bruce Gelb, Former Director, USIA; Ernest Green, Chairman, African Development Foundation; Samuel P. Huntington, John M. Olin Center for Strategic Studies of Harvard University; John T. Joyce, President, International Union of Brick Layers & Allied Craftsmen; Hon. Max M. Kampelman, Former U.S. Ambassador, Commission on Security and Cooperation in Europe; Lane Kirkland, President, AFL–CIO; Hon. Jeane J. Kirkpatrick, Former U.S. Ambassador to the United Nations; Bette Bao Lord, Chairman, Freedom House Board of Trustees; Bruce K. MacLaury, President, Brookings Institution.

Hon. Leonard H. Marks, Marks and Cohn; Will Marshall, President, Progressive Policy Institute; Adam Meyerson, Editor Policy Review; Charles Morgan, Jr., Attorney; John Norton Moore, Director, Center for Law & National Security, University of Virginia School of Law; Steven W. Mosher, Director, Asian Studies Center, The Claremont Institute; Joshua Muravchik, Resident Scholar, American Enterprise Institute; Father Richard John Neuhaus, Executive Director, Institute for Religion and Public Life; Michael Novak, American Enterprise Institute; Hon. Charles H. Percy, Former Chairman, Senate Foreign Relations Committee; Robert L. Pfaltzgraff, Fletcher School of Law & Diplomacy, Tufts University; Richard Ravitch, Attorney; Walter Raymond, Jr., Former Special Assistant to the President for National Security Affairs; William S. Reese, President, Partners of the Americas; Peter Rodman, Director, National Security Program, Nixon Center for Peace & Freedom; Burns W. Roper, Former Chairman, Roper Starch Worldwide; Hon. Eugene V. Rostow, National Defense University; John Seiganthaler, Chairman, Freedom Forum First Amendment Foundation, Vanderbilt University.

Al Shanker, President American Federation of Teachers; Walter J. Schloss, Chairman, Walter J. Schloss Associates, Inc; Nina Shea, President, Puebla Institute; Marvin L. Stone, Former Editor, US News & World Report; R. Emmett Tyrrell, Jr., Editor-in-Chief, The American Spectator; Hon. Malcolm Wallop, Former U.S. Senator; Ben J. Wattenberg, Syndicated Columnist; George Weigel, President, Ethics and Public Policy Center; Allen Weinstein, President, The Center for Democracy; Hon. Charles Z. Wick, Former Director,

USIA; Jacques D. Wimpfheimer, Chairman, American Velvet Company; Hon. Andrew Young, Former Ambassador to the United Nations; James J. Zogby, President, Arab American Institute.

Mr. KERRY addressed the Chair.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KERRY. Thank you Mr. President.

Mr. President, I would like to thank the Senator from Connecticut for a very thoughtful statement not just about USIA, but most importantly about the overall changes that are taking place in the world and the implications for the United States and for our foreign policy.

I think he has demonstrated the vision that is essential to any kind of decisionmaking with respect to the shuffling of the parts of our foreign public diplomacy effort. So I thank him for having shared those thoughts with us and I think provided a very important and credible statement with respect to this issue.

Mr. President, I would like to express further, following up on some of the things that the Senator from Connecticut has said, I think it is really important for us to understand, the United Nations particularly—and for a lot of appropriate reasons, I might add—the administration of the United Nations has been just sort of a morass without any seeming sense of concern or culpability, although I think in the last year perhaps the message may be beginning to get through.

But clearly, the ineffectiveness of the United Nations with respect to certain concerns, notwithstanding great successes, has clouded the image of that institution in its 50th anniversary so that for a lot of Americans, it is a very quick take. They think of foreign policy and they tend to think not of a global climate change treaty, not of the Montreal protocol which will reduce CFC's in the air and help to preserve the ozone layer, they do not think about the treaty to preserve Antarctica or the treaties with respect to arms control through the years that made an enormous difference in helping to win the cold war; they tend to think of the big symbols, and generally speaking, the symbols of either confusion or sometimes failure.

The result is, if you want to get a good applause line when you go home and give a speech, you can very quickly pick up a line that talks about how you should not be giving aid to other countries, that the aid ought to be coming back, you know, to whatever city in one State. If you say that when you are in a particular place, people are quick to respond and say, ''Boy, that is right. We ought to be get that money, not these other folks.'' And in some cases, unfortunately, it is true. AID and others have had some programs sometimes that lack accountability.

But name for me the corporation in America that has not sometimes had an advertising campaign that has been overboard or an excess of expense accounts or an excess in departments. Most of the great buy-outs of the 1980's were predicated on a lot of those far too expansive corporate budgets where value was not limited and people saw that they had an opportunity to come in, pare down, create a far more productive entity, raise the share value, and sell it for a killing. Indeed, that happened over and over again.

This is no different. There is no bureaucracy on the face of this planet that does not have organizational problems. The question is, what are we trying to do here, and what are the interests of the United States?

Foreign policy is not some foreign engagement exclusively. Foreign policy is the art of achieving our interests abroad. It is really an extension of the interests in every community here in our country. It is not really a foreign affair. It is a domestic interest that is represented through whatever happens abroad.

So when we engage in Latin America in an antidrug program, we are representing the interests of people in Kansas City, in San Francisco, in Boston, in New York, in Los Angeles, and all across this country. And to whatever degree we can get the cooperation of Colombians or the cooperation of Ecuadorians or Panamanians or the Caribbean countries in helping us to prevent the flow of cocaine or helping to prevent the flow of laundered money, we are representing our interests. That helps us here at home. It keeps perhaps 1 kid, 20 kids, hopefully 1,000 or a million kids out of trouble.

It seems to me that in the same way, Mr. President, in dozens of other ways, our interests are represented through the diplomatic efforts of our State Department in ways that a lot of Americans just take for granted on a daily basis. Take, for instance, the interests of New England in fishing. We have two of the most important fishing ports in all of the country in Gloucester and New Bedford, MA. Until recently, our fishermen were able to go up and drag off the coast of Canada for scallops. Now, because of an international treaty, we are not allowed to do that anymore, and we have huge tensions with Canada over the questions of fishing. We have huge tensions over the fish that are caught there, that are sold in the United States at a lesser price, that take away from our fishermen and their livelihood.

So these are the relationships. This is not a foreign interest. This is not an expenditure of money somehow that goes to someone else's benefit abroad. It goes to our benefit, Mr. President. Hopefully, if well represented and well negotiated, it goes to our benefit.

There are dozens of other ways in which examples abound about how our interests are or are not represented. We have millions of Americans traveling abroad every year, millions probably even as I speak right now. They expect to be able to walk into an embassy or a consulate office and get answers. They expect to be able to get a visa. They expect to have their interests represented. If they get in an accident abroad, if they have a sickness abroad, if something happens where they are falsely arrested or some other event takes place, we need to be able to represent the interests of those citizens abroad.

Increasingly, Mr. President, in every single sector that is important to the interests of Americans, we have been cutting over the last few years.

We made an enormous cut in the foreign affairs budget just 2 years ago. We made a cut 2 years before that. It has become sort of the whipping boy, if you will, of the budgetary process because there is no easy, quick constituency in the United States that leaps up and says, ''Oh, yes, I identify with that money.''

Already out of a $1.5 trillion budget, we spend less than 1 percent of the total budget on all of our foreign affairs interests, including foreign aid, and most of the foreign aid of this country, as we know, goes to two countries: Egypt and Israel. So, if you take the almost $12 billion, I think it is, that goes to Egypt and Israel, we are leaving ourselves something like $8 billion for everything else that we wind up doing around the world in respect to all of our treaties, all of our negotiations, all of our representing of our citizens, all of our efforts to try to deal with international crime, with international customs problems, with all of the other interests that we have across this planet.

I inform my colleagues that overseas workload has increased dramatically. My colleague from Connecticut was talking a few minutes ago about what has happened with respect to the sort of closing in of the world. The fact is that because the world is now smaller, because there are more airlines flying more places, because communications are easier, because there is a much broader middle class, not just in America, but in many other countries, people are traveling more. And because of that travel, there is far more of a relationship between nations than there was previously, much more commerce, much more just to keep track of.

The workload for our embassies in just issuing passports, the workload in this country in issuing passports, is a 60 percent increase in the last few years. The overseas consular operations have exploded—visas, increased services to Americans, refugee admissions. We have opened 30 new posts in the last 3 years because of the collapse of the Soviet Union and Europe. And yet, notwithstanding all of that increase, there has been no financial increase whatsoever. All of these new posts, all of this new work has been taken up by virtue of consolidation, cuts, deferred maintenance, reductions.

Mr. President, I respectfully suggest that a hard analysis of what has been happening to the budget with respect

to the State Department and the capacity of our Foreign Service entities to do their jobs over the last years has been such a significant reduction that we are getting to the point where we are losing our capacity to represent our own interests.

This is not smart anymore. This is the old story of cutting off your nose to spite your face. This is shooting yourself in the foot. It is reducing our own influence. I suggest that we ought to think hard about where we are going.

The State Department's budget has been frozen in recent years. In fact, the fiscal year 1996 request is underfunded by over $200 million, or by 10 percent when inflation and the exchange rate losses are factored in. That is an important thing to recognize, Mr. President. We operate our foreign offices, obviously, in a lot of places where the currency is fluctuating. So we send people there with an expectation that we are going to spend x amount of dollars. But because the dollar may go down, you wind up having a huge increase in expenses and it costs you a lot more to do the same business.

Have we increased the amount of money to represent that kind of increase in costs? No. We have taken it out of the building fund, we have taken it out of maintenance, we have cut other sectors, and we are beginning to get to the point where we are reducing our own capacity.

The State Department has already reduced its work force by 1,300 positions, and it has cut administrative expenses by almost $100 million. We have reduced the size of the senior Foreign Service already by 10 percent, and we have cut diplomatic security programs by 15 percent. This is what has already happened.

Now we approach this bill, and I want to share with my colleagues why I think there is such a problem in this bill.

Despite the fact that this bill meets the administration's 1996 appropriations accounts for the State Department and the USIA, the aggregate funding in this bill for 1996 is $450 million below the 1995 enacted level, and it is $330 million below the President's 1996 request. The total funding in the bill decreases sharply over the next 3 fiscal years. The authorized funding under this bill for fiscal year 1999 is over $1.3 billion below the 1995 enacted level.

I will add, Mr. President, that those cuts, that $1.3 billion by 1999, does not reflect the steep reductions in foreign aid funding levels for fiscal years 1996 and 1997 that are in the foreign aid bill. So when you add those cuts to the foreign aid bill, you wind up with the most significant reduction; in fact, you go below the function 150 budget resolution figures for the next 2 years. I do not think we ought to go below the budget resolution figures in the 150 account for those next 2 years, given the reductions that have taken place in the last years.

Mr. President, 10 years ago, in the height of the cold war, when you had a bipolar world with this intense focus on basically the Soviet bloc and China and whatever satellite countries of theirs were creating havoc in other parts of the world, our total international affairs budget was 2.44 percent of the total budget of our country—2.44. Today, it comprises only 1.3 percent. And in the last decade, the appropriations for function 150 have declined by $15.6 billion in fiscal year 1996 dollars. They have gone from $36.8 billion in 1985 down to $21.2 billion in 1995, all of that cut, notwithstanding what the Senator from Connecticut and I have just said with respect to an increase in responsibility, an increase in the number of relationships and an increase in the numbers of issues that we now face.

I might add, Mr. President, now that you have a world where you do not just deal with the Soviet Union and the whole focus is not on arms control and the arms race, you actually have unleashed a whole set of additional forces that make diplomacy far more complicated. In many ways, when you had the Soviet Union and the United States and people were dividing up along those lines, you had a much easier dynamic to work with than the current international economic competitive structure, with all of the attendant environmental, crime, refugee, ethnic conflict and other issues that have been liberated.

I respectfully suggest that the world we face today requires a knowledge of what is happening in countries, an understanding of that ethnic force, an understanding of who is who within the criminal constellation, an understanding of the dynamics of how we can assist other countries to move toward sustainable development—a host of issues that are far more difficult to leverage and that require personal relationships in the leveraging. Yet, here we are withdrawing ourselves from the very capacity to create those kinds of personal relationships.

Under the budget resolution, discretionary funding for the international affairs budget is reduced by $2.1 billion in fiscal year 1996 alone. And by fiscal year 2002, the Budget Committee's target date for the balanced budget, the mark for the function 150 discretionary funding is $14.7 billion.

Mr. President, we are going to go from $36.8 billion in 1985 to $14.6 billion in the year 2002, and we are somehow going to pretend that we are going to represent the domestic interests of the United States abroad with that budget while simultaneously meeting the needs of a country that prides itself in being the leader of the free world. I do not think it makes sense. I think it is ill considered. I think it is shortsighted. I think it is contrary to our national interests, and it may not be hyperbole to suggest that it is even dangerous for the interests of this country.

I recognize that economies have to be achieved in all respects, with respect to the Federal budget, including international affairs. But the dollar alone cannot be the sole measurement with respect to what we are doing. We do not just have a fiscal deficit, Mr. President, we have a leadership deficit, we have an involvement deficit, we have a presence deficit.

If you travel to Asia today, you will find greater presence of French and Germans and Japanese than you will Americans. I am consistently asked by foreign businessmen when the United States of America is going to get its act together and have the kind of presence necessary to signal our determination to be a real player beyond what our weaponry gives us.

It seems to me that those are the kinds of things we ought to be thinking about as we arrive at a budget, not just an arbitrary 602(b) figure that is thrown out by a couple of people sitting around saying, ''We will give this much to this committee and that much to that committee,'' without a real measurement of what the real impact is in the overall interest of our country.

In addition to the problematic budget areas, Mr. President, this bill also contains several provisions that are designed to undermine and place restrictions on the United States' participation in the United Nations system. For example, the bill mandates that the United States withdraw from several international organizations, including the International Labor Organization, and it eliminates funding for U.S.-assessed contributions to these organizations.

In addition, the bill places conditions on the full payment of the U.S.-assessed contributions to the United Nations and to peacekeeping operations that serve to weaken our leverage at the United Nations at the very moment when our leadership is needed.

It is very difficult to go to Mr. Akashi and Boutros Boutros-Ghali and suggest to them that the role of the United Nations ought to be different, and they ought to heed our advice at the same time we are pulling back from an obligation, as well as from other involvement and efforts of the United Nations. If ever we wanted to invite others to begin to spur whatever leadership we might be offering, it seems to me that that is one of the ways to do it.

So, Mr. President, I would hope that in the course of the deliberation on this bill we can try to rectify, to whatever degree possible, some of these things, so that we get back to the spirit of bipartisanship that governed the movement of this bill in the last 11 years that I have been here. There was an unfortunate vote along party lines sending this bill to the floor. It is my hope that we can use this time now in the legislative process to harmonize

and bring together a bipartisan effort when I think the Congress is most well-served and certainly when the interests of the country are served. Everybody knows that this country has been strongest when its foreign policy is bipartisan. The great standard was written by Arthur Vandenberg. In recent days, we have had joint efforts—whether it was Senators LUGAR and NUNN, who joined together with respect to Russia, or whether it was Senator MCCAIN and others here, who joined together with respect to Southeast Asia—and we have been able to show that bipartisanship makes a difference and it makes this country strong. I hope we can find that in further efforts with respect to this legislation.

Mr. HELMS. Mr. President, Senator KERRY is one of the most articulate human beings I have ever heard. I wish that he had somehow recognized in his eloquent comments the many efforts that we made—when I say ''we,'' I mean the Foreign Relations Committee majority—to work with the administration.

I myself pleaded with the Vice President of the United States to let us get together, as the Senator has recommended. The bureaucracy prevailed in the Vice President's office. I am not being personally critical of the Vice President. He has many things on his plate. But, in this case, the ball got away from him, and the heads of three agencies, which were going to be rolled into the State Department where they belong, prevailed.

Warren Christopher, the Secretary of State, went through the same agony last fall after the election when he recommended the sort of reorganization that the pending legislation represents. Secretary Christopher got his comeuppance, and he took it like a man. He is a faithful, loyal member of the administration. He wrote a letter the other day to Senator DOLE, which was amazing to me. Sometime during this debate, I am going to put his letter in the RECORD and my response to it.

I wish we could get together, but at this moment, the White House is calling the tune. There is nothing wrong with that. That is the way the administration works. But they cannot have it both ways, that we want to do this and that, when in fact they have done everything in this world, including personal invective, to undermine the pending legislation. There were news conferences at the National Press Club downtown. One of the bureaucrats made all sorts of remarks, including one that I had written this bill on the back of an envelope. The press came to me and said, ''What do you think about that?'' I said, ''Well, Abraham Lincoln did pretty well on the back of an envelope. I hope I have done fairly well.''

But it has been a personal affront to these people that anybody could suggest that their bureaucracies be trimmed. Let me tell you something about the U.S. Information Agency. There is a great push to keep it like it is. But let me tell you, Mr. President, if you retain the U.S. Information Agency as it is, it will cost $320 million over the next 2 years and $600 million during the 7-year effort to balance the budget.

Now, all the people who have been lobbied to keep the USIA just like it is better bear in mind what the Budget Committee is going to say about that. And all sorts of suggestions have been made that, well, we are doing well, we just need to do better.

Well, tell me about the 600 people, Federal employees, in the U.S. Embassy at Cairo, whose sole responsibility is to give away the American taxpayers' money. What sense does that make? It costs $200,000 a year to post one Federal employee overseas. They have 600 of them at Cairo alone.

Mr. President, I have several dear friends among the heads of State of other countries who come to Washington, and they come to see me in my capacity with the Foreign Relations Committee. If I had to pick a favorite, I guess it would be Eugenia Charles, who is the former Prime Minister of Dominica. I am sad to say that the Prime Minister is not running for reelection. She is a pleasant, down-to-earth lady. She always comes in my office with a smile on her face. The last time she was here, which was about 3 or 4 weeks ago, give or take, she walked in and said, ''Well, Senator, I see you are trying to do something about your foreign aid program.'' I said, ''Yes, ma'am, I am.'' She said, ''Well, it is none of my business, but something ought to be done. Do you realize, Senator, that it costs you more money to give away money than you give away?'' And that is it. It is the bureaucracy that just grows and grows and grows, and these efforts with the pending legislation, from the administration that has not cooperated with the committee at all—JOHN KERRY tried to. I do not know what sort of instructions he got from the people downtown to the contrary. But I wish we could sit down and work out the difficulties. I am not going to give away the store. I am not going to change this bill so that it does not meet the budget resolution which was adopted by this Senate and the House of Representatives. No, sir, I am not going to do that.

But if we can have an understanding that we are working on the same team, being the Senate of the United States, trying to get a job that needs to be done and needs badly to be done, then we can pull this bill down and we can operate in good faith. But I cannot have Bill Clinton's people looking over somebody's shoulder, because Bill Clinton already said he is going to veto it, and he does not even know what is in the bill. He wants to keep the status quo. He does not want to save any money on foreign aid. Otherwise, he would have sent somebody in good faith up here to work with the committee, which we urged him to do, which we urged his Vice President to do. But we were stonewalled.

So do not give me all this stuff about the administration has not been consulted. Later on in the debate, we will talk about this business of micromanagement. There has been plenty of what some would call micromanagement in the past.

AMENDMENT NO. 2042 TO AMENDMENT NO. 2041

Mr. HELMS. Mr. President, I send a second-degree amendment to the desk to amendment No. 2041.

The PRESIDING OFFICER. The clerk will report the amendment.

The Senator from North Carolina [Mr. HELMS] proposes an amendment numbered 2042 to amendment No. 2041.

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

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

The amendment is as follows:

Strike all after the word ''SEC.'' and insert the following:

. SENSE OF CONGRESS REGARDING CONSOLIDATION AND REINVENTION OF FOREIGN AFFAIRS AGENCIES.

(a) FINDINGS.—The Congress finds that it is necessary in order to make the Government more efficient and to realize significant budgetary savings for the American taxpayer—

(1) to consolidate and reinvent foreign affairs agencies of the United States within the Department of State;

(2) to provide for the reorganization of the Department of State to maximize efficient use of resources, eliminate redundancy in functions, and improve the management of the Department of State;

(3) to assist congressional efforts to balance the Federal budget by the year 2002;

(4) to ensure that the international affairs budget function shoulders an appropriate share of the reductions in United States Government spending necessary to eliminate the $4,800,000,000,000 budget deficit; and

(5) to strengthen—

(A) the coordination of United States foreign policy;

(B) the leading role of the Secretary of State in the formulation and articulation of United States foreign policy;

(C) the authority of United States ambassadors over all United States Government personnel and resources located in United States diplomatic missions, in order to enhance the ability of the ambassadors to deploy those resources to the best effect that will attain the President's foreign policy objectives; and

(D) the United States Foreign Service, as the forward deployed civilian force of the United States Government, through renewed emphasis on the original principles which undergird the distinct Foreign Service personnel system. These include worldwide availability, assignments based on the needs of the service, rank in person, and merit-based advancement.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the President should—

(1) consolidate and eliminate, such duplicative, overlapping or superfluous personnel, functions, goals, activities, offices, and programs that the United States Arms Control and Disarmament Agency, the United States Information Agency, and the Agency for International Development have in common with the Department of State in order to realize a budgetary savings to the American taxpayer of at least $3,000,000,000 during fiscal years 1996 through 1999;

(2) encourage the United States foreign affairs agencies to maintain a high percentage of the best qualified, most competent American citizens serving in the United States Government while downsizing significantly the total number of people employed by these agencies; and

(3) ensure that all functions of diplomacy be subject to recruitment, training, assignment, promotion and egress based on common standards and procedures, with maximum interchange among the functions.

Mr. HELMS. Mr. President, let me get back to one of the most heavily lobbied portions of the pending bill.

I said a while ago that keeping the U.S. Information Agency as it is will cost $320 million over the next 2 years, and $600 million during our 7-year effort to balance the budget. Those who do not care whether the budget is balanced or not in 7 years, do not care very much one way or another.

The effort to keep the U.S. Information Agency independent of the Department of State is misguided and it is out of step. The time has come to recognize the problem and to reorganize our entire foreign relations apparatus.

As JOHN KERRY has said with his customary eloquence, public diplomacy is an extremely important part of the way this country conducts business with other countries. It is, after all, the way we convey American values and interests, and the way that we communicate the American dream to the people around the world.

Accordingly, Mr. President, it ought to be part and parcel of the larger foreign policy effort, not shunted away out of sight, out of mind. As the single agency charged with the conduct of U.S. foreign relations, the Department of State must be given a clear mandate and must be provided with all the tools of the trade. Diplomacy can be a most effective tool, but its effectiveness can be truly realized only when it is synchronized with all the rest of the diplomatic initiatives.

That is just not the opinion of JESSE HELMS, a member of the Foreign Relations Committee. Five Secretaries of State have said the same thing. They have endorsed this bill which President Clinton, Vice President GORE, and now poor Warren Christopher, who is caught in a bind, say they oppose.

Now, S. 908 acknowledges what has to be the centrality of public diplomacy of foreign affairs, by putting public diplomacy at the center of the foreign affairs apparatus.

I ask, what is a better way to make sure that this tool gets used frequently, than to provide it to those who need it and to those who will use it, by creating an Under Secretary for Public Diplomacy within the Department of State, as this bill proposes? We will strengthen our core foreign policy apparatus, and 5 former Secretaries of State have testified and written letters of endorsement of this very proposal that is the pending business in the U.S. Senate.

As for the U.S. Information Agency, its consolidation into the State Department will allow us to stretch our dollars devoted to foreign policy. It will cut out the waste. It will cut down on the bureaucracy. It will cut out functions that really are not essential to our foreign policy. They may be desirable, but they are not essential.

Now, in the case of international broadcasting, the irony is that S. 908, the pending bill, is the best deal in town. They will not find a better one—not from Bill Clinton, not from AL GORE, not from anybody else. Right here, it is pending before the U.S. Senate.

S. 908, Mr. President, assures the continuation of the restructuring, the reduction, and the consolidation of broadcasting elements that began last fall. This bill will ensure that the Congress and the administration keep their commitment to support broadcasting around the world. Some of the people—lobbyists—who are opposing S. 908 would have you believe otherwise.

Broadcasting, under this bill, will remain independent and will be operated by the Broadcasting Board of Governors, which is a nonpartisan board that sets the broadcasting policy.

In a very real way, S. 908, despite the protests of people who will save it, passes the litmus test of USIA itself. It strengthens the role of public diplomacy in our foreign policy apparatus by integrating it with larger foreign policy concerns.

As has been shown, S. 908 in no way eliminates or reduces the capabilities needed to convey the American message to foreign populations. That is the job it was created to do in the first place.

It preserves those capabilities, but it also makes a strong move to abolish waste and needless bureaucratic duplication. That is where some nerves have been rubbed raw.

Make no mistake, the amendment to retain USIA, any effort to retain USIA independently, is a proposal to retain wastefulness and inefficiency. It is a tired old litany. I hope the Senate, if and when we are given an opportunity to vote on the matter, will understand what it is all about.

I yield the floor.

The PRESIDING OFFICER (Mr. ASHCROFT). The Senator from Maine.

Ms. SNOWE. Thank you Mr. President. I think the chairman has accurately stated the dilemma that faces members here in terms of making decisions about whether or not to move forward with a specific consolidation proposal.

The real question is whether or not there is support—bipartisan support—for a consolidation proposal.

We heard from Senator KERRY this morning, who said that he supports consolidation, the idea of consolidation. He basically said the same thing in committee.

The problem is, there has been no specific proposal forthcoming to achieve the goals of consolidation. That is the problem. Everybody talks about consolidation, eliminating duplicating functions and responsibilities, but there is no specific plan that has been put forward by the minority, on the committee or here on the floor, that achieves the goals that are necessary and indeed mandated by the budget resolution.

Even the Vice President said, back on January 27, that he would come forward with a plan for reinventing Government and these agencies in the State Department that would achieve a savings of $5 billion. We have no such plan.

The only recommendation the Vice President has made is eliminating 6 missions and streamlining the contracting services within the agencies. That is it. That will not achieve $5 billion. Even our savings are less than $5 billion. The fact is the budget resolution requires us to achieve $3.6 billion.

Now, somebody can say how we do it differently. I cannot understand, frankly, why the minority could not accept the principles that are embodied in the amendment that is before the Senate. It says, and it is a sense of Congress, that the President should consolidate and eliminate duplicative, overlapping or superfluous goals, activities, offices, and programs that the U.S. Arms Control and Disarmament Agency, the U.S. Information Agency, and the Agency for International Development have in common with the Department of State, in order to realize budgetary savings to the American taxpayers. That leaves $3 billion during fiscal years 1996 through 1999.

That is the essence of the amendment now pending before the Senate. It incorporates the principles of consolidation.

It is obvious that there is not an interest in working together in a bipartisan way to come up with a consolidation plan that can get a majority of support here.

Now, the President—and I can understand, there is a dilemma here for those on the minority side—the President proposed in his budget to increase the 150 account by $1 billion. The budget resolution that passed this Congress requires us to cut by $3.6 billion. That is what we have to do.

The President does not want to cut the foreign affairs account. He is asking for a $1 billion increase.

That is why I think we are meeting the resistance from the other side with respect to consolidation, because they do not want to consolidate. They do not want to eliminate. They do not want to do anything to change the status quo. That is what last year's election was all about—to change the status quo on how we conduct our business. That is what we have to do. That is our mandate here. It surprises me in a lot of ways to suggest that there are not ways in which we can do that. I happen to think that consolidation is necessary because I think it will reinvigorate the departments and the agencies. I think it will reinvigorate the

State Department in the way it conducts its foreign policy decisionmaking. I think it is necessary.

Does anyone here suggest that we should not look at the exchange programs? I am a strong advocate of the exchange programs. But, believe it or not, the exchange programs have doubled. They have actually doubled since 1990. They have doubled in the 1980's. So they doubled in the 1980's and they have doubled since 1990. We are proposing that we cut $400 million in the exchange programs that are duplicative. They are spread out all over the U.S. Government. We are saying we should consolidate and manage them because we do think they are important, especially in this post-cold-war period. It is important for our young people to have a chance to understand the cultures of governments of other countries. But does anybody think that we should not do it a little bit differently, given the proliferation of those exchange programs? I say not.

What about the Agency for International Development? As I said, the Director has done an outstanding job since he has been in that position. But there is much more to be done. Even he said, several years ago before he took that position, that the agency was a disaster. We have spent on development assistance since the agency was created $144 billion, and we still provide countries with assistance. Countries have received development assistance from 35 to 51 years consecutively. We have not made any headway.

The point is, we have to do things somewhat differently. We should tie development assistance to our foreign policy goals. There is nothing wrong with that. Indeed, I think we will maximize the benefits for our taxpayers, but also for our specific goal.

Sixty percent of the employees of the Agency for International Development work here in Washington, DC. There are 9,000 employees in the Agency for International Development—9,000. Just the administrative costs alone represent 25 cents on every development dollar we spend, but that does not take into account the grants. That is where the other 4,000 employees come in. We have 5,000 under the traditional administrative costs and overhead, and then we have another 4,000 employees that are paid through the grants that we issue through development assistance in the Agency for International Development.

Is anyone suggesting that we should not cut or reform those programs to maximize the benefits for the American taxpayers and, indeed, the program? No one is saying that the essence of development assistance and helping countries for sustainable development for the future to become independent economically is not essential. It absolutely is. The question is how we achieve those goals.

That is what we are attempting to do with this legislation: To consolidate and to improve the way in which we deliver these programs.

Public diplomacy—I have been a very strong proponent of the broadcasting functions under the USIA. Again, the question is whether or not we can move those functions within the State Department. I had concerns about maintaining the independence and integrity of the broadcasting functions of radio, for example. But we maintain that critical firewall in this legislation because we have a broadcasting board of governors. So we will maintain the independence and integrity of radio. But there is not anything to say that we cannot do things differently in bringing them into the State Department hierarchy.

Edward R. Morrow, who was once the USIA Director, said that oftentimes the agency was always brought in when a policy crash landed, but was never there when there was a takeoff. I think they will correct that longstanding problem. I think it is our responsibility to reform the public diplomacy structure. We create an Under Secretary for Public Diplomacy. We create a fifth person so that preserves the Foreign Service officers and their skills, because I have a great deal of respect for their professionalism and their dedication to their job. There is no greater demonstration of the way in which they perform than at the various embassies around the world. In fact, they are integrated fully into the process within the embassy. That is exactly the same kind of procedure we want to duplicate here in Washington, DC. Everybody works together.

Today, in a more democratic world than ever before, the foreign policy in those countries is very, very essential to the formation of policy in this country. That is what public diplomacy has become, an essential responsibility. I think we can emphasize that even more by taking the USIA and putting it into the State Department. We are not here to deemphasize it or say it is a lesser priority; absolutely not. We are saying it is very much a priority, and we are going to protect the integrity and the independence of broadcasting. In fact, we had the nomination hearing for the eight individuals who serve on that board, a very distinguished group of individuals that will bring a broad array of experience into the public and private sector to manage this board in this transition. I have a great deal of confidence in their ability to manage a very crucial change in the broadcasting function.

I hope, as generally can be the case, that we just do not have this natural visceral reaction in opposition to any kind of change. I am certainly willing to consider any proposal and any ideas to reform the consolidation that we have before us. I think we have to make a decision that consolidation is very, very essential. But we are not getting any specific or concrete ideas from the other side as to how to achieve it. We keep hearing, well, we support consolidation. But we have been hearing that for 6 months, and nothing has come forward that would suggest that they have a plan or indeed actually support any kind of plan for consolidation.

We will hopefully go through this legislation and hopefully we will have a vote, which I am going to ask for in a moment on the pending amendment, because I think it is important that we find out where everybody stands on the principle of consolidation of the State Department and its related agencies.

We are here today because we need to change the way in which we handle the organizational structure of the State Department and other agencies. But we certainly want to do everything we can to make it right.

Senator KERRY mentioned the fact that we have increased responsibilities on the embassies and our diplomatic corps. That is certainly true. In fact, this last year, I attempted to mandate a cost sharing so we apportion the costs within each embassy among a variety of agencies, because the State Department is not the only one that creates costs within our embassies. We have the Department of Commerce, the Department of Defense, and other agencies that have responsibilities for those embassies, and yet they do not pay their fair share of cost.

Unfortunately, I was not successful. I am not saying that we just should cut. I am saying that we should cut in a responsible way through consolidation. I do not think anybody can disagree on the purpose of consolidation.

So as we move forward in this debate, perhaps there will be some interest on the other side, and most specifically the administration, which obviously is governing the course and the direction of this legislation, with respect to accepting the idea of consolidation or not.

OPPOSITION TO ABOLISHING AID

Mr. LAUTENBERG. Mr. President, I oppose abolishing the Agency for International Development and merging its programs and personnel into the State Department. This proposal will do more than simply move some boxes around on an organizational chart; it will make fundamental changes in the ability of AID to perform its mission. As a result, it threatens our ability to protect and advance important American interests.

Let me begin by identifying three primary elements of AID's mission.

First, there is a clear and compelling humanitarian interest. AID's programs tells others, and reminds us, that the United States is a caring and compassionate Nation. That compassion and caring reflect both our character as a country and our recognition that we have the resources and the responsibility to do what we can to help those in need. Compassion has a place in foreign policy and our main instrument in this regard—in feeding children, providing housing and medical care, building

roads and sewers, and so much more—is AID.

Second, AID is the instrument through which we get on with the task of building functional democracies around the world. What we sought to preserve throughout the cold war, we can now expand. Country after country, on continent after continent, want to establish representative governments, democratically elected and based on the rule of law and a respect for human rights and liberties. The development assistance and expertise developed by AID is the way to get them the resources they need to achieve a result we all want. While there is an element of altruism in such programs, there is also a cold calculation that it serves our national interest. Wherever we are successful in ensuring that democratic principles take root, we are less likely to face the prospect of intervention in a political crisis, with it the high costs of peacekeeping and emergency relief operations.

Third, AID's overseas assistance efforts provide for both immediate and long-term economic benefits to the United States.

In the short run, nearly 80 percent of AID's grants and contracts go directly to American firms and private organizations. This creates American jobs, encourages American exports, and expands domestic prosperity. Over the longer run, our current and prospective foreign assistance efforts help to create future overseas markets for American goods and services in developing countries. A built-in, long-term preference for American exports bodes well for continued employment and prosperity here as well.

So, Mr. President, the functions that AID preforms are important. And the question now is whether we can continue that work in a new organizational structure.

I do not think we can or need to for three reasons.

First, AID is already reorganizing. The Agency is reinventing itself in order to become both more efficient and effective. Under the leadership of its Administrator, Brian Atwood, AID has already cut its costs. Overseas, AID will have closed 21 missions between 1994 and 1996. In its domestic operations, AID has eliminated 90 offices in Washington. Overall, AID has cut 70 senior positions and reduced total staff by over 1,200. Moreover, AID is adopting a new development strategy. Recognizing that its limited resources make it impossible to be all things to all people, it is targeting fewer countries for more intensive assistance. While some may criticize this almost triage-like approach, it certainly reflects a willingness to adopt a leaner focus to the problems it confronts.

Second, the suggestion that the savings will come out of ''administrative reforms'' is simply not credible. As I have indicated, AID has already scaled back. I do not believe there will be significant additional administrative savings from this consolidation. The reality is that AID's overseas operations, like all U.S. Government agencies and departments operations in our embassies and consulates, already are fully integrated into State Department administrative services on a reimbursable basis. So, the proposed consolidation would not save any money abroad. And domestically, there is no room in the State Department to house AID's employees and functions, so we will not save on building costs here in Washington, either.

The net result, I fear, is a further reduction in our developmental programs. Some may say ''well its about time.'' But that kind of response is usually based on a profound misunderstanding of just how much we spend on foreign aid. While many believe that such programs account for 8 to 10 percent of all Federal spending, in reality they now constitute only ½ of 1 percent of all spending by the U.S. Government. This level of spending already places us in the lowest ranks of the developed world in terms of per capita spending on foreign aid and assistance programs. Indeed, from 1956 to 1993, our share of official development assistance worldwide has dropped from 63 to 17 percent. Our current effort, then, is inadequate. This bill makes it even worse. And, as a result, it threatens our ability to protect the national interests I identified at the beginning of these remarks.

Finally, Mr. President, I have to note the major irony involved in this proposal. This proposal to augment and centralize the State Department is made by precisely the same people who profess to believe that ''big government'' should be decentralized and made more flexible.

Let me conclude, Mr. President, with this simple observation. Destroying AID is not the way to accomplish our foreign policy objectives. It would not be efficient or effective, and we should not do it.

OPPOSING CONSOLIDATION OF USIA

Mr. LAUTENBERG. Mr. President, I oppose consolidating the U.S. Information Agency.

We need to ask two questions about this proposal to abolish USIA and merge its functions and personnel into an expanded State Department. First, will it result in a less costly set of information, cultural and exchange, and broadcasting programs in support of American foreign policy objectives? Second, will it enhance the effectiveness of these programs as we continue to readjust and redirect our foreign policy interests?

Mr. President, the answer to both questions is ''no.''

Let us look initially at the purported cost-savings of merging USIA into the State Department.

There is a seductive logic to the argument that merging USIA into the State Department would result in substantial administrative cost-savings. But the facts reveal otherwise.

Managerially, USIA's overseas operations currently are well-integrated with State's. USIA—like all departments and agencies operating from our Embassies and consulates—already reimburses the State Department for administrative support services, such as housing, computers, motor pools, and the like. Consolidation will not save any money overseas.

Would there be savings in U.S. operations by merging USIA into the State Department? I do not believe so. Aside from its foreign press centers, the Agency by law has no domestic charter, no domestic presence. And we would not be able to eliminate the need for some sort of separate office space to house USIA's personnel and functions, since the State Department has none to spare.

In fact, USIA on its own and in response to the President's and Vice president's reinventing Government initiatives has already achieved major and substantial cost-savings. In this regard, I believe that it is important to remember that the Agency constitutes only 6 percent of the total function 150 budget but accounts for 58 percent of the total savings wrung from the 150 account in the past 2 years.

USIA has accomplished these savings by consolidating and restructuring its own activities. USIA now has RIF authority and is in fact closing overseas posts and bringing officers home, as well as cutting overseas and domestic positions and staff.

By bringing together all of the U.S. Government's international broadcasting activities, USIA will save more than $400 million by fiscal year 1997 and eliminate 1,250 staff positions. By creating a new Information Bureau, USIA has reduced its policy and program staff by 30 percent for an annual savings of $10 million. And by streamlining and downsizing its educational, cultural, and management functions, USIA has wrought savings of almost $15 million and eliminated 186 positions this year alone.

The fact is, Mr. President, significant, real cuts are being made by USIA right now without consolidation. We cannot extract more savings by merging USIA into the State Department without sacrificing the very programs that support our foreign policy worldwide in the new information age.

Will consolidation enhance the effectiveness of the U.S. Government's information, broadcasting, and cultural and exchange programs? I do not think so for at least two reasons.

First, the budget cuts raised by this bill for USIA—$118.6 million in fiscal year 1996 and an additional $81 million in fiscal year 1997—are general reductions. In fact, they have nothing to do with consolidation and cannot be achieved by merging USIA into the State Department. To meet these spending levels, the Agency will have

to make deep cuts in its overseas presence and its core programs.

Second, USIA was carved out of the State Department in 1953 to fulfill a function—that of public diplomacy—that the State Department is inherently unable to perform. USIA was expanded in 1978—when State's Bureau of Cultural Affairs was abolished and its functions given to the Agency—when the State Department could not give high priority to programs that promote unofficial contacts between U.S. public opinion leaders and their foreign counterparts overseas.

In other words, Mr. President, merging USIA back into the State Department flies in the face our historical experience. It is being proposed at precisely the time when the benefits of our cold war labors—democracy-building world wide—are just beginning to be realized in such far-flung places as Haiti, Angola, and Cambodia and require active, effective public diplomacy from USIA.

Finally, I note that—at a time when businesses across America are creating more flexible, less centralized organizational structures, and we are seeking to emulate this move in the Federal Government—it is hard to understand why any of my distinguished colleagues on the other side of the aisle would advocate creating a mega-bureaucracy in the State Department.

I urge my colleagues to oppose consolidating USIA.

Ms. SNOWE. Mr. President, I would now like to ask for the yeas and nays on amendment 2042, the amendment that is pending before the Senate.

The PRESIDING OFFICER. Is there a sufficient second?

There is not a sufficient second.

Ms. SNOWE. I yield the floor.

Mr. PELL addressed the Chair.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. PELL. Mr. President, I intend at the appropriate time to offer amendment No. 1964 on behalf of Senators HATFIELD, GLENN, SIMON, and BIDEN, and myself that would amend S. 908 in order to retain the independence of ACDA from the Department of State.

The State Department authorization bill, S. 908, would, as reported, make meaningless serious and comprehensive efforts in recent years to strengthen and revitalize ACDA. Moreover, it would have this unfortunate effect without any significant savings with respect to ACDA. As a result, its true price would be high.

As an aside, commenting on the words of the Senator from Maine, I appreciated her kind words about the Foreign Service, being the only Foreign Service officer in the Senate. I think all of us recognize what the Foreign Service does, and I appreciate the comments of Senator SNOWE.

S. 908 as reported from the Committee on Foreign Relations, would abolish ACDA and place the retained functions and personnel in a single bureau of the Department of State. That bureau would be one of five under the control of an undersecretary also responsible for international narcotics, law enforcement, political-military affairs, humanitarian assistance, refugees, and migration affairs. We believe that what can only be described as a jumbled reorganization would be in error that could prove very costly to our Nation, and to our arms control efforts, for several reasons. First, this major downgrading of the arms control apparatus at a time in which major threats to our security are becoming both more diverse and more challenging is a dangerously shortsighted action. Second, it would muffle, if not silence, the arms control voice at several major levels. Third, it would deny the Secretary of State and the President the benefit of an independent perspective and judgment on arms control and nonproliferation issues. For these and other reasons, it would be inevitable that our ability to identify and implement effective arms control and nonproliferation activities would be diminished to the detriment of our national security interests.

The amendment would require a serious and comprehensive effort to eliminate duplication and overlap within and between the Arms Control and Disarmament Agency and the Department of State, while preserving the agency's independence and authorizing the appropriation of necessary operating funds.

In the course of committee markup of the legislation, I offered an alternative proposal—that the Arms Control and Disarmament Agency be retained and strengthened. At that time, my proposal was supported only by my Democratic colleagues. The amendment I intend to offer is more modest in that it does not shift important nonproliferation responsibilities to ACDA. Rather, it preserves the present relationship, leaving the issue of the further strengthening of ACDA to be resolved later. It also authorizes appropriations of $45 million in fiscal year 1996 and in fiscal year 1997, which allows for spending at current levels.

I hope that a number of Senators of both parties—not just one, but both parties—who understand arms control and nonproliferation issues and appreciate the value of ACDA as a specialized agency at the center of these issues will join in supporting the amendment.

Arms control activities were handled within the Department of State until 1961, when it was decided that a separate agency would be a better approach. As the final decisions were being considered, I remember going to the White House with the Senator from Minnesota, Mr. Humphrey, and the Senator from Pennsylvania, Mr. Clark, to make the case that arms control was a matter of such central importance to the United States that it should be the responsibility of an agency created by and operating under statute.

As I think we all can recall, when Senator Kennedy was running for President, he talked about it being a separate statutory agency. But when the time came and he was President, then the question came up whether he had the votes for it to be made a statutory agency or whether it should be set up by Executive order.

The decision made, on the recommendation of Arthur Schlesinger, at that time to the President was that he stick to his guns and that we have it as a separate statutory agency. This was a decision that President Kennedy made at that time. I believe that decision really came out of the conversations Senators Clark, Humphrey, and I had with him then.

McGeorge Bundy, who served both Presidents Kennedy and Johnson as National Security Adviser, recalled the decisions on ACDA earlier this year in testimony on this bill. He spoke of ''the requirements for first-class executive branch performance in the field of arms control. These requirements are well met in the present executive arrangements; they could be met only by most improbable good luck if the proposal before you (S. 908) should be adopted.''

Mr. President, no American has left a greater mark on arms control in the modern era than Ambassador Paul H. Nitze. In a long and illustrious career, he has served Democratic and Republican administrations alike. He understands fully the value of ACDA within any executive branch. He wrote me on July 6 to say: ''This reorganization I believe to be ill-advised; folding the U.S. Arms Control and Disarmament Agency (ACDA) into the State Department seems to me to be unnecessary and unwise.''

I think when a man of wisdom and experience and the depth of knowledge of arms control, as in the case of Paul Nitze, takes a view like this, we all should take his view seriously.

Ambassador Nitze continues,

> In my experience as an arms control negotiator, I always found ACDA's input into the negotiating process to be expert, insightful, and uniquely helpful. That input could well be lost if the Agency does not remain independent. As recent events in Iraq, Iran, and North Korea show, nonproliferation and arms control are more important than ever. Eliminating ACDA from the diplomatic effort to protect our security would be like eliminating the Marine Corps from the military effort. While it will never replace its larger brethren on the foreign policy team, ACDA plays an essential role as a lean and flexible vanguard, always ready to aggressively counter the threat weapons of mass destruction pose to our national security.

Paul Nitze concluded,

> The game has changed, but the stakes are at least as great; our national survival still hangs in the balance. We should be strenthening our nonproliferation team, not abolishing it. ACDA is a key part of the best team possible to face the real and growing threat of nuclear, chemical, and biological terrorism. In this new era of opaque and unpredictable threats to our security, the vigilance that saw us through the Cold War should not be relaxed.

(Ms. SNOWE assumed the chair.)

Mr. PELL. Madam President, I ask unanimous consent that the full text of Ambassador Nitze's letter be printed in the RECORD at the conclusion of my remarks.

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

(See exhibit 1.)

Mr. PELL. Madam President, the need for first-class arms control performance has not always been recognized. Accordingly, in the past 34 years, the agency has had its ups and downs, but it has been central to some successes, including the Non-Proliferation Treaty, SALT I Interim Agreement, Anti-Ballistic Missile [ABM] Treaty, Biological Weapons Convention, Senate agreement to the 1925 Geneva Protocol, Intermediate Range Nuclear Forces [INF] Treaty, Threshold Test Ban Treaty, Peaceful Nuclear Explosions Treaty, and the Chemical Weapons Convention now pending before the Senate. While ACDA was not in charge of START I or START II, it did the bulk of the backstopping work.

It is worthy of note that ACDA has fought alone in some key matters. The State Department opposed negotiation of the Non-Proliferation Treaty in order to please NATO allies. ACDA persevered and won. When the State Department wanted to eviscerate the ABM Treaty in the early 1980's, ACDA fought for the traditional interpretation. Recently ACDA and the Energy Department have been supportive of the current nuclear testing moratorium and of a comprehensive test ban. The State and Defense Departments have been the foot draggers. Recent press reports allege that the administration sided with the Secretary of Defense and the Joint Chiefs of Staff against ACDA and the Energy Secretary in its decision not to agree with the Russians to negotiate further strategic arms cuts beyond START II.

In 1991, the Bush administration did not seem to hold ACDA in particular regard, and there was a general sense on the Hill that ACDA was both insignificant and ineffectual. Senator SIMON proposed, and the committee and Senate agreed to, an amendment requiring that the State/ACDA inspector general, Sherman Funk, investigate ACDA and report back with recommendations in December 1992. Mr. Funk ordered a very thorough study and analysis by an outside panel headed by Ambassador James Goodby. That panel explored all the options, including merger into State and concluded that ACDA should be kept independent and strengthened.

The importance of the independence of ACDA can not be overemphasized. This was the same logic that President Kennedy used when he said it should be a statutory agency and it should be separate, and why he made the decision to have it set up by statute.

Subsequently, I introduced legislation to strengthen and revitalize ACDA. At the same time, the new administration was considering a plan to merge ACDA into State. That subsequently rejected plan is the progenitor of the current majority plan to merge ACDA into State.

After their review, the President, on the recommendation of Secretary Christopher, decided to retain ACDA and support the bill I had introduced as soon as some compromises were reached. That was done and the bill, with bipartisan support in both Houses was enacted last spring. These are the highlights of the revitalization legislation, which is now law.

The bill enhanced the role of the ACDA in the areas of arms control and nonproliferation policy and negotiations in several ways: First, ACDA was given primary responsibility for all arms control negotiations and implementation fora, including negotiation of a comprehensive nuclear test ban; second, positions for Presidential Special Representatives for Arms Control, Nonproliferation, and Disarmament were created and placed under the ACDA Director; and third, ACDA's role in nonproliferation was underscored by giving the Agency primary responsibility for managing U.S. participation in the 1995 review conference of the Nuclear Non-Proliferation Treaty and primary responsibility for other nonproliferation activities when so directed by the President.

The bill improved ACDA's role regarding arms transfers and nonproliferation. ACDA was given mandatory prior consultation and review rights with respect to export licenses and other matters under both the Arms Export Control Act and the Nuclear Non-Proliferation Act.

The bill strengthened the functioning of the Agency by eliminating a number of outdated or redundant reporting requirements and by disbanding the General Advisory Committee, thereby permitting the Agency to reassign personnel to other substantive areas.

The results of the strengthening and revitalization are beginning to be seen. Officials of ACDA are effectively involved in bringing an arms control perspective to executive branch decision-making at various levels. The Agency was in charge of the critically important and successful effort this spring to secure the indefinite extension of the Non-Proliferation Treaty. The Agency is currently running the efforts to achieve a comprehensive test ban in negotiations in Geneva. The Agency recently submitted a remarkably detailed and informative annual report to Congress that included a section dealing with the adherence of the United States to its arms control commitments and the compliance of other nations with their obligations under arms control agreements. Any Senator reading this compliance report, in either classified or unclassified form, would have to agree that ACDA is on top of various arms control problems and that it is willing to be open and forthright with the Congress regarding these matters and what can be done to deal with them.

I am convinced that ACDA is on the right track now. Having decided to strengthen ACDA, it makes no sense now to abolish the agency and give its unique and specialized responsibilities to the Department of State. Within very real budgetary constraints, we need to stay the course and continue to strengthen ACDA. Our amendment would do just that.

Mr. McGeorge Bundy also told the committee:

> Arms control—especially the limitation of nuclear danger—is not easy. It requires agreement among sovereign states who often fear and mistrust each other. It can require limits on weapons that a military service may initially prefer not to limit. It requires technical understanding, political sagacity, and coordination from the White House. What I would emphasize in particular, from my own service with two Presidents who were deeply and directly engaged in the effort to limit nuclear danger, is that there must be a close and continuous relation between the President and his staff and the main center of arms control analysis and effort. The government's senior people on arms control should have easy access, as a matter of right and expectation, to the White House.

The value of independent access to the President as cited by Mr. Bundy cannot be overestimated. Many arms control and nonproliferation matters should be considered at the interagency level and decided by the President. To put arms control at a lower level within the Department of State would mean that the arms control voice would be muffled and key questions could be dealt with inside the Department. Under the present and preferred arrangement, the Director is the principal adviser on arms control, disarmament, and nonproliferation matter to the President, the National Security Council, and the Secretary of State. Thus, the Agency can be actively engaged and effective at whatever level is appropriate.

Much is made of the notion that abolishing agencies such as ACDA will save large funds. The ACDA budget is currently about $55 million. ACDA's core spending would remain at about $45 million under my amendment. The Vice President has set about the task of making all feasible reductions throughout Government, and indications are now that significant cuts can be made. With regard to ACDA and the State Department overlap, it is clearly largely within the Department, and there can be reasonable savings in areas in which the Department duplicates ACDA pointlessly. Beyond that, it is hard to imagine cuts that would not simply mean the termination of important programs.

I conclude that there could be some relatively insignificant savings realized from the merger of ACDA into State, but the results would not be an improvement. It would amount to dollars saved very foolishly—at an unfortunately high price. Too much is at stake. We should not take steps that

could lead to risks to our national security. In a challenging and threatening international environment, reasonable amounts spent on ACDA can only be seen as a sound investment.

EXHIBIT 1

THE PAUL H. NITZE SCHOOL
OF ADVANCED INTERNATIONAL STUDIES,
Washington, DC, July 6, 1995.

Hon. CLAIBORNE PELL,
Senate Office Building, Washington, DC.

DEAR CLAIBORNE: As a long term observer of U.S. foreign and security policy, I write to you in opposition to the foreign affairs reorganization bill soon to be considered by the Senate. This reorganization I believe to be ill-advised; folding the U.S. Arms Control and Disarmament Agency (ACDA) into the State Department seems to me to be unnecessary and unwise.

In my experience as an arms control negotiator, I always found ACDA's input into the negotiating process to be expert, insightful, and uniquely helpful. That input could well be lost if the Agency does not remain independent. As recent events in Iraq, Iran, and North Korea show, nonproliferation and arms control are more important than ever. Eliminating ACDA from the diplomatic effort to protect our security would be like eliminating the Marine Corps from the military effort. While it will never replace its larger brethren on the foreign policy team, ACDA plays an essential role as a lean and flexible vanguard, always ready to aggressively counter the threat weapons of mass destruction pose to our national security.

The global security environment has changed radically in recent years. The proliferation of nuclear, chemical, and biological weapons and the increasing flow of materials and know-how from the former arsenals of communism are now the chief threats to our nation. ACDA has been the champion of nonproliferation within the U.S. Government for more than thirty years. Without the 1968 Treaty on the Non-Proliferation of Nuclear Weapons (NPT) the number of aspiring nuclear powers confronting us today would be an order of magnitude greater. The NPT would never have been achieved without an independent ACDA balancing the bilateral interests promoted by the State Department. Just two months ago, ACDA led the interagency effort which made the NPT unconditionally permanent. Organizing consensus for indefinite extension among the nearly 180 parties to the NPT was a great diplomatic victory for the United States. An independent ACDA proved it could succeed in a post-cold war leadership role that would have been impossible for it to play as part of the State Department.

The Soviet Union has collapsed under the weight of its own bankrupt ideology and the global threat of communist aggression has shattered. But the technology (and even the very weapons and materials) used by the communists to threaten our way of life continue to endanger our nation, only now the danger comes from many sources instead of one. The game has changed, but the stakes are at least as great; our national survival still hangs in the balance.

We should be strengthening our nonproliferation team, not abolishing it. ACDA is a key part of the best team possible to face the real and growing threat of nuclear, chemical, and biological terrorism. In this new era of opaque and unpredictable threats to our security, the vigilance that saw us through the Cold War should not be relaxed.

Sincerely,

PAUL H. NITZE.

Mr. MCCONNELL. Madam President, I strongly support Senator HELMS initiative to reorganize our foreign affairs agencies—the time has come to restructure the Department of State, USIA, and ACDA to better serve American interests abroad in the new post-cold-war world.

The combination of diminishing resources and increased international trade and economic competition require us to revise our priorities and approach and restructure our institutions.

During my tenure on the Foreign Relations Committee and now on the Foreign Operations Subcommittee, I reached the same conclusion that many of my colleagues did—foreign aid is almost as unpopular as it is misunderstood.

Time and time again I have addressed audiences that really believe that foreign aid represents at least 50 percent of our budget—if we just scaled it back to 5 percent we could balance the budget.

Well, as most of us know, foreign aid hovers around 1 percent of the Federal budget, and is shrinking by the day.

So why do so many people have the wrong impression?

I think the problem stems from the fact that no one really knows what we do abroad or why? Sure they understand emergency food and medical support to a country that is experiencing an earthquake or similar natural disaster.

But what does sustainable development mean and why is it important?

Why are we the largest contributor to global family planning programs?

Do we really need to fund the International Office of the Vine and Wine?

I share the view of many Americans that think our aid does not support clear cut U.S. interests. And, central to this problem is the disconnect between the agencies administering foreign aid and foreign affairs.

I commend Senator HELMS for his ambitious effort to reorganize our bureaucracy to better serve our interests. His proposal to integrate our aid and interests in one agency closely tracks legislation I introduced earlier this year. I also support his emphasis on our trade and economic interests—assuring each regional bureau actually has a deputy responsible for trade and development will enhance our global standing and performance.

The reforms outlined in S. 908 are essential to rebuilding American confidence in our foreign aid programs. The bill reduces waste and expensive duplication of agency efforts. And, in scaling back and focusing our resources and effort, we will strengthen the coherence and effectiveness of our programs and policies.

Mr. HELMS. Madam President, I ask for the yeas and nays on the pending amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

Mr. KERRY. Madam President, prior to the Senator proceeding, I ask unanimous consent to have printed a letter to the President of the United States from a series of groups with respect to this legislation.

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

PLANNED PARENTHOOD,
July 26, 1995.

President WILLIAM JEFFERSON CLINTON,
The White House, Washington, DC.

DEAR MR. PRESIDENT: We urge you to oppose all efforts to prevent the United States from sending an official delegation to the United Nations Fourth World Conference on Women, to be held in Beijing, China in September. The UN Conference on Women is predicted to be the largest UN conference ever held; 184 government delegations and over 6,000 NGO representatives are expected to attend the UN meeting. The Conference will adopt a Platform of Action which outlines critical actions governments must take to advance women's rights and access to resources in many areas including health, education, economics, human rights and the environment. Our organizations—representing millions of Americans—are deeply concerned about attempts to stifle US participation in this important global conference.

In response to recent reports of increases in the number of human rights abuses in China, there are efforts currently underway in the Senate and House of Representatives to block participation of a U.S. delegation the UN Conference on Women. We strongly believe that human rights abuses in China and in all nations must be confronted directly. Our organizations abhor infringements upon the basic human rights of all people. At the same time, we find the abuse, suffering and inequities faced by millions of women worldwide equally distressing. The purpose of the Fourth World Conference on Women is to assess progress made in improving women's status and seek real solutions to bringing women out of the cycle of poverty, inequality and discrimination that continues to entangle so many women and their families.

American women should not be denied the voice of their government at this high level international meeting. There are appropriate vehicles for dealing with this matter including multilateral and bilateral policy discussions with the Chinese—not in the context of a world conference about women's issues. The matters of women's health, human rights, education, employment and political status are much too important for the U.S.—or any nation—to ignore by sitting on the sidelines of this prominent forum. The U.S. would be doing an injustice not only to American women but to all the world's women, if its voice is silent in Beijing.

The decision to hold a women's conference in Beijing was made years ago by many nations and agreed to by former U.S. President George Bush and then Secretary of State James Baker. While many would prefer that this conference be held elsewhere, especially now that the Nongovernmental (NGO) Forum has been forced to a less than adequate site some distance outside of Beijing, we believe that U.S. attendance is critical. In fact, it would be a victory for China, which does not want to be criticized, for the U.S. to be absent from this international event. What better forum to highlight women's abuses in China and all other nations, than this global conference of government delegates, NGOs and media? The U.S. has been a leading advocate on human rights and democracy. Further, it has been one of the strongest voices at the UN for NGO access and accreditation. Restricting U.S. participation in the Conference would undermine

our ability to use this conference as an opportunity to pressure China on democracy and human rights issues.

We, the undersigned, represent a wide array of citizen-based groups working to improve the lives of all people. We focus on issues concerning human rights, economic and social development, health, environment and women's rights.

We urge you to oppose all efforts to prevent or restrict in any way the United States' full participation in this conference.

Sincerely,

American Friends Service Committee, American Association of University Women, The African-American Institute, Bay Area Friends of Tibet (San Francisco), Center for Women's Global Leadership, Rutgers University, Douglass College, Centre for Education, Development, Population, and Population Activities, Chesrown Metzger International Group, Childhope, Church Women United, Coalition for Women in Development.

Delegation of Original Women of Philadelphia (DOWOP), The Development Gap, Family Care International, Feminist Majority Foundation, Friends of the Earth, Heifer Project International, The Hunger Project, InterAction, Institute for Policy Studies, International Center for Research on Women (ICRW).

International Committee of Lawyers for Tibet (San Francisco), Laubach Literacy International, MAP International, Ms. Foundation for Women, National Audubon Society, The National Black Women's Health Project, Oxfam America, People for the American Way, Planned Parenthood Federation of America, Population Action International.

Population Communication, Save the Children, Tibetan Association of Boston, Tibetan Association of Northern California, Tibetan Rights Campaign (Seattle), Tibetan Women's Association/East Coast (New York), United Church of Christ, Board for World Ministries, United Church of Christ, Coordinating Center for Women, U.S.-Tibet Committee (New York), Utah Tibet Support Group (Salt Lake City), World Women in Development and Environment.

Mr. ASHCROFT. Madam President, I ask unanimous consent that such time be provided for me to speak in regard to this matter, Senate bill 908.

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

Mr. ASHCROFT. Madam President, the Foreign Relations Revitalization Act of 1995 represents an important step in establishing a coordinated and coherent foreign policy and a refocusing of our national priorities in this time of limited resources.

We need our foreign relations to be conducted at the highest level of integration and coordination, and the highest level of representation of the interests of this country and of the American people. And a top priority must be to ensure that our influence is used to benefit our interests and to ensure respect for American leadership.

Senate bill 908, the Foreign Relations Revitalization Act of 1995, is a bill which will do that.

I want to commend the Presiding Officer, and the chairman of the committee, Senator HELMS, for his guidance and direction in crafting this important legislation that eliminates program duplication and establishes a sense of clarity in the conduct of foreign relations. This bill also streamlines the delivery of services by eliminating three agencies and consolidating their remaining functions within the Department of State. I believe this will strengthen the role of the Secretary of State and will enhance his ability to organize a foreign policy structure that will best serve our Nation.

We will not be well served by a foreign policy that continues to flow from the mouths of many. This is a very important issue, and one that the full Foreign Relations Committee addressed on several occasions with witnesses appearing from the Agency for International Development [AID], U.S. Information Agency [USIA], and Arms Control Disarmament Agency [ACDA]. I found it interesting that some witnesses indicated that it was important that separate sub-interests of the United States be represented vocally and that there be a competition of sorts—a ''good-cop, bad-cop'' approach to foreign policy, whereby the folks who handed out the foreign aid for the United States would maintain good relations with a particular client nation, while the Department of State would essentially hold the line in protecting United States interests.

I find that to be somewhat troublesome. I think we need to speak with a single voice. I do not think someone should be handing out foreign aid to a country at a time when that very country is clearly acting against our interests.

If we continue with a foreign aid proposal, it should be with an understanding that the person asking for coordination and cooperation in one arena is the same person that will be delivering foreign aid and the kind of assistance that this country gives to other nations that are developing.

The network of competing fiefdoms can only undercut the authority of the Secretary of State in conducting foreign policy. This bill will change that. It would be difficult to believe that those individuals who have tried to represent our interests with a singular, clear voice, would not favor this reorganization. Thus, it is no accident that virtually every previous Secretary of State who has had experience in this arena supports this bill.

I believe that it is no accident that all the former Secretaries of State that came to speak with us supported this concept, and supported it very clearly, as did the current Secretary before his voice was muffled by the Vice President and others who suggested that perhaps he should not have that opinion.

Sadly, rather than grab the opportunity to play a constructive role in helping to shape this proposal, the administration sought instead to adopt a fighting posture, a fixed-bayonet, take-no-prisoner strategy.

I was particularly troubled by the secret minutes of an internal AID staff meeting that were provided to members of our committee. In that internal staff meeting, the staff was advised that ''Our strategy is delay, postpone, obfuscate, derail. If we derail [the bill], we can kill the merger.''

This has nothing to do with the merits of this particular proposal. It has to do with the preservation of the bureaucracy. The American people deserve better from public servants than to sit around the conference rooms of these agencies figuring out how to derail, obfuscate and delay the will of the American people.

The American people not only deserve a sound foreign policy, they deserve to have individuals operating in our agencies so as to comply with the will of the Congress and the people, as expressed through the Congress.

An entrenched group of Government bureaucrats has been diligent in their efforts to hold the line at any cost, by stonewalling and delaying the process. This represents precisely the attitude of Government that this last election was designed to change.

People have signaled very clearly a distaste for this. They not only want our Government to reflect their wishes, they want the Government, when it reflects the America interests abroad, to do so coherently, concisely, and clearly.

They think if we have a single voice in foreign policy representing the administration, be it Republican or Democrat, that single voice is most likely to get the job done, rather than if we have competing agencies, an agency handing out foreign aid resources, another agency asking for cooperation in some other area of the international arena.

There is another point that ought to be made here, and that is while there has been wild speculation that this consolidation plan and the corresponding reductions in some foreign assistance accounts is undertaken, somehow our national prestige will be threatened. I think it is important to understand that national prestige is reinforced and enhanced when we operate with a clear, coherent, concise, understandable foreign policy. Speaking out of both sides of our mouths may be a habit that is understood politically in the United States. It is really not appreciated by the American people. It is certainly not appreciated in the international community, when various organizations from this country misrepresent our stated policy.

On the related topic of our national prestige, it is my sense that our stock will rise on the exchange of the world's international community, when we let them know that we intend to seriously address our responsibilities.

This reorganization plan correctly recognizes the fact that there is a direct correlation between our international prestige and our ability to express ourselves with clarity. Second, it recognizes a direct correlation between our international prestige and the fiscal health of this country.

If we do not have the ability to put our financial house in order, we will not be respected by countries around the world. If we continue to race down the road to bankruptcy, our influence will not be substantial.

This is the first authorization measure to come before the U.S. Senate that makes good on the promise we extended to the American people when we passed the budget resolution; that is, to have a balanced budget, to put our financial house in order. I submit to you that living within those rules and setting our priorities, financially as well as refining and clarifying our message in the international community—all of these things have no promise whatever other than to raise the prestige of the United States and to set an example in the world community that we should be responsible.

Unfortunately, there are those in this country who think that there cannot be any cuts at all in the foreign relations area. And the lobbyists came around with their buttons saying ''Just 1 percent.'' They said that since our foreign aid budget represents only 1 percent of the total Federal budget, it cannot be touched. I just want to point out that the ''Just 1 percent'' is actually $14.3 billion. And I believe it can be touched.

Should it be abolished? I am not in favor of abolishing foreign assistance. But I am in favor of sending a signal around the globe that when American citizens are tightening their belts, and exercising fiscal responsibility, there will be some ripple effects in terms of our aid. Not that we are going to shut anything down, not that we are going to change our policy dramatically, but we need to send a clear signal that the shared sacrifice here at home should be matched by a certain degree of sacrifice around the world. If we did not have the courage to ask them to participate in that respect, they would lose some of their admiration for the way we do business and they would lose some of their respect for us, and we would lose some of our ability to influence events around the world.

This administration seems to be following the same path as the foreign aid lobbyists leveling charges that this commonsense reform bill represents a dangerous shift toward isolationism. It is not a shift toward isolationism but rather a shift toward the development of respectable foreign policy. We have dealt with foreign situations but we have not had foreign policy. Policy is something that is coherent, that sticks together, that you can forecast, that you can predict. It has a philosophy about it. We have too many lawyers in the process and too few philosophers. We solved this problem, and we solved that problem, and we solved this other problem. But we never do it in accordance with a philosophy. And the philosophy should be a philosophy which keeps us from having additional problems.

I remember when the leaders of the so-called foreign policy establishment of this administration came to talk to the committee about the North Korean situation and the problems which we had negotiating with the North Koreans over nuclear issues. I asked the leadership of this administration's foreign policy what it was about the way we solved that problem that would suggest to the rest of the world that we should not do the same things that the North Koreans had done. They said, ''Well, nothing. We think this is a unique situation, and it will not never happen anyplace else.'' So we could afford to make this a very sweet deal for the people who went against the U.S. interest because it could never happen again.

I submit to you that is not foreign policy. It may have temporarily solved that problem. But that is not policy. That is just pragmatism at the moment, and does not look down the road.

We need a foreign policy, and we need a Secretary of State with the capacity to articulate that foreign policy with clarity, with singularity, and coherently around the world.

The administration has pursued a ''Chicken Little'' approach to denouncing the reorganization plan by issuing a series of gloom and doom forecasts about how passage of this bill will result in damaged American prestige abroad and the possible emergence of more Rwanda-type situations.

Well, it is just not so. The sky will not fall if the Arms Control and Disarmament Agency is abolished. At the present time, the State Department, the Defense Intelligence Agency, and the CIA all have departments that are dedicated to pursuing arms-control-related functions. We have the ability to handle these issues in a coherent, rational, integrated, coordinated way if we make the changes that are in this important legislation which is before us.

It is time that we prioritize. Some said we cannot afford to reduce our foreign aid at all in 1993. AID helped fund a visit to the United States by a group of Romanian architects so they could study U.S. architecture. Was this a priority for a country whose economic infrastructure was devastated by 40 years of Communist rule? I doubt it.

Last week, the Washington Times reported that AID recently spent $175,000 to produce 3,000 of these gender analysis tool kits.

I think the American people might wonder if the purchase of gender analysis tool kits is the right kind of priority setting.

AID even floated a plan to help supply Moscow with street lamps. I know that crime has gotten to be a problem in Moscow. But it is a tough sell to say to the people of the United States of America, some of whom live in inner-city neighborhoods in the United States that make Moscow after dark look like a trip to Disney World, that we should spend millions of dollars putting street lights in Moscow, particularly at a time when Moscow was spending billions of dollars grinding up the people of Chechnya. I wonder.

Again, it is a question of establishing priorities.

In closing, and with great enthusiasm, I want to draw attention to the key features of this reform legislation. It says we do not have unlimited resources, we need to set priorities, and we need policy, and policy should not be articulated by contradictory messages issued by a variety of organizations. It says we must maximize our influence, and in order to maximize our influence, let us not speak with many voices in contradictory messages; let us speak with one voice so those who deliver the benefit can also be those who ask for the cooperation.

It says that we in the United States of America will not sacrifice without expecting others to sacrifice along with us, because ultimately when we have the kind of fiscal integrity that we ought to have, the entire world will benefit. When our house is in order, we will be the leader that provides the kind of message and the kind of opportunity around the world which will lift the performance of many nations with us.

We cannot spend as we have in the past in ways that are counterproductive. As the world desperately needs a leader—and there is only one—the United States must revamp its capacity to deliver that leadership with clarity and coherence, and the Foreign Relations Revitalization Act does that.

I urge my colleagues to vote for this measure, because it is a major step forward in our world leadership responsibilities.

Thank you, Madam President.

Mr. HELMS addressed the Chair.

The PRESIDING OFFICER. The Senator from North Carolina.

Mr. HELMS. Madam President, before the distinguished Senator from Missouri leaves for the policy luncheon, I want to say that he has made an extraordinarily brilliant speech. He has said it all, and he said it well. If I may reminisce just one moment, one of the first people I met in another State after I came to the Senate was a young man in Missouri named JOHN ASHCROFT. I went to Missouri to work with him on a little matter. I have admired him ever since. He has had a distinguished career, and he has already begun a distinguished career in the U.S. Senate. I thank the Senator.

I yield the floor.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate will now stand in recess until 2:15 p.m.

Thereupon, at 12:50 p.m., the Senate recessed until 2:14 p.m.; whereupon, the Senate reassembled when called to order by the Presiding Officer (Mr. COATS).

FOREIGN RELATIONS REVITALIZATION ACT OF 1995

The Senate continued with the consideration of the bill.

AMENDMENT NO. 2033

Mrs. HUTCHISON. Mr. President, yesterday I proposed an amendment to instruct the United States delegation as to the sense of the Congress regarding the representative American perspective the United States delegation should promote at the United Nations Fourth World Conference on Women which will be held in Beijing, China from September 4 to 15, 1995. I am pleased that the amendment was adopted today by voice vote.

My amendment instructs the U.S. delegates to recognize the importance of motherhood, to uphold the traditional family as the fundamental unit of society upon which healthy cultures are built, and to define or agree with definitions of gender only as the biological classification of male and female.

Most Americans would be surprised to learn that an amendment of this nature was even necessary. Most Americans would respond that of course a U.S. delegation to an international conference would be eager to uphold the family as the fundamental unit of society and of course, that there are only two genders, male and female.

However, the delegates to the Fourth World Conference on Women have made these simple concepts an issue, and therefore, we need to be clear that our U.S. delegation represents the views of most Americans.

At the last preconference meeting, held in New York City in March 1995, one nation suggested that the word ''mother'' be removed from the platform document and replaced with ''caretaker.''

What about the traditional family? We have heard a great deal of discussion lately about families and the important role they play in the well-being of children and society. Conservatives and liberals alike are lamenting the breakdown of the American family and the dire consequences—such as increased crime, high teen pregnancy rates, drug use and lower educational performance which result from a breakdown in the family and family values.

On all sides of the political spectrum there is a growing understanding that the family is the single most important factor in combating these problems.

Finally, on the issue of gender Mr. President, this issue on its face seems ridiculous. At the March 15, 1995 Preparatory Committee meeting for the Fourth World Conference on Women in Beijing, delegates prepared a draft platform. The word gender appears 184 times in that document. The use of gender had never been an issue as a majority of delegates assumed that the term did not need definition.

In response to the various questions about the definition of gender, the conference leadership floated the definition:

> Gender refers to the relationship between women and men based on socially defined roles that are assigned to one sex or the other.

Delegates pressed for bracketing the word gender until a definition could be agreed upon. Bella Abzug of the U.S. delegation in an angry speech contested the bracketing saying:

> We will not be forced back in the ''biology is destiny'' concept . . . the meaning of the word ''gender'' has evolved as differentiated from the word sex to express the reality that women's and men's roles and status are socially constructed and subject to change.

Many delegates became convinced that this move to refine gender was designed to forward an entirely different agenda, and not to further the interests of ordinary women, the primary purpose of the Conference.

When many of these delegations sought to define gender as ''male and female, the two sexes of human being'' that definition proved unacceptable to many Western nations and even the U.S. delegation did not want to be bound by a two-gender definition. The United Nations responded to these concerns by issuing a statement that said ''gender is a relative concept'' and its ''roles can vary with time and circumstance.''

It is for that reason that my amendment sought to ensure that the U.S. delegation agree with the definition of gender as the biological classification of male and female, which are the two sexes of the human being.

Mr. President, the purpose of my amendment was to ensure that those who represent the women of the United States at a world conference on women must indeed be representative of the majority of the women in America. The amendment which the Senate adopted today sends a strong message in support of motherhood and the family, and traditional values which have made America a great nation.

CLOTURE MOTION

The PRESIDING OFFICER. Under the previous order, the clerk will report the motion to invoke cloture.

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 S. 908, the State Department Reorganization bill:
>
> Bob Dole, Jesse Helms, John McCain, Fred Thompson, Olympia Snowe, Jim Inhofe, Lauch Faircloth, Spence Abraham, Trent Lott, Strom Thurmond, Larry E. Craig, Don Nickles, Mitch McConnell, Bob Smith, John Ashcroft, Nancy Landon Kassebaum.

CALL OF THE ROLL

The PRESIDING OFFICER. Under the previous order, the mandatory quorum call has been waived.

VOTE

The PRESIDING OFFICER. The question is, Is it the sense of the Senate that debate on S. 908, the State Department reorganization bill, shall be brought to a close?

The yeas and nays are required.

The clerk will call the roll.

The legislative clerk called the roll.

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

The yeas and nays resulted—yeas 55, nays 45, as follows:

[Rollcall Vote No. 346 Leg.]

YEAS—55

Abraham	Gorton	Murkowski
Ashcroft	Gramm	Nickles
Bennett	Grams	Packwood
Bond	Grassley	Pell
Brown	Gregg	Pressler
Burns	Hatch	Roth
Campbell	Hatfield	Santorum
Chafee	Helms	Shelby
Coats	Hutchison	Simpson
Cochran	Inhofe	Smith
Cohen	Jeffords	Snowe
Coverdell	Kassebaum	Specter
Craig	Kempthorne	Stevens
D'Amato	Kyl	Thomas
DeWine	Lott	Thompson
Dole	Lugar	Thurmond
Domenici	Mack	Warner
Faircloth	McCain	
Frist	McConnell	

NAYS—45

Akaka	Feingold	Leahy
Baucus	Feinstein	Levin
Biden	Ford	Lieberman
Bingaman	Glenn	Mikulski
Boxer	Graham	Moseley-Braun
Bradley	Harkin	Moynihan
Breaux	Heflin	Murray
Bryan	Hollings	Nunn
Bumpers	Inouye	Pryor
Byrd	Johnston	Reid
Conrad	Kennedy	Robb
Daschle	Kerrey	Rockefeller
Dodd	Kerry	Sarbanes
Dorgan	Kohl	Simon
Exon	Lautenberg	Wellstone

The PRESIDING OFFICER. On this vote, the yeas are 55, and the nays are 45. Three-fifths of the Senators duly chosen and sworn, not having voted in the affirmative, the motion is rejected.

Mr. HELMS addressed the Chair.

The PRESIDING OFFICER. The Senator from North Carolina.

Mr. HELMS. Mr. President, I am going to give President Clinton an opportunity to micromanage the Senate Foreign Relations Committee. When he is in the mood to have some ambassadors confirmed or some treaties considered, and that sort of thing, all he has to do is send word that he no longer believes in that memorandum that was circulated by the Agency for International Development, the memorandum that said the way the administration is going to beat this bill is to ''delay, postpone, obfuscate, derail.'' Well, his minions have done that in denying an opportunity to have cloture on this bill.

Invariably, as the Senators know, and as one of the reporters said, the shoe is on the other foot—and that is correct. But this is an important bill, and the budget requirements of the Foreign Relations Committee cannot be met without this bill, or some bill very close to it.

The point is that there has been no cooperation extended. There has been a lot of rhetoric, and that is the end of it. Mrs. Helms raised a dumb son, maybe, but she did not raise a stupid one. I understand the name of the game. The administration and its supporters have wanted this bill to die a quiet death. It is not going to die. It is going back on the calendar, but it will return. Just as MacArthur said, I will return, the administration can count on this bill's return.

I will enjoy the Tuesdays and Thursdays when we normally have business sessions of the Foreign Relations Committee. The bill will not be killed with the administration's tactic. It is going to keep coming back and back and back until we get a vote. If the Senate votes down the bill, fine. That is fair enough. Or, if there is a move by Members of the Senate on the other side who want to present a concrete alternative, that will be fine. Or, if we can get now what we did not get before, a commitment from the Vice President of the United States—you know, the fellow who is in charge of reinvention of Government—that he and his associates will work with us, that will be fine. If the President of the United States indicates that he wants some ambassadors cleared and he wants his representatives in the Senate to cooperate in jointly producing a bill, that will be fine.

But I appreciate the Senators on the Republican side, and I appreciate my good friend, Senator PELL, for having voted for cloture in both instances today.

At a later time, I will have more to say, and I thank you, Mr. President.

I yield the floor.

MEASURE PLACED ON THE CALENDAR—S. 908

Mr. DOLE. Mr. President, I have indicated at our policy luncheon that this bill will probably be brought up at a later time. But I would now ask unanimous consent that the Department of State reorganization be placed back on the calendar.

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

Mr. DOLE. Again, let me say to my colleague from North Carolina that we have indicated to him that this would be back up again. We discussed that with the distinguished Senator from Massachusetts, and the Senator from Rhode Island. It is an important bill. But I think in the spirit of trying to get some things done—we can get on hopefully with part of the recess—this is the best course to follow.

So I thank my colleague from North Carolina for his agreeing with that procedure.

There will be votes throughout the day.

Mr. KERRY addressed the Chair.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KERRY. Mr. President, I would just like to say to the majority leader and to the distinguished chairman of the Foreign Relations Committee, I respect and appreciate the decision of the majority leader with respect to the bill that was just on the floor, but I want the distinguished chairman of the Foreign Relations Committee to know that the quote he read has already been disavowed. It is not the policy of the Democratic side, and that is not what we are trying to do with respect to this bill.

I would be happy to engage with the Senator further as we have previous to this to try to see if we can arrive at some kind of understanding. It is an important piece of legislation. We are not trying to avoid it altogether. But I think it was premature in its current state, and we would be happy to work with the Senator from North Carolina in an effort to see if we can come up with a reasonable bipartisan approach.

THE SENATE'S SCHEDULE

Mr. DOLE. Let me indicate to my colleagues now what we would like to do between now and the 12th of August—hopefully by the 12th, if not beyond the 12th; that is, to complete action on the energy and water appropriations, to complete action on the DOD authorization bill, to complete action on welfare reform, to complete action on the DOD appropriations bill, and I am advised by Senators STEVENS and INOUYE—we had a meeting in my office this morning—that could be done in one day. Marty was there, I might add, the Democratic leader's representative. It was not a party meeting. They said what we could do. And there is also a hope, because we have had some conversations that there may be renewed interest in getting some agreement, if possible, on reg reform, that we can either finish it before we leave for the recess, or finish it when we are back.

So I would just say in the spirit of everybody trying, I know there are going to be important amendments, and I know they want them to be debated. Everybody has that right.

According to the appropriators, the DOD appropriators, many of these amendments that are going to be taken care of in DOD authorization we will treat the same in the appropriations bill. It might speed up the process. So that would be very helpful.

I say to the Democratic leader, I do not think we have tried to pile up too much here if everything goes well and if we all cooperate on both sides. Most of these issues involved are not partisan issues. They are policy issues where you have Republicans and Democrats, particularly in DOD, maybe in this energy and water, you have Republicans and some Democrats on each side of the issues, so they are not partisan issues. There should not be any partisan roadblocks that I know of. I am not as familiar with the bills as obviously the managers are.

So we will now move to energy and water. And I will be very happy to yield to the distinguished Democratic leader if he wanted to make any comments.

Mr. DASCHLE. Mr. President, I would subscribe to what the majority leader indicated. None of the legislation contemplated for completion except perhaps welfare reform—we will have to see where we are on that, but I think by and large the legislation pending is all legislation that I am hopeful we can work through.

I am not as optimistic about the degree to which we can work through these very significant amendments on DOD unless we have some understanding as to what the timeframe may be and whether or not some of these amendments could be offered as amendments to defense appropriations, but there are very serious questions here that have to be addressed. And I think Members ought to expect long days and a Saturday session in order for us to accomplish all that the leader has set out for us to accomplish in the next week and a half.

Mr. DOLE. There will be a Saturday session. I appreciate the Democrat leader mentioning that.

ENERGY AND WATER DEVELOPMENT APPROPRIATIONS, 1996

Mr. DOLE. Mr. President, what is the pending business?

The PRESIDING OFFICER. The Senate business is the energy and water appropriation bill, which the clerk will report.

The legislative clerk read as follows:

A bill (H.R. 1905) making appropriations for energy and water development for the fiscal year ending September 30, 1996, and for other purposes.

The Senate resumed consideration of the bill.

Mr. DOLE. Mr. President, let me indicate that we are going to try to finish this energy and water appropriations bill today. I have been advised by the managers that they think that can be done. They have resolved one of the contentious issues.

Mr. GORTON. Mr. President, I should like to address one portion of that bill for just a few moments.

The PRESIDING OFFICER. The Senator from Washington is recognized.

Mr. GORTON. Mr. President, as we recommence the debate on the appropriations for energy and water, I should like to express my appreciation to the distinguished chairman of that appropriations subcommittee, the Senator from New Mexico, and his colleague, the Senator from Louisiana, for the thoughtful and generous treatment they have accorded to two projects in the State of Washington that are of great importance to that State. The subcommittee has approved and the Senate is now considering funding for the Yakima River Basin water enhancement project and the Columbia

Basin project. Each of them is beneficial both to irrigators and fish and wildlife and the Yakima Indian Nation in central Washington.

Last year, under the leadership of the Senator from Louisiana, Congress passed authorizing legislation creating the Yakima River Basin water enhancement project. This program will fund water conservation and storage measures which will secure irrigation water supplies for farmers, help salmon populations in the basin, and be of considerable benefit to the Yakima Indian Nation as well.

Specific programs within the project are the Cle Elum Reservoir, the Chandler pumping and powerplant, the Kachess Dam and Reservoir, irrigation and instream flow studies, enhancement of tributaries water supplies and environmental compliance activities.

Further down the river, the Columbia Basin funding will help complete that project's drainage system. It will assure a sustainable irrigation project that will be able to meet its Federal repayment obligations and generate the project's intended social, environmental, and economic benefits. Once a drainage inventory is finished, local irrigation districts and the local Bureau of Reclamation office will be able to expedite work and reduce overhead burdens to finally complete the drainage system, saving taxpayer dollars in the long run.

Mr. President, as we all know, weather is an uncertain thing. And if you are a farmer faced with a drought, your entire livelihood is in jeopardy. Washington State is no stranger to severe water shortages, and funding for these projects will make water supply more certain for farmers within their areas.

These projects also improve conditions for fish. Already, at the Yakima project, fish passage facilities have been installed at project dams and screens have been placed at irrigation diversions.

I am truly pleased that the Senate subcommittee and full committee have approved funding for the Yakima enhancement and Columbia Basin projects. Both are excellent measures for helping Washington State agriculture.

I encourage support for the overall bill and once again thank the two managers of the bill.

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

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

The legislative clerk proceeded to call the roll.

Mr. DOMENICI. 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. DOMENICI. Mr. President, we are now on the energy and water appropriations bill?

The PRESIDING OFFICER. That is correct.

Mr. DOMENICI. Mr. President, I understand the Senator from Tennessee wants to wait a couple of minutes on the committee amendments, and we are going to obviously wait for that. But I might say to Senators that have expressed an interest in amendments, the leader has asked us to get this bill finished tonight, and there are two Senators who have told me they have amendments. I hope they could get here in the next few minutes and we can get a reasonable time agreement and vote on them.

Senator BUMPERS indicated he had a gas-cooled reactor amendment. Maybe we could just ask Senator BUMPERS' office if he could come down and offer that and do that rather quickly. Senator JEFFORDS on the Republican side has a renewable resource amendment.

If Senator JEFFORDS could come down and share that with us so we can move quickly with it. We are working up some amendments that we are going to make en bloc for various Members. But we cannot do anything on the committee amendments until we get word from the Senator from Tennessee who has a hold on those committee amendments.

Mr. JOHNSTON. Will the Senator yield?

Mr. DOMENICI. Indeed, I would be pleased to yield.

Mr. JOHNSTON. Mr. President, the difficult things on this bill—which are nuclear waste in Nevada—we hope the new spallation source will be worked out. We believe that the Princeton problem has been worked out. The difficult things, those that would have tied us up for a long time, I believe have been worked out. And it is my hope that dealing with two fairly short amendments, we will be ready to go to final passage.

I ask the Senator from New Mexico, does he not share my view that we ought to be able to go to final passage very shortly?

Mr. DOMENICI. Mr. President, unless there are Senators that have not conferred with me—and I have had plenty of notes given to me; we are working on most of them—I think most of them are solved. I think that conclusion is correct.

Mr. JOHNSTON. I would, from my standpoint, like to put Senators on notice that if they have something they want in the bill, something to go in the managers' amendment, please contact us so we can put it in, because we may be ready to wrap up, we hope, early this afternoon.

Mr. DOMENICI. 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. JOHNSTON. 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.

PRIVILEGE OF THE FLOOR

Mr. JOHNSTON. Mr. President, I ask unanimous consent that Dr. Robert Simon be allowed the privilege of the floor during consideration of H.R. 1905, the energy and water appropriations bill, and any votes thereon.

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

Mr. DOMENICI. Mr. President, I ask unanimous consent that the committee amendments be agreed to, en bloc, except as to the amendment found on page 23, line 7, and the amendment found on page 38, line 19, and that the bill as thus amended be regarded as original text for the purpose of further amendment, provided that no point of order shall have been waived by agreeing to this request.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

(The committee amendments are printed in the RECORD of July 31, 1995.)

EXCEPTED COMMITTEE AMENDMENT BEGINNING ON PAGE 23, LINE 7

Mr. DOMENICI. Now, Mr. President, as I understand it, the first committee amendment which I exempted from that unanimous-consent request is pending.

The PRESIDING OFFICER. The Senator is correct.

AMENDMENT NO. 2053 TO THE COMMITTEE AMENDMENT BEGINNING ON PAGE 23, LINE 7

(Purpose: To amend the provision relating to the expansion of a facility for the storage of uranium)

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

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from New Mexico [Mr. DOMENICI] for Mr. REID, proposes an amendment numbered 2053 to the committee amendment on page 23, line 7.

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

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

The amendment is as follows:

On page 24, line 7, strike ''135(a)(2), 135(d), 135(e), 141(g), 145'' and insert ''135(d), 135(e),''.

Mr. DOMENICI. Mr. President, this has been agreed to by the two Senators from Nevada, myself, and the ranking member. I have no objection to its adoption.

The PRESIDING OFFICER. Is there further debate?

Mr. JOHNSTON. Mr. President, this has been worked out with the two Senators from Nevada. We support the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment (No. 2053) was agreed to.

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

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

The motion to lay on the table was agreed to.

Mr. DOMENICI. Mr. President, I believe we are working with Senator JEFFORDS and his staff regarding an amendment that he has. I ask Senator BUMPERS and his cosponsor if they could be ready in a few minutes. We could take that amendment and get the debate, and maybe there is a vote needed on that.

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

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

PRIVILEGE OF THE FLOOR

Mr. DOMENICI. Mr. President, I ask unanimous consent that Mark Turner, who is a Javits Fellow detailed to the Energy and Water Development Subcommittee, be allowed floor privileges during the debate of the fiscal year 1996 appropriations bill.

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

Mr. DOMENICI. 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. DOMENICI. 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. DOMENICI. I believe, through oversight, after amending the first committee amendment, I did not proceed to have that amendment adopted, as amended.

The PRESIDING OFFICER. The question is on agreeing to the first committee amendment, as amended.

The committee amendment beginning on page 23, line 7, as amended, was agreed to.

Mr. DOMENICI. I move to reconsider the vote.

Mr. JOHNSTON. I move to table the motion.

The motion to lay on the table was agreed to.

Mr. DOMENICI. 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. DOMENICI. 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. DOMENICI. Mr. President, I understand the distinguished Senator from Vermont [Mr. JEFFORDS] has an amendment on behalf of himself and three other Senators. We are going to accept the amendment. He is going to modify it and then send it up. He agrees to speak up to 15 minutes on the amendment.

Mr. JEFFORDS. Mr. President, if I may respond.

Mr. DOMENICI. Of course.

Mr. JEFFORDS. Yes, that is perfectly all right with me.

Mr. DOMENICI. I ask unanimous consent there are 15 minutes on the amendment and then we proceed to a vote on the amendment, and we intend to accept it at the time.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered. The Senator from Vermont.

Mr. JEFFORDS. Mr. President, today I will be proposing an amendment very shortly which will help maintain the United States support for its solar and wind power. It would restore $25 million and offset this by reducing funding for the Department of Energy's operations budget.

Mr. President, the Energy Policy Act of 1992 began to outline an energy security strategy for our country. As I have argued many times before, energy security is vital to our economy and our national security. I believe that renewable energy resources are important components of our energy security strategy and must not be compromised.

The United States now imports in excess of 50 percent of the oil we use to power our homes, automobiles and workplaces. This is a national security concern, and our dependence on foreign sources of energy is an economic security risk.

Mr. President, every month the Commerce Department releases its statistics on the balance of our trade. The numbers are very grim. We are running huge trade deficits, and oil imports are a major reason why. Imports of oil constitute an enormous drag on our balance of payments and serve only to export U.S. jobs abroad.

In contrast, more than one-half of the manufacturing capacity of the U.S. solar industry is geared to exports. Northern Power Systems from my State of Vermont markets wind turbine technologies around the globe. If a city, town or power system in Saudi Arabia wants to build a wind turbine, they call Waitsfield, VT. Nevertheless, without adequate Federal support, the United States leads in developing renewable energy technologies will slip.

The U.S. Information Agency predicts that the worldwide market for renewables and efficiency technologies will equal $280 billion through the year 2010. However, they also point out that at the current rate of growth, the United States will capture less than 8 percent of this market. Why? Because Europe and Japan are funneling more and more money to their renewable companies in the form of capital financing and export promotion. And that export promotion is what does the most damage, especially deals they can give.

Mr. President, despite the proven successes of renewable energy programs and their overwhelming public support, the renewable accounts have been hit disproportionately hard in this bill. Funding for wind, solar, and biomass programs have been cut 27 percent from the fiscal year 1995 levels compared to a 15-percent cut in the Department of Energy's overall energy supply research and development accounts.

We have made commitments to many small companies through public and private partnerships to drive renewables research and development to the marketplace. We are just entering year 3 of a 5-year commitment to the solar and wind field. To pull the plug now would constitute a serious abrogation of our commitment and undermine much of the progress we have witnessed in the past few years.

In this time of fiscal constraint, hard choices must be made, and I agree with many of them. But solar and wind programs are working. These programs have enormous nationwide benefits for a very small investment. For example, the DOE wind program is working closely with Kotzbue Electric Association 30 miles inside the Arctic Circle in Alaska to supply reliable wind energy and reduce dependence on diesel generators. The Florida Solar Energy Center in Cape Canaveral works with more than 100 solar manufacturers, resulting in significant exports to Latin America. The AWT–26, one of the world's most advanced wind turbines, is being developed by former Boeing engineers outside of Seattle, WA.

Mr. President, we are pushing forward, working to lead this booming global market, and we will succeed if Congress maintains its commitment to wind and solar research and development. The money that is spent on renewable energy programs has a direct impact on this country's bottom line. Overall, we can expect more than $4 billion in annual fuel cost savings by the year 2000, more than $8 billion by the year 2010, and nearly $26 billion by the year 2020. Solar, biomass, wind and geothermal energy systems will also create many thousands of jobs by the year 2000.

This amendment simply asks the Department of Energy to speed up implementation of the strategic alignment and downsizing plan, thereby reducing administrative costs. Currently, the Department spends $377 million for general management and program support functions.

One of the largest pieces of this budget is the field operations offices. These offices are the paperwork side of our national labs. A less than 10 percent cut of $25 million will help do what needs to be done to keep us on track.

My amendment would shift this amount from administrative functions to support for solar, wind, and biomass programs. This money would not be used for overhead and paperwork but to finance important programs that assist small companies in the development of advanced renewable technology.

The goal we seek to accomplish today with this amendment has been recommended by the Galvin task force,

which reviewed our national labs, and the Daniel Yergin task force, which advised DOE on how to best downsize.

Mr. President, we may hear arguments today that downsizing the operations office in this matter is not wise. However, this Friday Secretary Hazel O'Leary will announce additional components of her strategic realignment plan. I expect a major component of her plan is to downsize the operations office, saving millions and millions of dollars in overhead costs.

Mr. President, what we are doing is moving money from paperwork and bureaucracy to technology and the development of science from top-down, command-and-control administration to technology transfer and international competitiveness and from duplicative management to small business. Clean economic growth is not a contradiction in terms. New generations of environmental technologies are making it possible to have both. To be truly strong, the U.S. economy must be efficient, clean, and fueled by stable supplies of energy. By voting for this amendment, the Senate will help ensure that we attain these goals.

I urge my colleagues to support this amendment.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. DOMENICI. I ask unanimous consent that the quorum call be dispensed with.

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

Mr. DOMENICI. May I ask my friend, what was the purpose of the quorum call?

Mr. JEFFORDS. I was getting the amendment.

Mr. DOMENICI. Thank you.

I yield the floor.

AMENDMENT NO. 2054

(Purpose: To provide that certain funds appropriated for the Department of Energy operations be available instead for energy supply, research and development activities relating to certain renewable energy sources)

Mr. JEFFORDS. Mr. President, at this time I offer my amendment and ask unanimous consent that the pending amendment be set aside for the purposes of consideration of this amendment.

The PRESIDING OFFICER. Without objection, so ordered.

The clerk will report the amendment of the Senator from Vermont.

The assistant legislative clerk read as follows:

The Senator from Vermont [Mr. JEFFORDS], for himself, Mr. ROTH, Mr. GRAMS, Mr. WELLSTONE, Mr. HARKIN, and Mr. LEAHY, proposes an amendment numbered 2054.

Mr. JEFFORDS. I ask unanimous consent that further reading of the amendment be dispensed with.

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

The amendment is as follows:

On page 20, line 23 insert the following:

"SEC. . FUNDING FOR ENERGY SUPPLY, RESEARCH AND DEVELOPMENT ACTIVITIES RELATING TO RENEWABLE ENERGY SOURCES.

''(a) REDUCTION IN APPROPRIATION FOR DEPARTMENTAL ADMINISTRATION.—Notwithstanding any other provision of this Act, the amount appropriated in title III of this Act under the heading DEPARTMENTAL ADMINISTRATION is hereby reduced by $37,000,000.

''(b) INCREASE IN APPROPRIATION FOR ENERGY SUPPLY, RESEARCH AND DEVELOPMENT ACTIVITIES.—Notwithstanding any other provision of this Act, the amount appropriated in title III of this Act under the heading ENERGY SUPPLY, RESEARCH AND DEVELOPMENT ACTIVITES is hereby increased by $37,000,000.

''(c) AVAILABILITY OF FUNDS.—Of the funds appropriated in title III of this Act under the heading ENERGY SUPPLY, RESEARCH AND DEVELOPMENT ACTIVITES—

''(1) not less than $4,500,000 shall be available for solar building technology research;

''(2) not less than $78,929,000 shall be available for photovoltaic energy systems;

''(3) not less than $28,443,000 shall be available for solar thermal energy systems;

''(4) not less than $55,300,000 shall be available for biofuels of which no less than half shall go toward the BIOMASS ELECTRIC PROGRAM;

''(5) not less than $42,000,000 shall be available for wind energy systems;

''(6) not less than $8,000,000 shall be available for international solar energy programs;

''(7) not less than $9,000,000 shall be available for hydrogen research;''.

Mr. ROTH. Mr. President, today, I am sponsoring an amendment that would restore $37 million into solar and renewable energy programs. The overall DOE energy supply account was cut 15.6 percent, while the overall renewable accounts were cut by 27 percent. My amendment would bring into line the budget reduction of the solar and renewables program to the percentage reduction level of the other DOE energy supply accounts.

This amendment would restore funding for solar and renewable energy programs at the expenses of overhead. It would transfer 37 million from DOE's departmental administration to solar and renewable energy programs. This represents a 10-percent cut in DOE's overhead. Recent studies show that we need to reduce bureaucracy, cut overhead burdens and costs to have more effective and efficient R&D programs.

The Galvin Task Force Report, recently commissioned by the Department of Energy, recommended that bold action be taken regarding the reduction of administrative oversight. The report further states, DOE should be able to accomplish a substantial reduction in oversight without reducing the dollars spent directly on R&D scientists and engineers. In addition, the Yergin Task Force also recently recommended that DOE reduce total energy R&D costs by cutting directly at administrative compliance and overhead costs. This amendment would restore funding for solar and renewable energy programs by cutting administrative costs identified in these reports.

I believe that funding renewable energy programs is an important issue to our Nation. Renewable energy programs promise to supply economically competitive and commercially viable energy, while also assisting our Nation in reducing greenhouse gases and oil imports. The Nation should be looking toward alternative forms and sources of energy, not taking a step backward by cutting funding for these programs.

My own State of Delaware has a long tradition in solar energy. In 1972, the University of Delaware established one of the first photovoltaic laboratories in the Nation. The university has been instrumental in developing solar photovoltaic energy, the same type of energy that powers solar watches and calculators.

Delaware has a major solar energy manufacturer, Astro Power, which is now the fastest growing manufacturer of photovoltaic cells in the world. In collaboration with the University of Delaware and Astro Power, Delaware's major utility—Delmarva Power & Light—has installed an innovative solar energy system that has successfully demonstrated the use of solar power to satisfy peak electrical demand. Through this collaboration, my State has demonstrated that solar energy technology can be an economically competitive and commercially viable energy alternative for the utility industry.

It is vital that we continue to manufacture these solar cell products with the high performance, high quality, and low costs required to successfully compete worldwide. Investment in Department of Energy solar and renewable energy programs has put us on the threshold of explosive growth. Continuation of the present renewable energy programs is required to achieve the goal of a healthy photovoltaic industry in the United States. While the solar energy industries might have evolved in some form on the their own, the Federal investment has accelerated the transition from the laboratory bench to commercial markets in a way that has already accrued valuable economic benefits to the Nation.

The solar energy industries—like Astro Power—have already created thousands of jobs and helped to reduce our trade deficit through exports of solar energy systems overseas, mostly to developing nations, where two billion people are still without access to electricity.

International markets for solar energy systems are virtually exploding, due to several key market trends. Most notably, solar energy is already one of the lowest cost options available to developing countries that cannot afford to build large, expensive centralized power generation facilities with elaborate distribution systems.

The governments of Japan, Germany, and Australia are investing heavily in aggressive technology and market development in partnership with their

own solar energy industries. Until recently, Japan and Germany held the lead in world market share for photovoltaics; the United States has only recently recaptured international market dominance. Cutting funding for commercializing these technologies would have a chilling effect on the U.S. industry's ability to compete on an international scale in these billion-dollar markets of today and tomorrow. The employment potential of renewables represents a minimum of 15,000 new jobs this decade with nearly 120,000 the next decade.

It is imperative that this Senate support solar and renewable energy technologies and be a partner to an energy future that addresses our economic needs in an environmentally acceptable manner. My State has done and will continue to do its part. I hope my colleagues in the Senate will look to the future and do their part in securing a safe and reliable energy future by supporting this amendment.

AMENDMENT NO. 2054

Mr. GRAMS. Mr. President, I rise in strong support of the Jeffords amendment and am pleased to be an original cosponsor. Over the past 2½ years, I have had the opportunity to help formulate our renewable energy policies, both as a member of the House Energy R&D Subcommittee, and now as a member of the Senate Energy Committee. This amendment represents an important step forward in our efforts.

In my home State of Minnesota, we have a strong commitment to renewable and alternative energy resources. Solar, wind, and biofuels play a key role in Minnesota's overall energy blueprint, and these priorities are shared across this Nation. Our amendment demonstrates this understanding while reducing redtape and bureaucracy at the same time.

Too many taxpayers' dollars are being wasted on bureaucracy and redtape in Washington and not on programs that help meet the energy needs of the people of Minnesota. If we are going to spend the taxpayers' money, we had better make sure it is for their benefit, and not for a bloated bureaucracy.

By slashing bureaucracy and eliminating $25 million from departmental administration, we are able to increase the levels of funding for solar and renewables. Even DOE Secretary Hazel O'Leary endorses this type of approach—her proposal for strategic realignment estimates potential savings of nearly $2 billion through consolidating and realignment of the current DOE structure.

Limiting the scope of Government—while expanding funding for renewable energy resources—are goals which can be achieved together, as this amendment so clearly demonstrates.

The Jeffords amendment reflects a balanced prioritization of our limited energy dollars. It is my strong hope that by maintaining a Federal commitment to solar and renewable programs, we will be able to achieve a strong and vibrant industry that is capable of thriving in the free market.

Therefore, I urge my colleagues to join me in supporting the Jeffords renewable amendment. It allows us to pursue renewable energy resources at the same time we protect the taxpayers, and I am proud to be a cosponsor of such a proposal. Thank you and I yield back the balance of my time.

Mr. LEAHY. Mr. President, I am happy to join Senator JEFFORDS as a cosponsor of his amendment to restore funding to the solar and renewable budget of the Department of Energy fiscal year 1996 spending bill.

Our amendment restores $25 million to this vital account, boosting funding for solar, wind, and biomass energy research. Renewable energy has the potential to reduce pollution, decrease our dependence on imported fuels, and produce good paying jobs here in the United States.

The United States has the opportunity to lead the world in clean, renewable energy technology. Vermont in particular has taken the lead with the development of wind and biomass energy technology. This ''green technology'' has the potential to generate more than virtually pollution free energy, it generates good paying manufacturing jobs in Vermont and throughout the country.

The energy and water appropriations bill passed by the House mortgages the future of our energy program by dramatically reduced funding for the solar and renewable energy budget, cutting it by 22 percent. I think that is a shortsighted approach.

The PRESIDING OFFICER. Is there further debate on the amendment? If not, the question is on agreeing to the amendment.

So, the amendment (No. 2054) was agreed to.

Mr. DOMENICI. I move to reconsider the vote.

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

The motion to lay on the table was agreed to.

Mr. DOMENICI. Mr. President, I thank the Senator for accommodating us on the floor. We are pleased to have accommodated him. But I thank him for accommodating us on time so we can move ahead with the bill and, hopefully, finish it in the next couple hours. I thank the Senator very much.

Mr. JEFFORDS. Mr. President, I want to thank the Senator from New Mexico for accommodating us. This will be an important amendment to help. And I am very pleased to accommodate the committee with our promptness.

Mr. DOMENICI. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

Mr. DOMENICI. Let me ask that that be withheld for a moment.

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

Mr. DOMENICI. Mr. President, I say to Senators that have amendments that they think are going to have to take time and perhaps be voted on, that they accommodate the leadership of the Senate, the leadership on the Democrat side and the Republican side.

Some colloquies earlier in the day indicated we wanted to get our schedule completed, especially on these issues that do not appear to be partisan in nature. So we have made a commitment to stay here tonight and finish this bill. I do not see any reason why we have to keep Senators here tonight. If Senators have amendments, please come down and offer them. I think that is only fair. So once again, I am not going to name Senators, but, please, if Senators have some amendments that they want us to consider and that clearly need debate, would they please come on down or call us and tell us?

Mr. JOHNSTON. Will the Senator yield?

Mr. DOMENICI. I would be pleased to yield.

Mr. JOHNSTON. Very seriously, this bill should not go into tonight. The difficult things are worked out. If Senators will come down and offer these amendments, we can be gone this afternoon. And so I urge Senators not to wait until tonight. Frankly, we ought to go to third reading if Senators are not going to be here to offer their amendments.

Mr. DOMENICI. I said we pledged to get finished tonight, but it looks to me like we should be finished here early enough to get home and have dinner with our families for a change. On this bill, there were three major issues, and we have solved them, at least to the satisfaction of the Senators that contested the issues. With Senator LAUTENBERG from New Jersey, we have agreed to an amendment he has with reference to fusion energy. We solved the Nebraska Senator's issue, at least in this body, with reference to interim nuclear waste. We have satisfied the issue between the Senators from Tennessee and the committee. We are waiting for a colloquy on that. And, indeed, I believe we are real close to solving it with the Senate Committee on Armed Services for a colloquy with reference to our nuclear stockpile.

If we are able to work that out, whatever is left would be the Bumpers amendment, who—the Senator has at least told us about it. And we understand perhaps Senator BROWN has an amendment with reference to two of the commissions that we funded, or one of them. And Senator BROWN, and maybe Senator BROWN's staff could advise Senators, we would be ready for him shortly if he could come down. And I think maybe we have heard that there might be one on the Appalachian Regional Commission. We do not know that.

All right. That is all that we are aware of that will require debate. We have a number of amendments we will offer as chairman and ranking member

as we wrap this up. Some we will not be able to accept. And the Senators will have to understand that.

I yield the floor.

I suggest the absence of a quorum first.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. DOMENICI addressed the Chair.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Mr. President, I ask unanimous consent that the quorum call be dispensed with.

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

Mr. DOMENICI. Mr. President, I am prepared to enter into a colloquy with the distinguished Senators from Tennessee. We can either enter it in the RECORD or we can state it here on the floor, whichever they prefer. What is Senator THOMPSON's preference?

Mr. THOMPSON. The Senator will state it briefly.

I would like to state what I understand to be language that is agreed to by the managers of this bill. It is language which clarifies the intent of the committee and replaces references in the committee report on pages 96 and 97 with regard to the siting of the new spallation source project. Part of the agreed-upon language is as follows:

The conferees make no recommendation with regard to the siting of the new spallation source project. The Department of Energy shall make that determination in a fair and unbiased manner.

Am I correct in stating that this is part of the language that is agreed to for the purpose of legislative history?

Mr. DOMENICI. That is correct.

Mr. FRIST. Mr. President, it is my understanding that the following language is also agreed to by the managers:

The conferees direct the Department to evaluate opportunities to upgrade existing reactors and spallation sources as a cost-effective means of providing neutrons in the near term for the scientific community while the next generation source is developed. This evaluation shall be available prior to the Appropriations Committee's hearings on the Department's fiscal year 1997 budget submission.

Am I correct in stating that this language is also agreed to?

Mr. DOMENICI. Mr. President, I just read it carefully, and I ask that one word be deleted, and then I will say we agree.

Where it says, on the second line of what the Senator read ''spallation sources as a cost-effective means,'' I wonder if we can strike the word ''a'' and just say ''sources as cost-effective means'' instead of ''a cost-effective means.''

Mr. FRIST. That will be agreeable.

Mr. DOMENICI. If we strike that ''a,'' then my answer to the Senator's question is that is absolutely correct.

Mr. THOMPSON. Mr. President, I believe it is our further understanding that our conferees will seek to place the agreed-upon language in the conference report; am I correct?

Mr. DOMENICI. The Senator is correct. Let me say to both Senators from Tennessee, it has been a pleasure working with them on this. They have been tenacious. We had a genuine discussion at length and we came up with something at least this Senator believes is workable and good for spallation and neutron acceleration in the future. I think that is a very important part of the necessary science for the United States.

I think the second part of it means that we will not fall behind while we proceed with the new major construction, and the first indicates that the Department will decide on a fair and equitable basis the site for the big machine, which will cost in excess of a billion dollars.

Mr. THOMPSON. This will help us move forward in those ways, and we appreciate the accommodation of the Senator from New Mexico and his willingness to work with us on this.

Mr. FRIST. We do appreciate it, Mr. President. It does reflect, I think, the critical importance placed on the Department of Energy's recommendations in making this site in the best way that they see fit in terms of overall systems development for the entire country.

Mr. DOMENICI. I thank my colleagues. Mr. President, I wonder if any of the other Senators who arrived have amendments?

Mr. WELLSTONE addressed the Chair.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. WELLSTONE. I say to my colleague from New Mexico, we are right now attempting to see if we can work this out, if we could have a little more time.

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

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

AMENDMENT NO. 2054, AS MODIFIED

Mr. DOMENICI. Mr. President, it has come to my attention, and I believe Senator JEFFORDS from Vermont agrees, that there is a typographical error in the amendment that the Senator offered, which has been agreed to by the Senate. So I ask unanimous consent that the amendment be modified, as per the amendment which I now send to the desk. This change is agreed upon by the Senator from Vermont, the Senator from Louisiana, Senator JOHNSTON, and myself.

The PRESIDING OFFICER. Is there objection to modification of the amendment previously adopted? Without objection, it is so ordered.

The amendment, as modified, is as follows:

On page 20, after line 23 insert the following:

SEC. . FUNDING FOR ENERGY SUPPLY, RESEARCH AND DEVELOPMENT ACTIVITIES RELATING TO RENEWABLE ENERGY SOURCES.

''(a) REDUCTION IN APPROPRIATION FOR DEPARTMENTAL ADMINISTRATION.—Notwithstanding any other provision of this Act, the amount appropriated in title III of this Act under the heading Departmental Administration is hereby reduced by $25,000,000.

''(b) INCREASE IN APPROPRIATION FOR ENERGY SUPPLY, RESEARCH AND DEVELOPMENT ACTIVITIES.—Notwithstanding any other provision of this Act, the amount appropriated in title III of this act under the heading Energy Supply, Research and Development Activities is hereby increased by $37,000,000.

''(c) AVAILABILITY OF FUNDS.—Of the funds appropriated in title III of this Act under the heading Energy Supply, Research and Development Activities—

''(1) not less than $4,500,000 shall be available for solar building technology research;

''(2) not less than 78,929,000 shall be available for photovoltaic energy systems;

''(3) not less than 28,443,000 shall be available for solar thermal energy systems;

''(4) not less than 55,300,000 shall be available for biofuels of which no less than half shall go toward the Biomass Electric Program;

''(5) not less than 42,000,000 shall be available for wind energy systems;

''(6) not less than 8,000,000 shall be available for international solar energy programs;

''(7) not less than 9,000,000 shall be available for hydrogen research;''.

Mr. DOMENICI. Is it necessary to reconsider and table that?

The PRESIDING OFFICER. It is not.

Mr. DOMENICI. I thank the Chair. I suggest the absence of a quorum.

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

The assistant legislative clerk proceeded to call the roll.

Mr. DOMENICI. 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. DOMENICI. Mr. President, I understand that Senator BUMPERS is going to offer an amendment with reference to the water-cooled reactor. I understand he is willing to enter into a time agreement of 1 hour equally divided. I ask unanimous consent that the time be equally allocated to Senator BUMPERS and Senator JOHNSTON.

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

Mr. DOMENICI. We will check with Senator STEVENS and make sure that he can come down and be part of this argument.

Mr. JOHNSTON. And no second-degree amendments.

Mr. DOMENICI. I ask unanimous consent that no second-degree amendments be in order, Mr. President.

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

AMENDMENT NO. 2055

(Purpose: To terminate the Gas Turbine-Modular Helium Reactor Program)

Mr. BUMPERS. Mr. President, I send an amendment to the desk on behalf of myself, Senator INHOFE, and Senator KERRY of Massachusetts.

The PRESIDING OFFICER. Without objection, the pending committee amendment will be set aside.

The clerk will report the amendment.

The assistant legislative clerk read as follows:

The Senator from Arkansas [Mr. BUMPERS], for himself, Mr. INHOFE, and Mr. KERRY proposes an amendment numbered 2055.

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

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

The amendment is as follows:

Strike lines 22–23 on page 20 and insert in lieu thereof the following: ''$2,793,324,000 to remain available until expended. *Provided* That, no more than $7,500,000 of such funds shall be used for the termination of the Gas Turbine-Modular Helium Reactor program.''

Mr. BUMPERS. Mr. President, this is a complicated subject dealing with $12.5 million, not a lot of money around here. But considering the budget constraints we are operating under, we need to be very careful what we spend. It is, to use the technical term, $12.5 million to continue the ''gas turbine-modular helium reactor.''

This is a project that has been around for a very long time. A lot of money has already been spent on the program. Make no mistake about it, we have put $900 million into it, and industry has put almost as much. But it has been sagging simply because it is not viable. It is not viable technically within the time frame within which we ought to complete it and the National Academy of Sciences says you cannot leave plutonium lying around stored for the periods of time that you are likely to have to store it before this reactor is completed and has the ability to burn it.

In addition to that, the National Academy of Sciences says leaving plutonium stored is a dangerous proposition, and the longer you leave it stored, the more dangerous it becomes because of the threat of diversion of the plutonium to weapons.

The Academy does not like the program. I do not like it. A lot of people do not like it, and they do not want to spend any more money on it. The first reactor that was used for demonstration of this technology was in Pennsylvania back in 1967 to 1974. Then a larger commercial plant was built in Colorado. And after operating for 16 years, it was finally shut down because it could only operate 14 percent of the time.

Now, Mr. President, just like the super collider and a host of other technologies we have undertaken, including the liquid metal breeder reactor, there always comes a time to shut these things down. In 1993—and I hope all Senators will listen to this—the U.S. Senate, this body, voted 58–41 to terminate this program. But we got over to conference, which is so often the case, and we receded to the House and the project continued.

This year, the Appropriations Committee in the House provided $20 million to continue this thing, and Congressman Klug offered an amendment to kill it, and the vote to kill this project in the House this year was 306–121.

Now, what we have had here is a little shell game. We did not put any money in, and the House did. They did not put in any money, and we did. Now we are back to we did not have any money in it until it was offered in the Appropriations Committee a few days ago, after the House just got through killing this thing by 306 votes to 121. This is pork at its worst. There was $12.5 million in the bill here on the floor right now. But do you know why? The Senator from Alaska—which was certainly his right—put it back in in committee. He won it there by 15–8. But Senator DOMENICI, in the chairman's mark, had torpedoed this thing. He left $7.5 million in the budget to terminate. That is the termination cost.

Incidentally, my amendment only cuts $5 million. The Senator from Alaska got $12.5 million put back in. I am only cutting 5 of that because I agree with Senator DOMENICI. We ought to use that $7.5 million to torpedo this project once and for all. The senior Senator from Texas, with whom I agree about 1 percent of the time, made what I thought was a good statement the other day in committee. He said, ''When the Department of Energy, or anybody else, wants to get rid of something, why do we not, at least occasionally, if the bureaucrats want to get rid of it, honor their requests?'' It is very seldom they want to.

When I think of all the unmet needs of this country, and when I think of all the pressures on the domestic discretionary spending side of this budget, and here the House has killed this thing almost 3-to-1, and you are talking about a project that would cost $5.3 billion to complete—we are not talking about a bean bag here, Mr. President. The Federal share would be $2.6 billion.

Mr. JOHNSTON. Will the Senator yield at this point?

Mr. BUMPERS. Yes.

Mr. JOHNSTON. Is not the $5.3 billion figure the Senator refers to the amount for the new production reactor, which was a different design, and that was wholly financed by the United States?

Mr. BUMPERS. Repeat your question.

Mr. JOHNSTON. The $5.3 billion figure the Senator refers to was for the new production reactor, which was designed several years ago, different from this design, and wholly supported by the United States and nothing by either foreign countries or by the domestic industry, is that not correct?

Mr. BUMPERS. Senator, DOE said that they would expect this to cost billions to complete.

Mr. JOHNSTON. Of whose dollars?

Mr. BUMPERS. Half Government and half private. That is the way the project has been operated so far.

Mr. JOHNSTON. But the $5.3 billion was the cost of the new production reactor which was the tritium reactor for the manufacture of tritium, was it not?

Mr. BUMPERS. Senator, you could be right about that, I am not sure.

Mr. JOHNSTON. And there has been no cost put on this.

Mr. BUMPERS. Well, $5.3 billion is $5.3 billion.

Mr. JOHNSTON. This is a different design from the new production reactor on which the $5.3 billion estimate was made.

Mr. BUMPERS. You are talking about something different from the gas turbine modular helium reactor?

Mr. JOHNSTON. This design is different. The initial design of the new production reactor had a steam cycle. This has no steam cycle and has a 50 percent higher efficiency.

Mr. BUMPERS. Let me just say that it is a different design reactor, but the figures I am using are sort of a horseback guess by the Department of Energy of what it would cost for the new design, not the old design.

Well, to get on with the story, we can always find some rationale to keep a project going—new design, old design, anything to keep the money flowing. But you ought to bear in mind, there has not been one single nuclear plant built in the last 20 years, and right now there is not one single utility in America that has any plans to build one.

So you are talking about 20 years we have not built one, and certainly if somebody started trying to license one now, it would take another 20 years, and nobody is going to license one under current technology ever again.

I started off confessing that I am not a physicist. I did not even have high school chemistry. These subjects are difficult to me. They are not difficult for the National Academy of Sciences.

Do you know what the National Academy said? The best argument that the Senator from Alaska can make, or anybody else can make, for going forward with this project is that this advanced reactor will burn plutonium. That is a highly desirable goal.

Everybody in the U.S. Senate wishes we could wave a wand and some new technology would appear to burn plutonium, get rid of it. One of the arguments that has consistently been made for this reactor is that is what it will do. I am not going to argue whether ultimately, after we spend $5 billion, we might have something that would burn plutonium.

I want to make a couple of points. One I have already made, that burning plutonium in a new reactor is even more dangerous than our present situation, because it will be years and years and years before this reactor is ready. Meanwhile, we will have all this plutonium stored, and then even after we finish it, it will take years and years and years to burn it up, during which time it is always subject to a diversion—to Qadhafi, North Korea, or whoever.

A more compelling argument is the one the National Academy of Sciences made when they said, in 1992, ''The committee believes that no funds should be allocated for development of high-temperature gas-cooled reactor technology within the commercial nuclear power development budget of DOE.''

In addition to that, they have said there are two much more preferable ways to get rid of plutonium. One is to fabricate it with other fuel and burn it up; the other, which is essentially my favorite, is vitrification, a process which we have also spent a lot of money on and which so far as we know will pay rich dividends.

Now, Mr. President, further quoting the National Academy of Sciences, in their 1994 report said, ''These advance reactor types themselves, however, are not economically competitive with other sources of power.'' Listen to that: ''These advance reactor types themselves are not economically competitive with other sources of power,'' and the availability of plutonium as fuel does not make them economical. The storage of large stocks of weapons—plutonium—until such reactors become competitive, is not attractive for security reasons.

Now, Mr. President, none of the research for this goes on in my State. I do not know where it goes on. I do not have a dog in the fight. All I know is I have been waking up screaming for the last 6 months—not about a budget cut, not about trying to balance the budget, but about our priorities.

I spoke at the Governors School in my State last Saturday. There are 400 of the presumably brightest students in my State. They go to a 6-month school at a little liberal arts college called Hendrix College, where my sons went to school. When I walked out, a woman who accosted me said, ''My son who is here will not be able to get a college education.''

We did not elaborate on that. But we are cutting student loans, we are cutting income investments, earned income tax credits. We are going to wind up cutting welfare for the poorest of the poor. I have no objection to reforming welfare. We will wind up cutting food stamps. We are going to cut everything that affects about 30 to 40 percent of the people in this country, and we are going to increase defense spending $7 billion above what the Defense Department says they want— $7 billion above the President's request—but still, twice as much as virtually the rest of the world combined. Here is an opportunity to save a paltry $5 million, and in the future, lord knows how many millions.

The National Taxpayers Union, the Citizens Against Government Waste, all those people are strongly in favor of this amendment, and torpedoing this technology, not once and for all, but at least for the foreseeable future, until the National Academy of Sciences says it has a lot more promise than it has now.

I yield the floor. I reserve the balance of my time.

Mr. JOHNSTON. I yield to the Senator from Alaska 10 minutes.

Mr. STEVENS. Mr. President, I have authored the provision in the report that Senator BUMPERS' amendment seeks to delete because of my belief that this new technology, which has not been analyzed by the National Academy, may be critical to our energy future.

What I am trying to accomplish by the change that was made in the report is to create the availability of $5 million to complete the study by the National Research Council of the technical feasibility and economic potential of GT-MHR for power generation.

I got into this because of my role in arms control. One of the problems we have run into is the destruction of plutonium. I have been told that this process will destroy plutonium as it is used to produce electric power.

As a matter of fact, I think the claim can truly be made that this new concept—and it is a new concept—has the potential to destroy weapons-grade plutonium and eliminate its proliferation potential.

If the Senator will look at the report on page 91, what we have done is increase the funding of $5 million over the cost of the close-out of the program with the understanding that no more than the $5 million is available until the National Research Council has completed its study and the results have been reported.

That means that the $5 million is available to do just what the Senator from Arkansas says has not been done. It is available for making the study and to report to respective committees of Congress. If it finds that this process has as much potential as we believe it has, the program will not be closed down. It will be continued.

Now, this is an entirely new procedure. It is a concept of a gas-cooled reactor with a very high rate of efficiency. It is something that should be reviewed by the National Academy before the project is closed up.

Let me say that the Senator from Arkansas is right in one respect. The Government and industry have put $1.5 billion into trying to find a technology to accomplish the results that the program originally sought of nuclear power generation meeting the safety requirements of our country.

One of the added benefits of this new concept is that it is possible for this gas turbine modular helium reactor to use plutonium for the purpose of generating power and at the same time accomplish the world's sought-after result of destroying plutonium.

I believe that this is something which the Senate should realize what we are trying to do, which is to get a review of the technology. The technology is much different from that which has been the subject of this vast investment in the past. This is a technology which uses ceramic-coated fuel and uses inert helium as the heat transfer medium. It allows higher operating temperatures than can be found in the water-cooled reactors. The water-cooled reactors have been the ones used by the world's nuclear power plants.

This GT–MHR process uses higher temperature helium coolants directly to drive the turbine that drives the generator. As a result, the efficiency is much higher than the water-cooled reactors. But, what is more, it then has the side benefit that was brought to my attention, and that is that it will destroy weapons-grade plutonium so it can no longer be used for nuclear weapons. The GT–MHR not only destroys it and degrades it while generating electricity, it is really not even a problem as far as waste disposal. This has been one of the great difficulties with nuclear-powered generation in the past.

I believe that what we are trying to do is let the scientific community now analyze this new concept that is available, and only expend Federal money in the future, if GT–MHR is found to have the feasibility and economic potential as it has been represented by those who have developed it and presented it to the Department of Energy.

The Senator says this is pork. There are no nuclear reactors in my State. There is no helium in my State. There is nothing connected with this process in my State. I am the one that offered this amendment for one purpose only, to get the National Research Council to determine whether this process has the potential to accomplish two national benefits: First, to provide a process by which we can start developing an industry that can provide environmentally safe nuclear-generated energy; and, second, that the process that has been presented will in fact destroy plutonium at the 90-percent level in so accomplishing the first benefit. I think the second benefit is the one that is most important to the world.

There are enormous stakes here. There is no question about that. If this process proves valid, as people believe it will, this $5 million may be the most important $5 million we have ever invested. We are not investing it in the process. We are investing in investigating the process to determine if it has the potential as presented. If it does, then the research will continue with the $7.5 million that was intended to be used to close out the program. And Congress will be directly involved in how much, if anything, the Federal Government will put into the further advancement of this concept.

But for now, what we are doing is saying $5 million will be used during the period of the evaluation. That is the maximum that can be used to evaluate this process. After having spent $1.5 billion in getting this from the very beginning of nuclear technology development to the present, and not having successfully found a process

that will meet our needs, it seems to me to be very little to ask that we put up $5 million to check this latest technology.

This technology is important because it hinges on two different types of technology in order to be successful—the new gas turbine and the generator that has been used in the past. If the technology is proven to have the potential that we feel it does, then, I think we will have a program that will meet more than our national needs. It will meet the world's needs.

There are assertions that the Senator from Arkansas has made that I believe should be answered. I can answer them for the record. But I think the most important thing to note is that this has not been reviewed before at this level.

I will reserve what time I have.

The PRESIDING OFFICER. Who yields time?

Mr. BUMPERS. Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. Thirteen minutes and ten seconds.

Mr. BUMPERS. Is 10 minutes sufficient for the Senator?

Mr. INHOFE. Five minutes is fine.

Mr. BUMPERS. I yield 5 minutes to the Senator from Oklahoma.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. Mr. President, I thank the Senator from Arkansas for yielding the time.

Mr. President, I rise in support of the Bumpers amendment to terminate the gas-turbine modular-helium-reactor program. For the past 30 years, the Department of Energy's program has only served as another Federal monetary waste. To date, the taxpayers have already spent $900 million to advance gas-coolant reactor technology. One would imagine that after costing the American public nearly $1 billion, we would see some type of tangible technological benefits. But this is not the case.

In 1992, the National Academy of Sciences study concluded that the gas-cooled reactor has low market potential. Last month the DOE stated in a report by the Secretary of Energy Advisory Board that it did not see any further need to continue to develop the program.

The report said—this is a quote we have not heard yet, I do not believe anyway, at least I have not:

> This technology requires a very expensive, long-term development program that cannot be supported in the near future. Given industry's low interest in this technology, DOE has requested termination of the Gas Turbine Modular Helium Reactor Program.

But I have to say, Mr. President, that my concern is not a technical concern. Yes, I am concerned about the energy industry. I believe, had a lot of this money been spent to develop enhanced recovery programs and to do something to stop the demise of the domestic oil industry, I would be in strong support of it. That is where our money should have gone.

The GAO report estimates that the total cost to design and construct a gas-cooled reactor should be approximately $5.3 billion, of which taxpayers are expected to absorb approximately 50 percent. Mathematics would tell us that we would save more than $2 billion of hard-earned taxpayer dollars simply by going with the President, Congress, DOE, and the National Taxpayers Union, Citizens Against Government Waste, and the list goes on and on.

Congress has been trying to terminate funding for this program for the last several years. Finally, this year, the House adopted an amendment to eliminate the program altogether. Rightfully, the Senate Appropriations Committee authorized $7.5 million to cover the Department of Energy's termination of this program. The administration, the Bush administration, the Reagan administration, Congress, scientists and many of the fiscal unions, such as the National Taxpayers Union, the National Tax Limitations Committee, the Citizens Against Government Waste, are united in their campaign to terminate the project. The Department of Energy, like the rest of us, must make massive budget cuts if we are to ever keep our commitment to the budget resolution that we made that would eliminate the deficit by the year 2002.

We can no longer afford such luxuries as the gas-cooled reactor that do not earn their Federal keep. With the possibility of the dismantling of DOE, the administration has made a wise decision to end the program that only serves as a liability.

America is watching both the House and the Senate as we bring Federal spending back under control. By supporting this amendment, we are legislating exactly the way we said we would last November by appropriating wisely and cutting out programs that continue to waste Federal dollars intended for future generations.

So, Mr. President, I am not as impressed as I should be, I guess, with the National Academy of Sciences, but I am impressed with the National Taxpayers Union and many of the groups that are looking at this from a fiscal perspective.

I would only say this is a good example of what Ronald Reagan said in one of the greater speeches I have ever heard, entitled ''Rendezvous with Destiny,'' way back in 1965 when he said there is nothing closer to immortality on the face of this Earth than a Government program. I think this is such a program.

I yield back the time.

Mr. JOHNSTON addressed the Chair.

The PRESIDING OFFICER. The Senator from Louisiana.

Mr. JOHNSTON. Mr. President, I yield myself 5 minutes.

There is a lot of technology involved here, but the question is really quite simple. What the Stevens amendment does—and it is a very sound amendment—it simply says that before we take this program, which has a promise of burning 85 to 95 percent of the plutonium which is put through the cycle—and that compares with 20 percent of plutonium which would be burned in a light-water reactor, but before we stop this technology which has that capacity, that hope of burning 85 to 95 percent of the plutonium, we get a report from the National Research Council, which is part of the National Academy of Sciences. No more than $5 million may be spent until that evaluation takes place. That is all the amendment does.

We have done in this country research on these high-temperature gas reactors over a period of many years. This is a new design which has never been evaluated by the National Academy of Sciences. It is 50 percent more efficient than the previous design. It is the first design that has used the high-temperature helium gas directly against the turbine, which is a radical new design.

Moreover, the main reason we want to do this is because of plutonium burnout, but it also has the added advantage in that this reactor cannot melt down. Its fuel density and maximum temperature is less than the melt rate of the fuel. So if you lost all coolant, there would be no possibility of a meltdown of this reactor, which is one of the reasons that Mr. Mikhailov, who is the Russian Energy Minister, wants to build this reactor in a consortium with America. They have a proposal whereby they would put up half of the costs, and the net cost to the United States, if this were done, would be about $350 million, not $5.3 billion.

Mr. President, the fact is we do not know the answers to these questions about exactly what it would cost because, frankly, we need an evaluation by the National Research Council of the National Academy of Sciences. Really, as a matter of prudence, we ought to have the National Academy of Sciences look at this brand new technology, this brand new design before we scrap this program in which so much has been invested, which has such hope not only for plutonium burnup but it has tremendous hope for being meltdown proof. It is what we call a passively safe reactor.

I might add, it also has the capacity and capability to make tritium in a reconfiguration, which is the reason it was picked as the top candidate for the new production reactor. In any event, this is a very prudent thing to do, to have the National Academy of Sciences look at this matter before we scrap the reactor. And that is all the Stevens amendment does. It represents real progress. We are not committing this country by this amendment to build the reactor or to spend additional money but simply to have the National Academy of Sciences look at this design. That is all it does.

Mr. President, did the Senator from Alaska desire additional time at this point?

Mr. STEVENS. Mr. President, if the Senator will yield me just a couple more minutes, I do not want to use it all because I want to respond in the end. But, I would like to reference the committee report, and I encourage my colleagues to read it.

The Committee understood that the GT–MHR has the capability of destroying 90 percent of weapons grade plutonium 239 when used alone and over 99 percent of the plutonium 239 when used in combination with an accelerator-driven reactor without the need of reprocessing or recycling of the material. The evaluation shall also include, therefore, a review of the technical capability of the reactor to accomplish the near total destruction of weapons grade plutonium alone or in combination with an accelerator without reprocessing and recycling. The study shall be supported by funds within this account and shall be completed no later than 90 days following the signing of this bill into law. If the results reported are positive, the balance of the funding shall be released to continue the development of the GT–MHR and, if negative, the balance of the funding shall be applied to the program closeout.

In other words, all we are doing is saying give the National Research Council an opportunity to review this before it is closed out. If they find that the Senator from Arkansas is correct, it will be closed out. If they find that those who have presented the process are correct, they will continue to analyze and find out how to apply this new technology to these two very vital world goals.

Mr. BUMPERS addressed the Chair.

The PRESIDING OFFICER. The Senator from Arkansas.

Mr. BUMPERS. I yield 5 minutes to the junior Senator from Massachusetts.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KERRY. Mr. President, I rise in support of the amendment of the Senator from Arkansas, and I must say to my friends I do so on a personal level with some reticence because I worked so closely with both the proponents of this. Nevertheless, I feel very strongly that this is one of the moments where Congress really needs to just make the cut. The House has voted by 306 to 121 to cut the funding for this. We have been toying around with this technology since 1970. We have spent now some $900 million to date for the technology. But no commercial buyer is prepared to step up for this technology. Gas-cooled reactors employ what is known as a passive cooling system, and these do not allow for the use of conventional containment structures to prevent the release of radiation in case of accidents. That lack of containment could be a serious problem and would represent a major safety tradeoff.

Mr. JOHNSTON. Will the Senator yield on that?

Mr. KERRY. Not on my time.

Mr. JOHNSTON. On my time. If the Senator will yield.

Mr. KERRY. I yield but not on my time. If I can use the time of the Senator.

Mr. JOHNSTON. Yes. Just on my time on that point. The Senator said that they do not allow for the use of containment. You cannot put containment over a gas-cooled reactor. It is simply that it is not necessary because the fuel density and the temperature is such that it cannot melt down. You cannot have that kind of accident where hydrogen gas accumulates and you have an explosion and you need containment.

Mr. KERRY. Let me say to my friend——

Mr. JOHNSTON. Is that not correct?

Mr. KERRY. I am not suggesting you have a meltdown structure, but you could nevertheless have a release of radiation, and the Nuclear Regulatory Commission's advisory committee has suggested that they are not willing to accept these approaches. Moreover, in order for this technology to be competitive, you would have to complete the R&D phase, which would cost another $700 million, and then in order to make the technology commercial, you are going to have to build a full-scale demonstration plant. You are going to have to operate that successfully for another $1 billion.

Now, various reports of the National Academy of Sciences, the most recent of which was released this month, have unfailingly rejected this reactor technology for either mission, for the mission of providing energy or for the mission of getting rid of nuclear plutonium. So, Mr. President, if you look at what the Electric Power Research Institute, which is a research arm of the electric utility industry, said, they reported in 1991 that the HTGR was just not cost competitive. Now, if the private sector refuses to finance the R&D on a gas-cooled reactor, why should the taxpayers? It just does not make sense. I mean, this is one of those projects which we have got to have the courage to say it does not make sense economically, the science is not good. There are other alternative means of dealing with what is being proposed. This is the same argument as the ALMR. It took us 2 years to cut the ALMR. We cut it. But it was being proposed as a way of getting rid of nuclear unspent fuel.

I think that truly, Mr. President, this particular expenditure of $900 million since 1970, chasing some kind of legitimate mission using taxpayers' money on an ongoing process, in a year when we are cutting education, we are cutting Medicare, we are cutting all of the other programs that are of such importance, and here we are once again trying to protect one of the great chases. Truly this is the kind of program that makes the wool and mohair subsidy look like support for the 101st Airborne or for cancer research. It simply does not stand up to scrutiny under the National Academy Of Sciences itself, under the private sector's own judgments. And therefore, the U.S. Senate ought to step up to bat and terminate it.

I yield back the balance of my time.

Mr. STEVENS. Would the Senator yield me 1 minute for a question of my friend from Massachusetts?

Mr. DOMENICI. Yes.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. STEVENS. Does the Senator understand that the $5 million is for the study by the National Research Council? I do not understand how I can be accused of promoting pork when I am giving $5 million to the council that you and I support. Why should we not give the money to the one council that ought to tell us if this process has the potential to destroy over 90 percent of the weapons grade plutonium in this country?

Mr. KERRY. My answer is the judgment has already significantly been made by the private sector and by the National Academy of Sciences that it is not worth pursuing.

Mr. STEVENS. Mr. President, that is absolutely not true. This process has not been examined. The National Academy wrote to Senator BRADLEY on December 10, 1993, stating that they did not examine this GT–MHR process. That is precisely why we are giving the $5 million so they will examine this process before we consider closing out the program.

Mr. KERRY. I do not use any more time.

The PRESIDING OFFICER. Who yields time?

Mr. DOMENICI. How much time remains?

The PRESIDING OFFICER. The Senator has 12 minutes, 7 seconds.

Mr. DOMENICI. Senator JOHNSTON?

The PRESIDING OFFICER. The Senator from Arkansas has 4 minutes, thirty seconds.

Mr. JOHNSTON. Does the Senator want to yield back the balance?

Mr. BUMPERS. I am sorry. I missed that.

How much time do I have remaining?

The PRESIDING OFFICER. Four minutes, thirty seconds.

Mr. BUMPERS. Mr. President, I yield myself 2 minutes.

The PRESIDING OFFICER. The Senator from Arkansas.

Mr. BUMPERS. Mr. President, I just want to say to my colleagues there are three powerful arguments for finally terminating this program which has been around for 30 years. One is the National Academy of Sciences that said there are two eminently better methods of using up plutonium: Fabricated fuel, and vitrification.

Second, this is a much more dangerous project because you have to store plutonium for much longer periods of time, and that subjects it to diversion for weapons use.

And third, we are headed for a $5.3 billion project, 50 percent of which Uncle Sugar will have to put up.

Now, Mr. President, what do you have to do around here? The Department of Energy does not want it. The

National Academy of Sciences says it is a terrible idea. And the costs are staggering. What do you have to do to convince people to terminate something around here? The Senator from Alaska read from the committee report. I assume he wrote it. That is committee report language that he wrote. It has no technical value. And the Senator from Alaska says he wants to put $5 million into this study. After 30 years, $1,800,000,000, we are going to study it. And, Mr. President, here is what the Department of Energy said:

The Department does not support continued funding of the Gas Turbine Modular Helium Reactor. There are significant questions about the viability of this reactor type, including whether the fuel will retain fission products to the extent necessary for safety. There is little utility interest in this technology, and we believe that development of this reactor concept would require Federal expenditures in excess of $1 billion [just] over the next decade.

The PRESIDING OFFICER. The Senator has used his 2 minutes.

Mr. BUMPERS. I yield the floor.

Mr. STEVENS addressed the Chair.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. STEVENS. Mr. President, I do not get into these things lightly, particularly coming from an oil producing State—the most significant oil producing State in the Union.

Now, I am arguing for this review by the National Research Council because of the report that came to us that this process will destroy plutonium. The Senator from Arkansas has repeatedly said that the National Academy has examined this process. That is not true. Again I point out that on December 10, 1993, in a letter to Senator BRADLEY, the chairman of the NAS committee stated that ''The National Academy Committee did not examine and therefore could not evaluate the gas turbine reactor.'' GT–MHR is a new process. And as the report says—and it is true that I did have something to do with writing that report—that the information we have is, that when combined with an accelerator, this GT–MHR process can destroy 99 percent of plutonium 239 while producing economically and environmentally sound electirc power for the future of the country.

Now, I think the Senate should concentrate on what we have done. We have not said go ahead with this process. We have not said fund any more of this process. We have given $5 million to the National Research Council and said, examine this process and report back to us in 90 days. If you find this process cannot live up to the claims, then go ahead and shut down the program with the $7.5 million. If you find that it can, then report that back to the four committees and we will go further.

Now, I cannot think of anything more simple than the process of looking at what we have done. We have provided $5 million for the evaluation of this unique, new process that the National Academy Committee did not examine, and could not evaluate because of the fact that it was not submitted to them. We are now submitting to them the gas turbine reactor program known as GT–MHR with a 90-day deadline and a maximum amount that they can spend for the evaluation of $5 million. I think that is the fairest thing we can do for the taxpayers, particularly for those of us who are worried about what to do with plutonium.

What are we going to do with plutonium, Mr. President? Are we just going to let it sit out there and worry about how to destroy it? We cannot destroy it today. This system burns it. It is possible to burn 99 percent of it without cost to the taxpayers, and provide cheap electric energy in the process. We are going the spend billions of dollars to try to destroy this plutonium. This process could destroy it while producing normal utility electric power for our consumption. Now I think it is a very fine process. I hope it is evaluated and I urge the Senate to vote against this amendment.

Mr. BUMPERS. Is the Senator from Louisiana prepared to yield back time?

Mr. JOHNSTON. Yes. Mr. President, I yield back the balance of the time.

Mr. BUMPERS. I yield back the balance of my time, and ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

Mr. DOMENICI addressed the Chair.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Mr. President, I ask unanimous consent that I may proceed for 1 minute.

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

Mr. DOMENICI. Mr. President, I want to say to Senators who are coming down now, to vote, could you search your offices and your minds and see whether you have any other amendments? We would like very much to get a list right after this. We know of four amendments. If there are any others, we would like to know about them. We are not seeking time agreements yet, just to see how many there are because we would like to tell our leaders what this looks like for the remainder of the evening.

So if Senators have any amendments that they want to offer, can they get us information? Maybe we will accept some of them. It will very much help us in our endeavor to get through at an early hour. I yield the floor.

The PRESIDING OFFICER (Mr. ABRAHAM). The question is on agreeing to amendment No. 2055. The yeas and nays have been ordered. The clerk will call the roll.

The bill clerk proceeded to call the roll.

The result was announced—yeas 62, nays 38, as follows:

[Rollcall Vote No. 347 Leg.]

YEAS—62

Abraham	Exon	McCain
Akaka	Feingold	Moynihan
Baucus	Feinstein	Murray
Biden	Glenn	Nickles
Bingaman	Graham	Nunn
Boxer	Gramm	Pell
Bradley	Grassley	Pryor
Brown	Gregg	Reid
Bryan	Hatfield	Robb
Bumpers	Inhofe	Rockefeller
Campbell	Jeffords	Roth
Chafee	Kassebaum	Sarbanes
Coats	Kennedy	Simon
Cohen	Kerrey	Simpson
Conrad	Kerry	Smith
Coverdell	Kohl	Snowe
D'Amato	Lautenberg	Specter
Daschle	Leahy	Thomas
Dodd	Levin	Warner
Domenici	Lieberman	Wellstone
Dorgan	Mack	

NAYS—38

Ashcroft	Gorton	Lugar
Bennett	Grams	McConnell
Bond	Harkin	Mikulski
Breaux	Hatch	Moseley-Braun
Burns	Heflin	Murkowski
Byrd	Helms	Packwood
Cochran	Hollings	Pressler
Craig	Hutchison	Santorum
DeWine	Inouye	Shelby
Dole	Johnston	Stevens
Faircloth	Kempthorne	Thompson
Ford	Kyl	Thurmond
Frist	Lott	

So the amendment (No. 2055) was agreed to.

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

Mr. INOUYE. Mr. President, I move to table the motion.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER (Mr. MCCAIN). The Senator from New Mexico.

Mr. DOMENICI. Mr. President, fellow Senators, let me ask again, if any Members have amendments that we will vote on, I would like to know about it. I assume the same holds true for Senator JOHNSTON.

Mr. JOHNSTON. That is correct.

We know we have a Dorgan amendment that is ready to go.

Mr. DOMENICI. Let me tell Members what I know, and Senators on our side, if you have something to add to this, I would appreciate it.

Senator GRAMS has an amendment with reference to the Appalachia Regional Commission. I assume Senator GRAMS would be ready at some point on that.

Senator WELLSTONE has a water level amendment. We would have to oppose that. I would like very much for him to be ready soon.

Senator BROWN's amendment has been solved. Senator DORGAN has a sense-of-the-Senate on line-item veto, is that correct?

Mr. JOHNSTON. Mr. President, I am advised Senator DORGAN says his side could take 10 minutes; I suppose our side could take even less than that. I suggest 20 minutes equally divided.

Mr. DOMENICI. Mr. President, we have to check that out. We will see where we are.

Are there any other amendments that Senators have that might be offered?

Mr. BUMPERS. Does the Senator from New Mexico have my amendment?

Mr. DOMENICI. No.

Mr. BUMPERS. It is regarding the $65 million for a cancer institute.

Mr. JOHNSTON. Mr. President, how much time would the Senator from Arkansas want on that amendment?

Mr. BUMPERS. Mr. President, I want to accommodate the expedient disposition of this bill. I suggest an hour, and we will try to cut it to 30 or 40 minutes. One hour equally divided.

Mr. JOHNSTON. Why do we not cut it to 30 or 40 minutes going into debate?

Mr. BUMPERS. It is not always easy to get the unanimous consent to extend the time.

Mr. DOMENICI. Let me suggest that your amendment will be very controversial, and I think the Senator understands that.

Without setting time agreements, I would like to see what the amendments are. If you have one that has to do with the superconducting super collider closedown—

Mr. BUMPERS. That is the only one we have.

Mr. DOMENICI. Could I ask unanimous consent that the following amendments be in order, and there be second-degree amendments permissible on any of them: Senator GRAMS on Appalachia, Senator WELLSTONE on water level, Senator DORGAN on a sense-of-the-Senate on line-item veto, and Senator BUMPERS on superconducting super collider, and that there be no other amendments in order.

Mr. JOHNSTON. If the Senator would yield, we have a package of agreed amendments. If you could make an exception to that, accept those which are cleared by managers on both sides.

Second-degree amendments were permitted or not permitted?

Mr. DOMENICI. I cannot follow because I cannot hear.

Now, Mr. President, could I propose a unanimous-consent request?

Mr. FEINGOLD. If the Senator would yield for a moment, I did have an amendment that we are trying to work out. At this point, I reserve a spot, in case we do not work it out.

Mr. DOMENICI. We will try it again.

I was going to clear Senator Abraham's amendment.

Senator HUTCHISON would like to inquire, a little more specifically, of Senator BUMPERS and see if we cannot get an agreement. Could the Senator tell the Senator from Texas precisely what his amendment would do?

Mr. BUMPERS. Mr. President, briefly, when we terminated the superconducting super collider, we entered into an agreement with the State of Texas, which was obligated at that time to spend close to $1 billion. They had already spent quite a bit of it.

I guess you would say there were two parts of the termination agreement. One dealt with the employees severance package; the other was with the State of Texas. There was $65 million that the Federal Government was going to put up to assist Texas in building a cancer institute on the site where the super collider was being built.

Texas has now decided that they will not build the cancer institute there and wants us to give them the $65 million. My amendment would rescind the $65 million.

Mrs. HUTCHISON. Will the Senator yield?

Mr. BUMPERS. I am happy to yield.

The PRESIDING OFFICER. Does the Senator from Texas seek recognition?

Mrs. HUTCHISON. I understand what the amendment of the Senator from Arkansas does. I will oppose the amendment because it was part of the package deal that the Federal Government agreed with the State of Texas to do. Although there was a change, we will discuss that during the amendment.

My question is, when is this amendment going to be brought up and what is the proposed time agreement for the unanimous consent?

Mr. BUMPERS. I will defer to the distinguished floor manager on that.

Mr. DOMENICI. Mr. President, might I say to the Senator from Texas and other Senators, I was not looking for a time agreement. I was merely looking to establish a list of primary amendments and see if we could agree on those, and then we will work out time agreements and maybe even work out some of the amendments.

It will be sometime this evening. I understand that is not necessarily in the best interests of the Senator from Texas, but we have been asked to complete this bill today.

Mr. BUMPERS. Mr. President, just one other point. This would put this bill on all fours with the House bill which has already done what my amendment would do.

Mr. DOMENICI. Mr. President, I ask unanimous consent that the only amendments that be in order on this bill are the Grams amendment on Appalachia; Wellstone; Dorgan on line-item veto—these amendments are subject to second-degree amendments—Senator FEINGOLD on TVA; Senator HARKIN on hydrogen research; and Senator PRESSLER; I understand we are exempting any amendments that could be agreed upon by the two managers; and Senator ABRAHAM has an amendment he will offer right quick that we are going to accept, so that would be subject to both managers' agreement.

Mr. JOHNSTON. Mr. President, if the Senator will yield?

Mr. DOMENICI. Yes.

Mr. JOHNSTON. We would need a Byrd second-degree amendment to the Grams amendment, and a Byrd first-degree relevant amendment.

Mr. DOMENICI. What is the Byrd second-degree amendment beyond Grams? What was the second one?

Mr. JOHNSTON. Second degree to the Grams amendment.

Mr. DOMENICI. And that is all? You did not have another one on Byrd?

Mr. JOHNSTON. And a Byrd first-degree relevant amendment.

Mr. DOMENICI. OK.

Let us add to the unanimous-consent request the following: A Byrd second-degree amendment to the Grams amendment, a Byrd relevant amendment, and a Burns relevant amendment.

Mr. JOHNSTON. Mr. President, if the Senator will withhold the request, I am advised we need to hotline it and we will try to do so very quickly.

Mr. DOMENICI. OK. I withhold.

Let us proceed.

Several Senators addressed the Chair.

The PRESIDING OFFICER. The Senator from Michigan is recognized.

Mr. BUMPERS. Will the Senator from Michigan yield for 30 seconds?

Mr. ABRAHAM. I will.

Mr. BUMPERS. Mr. President, I misspoke myself a while ago and in fairness to the Senator from Texas I want to correct it. The amendment is what the Congressman from the district where the super collider is located tried to do in the House, but because of the House rule, was not permitted to offer the amendment.

Mrs. HUTCHISON. If the Senator will yield for a minute, I know that was what was meant and I appreciate his correcting it because I think the Congressman does not understand the agreement. We will debate this fully but it is not the House bill and, of course, I am going to try to keep it from being in the Senate bill as well.

Mr. DOMENICI. Senator ABRAHAM, I had agreed to accept the Senator's amendment and then Senator MACK wanted some time so I will yield to him after the Senator's amendment.

AMENDMENT NO. 2056

(Purpose: To repeal section 7 of the Magnetic Fusion Energy Engineering Act)

Mr. ABRAHAM. Mr. President, I send to the desk an amendment I think will be agreed to.

The PRESIDING OFFICER. The Chair will inform the Senator, under the present parliamentary situation it will require the pending amendment be set aside.

Mr. ABRAHAM. Mr. President, I ask unanimous consent the pending amendment be set aside. This is an amendment on behalf of myself as well as Senators GRAMS and KYL.

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

The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Michigan [Mr. ABRAHAM] for himself, Mr. GRAMS and Mr. KYL, proposes an amendment numbered 2056.

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

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

The amendment is as follows:

On page 41, between lines 12 and 13, insert the following:

SEC. 510. MAGNETIC FUSION ENERGY ENGINEERING.

Section 7 of the Magnetic Fusion Energy Engineering Act (42 U.S,C. 9396) is repealed.

SEC. 511. REPEAL OF REPORT ON VERIFICATION TECHNIQUES FOR PRODUCTION OF PLUTONIUM AND HIGHLY ENRICHED URANIUM.

Section 3131 of the National Defense Authorization Act for Fiscal Year 1991 (Public Law 101–510; 104 Stat. 1839) is amended by striking out subsection (c).

Mr. ABRAHAM. Mr. President, I will speak briefly to the amendment.

Earlier this summer, the Congress adopted a historic budget resolution.

The PRESIDING OFFICER. If the Senator will suspend for a moment, the Chair notes the Senate is still not in order. Please extend courtesy to the Senator from Michigan. The Senate is still not in order.

The Senator from Michigan is recognized.

Mr. ABRAHAM. Mr. President, in putting together the budget I think Members on all sides worked hard to try to identify various departments, agencies, commissions, boards, and councils whose functions were either unnecessary or duplicative of other activities going on in Government.

Working in conjunction with a number of my fellow freshman Members of this body, we have tried using the assumptions made in that budget, using suggestions that have been previously made by the GAO, by the CBO, in some cases by the President in the budget submission he made, to try to identify numerous agencies of Government which no longer fill their purpose and which consequently ought to be terminated. The purpose of this amendment, and it is the first of several we will be bringing during the course of the appropriations debates, is to bring to an end to these various no longer necessary Government agencies.

The amendment I am offering today will repeal the authorization of two technical panels who have outlived their usefulness, the Technical Committee on Verification of Fissile Material and Nuclear Warhead Controls and the Technical Panel on Magnetic Fusion. Neither of these panels currently receives funding. Nor do they have the support of either Congress or the executive branch. In other words, they are deadwood that should be cleared away as part of the process of balancing the budget.

Mr. President, Congress has the opportunity to produce something a vast majority of Americans want very deeply, a balanced budget. But to do so means trimming the fat from Government and cutting spending. This amendment represents a step in that direction. It terminates the activities of two Federal panels whose job is either finished or never began.

More important, it sets the tone I believe we should adopt with all of our spending bills. And so, as I said, from time to time during the appropriations process, a number of us are going to be working together bringing other similar amendments to the floor in the hope we can produce the tangible reduction of numerous activities, agencies, and programs in Government that have outlived their usefulness.

Mr. President, I ask unanimous consent to add Senator ASHCROFT as a cosponsor.

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

Mr. ABRAHAM. I yield the floor.

Mr. MACK addressed the Chair.

The PRESIDING OFFICER. The Senator from Florida.

Mr. DOMENICI. Mr. President, did we adopt the amendment?

THE PRESIDING OFFICER. If there be no further debate, the question is on agreeing to the amendment.

The amendment (No. 2056) was agreed to.

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

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

The motion to lay on the table was agreed to.

Mr. DOMENICI. Mr. President, before Senator MACK speaks I wonder if I could ask Senator GRAMS if he would let us follow a routine, now. Senator DORGAN has also been waiting on a line-item veto sense-of-the-Senate. He would agree to 15 minutes per side. Could we have him go next and then the Senator would follow immediately after that?

Mr. GRAMS. That will be fine.

Mr. DOMENICI. I yield the floor.

The PRESIDING OFFICER (Mr. ABRAHAM). The Senator from North Dakota.

AMENDMENT NO. 2057

(Purpose: To express the sense of the Senate on the conference on S. 4, the Line Item Veto Act)

Mr. DORGAN. Mr. President, I have an amendment No. 2057 at the desk which I would like to call up. Is there an amendment pending before the Senate?

The PRESIDING OFFICER. The pending amendment is set aside.

Mr. DORGAN. I call up my amendment.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from North Dakota [Mr. DORGAN], for himself, Mr. KOHL, Mr. FORD, Mr. ROBB, Mr. BREAUX, Mr. HARKIN, Mr. BRADLEY, and Mr. WELLSTONE proposes an amendment numbered 2057.

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

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

The amendment is as follows:

At the appropriate place in the bill, insert the following:

SEC. . SENSE OF THE SENATE ON THE CONFERENCE ON S. 4, THE LINE ITEM VETO ACT.

(a) FINDINGS.—The Senate finds that—

(1) the line item veto was a major plank in the House majority's ''Contract with America'' and has received strong bipartisan support in the 104th Congress;

(2) the House of Representatives on February 6, 1995, passed H.R. 2, the Line Item Veto Act, on a vote of 294–134;

(3) the Senate on March 23, 1995, passed S. 4, the Separate Enrollment and Line Item Veto Act of 1995, on a vote of 69–29;

(4) the House passed S. 4, with the text of H.R. 2 inserted, by voice vote on May 17, 1995, 50 days after passage by the Senate;

(5) notwithstanding the failure of the House to request a conference, the Senate disagreed with the House amendment, requested a conference and appointed conferees on S. 4 on June 20, 1995;

(6) the papers for S. 4 have been held at the desk of the Speaker of the House for 42 days and the Speaker of the House has not yet moved to appoint conferees;

(7) with the passage of time it increasingly appears that the Congress may pass and send to the President not only the appropriations bills for fiscal year 1996 but also the reconciliation bill required by H. Con. Res. 67 (the concurrent resolution setting forth the congressional budget for fiscal years 1996, 1997, 1998, 1999, 2000, 2001, and 2002) without first passing and sending to the President a line item veto bill; and

(8) the House majority leadership has publicly cast doubt on the prospects for a conference on S. 4 this year.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that—

(1) the Speaker of the House should move to appoint conferees on S. 4 immediately, so that the House and Senate may resolve their differences on this important legislation;

Mr. DORGAN. Mr. President, are we operating under a time agreement by unanimous consent?

The PRESIDING OFFICER. It has not been formally entered into.

Mr. DOMENICI. Mr. President, I ask unanimous consent that on this amendment there be 15 minutes on a side.

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

Mr. DOMENICI. I wonder if Senator DORGAN will do me a favor. I forgot, I left Senator MACK standing. He had been recognized and I asked him if he would wait for us and I did not go back to him. He wants to speak for 2 minutes and then it will be Mr. DORGAN's turn on the amendment.

Mr. DORGAN. Of course, I will be happy to do that. It is my understanding there will not be a second-degree on my amendment, and I will have an up-or-down vote on my amendment.

Mr. DOMENICI. That is my understanding.

Mr. DORGAN. I yield to the Senator from Florida.

PRESIDENT CLINTON'S STATEMENT ON LEGISLATIVE APPROPRIATIONS

Mr. MACK. Mr. President, earlier today, in a statement made by President Clinton, he said he was planning to veto the legislative appropriations bill, and I find that, frankly, very disappointing. There have been many press reports suggesting the Clinton White House is in a constant campaign mode. His decision to veto the bill is clearly the decision of candidate Clinton, not President Clinton. Candidate

Clinton is playing games. He is misleading the American people.

This year the Congress, in a bipartisan fashion, cut its own spending by nearly 9 percent. A cut of this magnitude has not occurred in 40 years, I might say, the last time the Republicans controlled the Congress.

The legislative branch bill has not been vetoed since 1920. Let me outline a couple of the specifics about what we have done: An overall reduction of $206 million; reduction of Senate committee budgets by 15 percent; elimination of the Office of Technology Assessment; a 2-year, 25-percent reduction in the budget of the General Accounting Office.

This is part of what the President had to say today:

> [The Congress] is way behind schedule on virtually every budget bill . . . but one bill, wouldn't you know, is right on schedule—the bill that funds the Congress, its staff, and its operations. I don't think Congress should take care of its own business before it takes care of the people's business.

If you listen to that statement, there is an implication there that they have increased spending in the legislative branch. This is one of the most misleading statements that I have heard.

The President likes to talk about common ground and solving the fiscal crisis responsibly, but when it comes to spending cuts he is totally absent. We are leading by example. Candidate Clinton is leading by rhetoric. It is disappointing and bodes poorly for finding the common ground he claims to embrace.

We hear a lot of talk about a train wreck coming in October. President Clinton likes to talk about avoiding it. But when it comes time for demonstrating good faith, President Clinton takes a walk and candidate Clinton comes into play. It may make good politics, but President Clinton is not being served well by candidate Clinton, and neither are the American people.

The American people elected us to cut spending. We are doing it, and Bill Clinton is standing in the way.

I yield the floor.

ENERGY AND WATER DEVELOPMENT APPROPRIATIONS

The Senate continued with the consideration of the bill.

AMENDMENT NO. 2057

Mr. DORGAN. Mr. President, am I correct that amendment 2057 is now pending?

The PRESIDING OFFICER. That is correct.

Mr. DORGAN. Mr. President, I offer this amendment for myself, and Senators KOHL, BREAUX, FORD, ROBB, BRADLEY, WELLSTONE, and HARKIN.

Mr. President, if you will notify me when I have used 3 minutes, I would appreciate that.

This is a very simple amendment. Many of us feel that the President—any President—ought to have a line-item veto. I voted for the line-item veto when President Bush was in office and when President Reagan was in office, and I have voted for the line-item veto now that President Clinton is in the office of the Presidency.

On February 6, the U.S. House passed a line-item veto bill. The next month, on March 23, the U.S. Senate passed a line-item veto bill. A great amount of time has intervened, and there has not even been a conference. The House has not even appointed conferees.

Many of us feel that a line-item veto is a good policy, that it will help in reducing the deficit, that it will certainly help in trying to take out, from some of the legislation that moves through the Congress, special projects that have not previously been authorized or heard or substantially discussed. Many of us believe that we ought to see a line-item veto conference report passed by the House and the Senate and given to this President before the appropriations bills hit his desk and before the reconciliation bill comes to this President.

If a line-item veto is good policy—and, indeed, in my judgment it is—then it seems to me that the Speaker of the other body ought to appoint conferees. Let us have a conference, let us pass the conference report, and let us give this President the line-item veto to be able to use it to reduce the Federal deficit.

I do not understand why this is not a matter of high priority for a House that on February 6 passed a line-item veto bill but now in August has not even been able to find time to appoint conferees. This amendment is very simple. It explains what I have just said, and it says it is the sense of the Senate that the Speaker of the House should move to appoint conferees on S. 4 immediately—that is, the line-item veto bill—so that the House and the Senate may resolve their differences on this important legislation. I at least believe that the line-item veto in the hands of this President—any President—makes sense in terms of public policy, and I hope he has the line-item veto before the appropriations bills and the reconciliation bill come to his desk.

That is the purpose of this amendment.

Mr. President, let me yield 3 minutes to the Senator from Wisconsin, Senator KOHL, who is a cosponsor.

The PRESIDING OFFICER. The Senator from Wisconsin is recognized.

Mr. KOHL. Thank you very much.

Mr. President, I am an original cosponsor of this bill, and I believe very strongly that it can be a very useful, in fact, perhaps decisive tool in order to avoid the budget impasse and a breakdown of the whole process, in order for us to avoid having the kind of a ''train wreck'' that will not allow us to pass a budget come this fall.

It was in the Contact With America. Not only Democrats but also Republicans are very supportive of the line-item veto. And there is a suspicion that the only reason we are not going to pass it right now is because we have a Democrat in the White House instead of a Republican. That is not the way to conduct budget policy in this country. That is the way to conduct politics. I think it is the kind of Government that the American people are sick and tired of. They do not want to see a continuation of it. They are supportive in overwhelming numbers of the line-item veto. It is something that we can do. It is something that will contribute to an effective budget come this fall.

I think we are all winners. There are no losers if we pass the line-item veto.

So I support this amendment by the Senator from North Dakota. I think that we, as a body, should encourage the House to appoint their conferees so that we can resolve the minor differences between the House and the Senate on the line-item veto and get on with the important work in behalf of the American people.

Mr. President, as I said, I am an original sponsor of the pending sense-of-the-Senate amendment, and it states simply that the House of Representatives should move to appoint conferees on S. 4, the line-item veto bill, and that we should not send appropriations bills to the President until we pass line-item veto legislation.

It may seem odd to see two Democratic Senators calling for action on the line-item veto, one of the most popular plans in the Contract With America. But as long time supporters of the line-item veto, we are unhappy that such an important tool for budget discipline has apparently been lost in the bog of balanced budget politics.

We ought to move the line-item veto legislation because it is a tool that can trim the fat of Government and highlight the spending choices that must be made if we are going to balance the budget. We ought to move the line-item veto legislation now because it is a tool that could save us from the budget impasse that we may be facing.

Many now speculate about the coming budget train wreck. The President has already threatened to veto six of the appropriations bills passed by the House. Veto override vote counts are taking place on a tax bill that hasn't even been drafted. And White House Chief of Staff Panetta is drawing up plans for the anticipated shut down of the Government at the beginning of the fiscal year.

It does not have to happen this way, and it should not happen this way.

The 104th Congress could be remembered as the Congress where balanced budget changed from a slogan to the status quo. The House passed a balanced budget constitutional amendment; the Senate is one vote away from doing so.

The Republican majority passed a Budget Resolution that balances the budget. The Democrats proposed an alternative that does the same, and a vast majority of our party voted for it. The President has his own balanced

budget plan on the table. No longer is the debate over whether we should balance the budget—we are now talking about how we will balance the budget.

This remarkable change in business-as-usual could all be lost if the debate shifts away from budget priorities and toward budget politics. Passing the line-item veto is one way to stop that from happening.

If the President has the line-item veto, he does not have to shut down whole agencies because he disagrees with one or two riders in the bills that fund those agencies. He can line-item veto out the pork or the politics and send just those items back to Congress for further debate. No unnecessary show down—just a straightforward debate on spending priorities.

Similarly, if the President has the line-item veto, he doesn't have to veto an entire tax bill because he objects to specific items. He can line-item veto his objections, send them back to Congress for another vote, and again force a clear national debate on spending priorities.

Balancing the budget means hard choices about where taxpayer dollars should go and should not go. It is debate about what we are as a nation and what we will become. It is a serious debate—not one that ought to disintegrate into a chaotic Government shut down. Giving the President line-item veto will focus the debate on priorities and away from political points.

So I urge my colleagues to support this amendment and send a strong message to the House: Pass the line-item veto that was in the Contract With America. Pass the line-item veto that passed the House and the Senate. Don't let budget politics keep us from doing what most of us believe is good budget policy. Give the President the line-item veto.

I thank the Chair. I yield the floor.

The PRESIDING OFFICER. Who yields time?

Mr. COATS addressed the Chair.

The PRESIDING OFFICER. The Senator from Indiana.

Mr. COATS. Mr. President, I yield 5 minutes to the Senator from Arizona.

The PRESIDING OFFICER. The Senator from Arizona is recognized.

Mr. MCCAIN. Mr. President, I want to thank the Senator from North Dakota for bringing this amendment to the floor.

There is no doubt that many people are surprised that, after describing the line-item veto along with a balanced budget amendment as the crown jewels of the Contract With America, we still have not had a single conference on the bill, the line-item veto.

The House passed it, I believe, in January and the Senate in February. Recently, there have been indications that the House would appoint conferees after their recess begins, which, of course, would preclude any mention of a full conference until after the August recess. And there has been no meeting of the conferees that have been appointed on the line-item veto.

I think maybe for a change we ought to talk about reality here, Mr. President; that is, there are significant forces afoot who do not want the line-item veto sent to the President's desk until after the 13 appropriations bills are dispensed with. I do not agree with that.

For 8 years that I have come to the floor of this body in support of the line-item veto, I said that I would support the line-item veto whether it was a Democrat or a Republican in the White House. I think it is wrong of us to delay. But I am afraid it is going to be delayed, and I believe that it is wrong of us to do so.

Senator COATS and I were often accused—and we brought this bill up time after time—of saying, well, you would support this bill only if there was a Republican in the White House. We steadfastly maintained that was not the case. I still maintain that is not the case. I urge my colleagues to make every effort they can to see that conferees are appointed.

Mr. President, I want to point out one other aspect of this issue; that is, that it has been said that there are significant differences between the Senate-passed and the House-passed bill. Yes, that is true, but it is mainly in the vehicle. The fundamental aspect of the line-item veto that takes a two-thirds vote to override a Presidential veto is there.

I do not think there is any doubt that Senator COATS and I would be more than willing to accommodate the House in practically whatever desires they may have, especially since the House version more closely resembles our original proposal than that which finally emerged from the U.S. Senate.

Mr. President, speaking as a Member of this body from this side of the aisle who for 12 years has been involved in this issue, I think we are doing a great disservice to the American people in the things we promised them last November—we Republicans promised them last November—by delaying final passage of this very, very significant change in the way that the Government in Washington does business. It is supported by 73 percent of the American people.

Therefore, I am grateful that the Senator from North Dakota has brought this bill up. I want to assure him that I and the Senator from Indiana and others will continue to do everything in our power to see that this bill is moved along. Very frankly, if someone accuses us of dragging our feet on this issue, there is some legitimacy to that accusation, and I regret very much to have to admit that on the floor of the Senate.

Mr. President, I yield the remainder of my time.

Mr. DORGAN. Mr. President, I yield 3 minutes to the Senator from Louisiana.

The PRESIDING OFFICER. The Senator from Louisiana.

Mr. BREAUX. Mr. President, I thank the Senator. I congratulate the Senator for bringing this to our attention, not only to the Members of this body but hopefully to the Members of the other body, as well as to the attention of the American public.

Do any of us remember the big public display and the big publicity gathering they had on the steps of the Capitol when the Contract With America was announced? There was a huge public display, and it made all the evening news.

One of the key plans in that Contract With America was action to be taken on the line-item veto. What happened to it? Where is it? Where are the conferees from the other body who were willing to sit down and finish this incredibly important part of the contract?

Nineteen Democrats over here voted for it, and Republican colleagues here supported it. The Senate appointed the conferees. We found 18 willing souls to sit down with the other body and work out the differences. Cannot the House find 18 Members who are willing to sit with the Senate, Republican and Democrats, and work out the differences between the House- and Senate-passed bills?

Sometimes what people do in this business, they give a great political speech and then they sort of forget and hope everybody else forgets what they said because this is, in effect, what is happening. They make this great political announcement and pronouncement on the steps of the Capitol that the line-item veto was absolutely essential to Western civilization, and then the House passes it and the Senate passes it and the House will not appoint the conferees.

We can send them 18 names and say, ''Here, pick one of these or pick anybody you want to pick. Just pick somebody to sit down and meet with the Senate.''

If this was so important and it justified being put in their Contract With America, is it not still important in August to find 18 House Members who can sit down with the Senate and talk with us? Is it that difficult to do? Or is maybe there is another reason? Maybe the reason is that all these appropriations bills are now working their way through the House and the Senate.

I have heard some of them say, ''Well, we may do this after we finish with the appropriations bills and they have already been signed.''

That is after the fact. The whole purpose of a line-item veto is to say that some items in an appropriations bill should not become the law of the land. And they are saying, ''Well, we want to do the appropriations bills first and then maybe sometime next year we will appoint the conferees.''

The time is now. The American people do remember what politicians say on the steps of the Capitol, and I suggest that our House conferees should be appointed. We can send them a list and they can pick. We can send them 435 names and just pick 18. It is not that

difficult. Start with A and just go right down the list. When we get 18, stop, send us the names, we have a meeting, and we can work this out. If it is important enough to put in the contract, it is important enough to at least finish the job.

The PRESIDING OFFICER (Mr. INHOFE). Who yields time?

Mr. COATS addressed the Chair.

The PRESIDING OFFICER. The Senator from Indiana.

Mr. COATS. I yield myself 5 minutes.

Mr. President, I wish to join in the commendation of the Senator from North Dakota and support that he has received in bringing forth this resolution. I wish to thank him as well as the Senator from Wisconsin for their support when the issue was before the Senate.

This obviously is an effort which involves the Members from both sides of the aisle because it deals with a very fundamental, important principle, and it is a principle underlying the way in which decisions are made that affect the way in which taxpayers' dollars are spent.

We had what many would consider a historic debate on this issue. This effort to provide the President with line-item veto power had been tried numerous times dating well into the last century, always failing to gain a majority of support in necessary votes in both Houses of the Congress to send to the President for his signature.

We accomplished that goal this year, and it was a historic vote. We fundamentally altered the balance of power between the legislative branch and the executive branch in terms of how dollars are spent. The Congress had forfeited the power that it held, gave it to the executive branch. In doing so, it made the statement and the commitment to the American people that business as usual, that is, attaching unrelated, unnecessary spending items to otherwise necessary appropriations bills, was going to end, or at least we would provide a vehicle to end that practice. We would shed light on that practice. And Members would have to come to the floor and defend the particular item, so-called pork barrel item, that was attached to a particular appropriations bill.

Therefore, what I think the voters have asked of us, that is, that our yea be yea and our nay be nay on the specific item in question be cast as a vote in this Chamber, so that we no longer would hide spending from the direct public scrutiny and from the accountability that ought to fall to each of us in terms of where we stood on a particular spending item involving their tax dollars.

So we passed that historic legislation but in two very different forms. The form that the Senate used was a very different form than what the House used. In fact, the House used a form that Senator MCCAIN and I originally had used on a number of occasions. We have led this effort over the last several years, coming ever closer to a majority and finally had the breakthrough this year, for which we were grateful. But in doing so, we adopted what many would say is a somewhat convoluted vehicle to deliver the substance of line-item veto.

Reconciling the two differences between the House and the Senate, while it appears on its face to be a very complicated matter, really is not that complicated, because the underlying substance of the legislation is the same. It is simply the vehicle which delivers that substance that is different. Senator MCCAIN and I have said repeatedly that we are willing to negotiate that substance and sit down with our colleagues from the House of Representatives and work out an acceptable vehicle to accomplish that very end.

Now, the House has not yet appointed conferees. The Senate has. Senator MCCAIN and I have urged the leadership in both the Senate and in the House to accomplish this fact. Discussions have been held with the leadership, and I know that the majority leader is committed to moving forward. I know that has been communicated to the House.

Obviously, this is an extraordinary year. Our plates are full as they never have been before. We are dealing with an extraordinary level and degree of complex legislative changes. We are redefining the role of Government. We are redefining how we spend the taxpayers' dollars, and so there is a great deal before us. That has, unfortunately, delayed the process of getting some of these conferences together to resolve some of this legislation that has passed both Houses of the Congress. But we do, I believe, have a commitment from both Houses now to move forward with this legislation, to appoint conferees, to meet as soon as is possible and bring back to both bodies the line-item veto in a form that is acceptable and that can be given to the President for his signature, which I believe he has indicated he would sign.

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

Mr. COATS. Let me say, Mr. President, if I could ask unanimous consent for 30 seconds, there is no objection to acceptance of the sense-of-the-Senate resolution that has been offered by the Senator from North Dakota. If he is willing to accept that, we do not feel it is necessary to have a vote. Obviously, that is the decision the Senator has to make, but it is perfectly acceptable to our side. It is a good resolution, and I am proud to support it.

Mr. DORGAN. Mr. President, I yield 3 minutes to the Senator from Kentucky.

The PRESIDING OFFICER. The Senator from Kentucky.

Mr. FORD. I thank my friend from North Dakota. Let me compliment him, Senator KOHL, Senator COATS, Senator BREAUX, and Senator MCCAIN for the effort that is being put forth this evening.

I wish to associate myself with the comments that have been made by my colleagues on both sides of the aisle. As I voted for line-item veto when it passed the Senate, I believe in March, I said I did not like the procedure, and I think my friend from Indiana agreed with that.

The underlying legislation is there. We just need to refine the procedure. And I think it will get there. This is good policy. I used it as Governor of Kentucky, as other Governors have used it. It works. You just line the item, send it to the legislature with a message, and they either approve it or disapprove it. It is good policy. It ought to come sooner than later.

So it is ironic to me that after we have been pounded, if I can use that word, by those on the other side for years now to pass line-item veto, now that we have an opportunity and we have joined together in a bipartisan fashion, we cannot get it done. We cannot arrive at the conference for purely political reasons. They do not want to give this President an opportunity to have the line-item veto as appropriations bills come, as the reconciliation bill comes. Now that we are on the verge of passing this into law, the Speaker says I do not have time to do it. But as we have heard, he can write two books. He can go out on the trail and sell his books. But he does not have time to sit down and pick a handful of friends to get on a conference committee and let us work it out. I think the Speaker should listen to his colleagues on the Senate side of the same party that are sending the same message.

We need to get this done. But, Mr. President, as we try this bipartisan effort, when we talk about everything being bipartisan, we run into a bump. Mr. President, I believe we have finally found who runs the political agenda on Capitol Hill. And that is the Speaker of the House. I yield the floor.

Mr. DORGAN. How much time is remaining?

The PRESIDING OFFICER. Five minutes remaining.

Mr. DORGAN. Let me yield 2 minutes to the Senator from Virginia, Senator ROBB.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. ROBB. Thank you, Mr. President.

I thank my colleague from North Dakota for offering this amendment. I join with others that have already spoken on this particular amendment in support. I particularly want to commend our Republican colleagues, because this is a situation where it might be in their interest to take a little different course of action.

During the time when we had a Republican President and a Democratic majority in the Congress, I took the same position that I do now. I sometimes kidded colleagues on this side of the aisle suggesting that if we were to give this particular request to the then-Republican President of the United States, it might not be a gift that was enjoyed to the extent that remarks might have suggested it would be.

In this particular case, it puts the burden directly on the President to make some of the very difficult decisions that Members of the legislature frequently want to find a way not to have to make. So I strongly encourage colleagues to vote in support of this. And I encourage those in the other body to encourage the Speaker to make those appointments so we can get on with the business. It does not make sense to suggest that it is an amendment that only makes sense if you have a certain majority and a certain party in the Presidency. And I hope that very shortly the Speaker will find time to make these appointments.

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

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. What is the status of the time on this amendment?

The PRESIDING OFFICER. The Senator from North Dakota has 3 minutes 19 seconds. And the other side has 5 minutes.

Mr. DORGAN. Mr. President, I intend to use only another minute or so. If the Senator from New Mexico wishes to comment, I would be happy to have him comment. I will ask for 1 minute and then a recorded vote.

Mr. DOMENICI. I yield back our time.

Mr. DORGAN. Let me then use 1 minute and then yield back our time and ask for a recorded vote at the end.

I would like to say that I offer this amendment because I think there are some who have said very strongly that they favor a line-item veto, but they have become lost in the wilderness somehow on this issue. There is an old saying, ''There's no prevailing wind that favors a ship that does not know where it is going.'' So we would like to help those who we think are lost in the wilderness get found today. We would like to provide a prevailing wind to help them move toward a line-item veto conference, bring the line-item veto back to the House and the Senate, and then send the President the line-item veto—this President, and every President, Republican or Democrat.

I say to my friends, Senator COATS and Senator MCCAIN, no one, in my judgment, will, with good cause, ever suggest that they have stalled on this issue. They have been consistent for years on this issue, as have I and others, who for years have voted for the line-item veto, no matter who is in the White House, because we think it will measurably help deal with some of the problems that exist in appropriations bills and authorization bills and fiscal policy. And we just think it is the right thing to do.

So I very much appreciate the comments that have been made today by Senator MCCAIN and Senator COATS, and especially by Senators KOHL, BREAUX, ROBB, and FORD on our side of the aisle. And with that, I hope the Senate will register a strong expression today that we would like to see those who are stalling to stop stalling, stop dragging their feet, help us get a line-item veto passed; appoint conferees, have a conference and give this President the line-item veto. In my judgment, it is good for the country.

Mr. President, with that I yield back the remainder of my time.

Mr. President, I ask for a recorded vote.

Mr. DOMENICI addressed the Chair.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. I reclaim 30 seconds of my time.

Mr. President, I did not participate in the debate. It was a good and interesting discussion. But I think that there might be other reasons that the House has for not having appointed conferees. I understand they have some rules that are difficult in terms of how long they can be in conference before certain other rules take effect. And, frankly, I have no understanding that they are peculiarly delaying this because they did not want the line-item veto.

Nonetheless, this ought to serve as a useful tool in reminding everyone to get on with the bill that is highly touted and was debated here in the Senate in a very adequate and thorough manner.

I yield back any of my 30 seconds.

I join in asking for the yeas and nays.

The PRESIDING OFFICER. The motion has been properly seconded.

Mr. DOMENICI addressed the Chair.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. I ask that I be permitted, at the request of the majority leader, to seek the following unanimous consent, which I understand is satisfactory with the other side. And then we will proceed to vote.

Could I do that, Mr. President?

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

Mr. DOMENICI. Mr. President, I ask unanimous consent that the following amendments be the only first-degree amendments in order to H.R. 1905; that they be limited to relevant second-degree amendments and the excepted committee amendment be agreed to and considered as original text for the purpose of further amendments. I will state the amendments: Senator Byrd, relevant; Harkin, hydroresearch; Grams, Appalachia Regional Commission; Feingold, TVA; Wellstone, water level and reservoir; Pressler, water authorization; Brown, salary cuts—I believe that is resolved. We will strike salary cuts. Bumpers, SCSC close down; Dorgan—we just did that. And the managers' amendment, which we will do jointly. In addition, Senator Burns, Flat Head Indians irrigation; Hatfield, relevant; Specter, an amendment regarding a medical center.

That is the extent of it.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. DOMENICI. Mr. President, there is one penciled in I did not see. Senator BOXER from California, Corps of Engineers offices.

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

Mr. DOMENICI. I thank the Chair.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from North Dakota, amendment No. 2057.

The yeas and nays have been ordered. The clerk will call the roll.

The legislative clerk called the roll.

Mrs. BOXER (when her name was called). Present.

Mr. LOTT. I announce that the Senator from Texas [Mr. GRAMM] is necessarily absent.

Mr. FORD. I announce that the Senator from Nebraska [Mr. EXON] is necessarily absent.

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

The result was announced—yeas 83, nays 14, as follows:

[Rollcall Vote No. 348 Leg.]

YEAS—83

Abraham	Ford	McCain
Akaka	Frist	McConnell
Ashcroft	Glenn	Mikulski
Baucus	Graham	Moynihan
Bennett	Grams	Murkowski
Biden	Grassley	Murray
Bingaman	Gregg	Nickles
Bond	Harkin	Packwood
Bradley	Hatch	Pressler
Breaux	Heflin	Pryor
Brown	Helms	Reid
Bryan	Hollings	Robb
Bumpers	Hutchison	Rockefeller
Burns	Inhofe	Roth
Campbell	Inouye	Santorum
Chafee	Kassebaum	Shelby
Coats	Kempthorne	Simon
Cohen	Kennedy	Simpson
Conrad	Kerrey	Smith
Craig	Kerry	Snowe
D'Amato	Kohl	Specter
Daschle	Kyl	Stevens
DeWine	Lautenberg	Thomas
Domenici	Leahy	Thompson
Dorgan	Levin	Thurmond
Faircloth	Lieberman	Warner
Feingold	Lott	Wellstone
Feinstein	Lugar	

NAYS—14

Byrd	Gorton	Moseley-Braun
Cochran	Hatfield	Nunn
Coverdell	Jeffords	Pell
Dodd	Johnston	Sarbanes
Dole	Mack	

ANSWERED ''PRESENT''—1

Boxer

NOT VOTING—2

Exon	Gramm

So, the amendment (No. 2057) was agreed to.

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

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

The motion to lay on the table was agreed to.

(Later the following occurred:)

AMENDMENT NO. 2057

Mr. BYRD. Mr. President, I voted against the amendment today by Mr.

DORGAN and other Senators which expresses the sense of the Senate as being that the Speaker of the House should move to appoint conferees on S. 4 immediately so that the House and Senate may resolve their differences on this important legislation.

Mr. President, I voted against this amendment for a number of reasons, one of which is, I think we ought to do everything we can to improve the comity between the two Houses rather than taking actions that will undermine that comity. I say this without casting any reflection on any of the Senators who cosponsored or voted for the sense-of-the-Senate amendment today dealing with the conference on the line-item veto.

Mr. President, I have been in the Senate now going on 37 years and I was in the House 6 years prior to that. In these nearly 43 years, I have seldom seen one body taking action to tell the other body how it should conduct its business. I do not think this is good. I feel that most Senators would certainly not like to see the House pass amendments or resolutions that called upon the Senate to take certain actions.

Both Houses in which I have served have been very careful over the years to observe the responsibilities, the duties, the prerogatives, each of the other. Each House has been conscious of that.

I have been disturbed in recent times that Senators, on this floor, have called the names of House Members from time to time and in some cases were critical of what House Members had done or how they had voted.

Mr. President, I do know that in the last Congress the Speaker of the House, at least the leadership, called to the attention of a Member or Members of that body the rules against referring to Members of the Senate by name.

And so for a number of reasons I voted against the amendment. I did not speak against it, but I told the chief sponsor that I would vote against it and told him why.

I feel I should state for the RECORD, now that the vote has occurred, my opposition to the amendment. As I say, I do not believe that the Senate should involve itself in the internal matters relating to the other body. It is my opinion that the House is perfectly capable of determining what it wishes to do and when it wishes to do it in relation to the appointment of conferees on the line-item veto bill or any other bill. Even had I supported the amendment, I would have had reservations about addressing the business of the other body. I think we should restrain ourselves from doing such things.

Another reason why I opposed the amendment was because I did not agree with paragraph (b)(2) which, as I understood it, read that the Congress should pass the conference report.

Now, that paragraph may have been stricken from the amendment.

I understand that paragraph was stricken from the amendment.

The reconciliation bill will be the vehicle used by the Republican majority to include massive tax cuts. There were those who said we ought to give the President this line-item veto; there were others who said that the reasons they did not want to give the President a line-item veto now, was because we have President Clinton—a Democrat—in the White House, and they did not want him to veto line items in the reconciliation bill.

I have said all along it does not make any difference as to what party has a person holding the office of President of the United States, he should not be given a line-item veto. We ought to be on guard, always protecting the constitutional responsibilities and functions and prerogatives of this, the legislative branch.

Apparently some of our friends on the other side of the aisle have now seen fit to delay acting on the conference report because they are concerned that President Clinton might utilize the veto power to line item certain matters out of the appropriations bills.

On our side of the aisle, there are those who say we should send it to him now, not hold back, because he is a Democratic President at a time when the Republicans are in control of the House and Senate.

Mr. President, I might have a little sympathy for that approach if it were not for the fact that the President on May 8 of this year wrote a letter to the Honorable NEWT GINGRICH, Speaker of the House, in which the President wrote as follows:

DEAR MR. SPEAKER: I am writing to urge that Congress quickly complete work on line-item veto legislation so I can use it—this year—to curb wasteful tax and spending provisions.

We must not let another year go by without the President having authority to eliminate special interest provisions, such as the tax benefits that were targeted to individual businesses earlier this year in H.R. 831.

I am disappointed that six weeks after the Senate passed its version of line-item veto legislation, neither body has appointed conferees. As you may recall, I commended the House and the Senate last month for passing line-item veto legislation. However, the job is not complete until a bill is sent to my desk that provides strong line-item veto authority that can be used this year.

I have consistently urged the Congress to pass the strongest possible line-item veto. While both the House and Senate versions would provide authority to eliminate wasteful spending and tax provisions, the House-passed bill is much stronger—and more workable.

I appreciate your making passage of line-item veto legislation a priority. I look forward to working with the Congress to enact the line-item veto quickly.

Sincerely,

BILL CLINTON.

Just a few days later, on June 7, 1995, the President wrote another letter to the Honorable ROBERT DOLE, majority leader of the Senate, in which the President stated:

DEAR MR. LEADER: I am deeply alarmed by today's press report that some Republicans in the House and Senate want to continue to hold back the line-item veto so that I don't have it during this year's budget process. The line-item veto is a vital tool to cut pork from the budget. If this Congress is serious about deficit reduction, it must pass the strongest possible line-item veto immediately, and send it to my desk so I can sign it right away.

This is not a partisan issue. Presidents Reagan and Bush asked Congress for it time and again, and so have I. It was part of the Republican Contract with America. It has strong support from members of Congress in both parties and both houses. No matter what party the President belongs to or what party has a majority in Congress, the line-item veto would be good for America.

If Congress will send me the line-item veto immediately, I am willing to pledge that this year, I will use it only to cut spending, not on tax expenditures in this year's budget. I have already put you on notice that I will veto any budget that is loaded with excessive tax breaks for the wealthy. But I need the line-item veto now to hold the line against pork in every bill the Congress sends me.

The American people have waited long enough. Congress should give them and the Presidency the line-item veto without further delay.

Sincerely,

BILL CLINTON.

So what we have is a letter from the President to the Speaker of the House on May 8 saying, in essence, ''Give me the line-item veto.''

Now, again I quote from that letter:

We must not let another year go by without the President having authority to eliminate special interest provisions, such as the tax benefits that were targeted to individual businesses earlier this year in H.R. 831.

And then lo and behold, 1 month later, lacking 1 day, the same President pledges—pledges—to the majority leader of the Senate that if Congress will send the President that line-item veto legislation, the President will not—will not—use it on tax expenditures; he will only use it ''to cut spending.''

Mr. President, I have difficulty following that line of reasoning. It is obvious that the President intended to use the line-item veto authority to eliminate tax expenditures in the first letter. I was dismayed by the sudden reversal by the President in his June 7 letter. That was a 180-degree turn by the White House on matters which are of the utmost importance to the American people in terms of fairness relating to how the deficit will be reduced. And it should leave all thinking Members of Congress and the American people wondering why this administration would make such an outrageous pledge.

Why should we Democrats butt our heads against the wall urging that the Speaker appoint conferees on a measure so that the President would have the line-item veto authority, which the President has pledged not to use against tax expenditures? Since the President pledged to avoid lining out any new tax expenditures, that meant that any new goodies in the form of tax writeoffs would be in place from now on, further exacerbating our deficit problem for years to come.

So, this unwise pledge by the President is just one reason why this Senator is not in any hurry to see a line-item veto enacted this year. The President says he will use the authority only on appropriations bills, not on tax expenditures. In other words, he will continue to cut domestic discretionary programs—not defense. He is, to the contrary, recommending that military spending go up. Apparently, he is going to cut nondefense discretionary programs, which are already being severely cut.

I note also that, in a statement made this morning in the briefing room at the White House, the President says:

> One of the most interesting things that has achieved not too much notice in the last few days is that while Congress has been taking care of the special interests, it's also taking care of itself. It is way behind schedule on virtually every budget bill, in the hope, apparently, of enforcing a choice at the end of this fiscal year between shutting the government down and adopting extreme budget cuts which will be bad for our country, bad for our economy, and bad for our future.

This may, indeed, confuse a lot of people. First the President says, ''Give me a line-item veto with which I can cut.'' Then he says today that Congress is making cuts that are bad for our country:

> Apparently, they don't even plan on letting the American people see their planned Medicare cuts until the last possible minute. But one bill, wouldn't you know it, is right on schedule—the bill that funds the Congress, its staff, and its operations.
>
> I don't think Congress should take care of its own business before it takes care of the people's business. If the congressional leadership follows through on its plan to send me its own funding bill before it finishes work on the rest of the budget, I will be compelled to veto it.

Mr. President, if I were in the leadership today I would say, ''Let us send it to him. Let him veto it. He can veto it; he can let it become law without his signature; or he can sign it.''

The reference is made to Congress ''taking care of its own business.'' Mr. President, the Constitution, in article I, creates the legislative branch. And in the very first sentence of article I it provides for the making of laws and vests all power to make laws in the Congress. In article I, section 9, it vests the appropriations power in the Congress. The Constitution created the legislative branch. We have to pass laws to appropriate moneys for the legislative branch. I do not see that as ''taking care of its own business.'' The legislative branch has to operate.

So I hope that the President will sign the legislative appropriation bill if it goes to him first. There is no design here on the part of the Members or on the part of the leadership to send to the President the legislative appropriations bill first. There was no design. That is not by calculation or by intention. We have been marking other appropriations bills up in the Appropriations Committee. Another appropriations bill has been before the Senate today, the energy-water appropriations bill, and we hope to pass it today. So there are other appropriations bills that are being acted upon. But now we hear the threat that if the legislative appropriations bill is the first to be sent down to the White House, the President will be inclined to veto it, because those people up there take care of themselves first.

Mr. DOMENICI. Will the Senator yield for an observation?

Mr. BYRD. Yes.

Mr. DOMENICI. I note there is another thing the President said in that letter that does not seem to me to be consistent with the way business is done and has been done for a long time and done properly.

He says the appropriations bills are way behind schedule; all budget bills are behind schedule. It is my understanding we do not have to get the appropriations bills passed until October 1. We started in August, did we not? That is 2 months. I have been around here a while, not as long as the Senator from West Virginia has, but the House has done a pretty good job. They are through with all but two, and we have not yet reached August. They finished all but two before August arrived. I have been here many years, and we do not get all the appropriations done until 16, 17, 18 September. That is not unusual.

So I think the President is making a false argument even there about us being far behind.

Mr. BYRD. Well, in many instances in past years, appropriations bills have not been passed until or after the beginning of the next fiscal year.

Mr. DOMENICI. That is correct.

Mr. BYRD. I think the Congress is doing very well. The beginning of the next fiscal year is October 1, as the Senator has pointed out. We are well ahead of that. We have plenty of time before the beginning of the fiscal year. I hope we will pass all appropriations bills and have them on the President's desk by or before the beginning of the fiscal year. But I also hope that if the President is going to veto appropriations bills, he will do so on the basis of the merits, not on the basis of some grand strategy to veto appropriations bills for political purposes.

As one member of the Appropriations Committee, I take a bit of umbrage at this statement that the legislative appropriations bill is being passed first because Congress is ''taking care of itself.''

Mr. DOMENICI. He did not mention, did he, that we also significantly reduced the cost of the legislative branch of Government in that bill?

Mr. BYRD. It has been significantly reduced, I believe.

Mr. DOMENICI. Ten percent.

Mr. BYRD. Mr. President, I will not belabor the point any longer. I think it is unwise to adopt amendments such as the Senate adopted today instructing or urging the Speaker of the House to appoint his conferees, and so on. As I said, it does not make for good will, good feeling, or good comity between the two bodies.

I would not have voted for the amendment if for no other reason than that reason. I hope that we will slow down a little bit and not adopt such resolutions, or else we will meet such resolutions coming back from the other body, and they will not be entirely to our liking.

I yield the floor.

(Conclusion of later proceedings.)

Mrs. BOXER. Mr. President, on the Dorgan amendment stating the sense-of-the-Senate that the House should appoint conferees on the line-item veto bill and a conference should occur, I voted ''present.''

Although I have always opposed the line-item veto, because I believe it is an unwarranted transfer of power from the legislative branch to the executive branch, I do agree with Senator DORGAN that the Republican Congress should not refuse to conference the bill simply to embarrass the current President, who happens to be a Democrat.

Mr. GRAMS. Mr. President, on behalf of myself and my good friend from Arizona, Senator MCCAIN, and my friend from Wisconsin, Senator FEINGOLD, we intend to offer a bipartisan amendment to the energy and water appropriations bill, which would reduce funding for the Appalachian Regional Commission, ARC, by $40 million.

First, I will explain some of our reasons for offering this amendment.

In his inaugural address 35 years ago, President Kennedy challenged the American people to ''ask not what your country can do for you, ask what you can do for your country.'' Just five years later, however, those words seemed to have been forgotten with the establishment in Congress of the ARC, the ultimate expression of ''what can I get out of my government?''

The goal of Congress in creating the ARC was to bolster economic development in a 195,000 square-mile region which presently encompasses 13 States. Over the course of the past 30 years, we have spent more than $7 billion in the Appalachian region, much of it for pork-barrel projects, trying to stimulate economic growth there.

Today, many of the ARC's programs duplicate activities funded by other Federal agencies. In fact, Appalachian corridor construction, under which the Senate energy and water appropriations bill justifies the $40 million increase in funding from the House, also falls under the jurisdiction of the Transportation Department's Federal highway program.

Representative SCOTT KLUG of Wisconsin put it this way:

> What the Appalachian Regional Commission does is essentially allow 13 states in this country to double dip into infrastructure money, money to do economic development, and money also to do highway and water construction and projects like that.

Now, clearly, Mr. President, the Appalachian Regional Commission has become a vehicle to justify continued

pork-barrel spending which duplicates the efforts of many other Federal programs. That is hardly what President Kennedy had in mind 35 years ago.

While the ARC allocates funds for the poor, rural communities of Appalachia, these areas are no worse off than rural communities in Minnesota, Arizona, or the 35 other States that do not benefit from the ARC. In fact, in my home State of Minnesota, 12.8 percent of my constituents live below the poverty level.

That is a troubling statistic for a state which considers itself not a poor State, but a proud State. It is higher than many states which benefit from ARC funding—such as Virginia at 9.4 percent, Maryland at 11.6 percent, Pennsylvania at 11.7 percent, and Ohio at 12.6 percent.

Do Minnesotans have a Federal program designed just for them? Of course not. To pay for something like the ARC on a nationwide basis would require billions of dollars, either from cutting more from other programs, borrowing money from our children, increasing the deficit, or raising taxes. The first option is unlikely—the remaining three are completely unacceptable.

Already, for every dollar the taxpayers of my State contribute to the Federal Treasury, they receive only 82 centsworth of government services. That is 82 cents on the dollar. The States which receive ARC funding receive, on average, $1.21 for every tax dollar they contribute.

Now, Minnesota has been a good neighbor and has contributed more than its fair share.

But when Minnesotans see $750,000 of ARC funds spent on a summer practice stadium for the National Football League's Carolina Panthers, this is a slap in the face. Clearly, the ARC's priorities do not reflect the priorities of the taxpayers.

While there have been some improvements in the Appalachian region, these have generally followed the health of the economy in general. In the 1980's, there was strong growth in the area which mirrored the economic growth of the country at large.

During this time, ARC funding was reduced by 40 percent, roughly the level appropriated by the House bill this year. Did the region suffer? On the contrary. Taxes were cut and unemployment rates in the region fell by 38 percent.

That is how President Kennedy created jobs in the 1960's. That is how President Reagan created jobs in the 1980's. That is how we need to create jobs as we approach the year 2000.

The ARC is a classic example of how pork barrel projects are dished out in Washington. If ARC programs only benefitted two or three States, the Commission probably would not have lasted as long as it has. But when you cobble together several hundred counties, in 13 different States, with 26 Senators representing them, you have a built-in political constituency that will make sure funding is perpetuated forever and ever.

Mr. President, the ARC is a relic, a thing of the past. We need to look toward the future, toward a balanced budget, tax cuts, and job creation. These benefits would far outweigh the additional $40 million in taxpayers' money the Senate wants to appropriate.

Earlier this year, Congress agreed to phase out the ARC in the balanced budget resolution which passed both chambers. Our amendment does not zero out funding for the ARC this year—it simply reduces the level of funding to that approved by the House, $142 million. That means $40 million that goes back to the taxpayers, either in the form of deficit reduction or tax cuts.

I urge my colleagues to vote for the Grams-McCain amendment and support us in this effort to cut government waste. Show the taxpayers that we will keep our word and make the tough choices necessary to balance the Federal budget and bring economic growth and prosperity to every region across this Nation.

President Kennedy was right—Ask not what your country can do for you. Ask what you can do for your country.

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

Mr. GRAMS. I yield.

Mr. McCAIN. Is the Senator aware that two of the poorest counties in the nation are located on Indian reservations in South Dakota—Rosebud Sioux and the Pine Ridge Sioux?

Mr. GRAMS. No, I did not know that.

Mr. McCAIN. Is the Senator aware that South Dakota is not part of Appalachia or countless other areas of poverty on Indian reservations in urban areas and rural communities?

I wonder if my colleague is aware that as part of the Appalachian Regional Commission, $750,000 was spent for the Carolina Panthers football facility, money was spent for the Alabama Music Hall of Fame, money was spent for a program to attract German travelers to West Virginia, money for an access road to a Pennsylvania ski resort, money for a limestone cave display in Georgia, $1.2 million for the National Track and Field Hall of Fame, money for the NASCAR Hall of Fame, funding for a study on the migration of the elderly, funding for a grant to train workers for a BMW plant in South Carolina.

I wonder if the Senator from Minnesota is aware of all of those uses that the Appalachian Regional Commission has spent money on, and how far the Appalachian Regional Commission—which, by the way, was a temporary commission when it was set up in 1965—has gone. And is the Senator aware that the Federal Government has countless programs that provide economic development assistance for everyone in America: community development block grant programs, housing development block grants, social service block grants, community service block grants, Economic Development Agency grants, farmers home loans, small business development loans and grants, rural electrification loans, highway aid, and the list goes on and on.

In addition, as we know, the individual States have many similar programs. The rest of the Nation that is outside of the Appalachia region has to rely on those programs in order to achieve funding to help people who are poor and deprived.

I am very proud of the economic advancement that my State has made. I am very proud our standard of living is very high and that our economy continues to grow. I am also deeply distressed, as I know many of my fellow citizens are, that there are still extremely poor places in my State, places where Native Americans live in holes in the ground, places where there is no running water or sanitation. I believe, frankly, these people, along with the people, the Rosebud Sioux and the Pinewood Sioux, need help as much as anyone else.

For us to somehow perpetuate a commission that has spent, now—$5 billion?

Mr. GRAMS. It is $7 billion.

Mr. McCAIN. Mr. President, $7 billion—that was originally set up as a temporary commission, I think, is an argument, frankly, that it has outlived its original purpose.

Finally, I wonder if my colleague will respond to the following statement. In 1994, the American people said they want us to reduce spending. In 1994, the American people said that they want us to do business in a different way, that the tax dollars that they send to Washington, DC, they want wisely and efficiently spent.

If we cannot cut $40 million out of a commission that was recommended to be abolished by President Reagan and that the original House budget proposal was to do away with, if we cannot cut $40 million and cut it down to only $142 million, I ask my colleague where he thinks we might really be in the commitment that we made to the American people to balance the budget and reduce this $5 trillion debt that we have laid on future generations of Americans?

I suggest the answer is we are not going to go very far in that direction if we cannot make this very modest reduction that my colleague and friend from Minnesota is making.

So I ask my colleague if he believes that this amendment might be a strong indicator of what is to come in our battles to reduce unnecessary spending on the part of the Federal Government.

Mr. GRAMS. I would just like to say, I know this might sound like just a small step, only $40 million in a city where we talk in billions and trillions, but I think about how many taxpayers in Minnesota would I have to put in a line to put $40 million into the Treasury. There are a lot of people in Minnesota to whom I would have to say,

''Your money is going to fund a music hall of fame in Alabama, a practice stadium for a professional football team in North Carolina, a NASCAR Hall of Fame.

I have to say, I am one of the biggest fans of NASCAR racing in the country, but I do not know if Minnesota taxpayers want to be asked to spend some of their tax money for that, when I know in Minnesota there are needs for $850,000 to keep flooding out of a town in Marshall, $3 million request for a highway, 610. But these are going by the wayside because there is not enough money to fund projects like this. But yet we continue to ask for money that is being spent for such as the Appalachian Regional Commission.

I just wanted to mention one other thing. It is always great to say we are going to help somebody. But we are always using somebody else's money to do it. We are asking the taxpayers of this country to pony up for the money we want to spend on pet projects.

I want to recount a story of a lady back in Minnesota, Natalie Wolstad, Coon Rapids. I have used this story before, but I would like to recount it again.

She wrote me a letter saying she had gone to the bank with a realtor trying to buy their first home, a young couple. After they went through all the process, the bank said, ''I am sorry but you do not qualify for a loan.''

She said she and her husband went home that night and went through their checkbook and all their bills because they wanted to see what were they doing wrong with their money that they could not afford to buy a home. After they figured up all the bills, they found out they were not doing something wrong, but as they went through it they noticed, really for the first time, how much money was coming out of their paycheck to go for taxes. So it was the tax bite that was keeping them from qualifying for a loan.

Like I say, we always want to do something good for somebody else, but we want to use somebody else's money. Those dollars come from taxpayers. Those taxpayers have faces and names, like Natalie Wolstad. So before we take more money out of their pockets to spend as we think would be needed—and as my good friend from Arizona said, there are many, many poor counties in this country that could use this type of funding but they are not supplied with dollars from commissions like the ARC. There is no MRC, there is no Minnesota Regional Commission that will provide these types of dollars that would help Natalie Wolstad and her family. So I think we should think twice about asking the taxpayers whether they want to spend money for projects like this.

AMENDMENT NO. 2058

(Purpose: To reduce the level of funding for the Appalachian Regional Commission to that enacted by the House of Representatives)

Mr. GRAMS. Mr. President, I now call up amendment 2058 at the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Minnesota [Mr. GRAMS] for himself, Mr. MCCAIN, and Mr. FEINGOLD proposes an amendment numbered 2058.

On page 32, line 13, strike ''$182,000,000'' and insert ''$142,000,000.''

Mr. WARNER. Mr. President, I rise today in opposition to the Grams amendment to reduce funding for the Appalachian Regional Commission.

During debate on the budget resolution, I supported the McConnell amendment to ensure that the essential services provided by the Appalachian Regional Commission are continued for some of this Nation's most destitute areas. The McConnell amendment was agreed to on the Senate floor by a vote of 51–49, and was included in the approved conference between the House and Senate.

Under the budget resolution, the Appalachian Regional Commission would adjust spending levels to assume funding of $1.154 billion for the Appalachian Regional Commission over fiscal years 1996–2002. The Energy and Water bill that we have before us follows the budget resolution allocating $182 million for fiscal year 1996.

At a time when we are correctly terminating or scaling back outdated Federal programs, I believe the Appalachian Regional Commission is the type of Federal initiative we should be encouraging. It is important to recognize that the ARC uses its limited Federal dollars to leverage additional State and local funds. This successful partnership enables communities in Virginia to have tailored programs which help them respond to a variety of grassroots needs.

In the Commonwealth of Virginia, 21 counties rely heavily on the assistance they receive from the Appalachian Regional Commission. Income levels for this region of Virginia further indicate that on average my constituents who reside in this region have incomes which are $6,000 below the average per capita income for the rest of the Nation.

In 1960, when the ARC was created, the poverty rate in Virginia's Appalachian region was 24.4. In 1990, the poverty rate statistics of 17.6 show improvement which can be attributed to the effectiveness of the ARC. However, we are still a long way from achieving the United States average poverty level of 13.1 and also the regional poverty level of other ARC-member States of 15.2.

With these statistics in mind, I would like to offer some specific points one should keep in mind regarding the effectiveness of ARC programs, its relationship with the Commonwealth of Virginia, and the direct impact that this relationship has on the private sector.

In recent years, a significant portion of ARC funds have been dedicated to local economic development efforts. Were it not for this assistance, the LENOWISCO Planning District and Wise County would not have been able to complete construction of the water and sewage lines to provide utility services to the Wise County Industrial Park at Blackwood. These lines were financed by a $500,000 grant from the ARC and a $600,000 grant from the U.S. Economic Development Administration. The construction of these utilities to serve a new industrial park has attracted a major wood products manufacturing facility which has created 175 new jobs for the community.

The Fifth Planning District serving the Alleghany Highlands of Virginia is a prominent example of leveraging other State and local funds and stimulating economic development with partial funding from the ARC. For fiscal year 1995 with $350,000 from the ARC, the Alleghany Regional Commerce Center in Clifton Forge, VA was established. This new industrial center already has a commitment from two industries bringing new employment opportunities for over 220 persons.

The ARC funds for this project has generated an additional $500,000 in State funds, $450,000 from the Virginia Department of Transportation, $145,000 from Alleghany County and $168,173 from the Alleghany Highlands Economic Development Authority. As a result of a limited Federal commitment, there is almost a 4-to-1 ratio of non-Federal dollars compared to Federal funds.

In many cases these funds have been the sole source of funding for local planning efforts for appropriate community development. For example, such funds have been used to prepare and update comprehensive plans which are required by Virginia State law to be updated every 5 years in revise zoning, subdivision and other land use ordinances. In addition funds are used to prepare labor force studies or marketing plans in guide industrial development sites.

Mr. President, the mission of the Appalachian Regional Commission is as relevant today as it was when the program was created. This rural region of our Nation remains beset with many geographic obstacles that have kept it isolated from industrial expansion. It is a region that has been attempting to diversify its economy from its dependency on one industry—coal mining—to other stable employment opportunities. It is a program that provides essential services and stimulates the contributions of State and local funds.

I urge the Senate to follow the budget resolution and oppose the Grams amendment.

Mr. ROCKEFELLER. Mr. President, I rise in strong opposition to this hostile

amendment that tries to weaken and retreat from the important work of the Appalachian Regional Commission. It is with great pride that I join the senior Senator of West Virginia in explaining to my colleagues why this amendment should be rejected.

Senators listening to this debate may think this is an amendment that deserves the votes of every Senator representing a State other than the 13 States which comprise the Appalachian region. I hope our case will be heard so that this will not be the conclusion of our colleagues.

The people of every State have a stake in the economic strength of the rest of the country. When floods ravage the Midwest or the gulf States; when a major defense installation or space center is located in a State like Texas or Alabama; when payments are made to farmers in Minnesota or Wisconsin for dairy support, for crop losses, and for basic support; when billions are spent to shore up S&L institutions in certain States; when special aid is given to cities or to California after its riots or earthquakes; when research labs get special funds in New Mexico or Massachusetts—when any of this support and assistance is extended, it is the country's way of investing in each region and in the futures of Americans everywhere.

The Appalachian Regional Commission is the Nation's effort to help a part of this country overcome tremendous barriers. In many parts of the region, major progress has been achieved. But the ARC's job is not finished, and the agency should not be abolished until it is.

Whenever the Senate considers appropriations bills or other budget measures, the question is whether the spending proposed is a sound investment in the Nation or another form of waste. In this case, the answer is that the funding in this bill is a vital investment. The bill's architects already made the required cut so that the Appalachian States are doing our share of deficit reduction. Digging deeper is mean-spirited, and it's a foolish way to abandon the progress made by ARC over recent years that should be continued. If we can't finish the basic links to economic development and growth, like water and road systems, my State and the region cannot make the contributions we want to or build the life our people deserve.

The ARC's partnership with West Virginia and the Appalachian region should not be severed. We need to finish the economic development being built on top of the foundation being laid by the ARC—and that's essential in our States for more growth, more jobs, and more hope for our people.

As a former Governor, an now as a U.S. Senator from West Virginia, I know—vividly—the value of the ARC and how it improves the lives of many hard-working citizens. Whether the funding is used for new water and sewer systems, physician recruitment, adult literacy programs, or the Appalachian Corridor highways, it has made the difference in West Virginia, Kentucky, Virginia, and the other Appalachian States.

The highways are the most visible and best known investments made by the ARC for the people of Appalachia. As of today, over two-thirds of the ARC highway system have been completed. But if this amendment to cut ARC so severely prevails, the job will not be completed. What a waste of taxpayers' money to pull out before a road system is finished.

At this very moment, some of these highways are called highways halfway to nowhere, because they are just that—half built, and only halfway to their destination. The job has to be completed, so these highways become highways the whole way to somewhere. And that somewhere is called jobs and prosperity that will benefit the rest of the country, too. Appalachia simply wants to be connected to our national grid of highways. Parts of the region weren't lucky enough to come out as flat land, so the job takes longer and costs more. But it is essential is giving the people and families in this part of the United States of America a shot—a chance to be rewarded for a work ethic and commitment with real economic opportunity and a decent quality of life.

I won't speak for my colleagues from other Appalachian States, but West Virginia was not exactly the winner in the original Interstate Highway System. And Senators here represent many States that were. As a result, areas of my State have suffered, economically and in human terms. Without roads, people are shut off from jobs. That's obvious. But without roads, people also can't get decent health care. Dropping out of school is easier sometimes than taking a 2-hour bus ride because the roads aren't there.

The structure of the ARC makes it more efficient and effective than many other agencies. The ARC is a working, true partnership between Federal, State, and local governments. This structure expects responsibility from citizens and local leaders, Federal funding is designed to leverage State and local money for any activity. According to the ARC, throughout its lifetime, it has contributed less than half of the total amount of project funds. Administrative costs have accounted for less than 4 percent of total costs over ARC's lifetime.

Long before it was fashionable, ARC used a from-the-bottom-up approach to addressing local needs rather than a top-down, one-size-fits-all mandate of the type that has become all too familiar to citizens dealing with Federal agencies. It works, too.

I urge everyone in this body to keep a promise made to a region that has been short-shrifted. Each region is unique. Solutions have to differ, depending on our circumstances. When it comes to Appalachia, a small agency called the Appalachian Regional Commission should finish its work. Slashing the support for such a targeted, effective commitment to a region that was excluded from economic progress for so long will only create more problems and more costs that should be avoided. I urge my colleagues to vote against an amendment that asks the Senate to give up on an investment that will benefit all Americans.

CUTS TO ARC APPROPRIATIONS

Mr. MCCONNELL. Mr. President, I rise in strong opposition to the amendment offered by my colleague. This amendment targets the Appalachian Regional Commission [ARC] for an unfair and disproportionate burden of budget cuts. I have worked with the officials of ARC to pare back the budget and duties of the ARC. The approach we have crafted is balanced, fair, and meets the new budget parameters while continuing to provide essential assistance to the people of Appalachia.

I want to assure my colleagues that the ARC budget proposal does not preserve the status quo. The funding level for the fiscal year 1996 budget of $182 million is $100 million less than what was appropriated in 1995. This represents a 35-percent cut in overall funding.

It has been a mere 2 months since the Senate approved my amendment to reform the ARC. My amendment outlined a blueprint to reform the ARC and set it on a glide path of reduced spending that falls within the guidelines of a balanced budget by the year 2002. I would like to remind my colleagues that this amendment, which passed the Senate, established the fiscal year 1996 funding levels contained in this bill.

Mr. President, I ask that a copy of that vote be included in the RECORD at the end of my statement.

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

(See exhibit 1.)

Mr. MCCONNELL. Mr. President, I understand why the Senator from Minnesota has offered this amendment. To him, the ARC is a program that benefits only Appalachian States. I might share his views if I didn't see first-hand the impact this program has had on an area that is burdened by high levels of unemployment and economic dislocation.

The ARC is very important not only to Kentucky, but also to a great number of other States. This program has proven to be effective in providing targeted assistance to those who need it most without wasting millions of dollars on administrative expenses.

Although the ARC has made a significant impact in improving the economic opportunities and quality of life for people living in Appalachia, there continues to be a real need for assistance in this region. Poverty, outmigration, and high levels of unemployment are especially prevalent in central Appalachia, which includes some of the poorest counties in the Nation.

The ARC serves parts of 13 States, totaling 399 counties from New York to

Mississippi. This is a region that lags behind the Nation in most, if not all, major economic measures. Chronically higher unemployment levels, substantially lower income levels, and perniciously high poverty rates plague most of Appalachia. In eastern Kentucky, for example, the poverty rate stood at 29 percent in 1990—16 percent higher than the national average.

Of the 399 counties served by ARC, 115 of the counties are considered distressed. This means that these counties suffer from unemployment levels and poverty rates that are 150 percent of the national average and have per capita incomes that are only two-thirds the national average.

The ARC was designed to specifically address the unique problems of this region—which has been afflicted by over a century of exploitation, neglect, geographic barriers, and economic distress. These are not problems born of cyclical economic fluctuation, but are the result of years of unremitting underdevelopment, isolation, and outmigration.

The good news is that the ARC has worked hand-in-hand with each of the 13 States in its jurisdiction to develop flexible and effective programs, tailored to the specific needs of each community or region.

And there's more good news. The ARC is unusually lean, as Federal agencies go, with respect to administrative and personnel expenses. Total overhead accounts for less than 4 percent of all expenditures. This is largely achieved through close cooperation with the individual States.

State Governors contribute 50 percent of the administrative costs as well as the full cost of their own regional ARC offices. In fact, I would urge my colleagues to look to the ARC as a model of efficiency, cost sharing, and State cooperation for other Federal programs.

The ARC is not a traditional poverty program, but an economic development program, with a lot of work still ahead of it. The fact is, that Appalachia receives 14 percent less per capita spending from the Federal Government than the rest of the country—and that includes funding received through ARC. While this may not seem like a lot, this amounts to $12 billion less for the Appalachian region annually.

Like many of my colleagues, we are all taking a close look at each and every program to find areas where we can eliminate wasteful spending. I worked with the ARC to ensure that this program was reduced to its most essential function—economic development.

The best way we can achieve this is quite simple. First, we start with a 35-percent reduction from the current funding level for ARC. There's no question that this is a considerable cut, and it will have an impact on the ARC's ability to fully serve its target areas. But I think it underscores how serious we are about preserving the vital purposes of this agency.

The 35-percent cut in the first year is just a start. If the reforms I have proposed are implemented, funding levels will continue to decline through 2002. Overall, if we use, as a baseline, a hard freeze at 1995 funding levels, my proposal would achieve a 47-percent reduction in spending. This amounts to $925 million in savings over 7 years.

With regard to my colleague's concerns regarding the difference between the House and Senate spending levels for ARC, I suggest that the Senate has already spoken on this matter and endorsed this funding level on two occasions. Once as an amendment that passed the Senate on May 24, and the second when this body approved the budget resolution. I would also point out that this spending level was also included in the chairman's mark of the budget resolution for fiscal year 1996.

I might also point out to my colleague, that the reconciliation of these spending differences should be worked out in conference.

Mr. President, I have worked hard to develop a reform plan that is responsible both to the people of eastern Kentucky, and the taxpayers of this Nation. If my colleagues believe that eliminating the ARC will save money, they are sadly mistaken. The poverty and economic distress of central Appalachia will only deepen, imposing higher cost on other Federal programs. On the other hand, if we keep ARC alive, we can help this region to help itself, and save a lot more money in the long run.

I urge my colleagues to reject this amendment and maintain this level of funding for the Appalachian Regional Commission.

EXHIBIT 1

The PRESIDING OFFICER. The question is on agreeing to the amendment.

Mr. MCCONNELL. Mr. President, I ask for a rollcall vote.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll.

The result was announced—yeas 51, nays 49, as follows:

[Rollcall Vote No. 188 Leg.]

YEAS—51

Abraham	Ford	McConnell
Akaka	Frist	Mikulski
Biden	Glenn	Moseley-Braun
Breaux	Harkin	Nunn
Bryan	Hatch	Pell
Burns	Heflin	Pryor
Byrd	Helms	Reid
Coats	Hollings	Robb
Cochran	Hutchison	Rockefeller
Coverdell	Inouye	Santorum
Craig	Johnston	Sarbanes
Daschle	Kerrey	Shelby
DeWine	Leahy	Snowe
Dodd	Levin	Specter
Dole	Lieberman	Stevens
Exon	Lott	Thurmond
Feinstein	Lugar	Warner

NAYS—49

Ashcroft	Bond	Bumpers
Baucus	Boxer	Campbell
Bennett	Bradley	Chafee
Bingaman	Brown	Cohen
Conrad	Inhofe	Murray
D'Amato	Jeffords	Nickles
Domenici	Kassebaum	Packwood
Dorgan	Kempthorne	Pressler
Faircloth	Kennedy	Roth
Feingold	Kerry	Simon
Gorton	Kohl	Simpson
Graham	Kyl	Smith
Gramm	Lautenberg	Thomas
Grams	Mack	Thompson
Grassley	McCain	Wellstone
Gregg	Moynihan	
Hatfield	Murkowski	

So the amendment (No. 1148) was agreed to.

Mr. FORD. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

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

The motion to lay on the table was agreed to.

Mr. BYRD. Mr. President, I rise in opposition to the amendment which proposes to alter the Committee's recommendation regarding funding for the Appalachian Regional Commission. The Committee recommendation is a responsible one and should be supported. The ARC is funded just below the President's request, and is well below last year's level. The amendment by the Senator from Minnesota would reduce the Committee's recommendation to the House level.

Mr. President, the ARC has already contributed to the deficit reduction occurring in this appropriations bill. The ARC is recommended at a level of $182,000,000, which is $100,000,000, or 35 percent, below the fiscal year 1995 enacted level. Let me repeat—ARC is already funded 35 percent below last year's level. We do not need to drain it any further. Given that the non-defense portion of the 602(b) allocation assigned to this appropriation bill is down just 13 percent below a freeze, I contend that the ARC is already bearing more than its fair share of the reductions in this bill. Cutting below the Committee recommendation will impede upon the ability of ARC to address its core mission—maintaining an effective regional development program that will create economic opportunity in distressed areas so that communities are better positioned to contribute to the national economy.

As I indicated, Mr. President, ARC has already been subjected to a significant reduction—35 percent—below the FY 1995 level. Can the same be said for other accounts in this bill? Bureau of Reclamation funding is down 7.3 percent; energy supply, research and development is down 15.6 percent, which is less than half of the reduction imposed on ARC. Atomic energy defense activities are up $1.3 billion, or 13 percent; the regional power marketing administrations are increased by nearly 15 percent. So if the concern is about funding, I suggest that Senators look closely at which programs are already bearing more than their fair share of the reductions in this bill.

Mr. President, the funding recommendation for ARC contained in this appropriations bill is absolutely consistent with the budget resolution

approved earlier this summer by the House and Senate. The budget resolution assumed that ARC would be reduced below the FY 1995 level, and this budget does exactly that. The recommendation in this appropriation bill is consistent with the position taken by 51 senators when they voted to fund the ARC during consideration of the budget resolution in the Senate initially. The budget resolution conference agreement adopted the Senate position on ARC. In its consideration of this appropriations bill, the House sought to eliminate all funding for the ARC and voted overwhelmingly, by a 3:1 margin (319–108), to support continued funding for the Appalachian Regional Commission. So the Congress has been clear—the programs of ARC are important, and they should be continued.

For those who contend that the Senate should not fund ARC at a level different than the House, the 602(b) allocation for non-defense activities in the energy and water development bill is above the House allocation. I will attempt to speak on behalf of the Chairman of the Appropriations Committee, but I believe this allocation is consistent with the long-standing commitment to the infrastructure development funded in this bill. ARC is but a part of that infrastructure—just as the investments in the Corps of Engineers and Bureau of Reclamation programs benefit economic activity, so too do the programs of the ARC. Mr. President, this bill is in compliance with its allocation and is already doing its part for deficit reduction.

The presumption behind this amendment is that the benefits of the ARC are limited to a particular geographic region. Mr. President, that can be true of many programs throughout the government, which don't happen to have the name of their geographical region in the program name. For example, in the Interior appropriations bill, we fund a program called ''Payments in Lieu of Taxes''. There is nothing geographical in that name. However, it benefits primarily those western states where the Federal government happens to own land. In that program, we will spend $100 million in FY 1996, of which 67 percent benefits just 8 states. But we don't propose to terminate that program in the Interior bill because it benefits a select few.

Mr. President, the tradition of this Congress is to come to the aid of regions of this country that are in need. We have responded to the earthquakes in California, the floods in the Midwest, hurricane recovery in South Carolina and Florida, volcano eruptions in Washington, and winter storm damages in the Northeast. Some might say ''well, those are in response to natural occurrences—events that were totally unpredictable.'' To that, Mr. President, I would respond that the geography that defines Appalachia was beyond the control of man, and that the programs of the ARC are designed to respond to those challenges. The natural topography has created isolation in many parts of Appalachia—it is through programs such as ARC that communication and transportation links are enhanced so that access to markets, diversity and opportunity can grow. And by investing in the human component of Appalachia, through better education and health, the region is able to provide the workforce necessary to meet these challenges.

The programs of the ARC have contributed to improvements in the ability of the region to address the disparity in poverty and income levels between Appalachia and other parts of the country. Despite the progress in recent years, the income level in Appalachia is 17 percent below the national average. The poverty rate in Appalachia is 16 percent above the national average. When it comes to U.S. expenditures on a per capita basis, in fiscal year 1994, Appalachia had 8.2 percent of the U.S. population, but received just 7.5 percent of U.S. expenditures. So even with the investments from ARC's programs, the funding provided to this area is not out of proportion to the needs or economic circumstances.

Mr. President, at a time when many people are demanding a leaner, more efficient government that is closer to the people it serves, the ARC should be held up as a model. ARC operates with a small staff—about 50 people—and spends only about 4 percent of its budget on overhead. The decisions on the expenditure of its funds are made after consulting with the governors of the region. This Congress has repeatedly urged that more attention be paid to the input of the governors as we seek to make programs more responsive. This is exactly what ARC is all about.

Mr. President, the governors of the 13 states are represented on the Commission. This is not a Federally-run, top-down type of operation. It is very much driven by the local requirements, as represented by the governors. All 13 governors—8 Republicans and 5 Democrats—have supported the continuation of the Appalachian Regional Commission.

So, Mr. President, I urge Senators to table this amendment. This agency is already funded 35 percent below the FY 1995 level. Cuts are already being imposed on the ARC. Eliminating this agency will not solve the problems of the Federal budget. The Senate has already voted earlier this year to sustain the ARC. The Senate should stand by its earlier vote and stand by the budget resolution.

The PRESIDING OFFICER. The Senator from Louisiana.

Mr. JOHNSTON. Mr. President, the business of cutting budgets is a matter of shared sacrifice. We want to be fair in the way we cut our budgets. The Appalachian Regional Commission has suffered from last year a $100 million cut, from $282 million to $182 million, a 35 percent cut, which is more than most programs in this country.

With any program you can point out little incidents that are less than the best. And over a period of, what, 30 years or so, they have pointed out very few with the Appalachian Regional Commission.

The fact of the matter is that in the 13 States that comprise the Appalachian Regional Commission, they do very excellent work and needed work, most of it in highways, which is ongoing, and to cut 35 percent from that budget I believe is enough. To cut $100 million off of what last year was $282 million I believe is fair enough and more than, indeed, enough, more than a fair share for the Appalachian Regional Commission. This is not an important program in most States, certainly not in mine. But in those States that comprise the heart of Appalachia, it is very important.

And suffice it to say, we should be prepared to stay here for a long time if we do not table this amendment. I hope we do because I believe that they have done enough, that we have done enough to cut the Appalachian Regional Commission.

So, Mr. President, I move to table and ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

Mr. DOMENICI. Mr. President, might I state to the Senate, at the request of the Republican leader, even though some other issues may be concluded and votes may be asked for, we are going to try to stack votes now until 8:30. So everybody should know that. We will try to do that after this vote, I say to my friend.

The PRESIDING OFFICER. The question is on the tabling motion of the Senator from Louisiana.

The yeas and nays have been ordered.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. LOTT. I announce that the Senator from Texas [Mr. GRAMM] is necessarily absent.

Mr. FORD. I announce that the Senator from Nebraska [Mr. EXON] is necessarily absent.

The result was announced—yeas 60, nays 38, as follows:

[Rollcall Vote No. 349 Leg.]

YEAS—60

Akaka	Feinstein	Moseley-Braun
Baucus	Ford	Moynihan
Bennett	Frist	Murkowski
Biden	Glenn	Murray
Bingaman	Gorton	Nunn
Boxer	Graham	Pell
Bradley	Harkin	Pryor
Breaux	Hatfield	Reid
Bryan	Heflin	Robb
Bumpers	Hollings	Rockefeller
Burns	Inouye	Santorum
Byrd	Johnston	Sarbanes
Cochran	Kennedy	Shelby
Conrad	Kerry	Simon
Coverdell	Leahy	Simpson
Daschle	Levin	Specter
DeWine	Lieberman	Stevens
Dodd	Lott	Thurmond
Domenici	McConnell	Warner
Dorgan	Mikulski	Wellstone

NAYS—38

Abraham	Grams	Lautenberg
Ashcroft	Grassley	Lugar
Bond	Gregg	Mack
Brown	Hatch	McCain
Campbell	Helms	Nickles
Chafee	Hutchison	Packwood
Coats	Inhofe	Pressler
Cohen	Jeffords	Roth
Craig	Kassebaum	Smith
D'Amato	Kempthorne	Snowe
Dole	Kerrey	Thomas
Faircloth	Kohl	Thompson
Feingold	Kyl	

NOT VOTING—2

Exon Gramm

So the motion to lay on the table the amendment (No. 2058) was agreed to.

(Ms. SNOWE assumed the chair.)

Mr. BYRD. Madam President, I move to reconsider the vote by which the motion was agreed to.

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

The motion to lay on the table was agreed to.

Mr. DOMENICI. Madam 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. DOMENICI. I ask that the quorum call be rescinded.

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

Mr. DOMENICI. I understand Senator HARKIN wants to speak a moment, and then we will have a colloquy with reference to a program he is very interested in.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. HARKIN. Madam President, I thank the chairman for agreeing to a little colloquy. Before we do that, I would like to spend a few moments talking about an issue dealing with energy that I care very deeply about and which in one form has passed the other body with an overwhelming vote, and that is the issue of hydrogen energy.

Madam President, I would like you to imagine a future energy scenario based on a totally sustainable energy system. Imagine a car that runs so clean that you could drink the effluent from the tailpipe because the only output from this car would be pure, clean water. Imagine a small electrical power plant sitting next to all major buildings, factories, shopping centers, apartment houses quietly, very quietly, producing electrical power and heat or air-conditioning, with over twice the efficiency of current power plants, but with absolutely no pollution.

I know it sounds incredible. But it is possible and it is possible today using hydrogen and fuel cells.

Hydrogen is the ideal environmental fuel. Burning hydrogen produces no acid rain, no greenhouse gas emission, no smog, no ozone-depleting chemicals and no radioactive waste.

And if the hydrogen is made from renewable energy, that is solar, wind or biomass, then there is absolutely no pollution, no greenhouse gases, and no resource depletion, a totally sustainable energy system. One key to the renewable hydrogen future is the fuel cell. A fuel cell is an electrochemical device with no moving parts, much like a car battery. A fuel cell produces electricity when supplied with hydrogen and oxygen and when the hydrogen and oxygen combine, then the output is, of course, H_2O, pure water. Now, we have experience with fuel cells because they provide the electrical power for our astronauts on the space shuttle. Plus it also produces pure, clean water.

So hydrogen is the latest breakthrough. Unlike electricity which it complements, hydrogen can be stored and piped long distance with no energy loss. So we think of hydrogen not so much as a source of energy, but as a transmittal of energy. It is the carrier we can use.

One of the problems with solar energy is, of course, it is OK when the Sun is shining but it is not too good when it is cloudy or raining or it is nighttime. The same is true of wind. Wind energy is fine, but it is not too good when the wind is not blowing. And so we can use those forms of energy to electrolyze water. And this is the perfect cycle. You use biomass or you use wind or you use solar or you use hydropower, for example. To make electrolyzed water, you get the hydrogen and oxygen, and you then take that hydrogen and you combine it back with oxygen in fuel cells. You get the electricity. You get heat also that can be used also for air-conditioning. And then what you get is water. So you start with water and you end with water. And it is a perfectly pure fuel cycle.

Hydrogen is not just a pipedream. It is already being used. These fuel cells that use hydrogen can efficiently convert the hydrogen back to electricity. In fact, buses right now are running on hydrogen-fed fuel cells in Vancouver and other cities. These buses have the pickup and the range of fossil fueled buses. But there is no pollution, and they are as energy efficient.

Furthermore, there is no reason why the hydrogen buses should not eventually cost any more than any other bus. And I believe this will be true for automobiles also. But much more work needs to be done to bring hydrogen energy to the point where it can be used on a wide-scale basis.

A recent House measure just passed the other body that was sponsored by Congressman BOB WALKER from Pennsylvania, who chairs the Science and Technology Committee in the House. I have worked with Congressman WALKER often in the past. I served on the committee with him when I was a Member of the House. And I know of his long and deep commitment to getting funds in for hydrogen energy research. And it comes out of his long study, as I said, of science and of technology. As I said, he is now the chair of that committee in the House. The bill that he introduced, I have introduced with bipartisan sponsorship here in the Senate. It is now introduced. It has, as I said, sponsors from both sides of the aisle.

It calls for a $25 million authorization next year for hydrogen energy research. I might point out that the House has already passed that bill and the Appropriations Committee in the House added money to this line to bring the total amount for hydrogen research to $15 million.

I am quite well aware that the administration only asked for $7.5 million. The Jeffords amendment, which was adopted earlier, provided, if I am not mistaken, another $1.5 million. That brings it up to $9 million total. That is still less than what we spent last year.

So for a very promising energy resource, for one that holds a great deal of promise for cutting down on pollution and for providing a clean renewable source of energy, both for electricity for buildings, for stationary uses, but also for use in transportation, this is the wrong way to go in cutting down the research.

As I said, the House upped it to $15 million. I had offered the amendment in the full Committee on Appropriations to bring that up to $15 million. I must admit, I lost on an 11-to-10 vote. I think if all the people had been there, maybe I would have won. I do not know. Not everybody was there. It was a very close vote. It was 11 to 10, and it was bipartisan. There were people on the Republican side and people on the Democratic side both voting for and against it. So it was a very close vote.

I do not want to take a great deal of time of the Senate. I know everybody wants to get out of here this evening. I have spoken with the chairman about this. I am hopeful that when the committee goes to conference, they will look kindly upon the mark that the House put in. I want to assure the chairman that he will have my support. I can assure him of the support of the people who are cosponsors of the bill and I, again, would like to ask the chairman what his intentions might be when they go to conference on this one item of hydrogen research.

Mr. DOMENICI addressed the Chair.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Madam President, Senator HARKIN's request has been partially granted by the Jeffords amendment which added $1.5 million to this program as part of his larger amendment regarding solar energy and other things.

I want to make it clear to Senator HARKIN that since the House has a higher number—I think they have $15 million; we are going in with $9 million—we will do our very best to work with them so we do not return with anything less than $12 million, and that is what the Senator originally asked for. We will be there, or higher than that, when we come out of conference.

I urge that the Senator consider that as a great victory. He has my word, and

certainly he is going to come out of it fairly well.

Mr. HARKIN. Madam President, when the Senator from New Mexico gives me his word, I take it to the bank. I appreciate his consideration of this. He has been a strong supporter of research in new energy. I compliment him for that.

This is another one of the elements, I think, that helps us to provide the energy we are going to need in the future.

I thank the chairman for his consideration of this. I will give him whatever support I can in getting this item up in conference. I thank the chairman.

Mr. DOMENICI. Madam President, I am reviewing the list with the ranking member. I will tell the Senate we are, believe it or not, perilously close to having this bill done. As a matter of fact, I ask if Senator WELLSTONE's and Senator Grams' offices would contact me. I think it is the WELLSTONE amendment with reference to water reservoirs. It is the only one still pending that needs to be discussed. So if we can get some word on that. And then we have the managers' amendment cleaning up the bill and agreeing to a number of amendments that have been presented that we both agree on. Obviously, they are going to be in order, and we are going to adopt them. I say to Senator WELLSTONE, Mr. President, that we need to know what his intentions are.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. WELLSTONE. Madam President, I want my colleagues to know I am ready to go forward with a discussion on this amendment. The Senator from New Mexico is waiting for my colleague from Minnesota. The reason for this delay is we are waiting for my colleague from Minnesota, and I am reluctant to go forward. I think we will be ready to go in a few moments.

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

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

VITIATING ADOPTION OF COMMITTEE AMENDMENT ON PAGE 12, BEGINNING ON LINE 17

Mr. JOHNSTON. Madam President, I have a group of cleared amendments now.

I ask unanimous consent to vitiate the action of the Senate adopting the committee amendment on page 12, beginning on line 17 through line 18 on page 13, striking House text regarding Manistique Harbor, MI. The adoption of this request will restore the House language.

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

Mr. LEVIN. Madam President, I am pleased that the managers of the energy and water development appropriations have agreed to keep the House language regarding a federally designated harbor of refuge in Michigan. The provision will allow the implementation of a U.S. Environmental Protection Agency administrative order addressing contaminated sediments in Manistique River and Harbor.

In early July, immediately after the House's favorable action on the Stupak amendment, I requested that an identical provision be included in the Senate Appropriations Subcommittee on energy and water development bill for fiscal year 1996. I understand that the Environment Committee has no objection to the substance of the language in question, particularly since it does not affect policy or require Federal funds.

I appreciate the cooperation of the managers and the Environment Committee. There are special time constraints at work in the Manistique case. The EPA, the Army Corps of Engineers, the local community, and the interested parties, would like to begin implementation of the remediation action this summer to prevent further contaminants from entering Lake Michigan. I ask unanimous consent that a letter from the EPA Region V Administrator be included in the RECORD, following my statement.

As some of my colleagues may know, winter comes early to the Upper Peninsula. Therefore, it is urgent that action occur during our limited construction season. If H.R. 1905 should become bogged down for some unlikely reason in the conference process or on the floor, I hope my colleagues will bear with me as I seek to move this language on another vehicle or as an individual bill. This is not a controversial matter. We should move it quickly.

Mr. BRADLEY. Mr. President, I understand that the House has included language in its report accompanying the Energy and Water Appropriations bill which would have an impact on the Central Valley Project Improvement Act of 1992 (CVPIA). I am very concerned that an appropriations bill would be used for this purpose and I urge my colleagues who will be conferees on this bill to reject these attacks on the CVPIA.

The House report attempts to delay a study of the San Joaquin river that was established in law through the CVPIA. As the author of that act, I am surprised by the action of the House. The study is specifically ordered in the 1992 Act and, in fact, has a statutory deadline for action by the Secretary. Clearly, this statute is unaffected by any Committee Report language and the law remains binding on the Secretary.

The House also includes report language which bears on the repayment for the Kesterson Reservoir Cleanup Program.

I understand that there is no Senate report or legislative language concerning repayment responsibilities for the Kesterson Reservoir Cleanup Program and the San Joaquin Valley Drainage Program.

Mr. JOHNSTON. That is correct.

Mr. BRADLEY. I also understand that the taxpayers have spent tens of millions of dollars for the cleanup of the Kesterson Reservoir which was built to collect the drainage water from farms in the Bureau of Reclamations' San Louis Unit within the Central Valley project.

The Kesterson facility is so contaminated with selenium and other chemicals that it was closed on March of 1985 by the Department of Interior. Many migratory birds using Kesterson Ponds were killed in violation of the Migratory Bird Treaty and Congress has appropriated tens of millions of dollars to clean up Kesterson.

Mr. JOHNSTON. The Senator is correct.

Mr. BRADLEY. It is my further understanding that absent legislative language, the repayment for Kesterson cleanup is reimbursable and the Secretary of Interior is obligated by law to collect reimbursable costs.

Mr. JOHNSTON. That is correct.

Mr. BRADLEY. Now is not the time to be spending additional taxpayer funds on cleanup which should be paid by water contractors whose drainage caused such problems at Kesterson.

With regard to the San Joaquin River comprehensive plan, I understand that the House committee report recommends that $1 million be moved out of the San Joaquin River Basin initiative and into the Shasta temperature control device. This would have a devastating effect on the San Joaquin River comprehensive plan, a study required under the 1992 statute which is due for completion next year. Is there language on these funds in the Senate bill or report?

Mr. JOHNSTON. No.

Mr. BRADLEY. I thank the Senator for these clarifications. Nothing in the CVPIA required Friant water users to give up any water. The San Joaquin comprehensive plan is only a study.

AMENDMENTS NO. 2059 THROUGH 2065

Mr. JOHNSTON. Madam President, I send a group of amendments to the desk and ask unanimous consent that the amendments be considered and agreed to, en bloc.

Mr. President, these amendments are as follows: An amendment by Senator BINGAMAN to reduce the energy costs of Federal facilities; an amendment by Senators BRADLEY and LAUTENBERG, within available funds, to provide for the use of funds for the Tokamak fusion test reactor; an amendment by Senator DASCHLE, within available

funds, to provide $300,000 to complete a feasibility study of alternatives for meeting the drinking water needs on the Cheyenne River Sioux Reservation under the Bureau of Reclamation; an amendment by Senator BAUCUS to provide $2 million, within available funds, for Indian energy resource projects, for Crow Indian projects; an amendment by Senator BYRD respecting Petersburg, WV, revising a cost ceiling on an authorized Corps of Engineers project; an amendment by Senator FEINGOLD to provide spending limitations on the TVA Environmental Research Center; an amendment by Senators BOXER and BAUCUS with respect to reporting requirements.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Louisiana [Mr. JOHNSTON], proposes amendments No. 2059 through 2065.

The PRESIDING OFFICER. Without objection, the amendments are agreed to.

So the amendments (No. 2059 through 2065) were agreed to, en bloc, as follows:

At the appropriate place, insert the following:

SEC. . ENERGY SAVINGS AT FEDERAL FACILITIES.

(a) REDUCTION IN FACILITIES ENERGY COSTS.—The head of each agency for which funds are made available under this Act shall take all actions necessary to achieve during fiscal year 1996 a 5 percent reduction, from fiscal year 1995 levels, in the energy costs of the facilities used by the agency.

(b) USE OF COST SAVINGS.—An amount equal to the amount of cost savings realized by an agency under subsection (a) shall remain available for obligation through the end of fiscal year 1997, without further authorization or appropriation, as follows:

(1) CONSERVATION MEASURES.—Fifty percent of the amount shall remain available for the implementation of additional energy conservation measures and for water conservation measures at such facilities used by the agency as are designated by the head of the agency.

(2) OTHER PURPOSES.—Fifty percent of the amount shall remain available for use by the agency for such purposes as are designated by the head of the agency, consistent with applicable law.

(c) REPORT.—

(1) IN GENERAL.—Not later than December 31, 1996, the head of each agency described in subsection (a) shall submit a report to Congress specifying the results of the actions taken under subsection (a) and providing any recommendations as to how to further reduce energy costs and energy consumption in the future.

(2) CONTENTS.—Each report shall—

(A) specify the total energy costs of the facilities used by the agency;

(B) identify the reductions achieved; and

(C) specify the actions that resulted in the reductions.

Mr. BINGAMAN. Madam President, when it comes to controlling Government spending, nothing stands out in my mind more than the billion dollars that the Federal agencies toss out the window every year in energy waste.

The Federal Government is our Nation's largest energy waster. This year agencies will spend almost $4 billion to heat, cool and power their 500,000 buildings.

Both the Office of Technology Assessment and the Alliance to Save Energy, a nonprofit group that I chair with Senator JEFFORDS, have estimated that Federal agencies could save $1 billion annually.

To achieve these savings, agencies just need to buy the same energy saving technologies—insulation, building controls, and energy efficient lighting, heating and air conditioning—that have been installed in many private sector offices and homes.

Why, because there are now businesses, known as energy service companies, that stand ready to upgrade Federal facilities at no up-front cost to the Government—That's right, at no up-front cost to the Federal Government.

These companies offer what are called energy saving performance contracts which provide private sector expertise to assess what energy saving technologies are most cost effective, provide nongovernmental financing to make the improvements, install and maintain the equipment and guarantee the energy savings will be achieved.

Agencies pay for the service over time using the energy costs they have saved—if they do not see the saving they do not pay for the service—its that simple, that is the guarantee.

This type of contract is used every day in the private sector and State and local government facilities. For instance, Honeywell Corp. has entered into these energy saving arrangements with over 1,000 local school districts nationwide, allowing schools to reinvest $800 million in savings in critical education resources rather than continuing to pay for energy waste.

Unfortunately, even though Congress first authorized Federal agencies to take advantage of this innovative business approach in 1986 agencies have been dragging their heals.

To help get things moving, the Department of Energy recently prepared streamlined procedures to encourage their use.

Now is the time for Congress to put the agencies feet to the fire on financial reform of Government energy waste. Agencies should enter into these partnerships with the private sector.

That is why, today I am proposing an amendment calling for each Federal agency covered by this bill, to reduce Government energy costs by 5 percent in 1996. I am also asking that agencies report back to us by the end of 1996 to ensure that they have actually taken action to reduce their energy costs.

You know, we are often called upon up here to make really hard controversial decisions that please some and anger others. This is a winner for everyone. If 1,000 local school boards have examined it and are reaping the savings, I say its time we got our Nation's biggest energy waster on track, too.

With this one, simple reform, we will create thousands of job and business opportunities in every one of our States, improve the environment by reducing air pollution and save ourselves hundreds of million of dollars every year, at no up-front cost to taxpayers. As my kid would say, ''Dad, its a no brainer''.

AMENDMENT NO. 2060

(Purpose: To provide for the use of funds for the Tokamak Fusion Test Reactor)

On page 20, lines 22 and 23, after ''expended'' insert '', of which amount within available funds $56,000,000 may be available to continue operation of the Tokamak Fusion Test Reactor (for which purpose, the Secretary may use savings from reducing general administrative expenses in accordance with the Department of Energy's strategic alignment and downsizing effort, but none of the savings used for this purpose shall come from programmatic accounts within this title)''.

Madam President, I rise in support of the pending amendment. This amendment is a smart one because it makes use of existing Department of Energy resources. It is also a no-cost amendment. It does not increase any account in this bill. And it does not take one cent from any other Department of Energy research program.

Last year's conference report on the energy and water bill contained language calling for an expert commission to report to Congress on what the future of the fusion program should be. This report was done by the President's Committee on Advisors on Science and Technology or more commonly known as PCAST.

This report was written by energy research experts within Government, the private sector, universities, and the national laboratories.

The PCAST report anticipated that the fusion program would have to live with fewer resources in the next few years. Despite the dwindling resources envisioned by the PCAST, they strongly recommended that the existing Tokamak fusion test reactor [TFTR] at Princeton University operate for another 3 years.

And the statement of administration policy accompanying this bill reiterates support for the PCAST report in general and TFTR specifically.

However, the current language in the energy and water bill is ambiguous about the TFTR machine. Therefore, this amendment seeks to clarify that the Secretary of Energy will have the authority to keep TFTR effectively operating for another 3 years. And it accomplishes exactly what the PCAST report called for with regard to TFTR.

Madam President, the fusion program has been a success for this country. The TFTR machine at Princeton University has broken world records of fusion power in the last 2 years. Furthermore, the TFTR at Princeton is the only machine in the world that uses deuterium-tritium fuel, which is the type of fuel that might one day be used in a commercial fusion machine.

Madam President, at this time I would like to tell my colleagues about some of the potential advantages to developing fusion energy. Fusion energy

holds the promise of an abundant, clean burning, inexpensive energy alternative for the next century.

The byproducts of fusion energy are thousands of times less dangerous than fission. The byproducts also cannot be converted into nuclear weapons. Finally, fusion energy has no chemical combustion products and therefore, would not contribute to acid rain or global warming.

It is clear that fusion energy is an environmentally sound energy source worth the investment of Federal resources.

Despite all of the promise and success of the fusion program in the last 2 years, its budget has been cut deeply this year. It has been cut by 40 percent which is much more than other energy research programs. For example:

Nuclear energy was only cut by 6 percent.

Biological and environmental research was only cut by 4 percent.

General sciences was only cut by 1 percent.

Nuclear physics was only cut 8 percent.

And some part of the energy research budget actually received increases in this bill:

High energy physics received a 2-percent increase; and

Basic energy science got a 6-percent increase.

Madam President, I understand that some of the cuts in the fusion program and in other programs in this bill are necessary. The allocation for this bill is less than it was last year. The managers of this bill have had to make some tough decisions and I commend them for their hard work in putting this bill together.

However, I believe that adopting this amendment will improve this bill while not increasing its tight allocation.

This amendment simply allows the Secretary of Energy the flexibility to operate the TFTR machine to complete all the ongoing experiments at Princeton. The Federal Government has already invested over $1 billion in the fusion facility at Princeton. It would be shortsighted to stop these continuing research activities at Princeton, especially since the machine will be ending its operations in 3 years.

This amendment does not cut the core fusion program or the international fusion activities funded in this bill. Nor does it cut any other energy research activities funded in this bill. It simply allows the fusion research on the TFTR machine at Princeton to continue.

Madam President, in 3 years the fusion program will be at a turning point. At that time, we must decide whether or not we will make the long-term investment in developing fusion energy. We may or may not have the resources at that time to go forward. But we should move the fusion program forward until that day comes. We should make the best use of the facilities and human resources that we have invested so much into over the years.

Madam President, I urge my colleagues to support this no-cost amendment.

I yield the floor.

Mr. BRADLEY. Madam President, today Senator LAUTENBERG and I are offering an amendment to insure the continuation of the tokamak fusion test reactor, or TFTR, at the Princeton Plasma Physics Laboratory. Without increasing any account in the bill or cutting any other Department of Energy research program, the amendment insures that the TFTR and its valuable research will proceed for another year.

I agree that we need to make significant appropriations cuts, however, we should not forget that some cuts hurt more than others. Shutting down a major research lab like TFTR is doubly damaging. First, we lost the important research it might have provided into cleaner, safer sources of nuclear power. But even worse, we make it that much harder to restart research when times get better financially but scientists have moved on to other, more secure, fields of study.

The Princeton lab is the world leader in fusion research and the only tokamak in the world using deuterium-tritium fuel, the most likely fuel for a future commercial fusion reactor. In December 1993, when this fuel was first injected into the machine, the TFTR began setting world fusion power records. Over the next few years, researchers plan to double the production of fusion power at TFTR. And as reported last week in Science magazine, Princeton scientists have made a recent breakthrough in fusion research which has great promise for removing some of the biggest obstacles to power production.

TFTR was authorized by Congress in 1976 and began operations in 1982 at a time when fusion machines could produce only a 10th of a watt of fusion power. The device has now produced more than 10 million watts of fusion power—an increase of more than 100 million times. TFTR has achieved or surpassed its initial design objectives and has higher performance standards and capabilities than any other existing device.

When power generation options for the next century and beyond are severely limited, we cannot afford to waste precious resources by abandoning important research work like the TFTR.

AMENDMENT NO. 2061

(Purpose: To ensure the completion of the feasibility study of alternatives for meeting the drinking water needs on the Cheyenne River Sioux Reservation and surrounding communities)

On page 15, line 17, add: ''*Provided further,* That within available funds, $300,000 is for the completion of the feasibility study of alternatives for meeting the drinking water needs on the Cheyenne River Sioux Reservation and surrounding communities.''

AMENDMENT NO. 2062

(Purpose: To provide that funds shall be made available to the Crow tribe for energy resources programs under title XXVI of the Energy Policy Act of 1992)

On page 20, lines 22 and 23, after ''expended'' insert ''*Provided further,* That within the amount for Indian Energy Resource projects, $2,000,000 may be made available to fund the Crow energy resources programs under title XXVI of the Energy Policy Act of 1992 (25 U.S.C. 3501 et seq.)''.

AMENDMENT NO. 2063

At the appropriate place in the bill (suggest page 12, after line 16) insert the following:

SEC. . The project for flood control for Petersburg, West Virginia, authorized by section 101(a)(26) of the Water Resources Development Act of 1990 (P.L. 101–640, 104 Stat. 4611) is modified to authorize the Secretary of the Army to construct the project at a total cost not to exceed $26,600,000, with an estimated first Federal cost of $19,195,000 and an estimated first non-Federal cost of $7,405,000.

AMENDMENT NO. 2064

(Purpose: To limit funding for the Tennessee Valley Authority Environmental Research Center)

On page 38, lines 1 and 2, after ''$110,339,000, to remain available until expended'' and insert ''Of the funds appropriated under this heading, not more than $25,000,000 may be expended for the Tennessee Valley Authority Environmental Research Center in Muscle Shoals, Alabama, in the event that the Center expends less than $25 million, such amount not expended shall be returned to the U.S. Treasury and the Tennessee Valley Authority appropriation reduced accordingly and the Tennessee Valley Authority shall take steps to obtain funding from other sources so as to reduce appropriated funding in the future and, not later than January 1, 1996, submit to Congress a preliminary plan securing funding from other sources.

Mr. FEINGOLD. Madam President, the manager's amendment includes an amendment relating to funding for the Tennessee Valley Authority which I authored. I appreciate the willingness of Members concerned with the issue to work out an acceptable amendment. This amendment is simple, and structured in such a way to gain acceptance from the Senate, including those from the Tennessee Valley Region. It limits and targets funds for the Tennessee Valley Authority and moves TVA forward on a path of becoming less reliant upon appropriated funds.

This amendment directs that no more than $25 million of the funds appropriated for TVA may be spent for TVA's Environmental Research Center in Muscle Shoals, Alabama. The House Energy and Water bill zeroes out funding for the Research Center. The Senate Report explains that the Committee restores funding for the Center, but proposes to reduce the Center's funds by 22 percent, from its current appropriations of $32 million to $25 million. My amendment would explicitly codify the Senate Report language and cap the amount that the Research Center could receive at $25 million. It provides that if less than $25 million is expended on the Center, the amount shall be returned to the Treasury and the TVA

appropriation reduced accordingly. Senate Committee Report recommendations relative to transitioning the Environmental Research Center to dependence upon funds other than appropriated funds for the conduct of its research program. I was pleased to see that the Committee made such a recommendation, and I am moving forward with this amendment to ensure that the TVA receives explicit legislative direction to achieve such a transition.

Finally, my amendment adds a new requirement for the Environmental Research Center. Consistent with the mandate to reduce dependence upon appropriated funds, the amendment directs TVA to report to Congress a plan for achieving a transition away from appropriated funds at the Environmental Research Center. That report should serve as a baseline for next year's fiscal year 1997 appropriations process and I am hopeful that the recommendations will clarify the source and type of funds that support the Environmental Research Center's program, and help TVA to plan for reductions in appropriated funds.

Madam President, I recently met with the Director of the TVA Environmental Research Center. Ongoing work in poultry litter utilization, ozone mitigation, and agricultural pollution prevention all are important areas of investigation—and all affect my home State of Wisconsin. After my meeting, I did feel that the work in which the Center is engaged is valuable, but it raised two issues to me. First, I question, given the character of the Center's work, whether this work needs to be done within the regional context, especially if it has national implications. Second, was the question of whether the Center has a proper institutional fit within TVA. Certainly, this Center, given its capable staff, has the ability to attract and complete research projects that are reimbursable.

Madam President, I understand the role that TVA has played in our history. I also know that we face an uncertain budget future. I believe that TVA discretionary funds should be on the table, and that the fiscal year 1996 funds should be structured and targeted to achieve further reductions in the future. I believe my amendment is a reasonable approach to address these concerns, and makes a logical compromise between the House and Senate approaches. I believe that the overall House level of funding for TVA, which amounts to a 25-percent cut in the TVA budget is appropriate in these tight budget times and I hope the conferees will accept that figure. However, I believe in making that cut, we should seek to direct an appropriate transition to non-federal funds.

The amendment caps the Center's funds at $25 million, making the Senate Committee report suggestions hard numbers by codifying them. I believe that this is an amendment that can be supported by Senators interested in reducing federal spending, including those within the TVA area.

Madam President, this amendment seeks to move TVA and its various projects closer toward reduced dependence on federal funding. In this time of severe pressure on the federal budget and the need to reduce the federal deficit, it is essential that some programs, like TVA, which have served an important purpose in the past, begin to transition away from reliance on federal funding. This transition should be done in a careful, planned manner, but the process toward transition off of reliance on federal funding must begin now. This amendment takes us a step further in that direction and I appreciate the support of the manager and interested Senators in reaching an agreement in the language of my amendment.

TVA'S ENVIRONMENTAL RESEARCH CENTER

Mr. HEFLIN. Madam President, I rise today to urge my colleagues to reject any amendments that would reduce or eliminate funding for the Tennessee Valley Authority's Environmental Research Center.

TVA's Environmental Research Center was once the Nation's most effective laboratory for developing new fertilizer and nutrient technologies that fueled the legendary gains in food and fiber production in the United States and around the world. Because of this work, TVA is largely responsible for the tremendous success of U.S. agriculture.

During the decades TVA conducted its fertilizer and agricultural research programs, it built a strong base of expertise in chemistry, chemical engineering, process engineering, agronomy, and other related agricultural and nutritional sciences. Now TVA is capitalizing on this expertise in developing technologies to solve environmental waste problems in the Tennessee Valley as well as across the Nation.

Today, TVA's Environmental Research Center is on the threshold of discovering new ways to prevent or reduce pollution of the air, land, and water from agricultural, municipal, and industrial operations. For our Nation to achieve agricultural and economic sustainability, we must have innovative technologies to operate our farms, factories, utilities, and cities in environmentally acceptable ways.

The research and development underway at the Environmental Research Center will help us avoid a crisis in disposing our agriculture, municipal, and industrial wastes. In fact, some of the Environmental Research Center's technologies are already in use throughout the country in cleaning up contaminated sites, reducing pollution from agricultural, and converting wastes into value-added products.

Let me cite a few examples of the impact that the Center's environmental and waste conversion work is already having across the country. These will serve as examples of the potential the Center has to fulfill the Nation's substantial environmental technology needs in the future:

POLLUTION PREVENTION IN AGRICULTURE

The Environmental Research Center's scientists have already developed pollution prevention technologies that are being used across the country. The Center is providing technical assistance in 70 agrichemical demonstration projects in 27 States.

It is a tribute to the Environmental Research Center's work that 15 of the Center's demonstrators have won State and regional awards for excellence in environmental stewardship.

A spinoff of the pollution prevention demonstration work with agricultural chemical suppliers is the impact that these retailers are having on farmers. The Center's demonstration sites are providing agri-dealers with information that they are using in promoting environmental stewardship with their farmer customers. These retailers are providing environmental services to their customers—services which will go a long way in helping solve the Nation's nonpoint source pollution problem.

ANIMAL WASTE MANAGEMENT

The technologies developed at the Environmental Research Center offer practical solutions to help manage the Nation's animal waste problems. The Center conducts 37 animal waste management projects in 10 States including high-tech composting for poultry wastes and poultry by-products. Research at the Center's constructed wetlands complex also contributes to solving severe pollution problems associated with the poultry and livestock industries. The animal and meat production industries are rapidly growing throughout the Nation to keep up with consumer demands. More than 20 States list poultry and poultry products as one of their top four agricultural income generators. But the downside of this $30 billion dollar a year industry is the tremendous volume of poultry litter and other wastes that must be disposed of or used in the environmentally acceptable way. The poultry waste issue is a serious problem for farmers and for the environment. The Center has research underway to develop technologies to convert poultry litter and other wastes into usable products.

The Center's compost research and development facility will demonstrate innovative ways to use composting of poultry litter as an industrial process. The process will generate products with controllable properties and designated uses.

The Center's researchers are making progress in investigating the use of nutrient-enhanced broiler litter as an organic-based plant food for turf. And poultry waste by-products are being evaluated as a feed source for ruminant animals and as a substitute in potting mixes for horticultural plants. Poultry litter also has potential for production of methane. The Center is exploring

the commercial opportunities in this area.

Some cutting-edge research underway at the Center is determining the potential of mixing poultry litter with heat-loving microorganisms to remediate PCB contaminated soils. This development can benefit many regions of the country where cost-effective technologies are needed to clean up contaminated soils.

The Center has joined forces with USDA, EPA, and the poultry industry to establish a poultry water quality consortium. Together, these public and private organizations are promoting innovative ways to manage and convert poultry wastes to assure that surface and groundwater quality are protected.

It is essential that this work continue. The Center has the expertise and research facilities to speed the development of needed technologies for animal waste management practices throughout the country.

ENVIRONMENTAL TECHNOLOGIES

There is a national concern over reducing ozone concentrations in urban as well as rural areas of the country. America has spent billions of dollars on emissions reductions during the past decade. But we still have serious problems. Ninety-six urban areas affecting 63 million people were identified in 1990 as having ground-level ozone problems. Ozone in the upper atmosphere is good, but at ground level it causes respiratory problems, reduces agricultural crop production, and hinders business growth.

The southeastern United States is especially susceptible to ozone exposure because of the region's warm temperatures, abundant sunshine, and high frequency of air stagnation, in addition, to the large percentage of forest land.

To address this concern, the Center helped establish the southern oxidants study, a unique partnership of Federal agencies (TVA, EPA, NOAA, the National Park Service, NASA, and DOE), universities, industry, and regulatory agencies. The research conducted by this group has significantly improved our understanding of the factors that control ozone formation. This public-private partnership is recognized as an excellent example of the efficient use of limited Federal resources. Research results from the southern oxidants study have significant application to many other parts of the country.

The Center has developed a genetically-engineered microbe that feeds on PCBs. This is a low cost way to clean up PCB-contaminated soils and will save millions of dollars annually in cleanup costs. The Center's constructed wetlands research facility is showing how to use this technology for more effective and low-cost cleanup of industrial, municipal, and animal wastes.

The Center is working on an economical way to filter and remove industrial air pollutants from manufacturing plant emissions. For example, the system is removing 99 percent of styrene, and industrial pollutant, from the emissions of a boat manufacturing facility.

The Center is working with the Department of Defense to clean up hazardous waste sites on military bases. Many defense sites have hazardous materials containing elemental phosphorus. The Center has found a way to clean up this problem economically.

Let me briefly highlight additional environmental technologies the Environmental Research Center is developing to benefit the Nation:

The Center is developing methods to predict environmental impacts of agricultural practices on nonpoint source pollution on a watershed scale.

The Center's scientists are seeking ways to use waste materials from fossil fuel-fired electricity producing plants in the United States. These fossil fueled plants today generate 120 million tons annually of coal combustion wastes. The Center is making progress in developing uses for these wastes, such as in soil amendments, plastics, paint fillers, and construction materials. These and other uses for such wastes will significantly reduce the amount of coal-combustion wastes going to landfills or other storage areas.

The Center is conducting research to detect, track, and remediate wastes and contaminants. These include organics and toxic metals in waste water from industrial, power generation, and municipal operations; oily contaminants to surface water (ponds, streams, and rivers); organic and inorganic contaminants in soil and groundwater; and chemical emissions to the air.

The Center's scientists project that 40 percent of the remediation an restoration needs of the Nation can be handled by bioremediation technologies. These technologies use living organisms to destroy pollutants such as PCBs; and, these bioremediation technologies are more cost-effective than many of today's cleanup methods. The Center's biotechnical research technologies will help reduce the Nation's cost for hazardous waste remediation and site restoration which is estimated to be $1.7 trillion over the next 30 years.

Mr. President, and my colleagues in the Senate, TVA's Environmental Research Center is addressing many of the concerns of the Nation in the environmental and waste management areas. As this chart shows, the Center is involved directly in environmental and waste management projects in 41 States. And the technologies being developed have significance for all the States, and indeed, the whole world.

It makes no sense to cut funding for this effective, problem-solving research laboratory. Our Nation is at a crossroads. We have the unique responsibility today to manage the fragile balance between sustainable economic development and environmental protection. The Welfare of our generation and future generations will be affected by what we do today and in the early years of the 21st century.

AMENDMENT NO. 2065

(Purpose: To require the Secretary of the Army to submit the plan to reduce the number of division offices within the Army Corps of Engineers to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives)

On page 9, line 24, insert ''(including the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives)'' after ''(Congress''.

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

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

The motion to lay on the table was agreed to.

Mr. DOMENICI. Madam President, I have a series of amendments that I will offer, en bloc. I might state to the Senate that I think that the only thing left after this is accomplished is the disposition of the Wellstone amendment. I might say that Senator WELLSTONE is here waiting. Senator ROD GRAMS of Minnesota is on his way. He thought we had nothing going until 8:30 because that is what I had announced. But he will be here shortly, and we will discuss the Senator's amendment and see what we can work out, if anything, then.

Mr. WELLSTONE. I thank my colleague from New Mexico. We can wait and see what we can work out.

Mr. DOMENICI. Senator HUTCHISON has an amendment on Cooper Lake, Corps of Engineers; Senators GRAMS and WELLSTONE have an amendment on Marshall, MI, Corps of Engineers; Senator WARNER has an amendment on Virginia Beach hurricane protection; Senator BROWN has two amendments on Delaware Basin and Susquehanna River Basin Commissions; Senators CRAIG and KEMPTHORNE have an amendment on Idaho Chemical Processing Plant at the Idaho Engineering Laboratory. They have a statement they wish to be included following this action. Senators PRESSLER and DASCHLE have an amendment on Lake Traverse, South Dakota and Minnesota, which has been cleared on both sides; Senators DOLE and KASSEBAUM have an amendment on Arkansas City flood control project; Senator HATFIELD has an amendment on Coos Bay.

AMENDMENTS NOS. 2066 THROUGH 2075

Mr. DOMENICI. Madam President, I send a group of amendments to the desk and ask unanimous consent that the amendments be considered and agreed to, en bloc.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from New Mexico [Mr. DOMENICI] proposes amendments numbered 2066 through 2075.

The PRESIDING OFFICER. Without objection, the amendments are agreed to.

The amendments (Nos. 2066 through 2075) were agreed to, en bloc, as follows:

AMENDMENT NO. 2066

(Purpose: To provide for the donation of land to the Army Corps of Engineers and the United States, the development of a recreation center, and the designation of land for mitigation)

On page 13 insert the following new section after line 23:

SEC. . (a) The Secretary of the Army is authorized to accept from a non-Federal sponsor an amount of additional lands not to exceed 300 acres which are contiguous to the Cooper Lake and Channels Project, Texas, authorized by the River and Harbor Act of 1965 and the Water Resources Development Act of 1986, and which provide habitat value at least equal to that provided by the lands authorized to be redesignated in subsection (b).

(b) Upon the completion of subsection (a), the Secretary is further authorized to redesignate an amount of mitigation land not to exceed 300 acres to recreation purposes.

(c) The cost of all work to be undertaken pursuant to this section, including but not limited to real estate appraisals, cultural and environmental surveys, and all development necessary to avoid net mitigation losses, to the extent such actions are required, shall be borne by the donating sponsor.

AMENDMENT NO. 2067

On page 6, after line 11, add: ''; For Marshall, Minnesota, $850,000;''.

AMENDMENT NO. 2068

On page 6, between line 11 and line 12 insert the following: ''Virginia Beach Erosion Control and Hurricane Protection, Virginia, $1,100,000;''.

AMENDMENT NO. 2069

(Purpose: To limit the use of funds for the Delaware River Basin Commission)

On page 33, strike line 5 and insert the following: Commission, as authorized by law (75 Stat. 716), $440,000, *Provided:* that the U.S. Commissioner (Alternate Federal Member) shall not be compensated at a level higher than General Schedule level 15.

AMENDMENT NO. 2070

(Purpose: To limit the use of funds for the Susquehanna River Basin Commission)

On page 37, strike line 14 and insert the following: $280,000, *Provided:* that the U.S. Commissioner (Alternate Federal Member) shall not be compensated at a level higher than General Schedule level 15.

AMENDMENT NO. 2071

Page 26, line 16, insert the following before the period: '': *Provided*, that within available funds, $4,952,000 is provided for electrical and utility systems upgrade, Idaho Chemical Processing Plant, Idaho National Engineering Laboratory, project number 96–D–463''.

Mr. CRAIG. Madam President, I want to thank the bill managers for agreeing to my and Senator KEMPTHORNE's amendment that provides $4.9 million for safety upgrades to the Idaho Chemical Processing Plant. I strongly support this proposal, the electrical and utility systems upgrade [EUSU] project, that will upgrade the Idaho Chemical Processing Plant utility systems.

This project will correct high risk environmental, health and life safety deficiencies at the plant. As the Department of Energy has stated in their field budget request, ''Correction of these deficiencies will reduce health and safety risks and provide safe and reliable utilities to support the ICPP mission.'' These facilities are outdated, overloaded and not in compliance with State regulations, DOE orders or national codes and standards. This project includes upgrades to normal and standby power electrical systems, sanitary sewer systems and water systems.

Madam President, there are spent nuclear fuels stored at the Idaho Chemical Processing Plant and it is essential they be stored safely. Madam President, this amendment will assure that goal is met.

I thank the managers.

Mr. KEMPTHORNE. Madam President, I am pleased to join Senator CRAIG in cosponsoring this amendment.

Madam President, this amendment provides funding, as called for in the President's budget request, for electrical and utility upgrades at the Idaho Chemical Processing Plant at the Idaho National Engineering Laboratory. The funding, $4.9 million, would come from the $1.45 billion provided for the nuclear materials and facilities stabilization program within the $5.9 billion provided for the Defense Environmental Restoration and Waste Management account.

This project was previously identified as a safety concern by the Nuclear Facilities Safety Board. The Idaho Chemical Processing Plant is one of the facilities at INEL that stores large volumes of highly radioactive spent nuclear fuel.

According to the Defense Nuclear Facilities Safety Board report of October 12, 1994, ''The electrical systems at ICPP, including CPP–603, are outdated and overloaded, and are not in compliance with state regulations, DOE orders, National Electric Codes and Standards and IEEE Standards.'' This report also states that these problems ''present potential health and safety risks during continued operation and maintenance of these systems. Upgrades to these systems are required but have been delayed for many years.''

Likewise, the fiscal year 1996 DOE budget submission states ''Upgrades to the ICPP electrical and utility distribution system are essential to: First, provide safe operation of site facilities vital to the ICPP mission, second, provide a safe work place for employees, third, minimize risk of property damage as well as damage to the environment, and fourth, provide adequate capacity to support the DOE mission.''

I am sure the chairman and ranking member understand the importance of this project and I regret that I did not bring this project to their attention sooner. I want to thank Senator DOMENICI and Senator JOHNSTON for agreeing to accept this amendment.

Finally, I want to thank Senators DOMENICI and JOHNSTON for this overall level of funding for the DOE clean up program provided by this bill. As the managers of the bill know, this is a very important program to the States and communities that host DOE facilities. In light of our very difficult budgetary situation, I am pleased by the level of funding for defense environmental restoration and waste management provided by this bill.

I want to once again thank the managers of the bill for their help and consideration.

AMENDMENT NO. 2072

(Purpose: To require the Army Corps of Engineers to take such actions as are necessary to obtain and maintain a specified elevation in Lake Traverse, South Dakota and Minnesota)

At the appropriate place in title I, insert the following:

SEC. 1 . WATER LEVEL IN LAKE TRAVERSE, SOUTH DAKOTA AND MINNESOTA.

(a) IN GENERAL.—Subject to subsection (b), notwithstanding any other law, the Secretary of the Army, acting through the Chief of Engineers of the Army Corps of Engineers and using funds made available under this Act, shall, to the greater extent practicable, take such actions as are necessary to obtain and maintain an elevation of 977 feet above sea level in Lake Traverse, South Dakota and Minnesota.

(b) LIMITATION.—No action taken under subsection (a) shall result in flooding at Mud Lake, South Dakota and Minnesota.

Mr. PRESSLER. Madam President, today I and Senator DASCHLE are offering an amendment to correct a problem in South Dakota that has resulted in severe flooding along the shores of Lake Traverse over the last several years. Lake Traverse lies on the far northeast section of South Dakota and in parts of western Minnesota. In fact, the boundary line between South Dakota and Minnesota goes through the middle of the lake.

Two out of the last three years, Lake Traverse has faced a major disaster due to high water levels. Shorelines were destroyed. Some small businesses lost money and proprietors were placed in financial jeopardy. Farmland was damaged and homes, cottages and other structures were damaged or destroyed. And if this is not enough, the environment and subsequent erosion wreaked havoc to the local land. Thousands of trees are under water and are dead or dying. Something must be done.

According to the U.S. Army Corps of Engineers, Congressional approval is needed before they can take steps to correct the high water level and erosion problems. The Corps is managing the lake with arcane rules that are half a century old. That is unacceptable. My amendment would give the Corps the necessary authority to better manage water release at Lake Traverse and control erosion.

The amendment would direct the U.S. Army Corps of Engineers the needed authority to obtain and maintain an elevation of 977 feet above sea level at Lake Traverse. The amendment also assures that should the Corps take action, such action would not result in flooding at Mud Lake.

There is strong public support for this action. I have held two meetings in South Dakota on this issue. At both of these meetings over 250 citizens were in attendance. Such turnout clearly indicates that South Dakotans believe something needs to be done. This amendment achieves their goal.

AMENDMENT NO. 2073

(Purpose: To provide funds for a flood control project)

On page 5 insert the following between lines 16 and 17: ''Arkansas City flood control project, Kansas, $700,000, except that for the purposes of the project, section 902 of Public Law 99–662 is waived;''.

AMENDMENT NO. 2074

On page 13, insert the following after line 23:

SEC. . Using funds appropriated herein the Secretary of the Army, acting through the Chief of Engineers, is authorized to undertake the Coos Bay, Oregon project in accordance with the Report of the Chief of Engineers, dated June 30, 1994, at a total cost of $14,541,000, with an estimated Federal cost of $10,777,000 and an estimated non-Federal cost of $3,764,000.

AMENDMENT NO. 2075

(Purpose: To require the Army Corps of Engineers to take such actions as are necessary to obtain and maintain a specified elevation in Lake Traverse, South Dakota and Minnesota)

At the appropriate place in title I, insert the following:

SEC. 1 . WATER LEVEL IN LAKE TRAVERSE, SOUTH DAKOTA

(a) IN GENERAL.—Subject to subsection (b), notwithstanding any other law, the Secretary of the Army, acting through the Chief of Engineers of the Army Corps of Engineers and using funds made available under this Act, shall, to the greatest extent practicable, take such actions as are necessary to obtain and maintain an elevation of 977 feet above sea level in Lake Traverse, South Dakota and Minnesota.

(b) LIMITATION.—No action taken under subsection (a) shall result in flooding at Mud Lake, South Dakota and Minnesota.

Mr. DOMENICI. I move to reconsider the vote.

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

The motion to lay on the table was agreed to.

Mr. DOLE. Madam President, we are down to one amendment on this bill. It seems to me that rather than call everyone back for one vote, if there is a vote on this, we could have that vote tomorrow morning. There is no request for a vote for final passage, as long as we have one on the conference report—either one on the bill or one on the conference report.

If that is satisfactory with the Senator from Minnesota, then I am willing to say—and the managers, of course—that there will be no more votes tonight, but we would have opening statements on DOD authorization yet tonight.

Mr. JOHNSTON. Madam President, I think that is an excellent idea.

I wonder if we could get unanimous consent to close out all other amendments other than the Wellstone amendment.

Mr. WELLSTONE. Madam President, I want to say to the majority leader that anything I can do to accommodate colleagues is fine with me. I am hopeful my colleague and I can work this out. It would be fine to have the vote tomorrow morning, if that is what we need.

Mr. DOLE. If it is all right with the Democratic whip, who is on the floor, Senator FORD, I announce there are no more votes this evening. If there is a vote required on the Wellstone amendment, maybe 9 o'clock in the morning.

Mr. DOMENICI. Madam President, reserving the right to object, and I will not, we might want to make sure, because I do not know what Senator GRAMS' desires are. He may want to amend the amendment. I think he ought to be permitted to do that.

The only thing left is your amendment and the possible second-degree amendment to it, if any.

Mr. DOLE. Whatever the disposition is——

Mr. FORD. Madam President, would the majority leader yield for a question?

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

Mr. FORD. I understand the Senator is trying to move this along and get Members out. Did we get a unanimous-consent agreement that Senator Wellstone's amendment would be the only remaining amendment, or a second-degree to that amendment, that has already been offered?

Mr. DOLE. That was in the original list. We could make that request.

Mr. DOMENICI. There were no others allowed anyway, Madam President.

Mr. FORD. I wanted to be sure. There will be amendments in the second degree.

Mr. DOLE. I make that request, that the Wellstone amendment plus any second-degree amendments be the only amendments in order.

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

Mr. FORD. I thank the majority leader.

One further question: Should the Wellstone amendment be worked out and no final passage vote requested, that we could finish this bill tonight, and there would not be any left for tomorrow, could that be understood?

Mr. DOLE. That would be understood. Obviously, if we finish tonight without a vote, I am sure the managers would be happy to do that.

Mr. DOMENICI. Delighted.

Mr. FORD. One, no more votes this evening; and two, probably no votes on this bill tomorrow. We will go to DOD authorization tonight with opening statements.

Mr. DOLE. In the event there is a vote, we request it be put over until tomorrow. In the event we complete action without it, obviously that is desired.

Mr. DOMENICI. Madam President, I just noticed on this list there are two Senators that I have not formally asked. I believe there will be no amendment, but we must check with Senator BURNS right now and Senator SPECTER.

We have nothing else pending. We have to wait for Senator GRAMS now.

Mr. WELLSTONE. Very briefly, I wanted to thank my colleagues, both Democrats and Republicans alike. The managers' amendment includes funding for a flood control project in Marshall, MN, which was flooded three times in 1993.

This has been a project that for some time now, is very, very important to the people in Marshall. I know that the elected leadership of the people will be very, very grateful for the action that we have taken.

I thank my colleagues for their support. I yield the floor. 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. ASHCROFT. I ask unanimous consent that the order for the quorum call be rescinded.

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

WELFARE IN AMERICA

Mr. ASHCROFT. Madam President, I take this opportunity to raise important issues relating to a set of concerns which will be before the Senate next week, or perhaps even late this week.

I am talking about our responsibility to reform a welfare system, a welfare system which has been a tragic failure. All too frequently, we speak of this tragic failure as if it is a tragic failure in terms of dollars and cents. The tragedy of this failure is compounded. It is not just dollars and cents, or not even most importantly dollars and cents.

The tragedy of this failure is it is a failure in terms of human lives, the lives of children, the lives of families. It is a failure not only in terms of a single generation, but it is a failure that extends to lives that will exist in the future.

I will talk a little bit about that story. I have been talking about different stories in the welfare system, and the tragedies, the human face of this tragedy, for the last several days.

I might point out, you might think these are special cases I have somehow gained access to. The cases which I am addressing are cases which have appeared in the mainstream media. The first case was recorded in detail in the Chicago Tribune. Yesterday's case was reported in detail in the Boston Globe.

These cases are cases which have been a part of the mainstream reporting. A case which I will talk about today is the story of Rosie Watson and her successful 18-year endeavor to get welfare benefits for all seven members of her family. This is a story that is a vivid illustration of how the system entices people to try to game the system, even to be industrious in working the system, instead of working in the productive arena of American culture.

The Baltimore Sun reported in January that Rosie Watson, her common-

law husband, and their seven children live in Lake Providence, LA, and they receive annually, $46,716 in tax-free income—$46,716 in tax-free income. That is principally from a Federal supplemental security income payment.

Now, this woman, Ms. Watson, has an addiction to Federal welfare. That addiction began when she was 23 years of age. She started receiving Federal AFDC payment checks for herself and her two small children.

According to the Baltimore Sun, as the number of children in the family expanded, Ms. Watson soon discovered her family's income could be significantly expanded by switching from ordinary welfare to SSI, the supplemental security income. That is the Federal Government's welfare program that distributes payments to a broad range of beneficiaries that include disabled adults that cannot work and the families of children with so-called mental and learning disabilities. Since 1974, Ms. Watson has submitted no fewer than 17 applications to Social Security law judges. She submitted these applications on behalf of herself and members of her family in an attempt to receive the maximum Federal welfare allotment possible.

She claimed that she was too stressed out to work, and Ms. Watson was certified to receive Federal welfare benefits because of the disability, because she was too stressed out to work.

Her common-law husband likewise was approved to receive welfare payments after he successfully argued that he was overweight and his overweight condition constituted a physical disability that made him too heavy to work.

Moreover, since there is no limit to the number of times that anyone can ask for assistance, after even being turned down, Ms. Watson simply continued to file welfare petitions until she eventually secured payments of $458 each for all seven of her children.

According to a feature in the Baltimore Sun, all of Ms. Watson's children were ultimately awarded full SSI benefits because they ''lagged behind in school and scored poorly on psychological tests, which, under Government rules, translates in a failure to demonstrate''—and this is the term of art we use in the law—''age-appropriate behavior.''

Madam President, it is no surprise that across the land citizens are irate and they derisively refer to these monthly SSI checks that go to these individuals who do not have age-appropriate behavior as ''crazy checks,'' because if the children will act out aggressively, irrationally, will perform poorly, they can qualify themselves for $458 a month.

But that is not all. Ms. Watson soon discovered that persistence pays off. In the case of our Federal welfare system, it pays off big. In the case of the Watson family, $37,000 in tax-free, retroactive, lump-sum payments, because the lump sum was designed by our Federal system to say, ''We probably should have granted you these payments earlier. Here is a check or here are checks totaling $37,000 because you have finally convinced us that you are all incapable of functioning.''

Madam President, as I mentioned earlier, the issue here is not the amount of money the Federal bureaucracy is sending to this family every month. The real issue, the real issue is the toll this cycle of dependency collects in terms of human lives. In this case, the real issue concerns Ms. Watson's children and the devastating impact that this life style has on their lives.

Next to me is a picture of her 16-year-old daughter, Oleaner. She is not encouraged to pursue any of the dreams normal to a 16-year-old child. She is not doing well in school, in sports, or any extra curricula activity. It seems that her main use to her mother is the check that she ensures will show up in the mailbox every month. At 13 years of age, she was officially classified as unfit to work or to study or to do anything but collect checks.

Oleaner has become ensnared in a system which her mother manipulates for financial gain at the expense of her children's futures. She brings the family $458 per month and is paid $20 a month in allowance because of it. In order to qualify for these benefits, the children have forsaken their educations, their dreams, their futures, all sacrificed to the monthly check in the mailbox, which in a very strange way becomes their representation of what they are worth. They are worth something in terms of welfare.

According to the principal of the children's former elementary school, the abuse of these ''crazy checks'' is very widespread. Mr. Willie Lee Bell receives a questionnaire from the Social Security Administration—he is the principal—every time a student applies for benefits. He estimates that half of the students have applied for the benefits. He believes that many of these students are encouraged or even coached by their parents in a manner that makes them eligible to receive the so-called ''crazy checks.'' The children, he says, do not want to fail. They are just doing what mama wants.

Mrs. Watson's youngest son, George, was suspected of having been so coached. In 1991, the authorities alleged that he was not trying up to the best of his ability on the IQ tests. Ms. Watson denies the charge, saying she has never told any of her children to act crazy in order to get some money.

The effect on school performance is clear. Children must be disruptive, they must be noisy, they must be slow. If not, their checks will cease.

According to the Baltimore Sun, the message for this family and the message sent by this system is that it is not education that will provide advancement, it is not achievement, but it is disruption. Government assistance checks follow this kind of counterproductive behavior.

The message to her son George from Mrs. Watson is clearly evident by a dispute last year in school. George's school books were taken from his locker. The principal told him he had to pay for them. Ms. Watson refused to pay. George then flunked all of his courses. George then would have to repeat the seventh grade, and Ms. Watson bragged about the additional year as a result and the ability to collect these kinds of payments.

Madam President, we are now days away from the welfare debate. There is a near unanimous consensus from Republicans that the tragedy of cases like these demands immediate reform. SSI must be reformed. But from President Clinton and from those on the other side of the aisle, we hear: No proposal. There is silence. It is a silence which is deafening.

The people of America have sent us to this Chamber to change the way business is done.

Madam President, silence and apathy are the twin evils that have allowed this Washington-based, Washington-knows-all system to stifle the poor, that have ensnared the poor. The answer from the Democrats is more spending, more bureaucracy, more rhetoric, less reform, and on this point, silence.

We cannot accept reforms that are little more than half measures designed to make the American people think they have done something about welfare. We have been down that road before.

In 1988 we passed a so-called revolutionary welfare bill that did two things. First, it ensnared more people in the web of dependency. Second, it increased the costs of welfare. You can see this on the two charts that are here behind me, a major welfare reform in 1988 and see the spike in the costs.

Here is a percentage chart showing the number of children, or the percentage of children in poverty in our country. Notice that the war on poverty began in the 1960's. We had a relatively low figure. But as we have waged our so-called war on poverty, we found out we were waging war on the future of our children, as larger and larger numbers of our children found their way into the despair of poverty, ensnared by a welfare system which captured them rather than liberated them.

It is time for us to reform a system which has sought, perhaps, noble objectives. But it has elicited the worst of behavior.

It is time, Madam President, for us to do real reform. No rearrangement of the deck chairs on the welfare *Titanic* will save us. We have to repudiate the current system. We have to institute reforms. We have to capitalize on the ingenuity and creativity and capacity of State and local governments, even governments like the District of Columbia which are addressing the

central problems of the absence of family and the absence of work in the welfare system.

They know that Government cannot solve this problem, cannot solve it alone, cannot solve it just with more money. The more money we have spent, the greater the problem has grown.

The real cost in this entire operation is not just a cost in terms of financial resources. It has been a cost in lost lives. It has been from those who have sought to use their families, to abuse the system. It has been a cost of the future of children, and it will be the cost of the future of America if we do not correct this.

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

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

ENERGY AND WATER DEVELOPMENT APPROPRIATIONS, 1996

The Senate continued with the consideration of the bill.

Mr. DOMENICI. Mr. President, it is my custom on every appropriations bill, whether I am the floor manager or not, to state succinctly as I can how it relates to the budget resolution and do some accounting for anybody that is interested in how the bill stacks up versus the budget resolution.

Mr. President, I would like to take a moment to discuss the budget impact of this bill as reported by the Senate Appropriations Committee.

By CBO's scoring, this bill provides $20.2 billion in new budget authority and $12 billion in new outlays for the Department of Energy, the Corps of Engineers, the Bureau of Reclamation, and for other selected independent agencies. With outlays from prior-year budget authority and other completed actions, the Senate bill is within the subcommittee's section 602(b) allocation.

Mr. President, this year's budget resolution established separate binding caps on defense and nondefense funding. This bill contains both defense and nondefense funding and must meet separate allocations.

According to CBO, the Senate-reported bill is within the allocation of budget authority and outlays for the defense and nondefense funding in this bill.

Mr. President, I ask, unanimous consent that a table printed in the RECORD comparing the Senate-reported bill's budget authority and outlay levels to the subcommittee's section 602(b) allocation.

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

ENERGY AND WATER SUBCOMMITTEE—SPENDING TOTALS—SENATE-REPORTED BILL

[Fiscal year 1996, dollars in millions]

	Budget authority	Outlays
DEFENSE DISCRETIONARY		
Outlays from prior-year BA and other actions completed	.....	4,039
H.R. 1905, as reported to the Senate	11,446	6,868
Scorekeeping adjustment	.....	.....
Subtotal defense discretionary	11,446	10,907
NONDEFENSE DISCRETIONARY		
Outlays from prior-year BA and other actions completed	.....	4,171
H.R. 1905, as reported to the Senate	8,716	5,100
Scorekeeping adjustment	.....	.....
Subtotal defense discretionary	8,716	9,271
MANDATORY		
Outlays from prior-year BA and other actions completed	.....	.....
H.R. 1905, as reported to the Senate	.....	.....
Adjustment to conform mandatory programs with Budget Resolution assumptions	.....	.....
Subtotal mandatory	.....	.....
Adjusted bill total	20,162	20,178
SENATE SUBCOMMITTEE 602(b) ALLOCATION		
Defense discretionary	11,447	10,944
Nondefense discretionary	8,733	9,272
Violent crime reduction trust fund	.....	.....
Mandatory	.....	.....
Total allocation	20,180	20,216
ADJUSTED BILL TOTAL COMPARED TO SENATE SUBCOMMITTEE 602(b) ALLOCATION		
Defense discretionary	−1	−37
Nondefense discretionary	−17	−1
Violent crime reduction trust fund	NA	NA
Mandatory	.....	.....
Total allocation	−18	−38

Note.—details may not add to totals due to rounding. Totals adjusted for consistency with current scorekeeping conventions.

SUSQUEHANNA RIVER BASIN WATER MANAGEMENT

Mr. SARBANES. Mr. President, I would like to engage the distinguished chairman of the subcommittee in a colloquy regarding the funding contained in the bill under general investigations for Susquehanna River Basin water management.

First, I want to thank the chairman for including $290,000—the full amount requested in fiscal year 1996—for the Army Corps of Engineers to continue the reconnaissance study investigation of the Susquehanna River Basin that was initiated last year. The Susquehanna River is the largest river on the east coast of the United States and the largest tributary of the Chesapeake Bay. It is also one of the most flood prone river basins in the Nation. The Army Corps of Engineers operates 13 reservoirs on the upper Susquehanna and regulates the low and high water flow management. There are also three large hydroelectric projects on the lower Susquehanna. Under normal conditions, these reservoirs and dams serve as traps for the harmful sediments which flow into the river. During major storms however, they suddenly discharge tremendous amounts of built-up sediments, severely degrading the water quality of the Chesapeake Bay, destroying valuable habitat and killing fish and other living resources. Scientists estimate that Tropical Storm Agnes in 1982 aged the bay by more than a decade in a matter of days because of the slug of sediments discharged from the Susquehanna River reservoirs. There is a real danger that another major storm in the basin could scour the sediment that has been accumulating behind these dams and present a major setback to our efforts to clean up the bay.

It was my understanding that it was the committee's intent in funding the reconnaissance study of the Susquehanna River Basin last year and again this year, that the corps was to investigate not only alternatives for managing water storage during high and low flow conditions and flood damage reduction needs in the basin, but also to address sediment related issues for the study area. Is this correct?

Mr. DOMENICI. The Senator from Maryland is correct. It is the committee's intent that the Corps of Engineers conduct a basin-wide sedimentation assessment as part of this study, including a complete evaluation of potential sediment management strategies to reduce the impact on Chesapeake Bay.

Mr. SARBANES. I appreciate these assurances and thank the chairman for his support.

COMMITTEE AMENDMENT BEGINNING ON PAGE 12, LINE 17

Mr. DOMENICI. Mr. President, with reference to the bill, I have two housekeeping measures that I would like to get behind us now.

On page 12, starting at lines 17, section 102, continuing through page 13 until section 103, I ask unanimous consent that that committee amendment be tabled.

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

EXCEPTED COMMITTEE AMENDMENT BEGINNING ON PAGE 38, LINE 19

Mr. DOMENICI. Mr. President, on page 38 of the bill, lines 19 through 25, that committee amendment remains not adopted because we just did not ask that it be adopted. At this point, I ask unanimous consent that committee amendment be adopted.

The PRESIDING OFFICER. That amendment has been agreed to.

Mr. DOMENICI. I thank the Chair. That is our error.

Ms. MOSELEY-BRAUN. As we consider the fiscal year 1996 energy and water development appropriations bill, I would like to express my great concern about the decision by the Senate to reduce funding for high-energy physics research by $20 million for a total of $657 million. This funding cut will impact the operating budgets of Fermi National Accelerator Laboratory in my State of Illinois, the Stanford Linear Accelerator Center in California, and the Brookhaven National Laboratory in New York.

I am aware that the deficit-driven decisions this Congress must make will have a real impact on Federal energy priorities. I also appreciate the support the committee has provided for high-energy physics research, and for Femilab, in previous years. Physicists commit decades of their lives, and, in many instances, their entire careers to

long-term Government-sponsored research projects. And that means it is critical that the Government also remain committed to orderly, stable research priorities.

This Federal commitment, however, can be jeopardized by insufficient funding for the base budgets of the high-energy physics laboratories, crating situations where research is pared back, trained personnel are lost from the field, and future productivity is endangered by discouraging students from these professions.

This is the situation faced by Fermilab. Budget cuts in previous years have led to the loss of approximately 300 people at Fermilab. And once again, the budget cuts proposed by the Senate will require further staff reductions at Fermilab.

I greatly appreciate the decision by the committee to provide $52 million to continue the construction of the main injector. The main injector will increase the power of the particle accelerator at Fermilab by a factor of 5. Given that Fermilab was the site of one of the most significant discoveries in modern physics—the discovery of the subatomic particle known as the top quark—ensuring that the main injector comes on line as quickly as possible will help us learn more about the top quark and other critically important high-energy physics issues.

Unfortunately, the leaps in knowledge promised by the main injector will be adversely countered by the cuts in the operating budget as proposed by the Senate, and that means less people who can use Fermilab, and more delays in carrying out our research priorities.

The United States has great potential to lead the world in high-energy physics—our community of scientists, facilities, and partnerships built up over the last 40 years is one of our Government's greatest achievements. In order to exploit these superb resources and the new major upgrades underway at these three national laboratories, however, increased base program funding is crucial.

Therefore, during conference of this bill, I strongly urge that $20 million be restored to the high-energy physics budget, bringing the total funding to $677 million, and ensuring that the high-energy physics field in the United States remains strong in the years ahead.

Mr. DOMENICI. I thank the Senator from Illinois for her comments regarding Fermi National Accelerator Laboratory and the high-energy physics budget. The committee has provided substantial funding for this budget in previous years, but given the budget constraint that the committee was forced to confront, we were simply unable to include these funds. I can assure the distinguished Senator that we will look favorable upon her request in conference and do all that we can to assist her in including her recommendation.

MCCOOK RESERVOIR CONSTRUCTION

Ms. MOSELEY-BRAUN. Mr. President, I would like to call attention to language in the committee report to this bill that would jeopardize the commencement of construction on a very important flood control project in my State of Illinois, the McCook and Thornton Reservoir project.

The McCook and Thornton Reservoir project is an integral part of the underground tunnel system of the Chicago underflow plan [CUP] designed to control major flooding problems in Chicago and surrounding communities. Once construction in complete, the reservoirs will protect over 500,000 homes and over 3 million people, helping to protect an extremely vulnerable area which sustains over $150 million in damages every year from floods. The project has been strongly supported over the years by the Appropriations Committees of both Chambers of Congress and by the Illinois delegation.

The McCook and Thorton Reservoir project is fully authorized. Its design memorandum is based upon a plan that was carefully crafted by the U.S. Army Corps of Engineers, and, most importantly, with the full input of the current landowner. Every effort was made to accommodate the interests of all parties involved in the project. Due to complexities associated with the negotiations for the acquisition of the project land, construction on the McCook and Thornton Reservoirs have been greatly delayed. However, these negotiations are making substantial progress, and are nearing closure.

That is why I am greatly concerned by the committee report language which unfairly questions the 1986 design memorandum that was the basis for the project authorization. The committee report language also directs the U.S. Army Corps of Engineers to continue their assessment of other siting options for the project.

If the committee report language is allowed to stand, the baseless questions about the authorization will continue, construction will be further delayed, and the project will wither and die.

Chicago desperately needs these flood control reservoirs to come online. In 1993, severe thunderstorms caused massive flooding southeast of Chicago. The capacity of the existing underground flood control system was only able to hold 1.5 billion of the 45 billion gallons of rainfall before being overwhelmed. The resulting excess floodwaters caused severe disruptions of major traffic thoroughfares, including the closing of Interstate 55, and the Dan Ryan and Stevenson expressways. Rainwater and raw sewage backed up into the basements of half a million homes, creating serious public health problems. The McCook and Thornton Reservoirs, had they been complete, would have provided more than enough capacity to contain those excess waters, and would have prevented these types of disasters from occurring.

This project must be allowed to move forward without further delay. I urge the Chairman's assistance in clarifying the committee's intent regarding this project. I also ask that the committee include language in the committee report which directs the key parties to complete negotiations for the acquisition of the McCook Reservoir immediately, and to direct the corps to proceed to construction with the project as authorized, notwithstanding the language in the committee report. In addition, if further funding beyond the prior appropriated dollars is needed to advance the project in fiscal year 1996, then the corps would have the authority to reprogram funds to the project.

Mr. SIMON. I want to join my colleague from Illinois in her request. The McCook Reservoir project is the linchpin to the successful flood protection and water pollution control efforts we have developed in the Chicago area. Unless this project is allowed to proceed with the funding Congress has provided, the Chicago metropolitan area will remain vulnerable to floods and significant threats to health and safety.

I urgently request the assistance of the chairman in including the conference report language referred to by Senator MOSELEY-BRAUN to complete negotiations for land for the project immediately, and to direct the corps to proceed with the authorized project notwithstanding the committee report language. Her assistance in including this and the reprogramming language is critical to the protection of the Chicago area, and I thank her for her efforts.

Mr. DOMENICI. Mr. President, I understand Senator ROD GRAMS is about ready to come and help us complete this measure.

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

Mr. DOMENICI. Of course.

Mr. FORD. I know he is doing everything he can. But any Senator who has been on his way now for about 40 minutes—

Mr. DOMENICI. He is here, and he is going to be ready quickly.

Mr. FORD. We are holding a lot of things up, and I know the Senator from New Mexico wants to get through the bill and get it behind us so we can move on to the defense authorization bill.

Mr. DOMENICI. I am fully aware of that, and we are keeping the Senate open. But Senator GRAMS is very desirous that I give him another 5 minutes, and I am going to accommodate him. He is in the Cloakroom. He will be out shortly, and then we can complete this matter.

Mr. WELLSTONE addressed the Chair.

The PRESIDING OFFICER. The Senator from Minnesota.

AMENDMENT NO. 2076

(Purpose: To establish interim water levels for certain lakes)

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

The PRESIDING OFFICER. The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from Minnesota [Mr. WELLSTONE] proposes an amendment numbered 2076.

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

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

The amendment is as follows:

At the appropriate place in title V, insert the following:

SEC. . WATER LEVELS IN RAINY LAKE AND NAMAKAN LAKE.

(a) FINDINGS.—Congress finds that—

(1) the Rainy Lake and Namakan Reservoir Water Level International Steering Committee conducted a 2-year analysis in which public comments on the water levels in Rainy Lake and Namakan Lake revealed significant problems with the current regulation of water levels and resulted in Steering Committee recommendations in November 1993; and

(2) maintaining water levels closer to those recommended by the Steering Committee will help ensure the enhancement of water quality, fish and wildlife, and recreational resources in Rainy Lake and Namakan Lake.

(b) DEFINITIONS.—In this section:

(1) EXISTING RULE CURVE.—The term ''existing rule curve'' means each of the rule curves promulgated by the International Joint Commission to regulate water levels in Rainy Lake and Namakan Lake in effect as of the date of enactment of this Act.

(2) PROPOSED RULE CURVE.—The term ''proposed rule curve'' means each of the rule curves recommended by the Rainy Lake and Namakan Reservoir International Steering Committee for regulation of water levels in Rainy Lake and Namakan Lake in the publication entitled ''Final Report and Recommendations'' published in November 1993.

(c) WATER LEVELS.—The dams at International Falls and Kettle Falls, Minnesota, in Rainy Lake and Namakan Lake, respectively, shall be operated so as to maintain water levels as follows:

(1) COINCIDENT RULE CURVES.—In each instance in which an existing rule curve coincides with a proposed rule curve, the water level shall be maintained within the range of such coincidence.

(2) NONCOINCIDENT RULE CURVES.—In each instance in which an existing rule curve does not coincide with a proposed rule curve, the water level shall be maintained at the limit of the existing rule curve that is closest to the proposed rule curve.

(d) ENFORCEMENT.—

(1) IN GENERAL.—The Federal Energy Regulatory Commission shall enforce this section as though the provisions were included in the license issued by the Commission on December 31, 1987, for Commission Project No. 5223–001.

(2) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to require the Commission to alter the license for Commission Project No. 5223–001 in any way.

(e) SUNSET.—This section shall remain in effect until the International Joint Commission review of and decision on the Steering Committee's recommendations are completed.

Mr. WELLSTONE. Mr. President, I will be brief. We have been waiting for some time. I think this amendment is acceptable to both sides. I thank my colleagues for their support.

This amendment deals with really a critical problem of water levels in the Rainy Lake and Namakan Lake. It is a hugely important issue to my State, especially to northern Minnesota.

The problem has been that the water level has been too low in the spring which, in turn, has created problems with spawning of fish and other wildlife habitat, but it also has been a problem for anglers. It has been a problem for recreation. It has been a problem for our resort owners.

So what this amendment does is it takes the water curve rule and it just essentially says this is an agreement that ultimately has to be worked out, I say to my colleague from New Mexico and my colleague from Minnesota, with the Canadians, with the IJC, the International Joint Commission. But in the meantime, within the existing rule structure, what we say to FERC is to implement this in such a way within the existing rules that we require that the water level in these lakes be on the upper level of the curve in the spring.

This is hugely important to my State of Minnesota. I will just list some of the beneficiaries. Above and beyond fish and wildlife and the park ecosystem, the sportfishing industry, the resort industry, the local economy; this amendment has the support of the International Steering Committee on Rainy Lake and Namakan Reservoir, the Citizens' Council on Voyageurs National Park, the Ash River Sportfishing Association, the Rainy Lake Sportfishing Association, and numerous other resorts, recreational, and business interests.

The amendment will not affect the IJC's current regulations. We cannot do that by law, nor are we trying to. This is an interim measure. It will not increase the flood risk. It will protect fish spawning grounds. It will improve dock access and decrease dock damage, also extremely important to people in my State. It will protect the park ecosystem and it will help save the local economy an estimated $800,000 a year in lost business due to low water levels at the beginning of the fishing season.

So it has taken some time for us to work this out, but this is an amendment that I am really proud to bring to the Senate. I believe I have the support of colleagues. I know it is extremely important to the International Falls community and really northeastern Minnesota.

I will say, since northeastern Minnesota is so important to Minnesota, it is very important to Minnesota.

I know that my colleague from Minnesota, whom I believe now is going to be supporting this, wants to speak on this as well.

I yield the floor to my colleague from Minnesota, and then I think I will follow up with concluding remarks. I believe the amendment will be acceptable to both sides.

Mr. GRAMS addressed the Chair.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. GRAMS. Mr. President, I rise today in support of this amendment.

Clearly, there is a problem with the disputed water levels. It is a problem that deserves a solution—one that is well thought out and final.

Today, my colleague from Minnesota has offered his proposal. And I am prepared to support it—not as a solution to the problems facing the people of northern Minnesota, but as a message that we will not let these problems go unresolved.

Unfortunately, this amendment, while sending a message, does not necessarily pass the test of being a good solution. Hastily prepared ideas rarely do.

It should come as no surprise that this amendment has a number of problems and could have some unforeseen consequences of which we're not aware today. And the Senate needs to be aware of that.

There is an orderly and regular process by a joint United States-Canadian commission to address this very matter—the International Joint Commission.

That process is already underway. It will result in water level decisions based on scientific analysis.

Tonight the Senator's amendment would prejudge the outcome of that process.

It would put into effect a subcommittee report to the full international committee before the full committee has a chance to consider the report and make a final decision.

We simply do not know what impact the subcommittee recommendation would have on fish, wildlife, and the environment.

The amendment also does a very curious thing: It would require the Federal Energy Regulatory Commission to enforce the international joint commission subcommittee's water recommendations on dams and water impoundments over which the FERC does not now have jurisdiction.

What we are doing here is codifying a decision by a subcommittee of a United States-Canadian body, the international joint commission with virtually no input from the Canadian side.

But today, we will adopt this amendment—without adequate notice, without proper consultation. Because what we are giving the people of Minnesota is a message: and that is the Senate urges the IJC to act quickly to resolve this issue. The people of Minnesota deserve a solution, not just a message. But a message is what we are giving them tonight.

Again, I want to thank my colleague for his efforts and support. I yield the floor.

Mr. WELLSTONE addressed the Chair.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. WELLSTONE. Mr. President, there is agreement. We will not go on with the debate.

I say to my colleagues, this is not a hastily prepared idea. The steering committee spent 2 years and had lots of public comments before they reached their recommendations.

This is not a solution, it is an interim solution. We wait for the IJC to make final ruling. We cannot wait in the meantime. We have this problem to deal with now. This does not prejudice any final outcome. It is just a way of fixing a very important problem now.

There is no reason to go on with the debate. I am proud to have the support. I hope that we can voice vote this tonight.

Mr. DOMENICI addressed the Chair.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Mr. President, I thank both Senators for working this amendment out. Obviously, we have no objection on our side, and I understand Senator JOHNSTON has no objection on his side. With that, I yield the floor.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment (No. 2076) was agreed to.

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

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

The motion to lay on the table was agreed to.

Mr. DOMENICI. I thank both Senators.

Mrs. BOXER. Mr. President, the energy and water appropriations bill for fiscal year 1996, despite some progress particularly on water reclamation projects, represents a serious setback for environmental preservation.

In addition, the committee, in my view, has strayed outside its jurisdiction in directing the Secretary of the Army to develop a plan to consolidate the division offices of the Corps of Engineers. That issue is properly left with the authorizing committee, in this case the Environment and Public Works Committee.

I appreciate the committee accepting an amendment by me and Senator MAX BAUCUS, chairman of the Committee on Environment and Public Works, that specifies that the report on division consolidation shall be sent to the Senate Environment and Public Works Committee, on which I serve. I believe it is important that divisions which have a large workload and critical emergency response duties, such as the South Pacific Division in San Francisco, should be located in close proximity to the work requirements. The Environment and Public Works Committee will have a chance to consider the corps consolidation plan before implementation begins in August 1996.

Included in the House-passed bill, but omitted from the Senate Appropriations Committee version, were funds for the Spring Run Restoration Programs, the Coho Salmon Restoration Programs, the Winter Run Chinook Salmon Captive Breedstock Program, and certain fish screening programs and habitat acquisition programs. These represent solid investments in the health of the Pacific Salmon fishery.

I sincerely hope that the Senate conferees give these particular House-passed provisions careful consideration when they go to conference with the House.

I am pleased that the bill includes $11,367,000 for construction of the Los Angeles County Drainage Area, an important flood control improvement project that will restore an adequate level of flood protection to one of the more densely populated areas of the country. Without flood control improvements, the corps estimates that a 100-year flood event could inundate as much as 82 square miles of Los Angeles County, affecting more than 500,000 residents in 11 cities.

I appreciate Acting Assistant Secretary of the Army for Civil Works, John Zirschky, meeting with me personally about the project and hearing my concerns about the environmental impact of this project. Several environmental groups in Los Angeles County had raised concerns about the effect both visually and environmentally of constructing parapet walls along the top of the levees in place now and questioned whether the corps had fully explored nonstructural alternatives.

I understand because of the urgent need to move on this project that we could not afford to halt construction until such alternatives had been assessed. Therefore, I agreed to support the project after obtaining the corps support to pursue a feasibility study of the whole Los Angeles Basin watershed. Although some of the cities in the floodplain recently refused to participate in a community task force to look at project modifications while initial construction was under way, Secretary Zirschky has assured me that the corps will seek the county's cooperation in a 3-year feasibility study for ways to improve the river watershed including a review and possible modifications of the river's flood control improvements.

Even without a formal task force, the Secretary is willing to work with the county, affected cities, and the environmental groups to recommend ways to restore the natural ecosystem, improve stormwater management, and enhance water conservation and supply, and recreational opportunities. It is my hope that this study will serve as a springboard to greater cooperation among the affected cities, the country, the corps, and the environmental community.

Secretary Zirschky should be commended for working with Los Angeles County in the flood control project cooperation agreement to require the county to manage stormwater runoff to avoid any need for future expansion of the flood control project.

I ask unanimous consent that Secretary Zirschky's July 21, 1995, letter to me about this project be printed in the RECORD.

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

DEPARTMENT OF THE ARMY,
Washington, DC, July 21, 1995.

Hon. Barbara Boxer,
U.S. Senate, Washington, DC.

DEAR SENATOR BOXER: I am pleased to inform you that I recently sent to Congress a recommendation for construction of the flood damage reduction project for the Los Angeles County Drainage Area. My recommendation completes the authorization required by Section 101(b) of the Water Resources Development Act of 1990. A copy of my letter to Congress and a press release on the project are enclosed.

In approving this project, I have required that the non-Federal sponsor manage future stormwater runoff so that the authorized level of flood protection is not diminished. In addition, we have agreed to seek a non-Federal sponsor and initiate a multi-objective feasibility study of the entire Los Angeles River Watershed. This study will focus on restoring the natural ecosystem along the river and throughout the watershed, as well as providing opportunities to improve stormwater management, water conservation and water quality, recreation and the aesthetics in the watershed area. The study could also result in further modifications to the recently authorized project. In conducting this study, we are committed to working with other Federal agencies—State and local governments, as well as other non-governmental environmental organizations. The study will be initiated with available funds and will not delay construction of the Drainage Area project.

I look forward to working with you in bringing this much needed project to completion.

Sincerely,

JOHN H. ZIRSCHKY,
Acting Assistant Secretary of the Army (Civil Works).

Mr. THURMOND. Mr. President, will the manager of the bill, the distinguished Senator from New Mexico, yield for a question?

Mr. DOMENICI. I would be glad to yield.

Mr. THURMOND. Am I correct in my understanding that the energy and water development appropriations bill, as reported from the Appropriations Committee, includes an increase of over $140,000,000 for the Department of Energy's stockpile management program?

Mr. DOMENICI. My colleague from South Carolina, the chairman of the Senate Armed Services Committee, is correct. As reported by the Appropriations Committee, the Energy and Water Development Appropriations Act for fiscal year 1996 includes a $143,800,000 increase over the budget request for stockpile management.

Mr. BOND. Mr. President, I strongly support the increase in stockpile management provided by the committee. There is a clear need for the Department to ensure that its capabilities that currently reside at the Y–12 plant at Oak Ridge, TN; the Kansas City plant in Kansas City, MO; the Pantex plant in Texas; and the Savannah River site in South Carolina, are modernized to meet the requirements of the enduring nuclear weapons stockpile.

Mr. THOMPSON. Mr. President, I want to thank the Senator from New Mexico for his support for stockpile management and the additional funds

necessary to make needed investments in the Department of Energy's production sites such as the Y–12 plant. We certainly expect the Department will make additional investments in the production facilities to ensure those facilities meet future requirements.

Mr. FRIST. Mr. President, the facilities funded by the Department of Energy's stockpile management program represent essential elements in the continuing DOE complex. By simply having the know-how at hand, we cannot guarantee the proper management of the stockpile over the long term; we must also maintain the capabilities that exist in the facilities that produced components of the enduring stockpile.

Mrs. HUTCHISON. Mr. President, I also strongly support the increase in stockpile management provided by the committee. I am pleased to join with my colleagues to speak to the importance of maintaining a safe and reliable U.S. nuclear deterrent, and in particular, the need to make the necessary and cost-effective investments in nuclear weapons stockpile activities. The Pantex plant, along with Savannah River, Y–12, and Kansas City plant, is one of the few remaining production sites with existing infrastructure and capabilities that can meet the national security needs identified in the Department of Defense's nuclear posture review.

Mr. DOMENICI. I thank my colleagues.

Mr. President, I believe we are ready for third reading of the bill.

The PRESIDING OFFICER. The question is on the engrossment of the amendments and third reading of the bill.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read a third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, shall the bill pass?

So the bill (H.R. 1905), as amended, was passed.

Mr. DOMENICI. I move to reconsider the vote, and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. DOMENICI. Mr. President, I move that the Senate insist on its amendments and request a conference with the House on the disagreeing votes thereon and that the Chair be authorized to appoint conferees on the part of the Senate.

The motion was agreed to, and the Presiding Officer appointed Mr. DOMENICI, Mr. HATFIELD, Mr. COCHRAN, Mr. GORTON, Mr. MCCONNELL, Mr. BENNETT, Mr. BURNS, Mr. JOHNSTON, Mr. BYRD, Mr. HOLLINGS, Mr. REID, Mr. KERREY, and Mrs. MURRAY conferees on the part of the Senate.

Mr. DOMENICI. Mr. President, I am going to proceed to wrap up the Senate at the request of the majority leader.

MORNING BUSINESS

Mr. DOMENICI. Mr. President, I ask unanimous consent that there now be a period for the transaction of routine morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. 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. Thomas, 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 sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

REPORT ON THE NATIONAL EMERGENCY WITH IRAQ—MESSAGE FROM THE PRESIDENT—PM 71

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Banking, Housing, and Urban Affairs.

To the Congress of the United States:

I hereby report to the Congress on the developments since my last report of February 8, 1995, concerning the national emergency with respect to Iraq that was declared in Executive Order No. 12722 of August 2, 1990. This report is submitted pursuant to section 401(c) of the National Emergencies Act, 50 U.S.C. 1641(c), and section 204(c) of the International Emergency Economic Powers Act, 50 U.S.C. 1703(c).

Executive Order No. 12722 ordered the immediate blocking of all property and interests in property of the Government of Iraq (including the Central Bank of Iraq) then or thereafter located in the United States or within the possession or control of a U.S. person. That order also prohibited the importation into the United States of goods and services of Iraqi origin as well as the exportation of goods, services, and technology from the United States to Iraq. The order prohibited travel-related transactions to or from Iraq and the performance of any contract in support of any industrial, commercial, or governmental project in Iraq. United States persons were also prohibited from granting or extending credit or loans to the Government of Iraq.

The foregoing prohibitions (as well as the blocking of Government of Iraq property) were continued and augmented on August 9, 1990, by Executive Order No. 12724, which was issued in order to align the sanctions imposed by the United States with United Nations Security Council Resolution 661 of August 6, 1990.

Executive Order No. 12817 was issued on October 21, 1992, to implement in the United States measures adopted in United Nations Security Council Resolution 778 of October 2, 1992. Resolution 778 requires U.N. Member States to transfer to a U.N. escrow account any funds (up to $200 million apiece) representing Iraqi-oil sale proceeds paid by purchasers after the imposition of U.N. sanctions on Iraq, to finance Iraq's obligations for U.N. activities with respect to Iraq, such as expenses to verify Iraqi weapons destruction, and to provide humanitarian assistance in Iraq on a nonpartisan basis. A portion of the escrowed funds also funds the activities of the U.N. Compensation Commission in Geneva, which handles claims from victims of the Iraqi invasion and occupation of Kuwait. Member States also may make voluntary contributions to the account. The funds placed in the escrow account are to be returned, with interest, to the Member States that transferred them to the United Nations, as funds are received from future sales of Iraqi oil authorized by the U.N. Security Council. No Member State is required to fund more than half of the total transfers or contributions to the escrow account.

This report discusses only matters concerning the national emergency with respect to Iraq that was declared in Executive Order No. 12722 and matters relating to Executive Orders Nos. 12724 and 12817 (the ''Executive orders''). The report covers events from February 2, 1995, through August 1, 1995.

1. During the reporting period, there were no amendments to the Iraqi Sanctions Regulations.

2. The Department of the Treasury's Office of Foreign Assets Control (''FAC'') continues its involvement in lawsuits seeking to prevent the unauthorized transfer of blocked Iraqi assets. In *Consarc Corporation* v. *Iraqi-ministry of Industry and Minerals*, a briefing schedule has been set for disposition of FAC's December 16, 1994, appeal of the district court's order of October 17, 1994, transferring blocked property.

Investigations of possible violations of the Iraqi sanctions continue to be pursued and appropriate enforcement actions taken. There are currently 43 enforcement actions pending, including nine cases referred by FAC to the U.S. Customs Service for joint investigation. Additional FAC civil penalty notices were prepared during the reporting period for violations of the International Emergency Economic Powers Act and Iraqi Sanction Regulations with respect to transactions involving Iraq. Three penalties totaling $8,905 were collected from two banks for

funds transfers in violation of the prohibitions against transactions involving Iraq.

3. Investigation also continues into the roles played by various individuals and firms outside Iraq in the Iraqi government procurement network. These investigations may lead to additions to FAC's listing of individuals and organizations determined to be Specially Designated Nationals (''SDNs'') of the Government of Iraq.

4. Pursuant to Executive Order No. 12817 implementing United Nations Security Council Resolution 778, on October 26, 1992, FAC directed the Federal Reserve Bank of New York to establish a blocked account for receipt of certain post-August 6, 1990, Iraq-oil sales proceeds, and to hold, invest, and transfer these funds as required by the Order. On March 21, 1995, following payments by the Governments of Canada ($1,780,749.14), the European Community ($399,695.21), Kuwait ($2,500,000.00), Norway ($261,758.10), and Switzerland ($40,000.00), respectively, to the special United Nations-controlled account, entitled ''United Nations Security Council Resolution 778 Escrow Account,'' the Federal Reserve Bank of New York was directed to transfer a corresponding amount of $4,982,202.45 from the blocked account it holds to the United Nations-controlled account. Similarly, on April 5, 1995, following the payment of $5,846,238.99 by the European Community, the Federal Reserve Bank of New York was directed to transfer a corresponding amount of $5,846,238.99 to the United Nations-controlled account. Again, on May 23, 1995, following the payment of $3,337,941.75 by the European Community, $571,428.00 by the Government of the Netherlands and $1,200,519.05 by the Government of the United Kingdom, the Federal Reserve Bank of New York was directed to transfer a corresponding amount of $5,109,888.80 to the United Nations—controlled account. Finally, on June 19, 1995, following the payment of $915,584.96 by the European Community and $736,923.12 by the Government of the United Kingdom, the Federal Reserve Bank of New York was directed to transfer a corresponding amount of $1,652,508.08 to the United Nations—controlled account. Cumulative transfers from the blocked Federal Reserve Bank of New York account since issuance of Executive Order No. 12817 have amounted to $175,133,026.20 of the up to $200 million that the United States is obligated to match from blocked Iraqi oil payments, pursuant to United Nations Security Council Resolution 778.

5. The Office of Foreign Assets Control has issued a total of 590 specific licenses regarding transactions pertaining to Iraq or Iraqi assets since August 1990. Licenses have been issued for transactions such as the filing of legal actions against Iraqi governmental entities, legal representation of Iraq, and the exportation to Iraq of donated medicine, medical supplies, food intended for humanitarian relief purposes, the execution of powers of attorney relating to the administration of personal assets and decedents' estates in Iraq, the protection of preexistent intellectual property rights in Iraq and travel to Iraq for the purposes of visiting Americans detained there. Since my last report, 57 specific licenses have been issued.

6. The expenses incurred by the Federal Government in the 6 month period from February 2, 1995, through August 1, 1995, which are directly attributable to the exercise of powers and authorities conferred by the declaration of a national emergency with respect to Iraq are reported to be about $4.9 million, most of which represents wage and salary costs for Federal personnel. Treasury (particularly in the Office of Foreign Assets Control, the U.S. Customs Service, the Office of the Under Secretary for Enforcement, and the Office of the General Counsel), the Department of State (particularly the Bureau of Economic and Business Affairs, the Bureau of Near Eastern Affairs, the Bureau of International Organization Affairs, the Bureau of Political-Military Affairs, the U.S. Mission to the United Nations, and the Office of the Legal Adviser) and the Department of Transportation (particularly the U.S. Coast Guard).

7. The United States imposed economic sanctions on Iraq in response to Iraq's illegal invasion and occupation of Kuwait, a clear act of brutal aggression. The United States, together with the international community, is maintaining economic sanctions against Iraq because the Iraqi regime has failed to comply fully with United Nations Security Council resolutions. Security Council resolutions on Iraq call for the elimination of Iraqi weapons of mass destruction, Iraqi recognition of Kuwait and the inviolability of the Iraq-Kuwait boundary, the release of Kuwaiti and other third-country nationals, compensation for victims of Iraqi aggression, long-term monitoring of weapons of mass destruction capabilities, the return of Kuwaiti assets stolen during Iraqi's illegal occupation of Kuwait, renunciation of terrorism, an end to internal Iraqi repression of its own civilian population, and the facilitation of access of international relief organizations to all those in need in all parts of Iraq. More than 5 years after the invasion, a pattern of defiance persists: a refusal to account for missing Kuwaiti detainees; failure to return Kuwaiti property worth millions of dollars, including military equipment that was used by Iraq in its movement of troops to the Kuwaiti border in October 1994; sponsorship of assassinations in Lebanon and in northern Iraq; incomplete declarations to weapons inspectors; and ongoing widespread human rights violations. As a result, the U.N. sanctions remain in place; the United States will continue to enforce those sanctions under domestic authority.

Baghdad government continues to violate basic human rights of its own citizens through systematic repression of minorities and denial of humanitarian assistance. The Government of Iraq has reportedly said it will not be bound by United Nations Security Council Resolution 688. For more than 4 years, Baghdad has maintained a blockade of food, medicine, and other humanitarian supplies against northern Iraq. The Iraqi military routinely harasses residents of both the north and has attempted to ''Arabize'' the Kurdish, Turcomen, and Assyrian areas of the north. Iraq has not relented in its artillery attacks against civilian population centers in the south or in its burning and draining operations in the southern marshes, which have forced thousands to flee to neighboring States. In April 1995, the U.N. Security Council adopted resolution 986 authorizing Iraq to export limited quantities of oil (up to $1 billion per quarter) under U.N. supervision in order to finance the purchase of food, medicine, and other humanitarian supplies. The resolution includes arrangements to ensure equitable distribution of such assistance to all the people of Iraq. The resolution also provides for the payment of compensation to victims of Iraqi aggression and for the funding of other U.N. activities with respect to Iraq. Resolution 986 was carefully crafted to address the issues raised by Iraq to justify its refusal to implement similar humanitarian resolutions adopted in 1991 (Resolutions 706 and 712), such as oil export routes and questions of national sovereignty. Nevertheless, Iraq refused to implement this humanitarian measure. This only reinforces our view that Saddam Hussein is unconcerned about the hardships suffered by the Iraqi people.

The policies and actions of Saddam Hussein regime continue to pose an unusual and extraordinary threat to the national security and foreign policy of the United States as well as to regional peace and security. The U.N. resolutions require that the Security Council be assured of Iraq's peaceful intentions in judging its compliance with sanctions. Because of Iraq's failure to comply fully with these resolutions, the United States will continue to apply economic sanctions to deter it from threatening peace and stability in the region.

WILLIAM J. CLINTON.

THE WHITE HOUSE, *August 1, 1995.*

MESSAGES FROM THE HOUSE

At 12:04 p.m., a message from the House of Representatives, delivered by Ms. Goetz, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 701. An act to authorize the Secretary of Agriculture to convey lands to the City of Rolla, Missouri.

H.R. 714. An act to establish the Midewin National Tallgrass Prairie in the State of Illinois, and for other purposes.

H.R. 1874. An act to modify the boundaries of the Talladega National Forest, Alabama.

The message also announced that the House has agreed to the following concurrent resolution, in which it requests the concurrence of the Senate:

H. Con. Res. 89. Concurrent resolution waiving provisions of the Legislative Reorganization Act of 1970 requiring adjournment of Congress by July 31.

ENROLLED BILL SIGNED

At 3:11 p.m., a message from the House of Representatives, delivered by Ms. Goetz, one of its reading clerks, announced that the Speaker has signed the following enrolled bill:

H.R. 2017. An act to authorize an increased Federal share of the costs of the certain transportation projects in the District of Columbia for fiscal years 1995 and 1996, and for other purposes.

The enrolled bill was subsequently signed by the President pro tempore (Mr. THURMOND).

At 7:28 p.m., a message from the House of Representatives, delivered by Ms. Goetz, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 2099. An act making appropriations for the Department of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for fiscal year ending September 30, 1996, and for other purposes.

The message also announced that the House has passed the following bill, without amendment:

S. 21. An act to terminate the United States arms embargo applicable to the Government of Bosnia and Herzegovina.

MEASURES REFERRED

The following bills were read the first and second times by unanimous consent and referred as indicated:

H.R. 701. An act to authorize the Secretary of Agriculture to convey lands to the City of Rolla, Missouri; to the Committee on Agriculture, Nutrition, and Forestry.

H.R. 1874. An act to modify the boundaries of the Talladega National Forest, Alabama; to the Committee on Agriculture, Nutrition, and Forestry.

H.R. 2099. An act making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for fiscal year ending September 30, 1996, and for other purposes; to the Committee on Appropriations.

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. GORTON:

S. 1099. A bill to provide for a change in the exemption from the child labor provisions of the Fair Labor Standards Act of 1938 for minors between 16 and 18 years of age who engage in the operation of automobiles and trucks, and for other purposes; to the Committee on Labor and Human Resources.

By Mr. MOYNIHAN (for himself, Mr. HATCH, Mr. BAUCUS, Mr. BINGAMAN, Mrs. BOXER, Mr. BREAUX, Mr. COCHRAN, Mr. D'AMATO, Mr. DODD, Mr. GRASSLEY, Mr. KYL, Ms. MOSELEY-BRAUN, Mr. PRYOR, and Mr. SIMPSON):

S. 1100. A bill to amend the Internal Revenue Code of 1986 to provide for the deduction of partnership investment expenses under the minimum tax; to the Committee on Finance.

By Mr. HATCH (for himself and Mr. HEFLIN) (by request):

S. 1101. A bill to make improvements in the operation and administration of the Federal courts, and for other purposes; to the Committee on the Judiciary.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. GORTON:

S. 1099. A bill to provide for a change in the exemption from the child labor provisions of the Fair Labor Standards Act of 1938 for minors between 16 and 18 years of age who engage in the operation of automobiles and trucks, and for other purposes; to the Committee on Labor and Human Resources

CHILD LABOR LEGISLATION

Mr. GORTON. Mr. President, few experiences are more valuable to young people than part-time and summer jobs. Jobs provide teenagers with both an income and an important lesson on what it's like to be in the work force. It is unfortunate, then, that the Federal Government—ever eager to encroach upon the lives of Americans—is denying young people the opportunity to work in at least one sector of our economy, car dealership.

Let me explain. Last year, the U.S. Department of Labor started cracking down on dealerships that allowed their 16- and 17-year-old employees to drive cars for short distances, say, from one lot to another across the street, or to a nearby gas station. Why? Because of a provision in the Fair Labor Standards Act that allows for only incidental and occasional driving by teenage employees under 18. As interpreted by the Department of Labor, this provision effectively wipes out any teenage driving whatsoever.

This provision in the Fair Labor Standards Act was intended to prevent employers from over-working young people and using then to drive heavy vehicles. But what we are talking about today, Mr. President, is not exploitation, but perfectly reasonable actions.

The Department of Labor, for reasons which I cannot fathom, has imposed almost $200,000 worth of fines on dealerships throughout Washington State, even thought the dealerships did not require their 16- and 17-year-old employees to drive often, or for a long time, but only in very limited circumstances. The result of these fines? Most car dealerships no longer hire people under 18 years of age, and hundreds of teenagers are prevented from getting good jobs.

Mr. President, I cannot help but point out the irony of the Labor Department acting as a job-destroying entity. Matthew Bergman, a then-17-year-old part-time dealership worker, said last year in the Seattle Times,

> I can have a legal state license that represents me in any state in the country, but I can't drive three blocks in a company car. It's a real bummer.

A bummer indeed, Mr. President. But it doesn't have to be that way. I believe we can reasonably modify the Fair Labor Standards Act so that teenagers can drive cars as long as it is not a primary part of their jobs. The bill I introduce today will do just that. It will be better for car dealerships, and better for kids who want to work. I urge my colleagues to support this important legislation.

Mr. President, I ask unanimous consent that the complete text of my bill be printed in the RECORD.

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

S. 1099

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. AUTHORITY FOR MINORS TO OPERATE MOTOR VEHICLES.

In the administration of the child labor provisions of the Fair Labor Standards Act of 1938, the Secretary of Labor shall issue a final rule not later than 1 year from date of enactment of this Act to amend the exemption from the child labor restrictions of such Act under section 570.52(b)(1) of title 29, Code of Federal Regulation, for minors between 16 and 28 years of age who operate automobiles or trucks not exceeding 6,000 pounds gross vehicle weight to eliminate the requirement that such operation be only occasional and incidental to the employment of a minor and to add the requirement that such operation not be the primary duty of the employment of a minor.

By Mr. MOYNIHAN (for himself, Mr. HATCH, Mr. BAUCUS, Mr. BINGAMAN, Mrs. BOXER, Mr. BREAUX, Mr. COCHRAN, Mr. D'AMATO, Mr. DODD, Mr. GRASSLEY, Mr. KYL, Ms. MOSELEY-BRAUN, Mr. PRYOR, and Mr. SIMPSON):

S. 1100. A bill to amend the Internal Revenue Code of 1986 to provide for the deduction of partnership investment expenses under the minimum tax; to the Committee on Finance.

TAX LEGISLATION

Mr. MOYNIHAN. Mr. President, I am introducing a bill today to eliminate a serious tax impediment to venture capital investments. It would treat the investment expenses of individuals investing in partnerships the same for alternative minimum tax [AMT] purposes as they are currently treated for regular tax purposes. No longer would individuals who are subject to the AMT and invest in venture capital funds set up as partnerships face taxation on their gross earnings, rather than their net income after deduction of expenses. This provision was included in the Tax Fairness and Economic Growth Act of 1992, H.R. 11, legislation that was passed by Congress but vetoed for reasons unrelated to this issue.

Under current law, most investors are permitted to deduct the expenses of earning investment income so that they pay tax on the net income from an investment. Individual taxpayers not subject to the AMT are permitted to deduct investment expenses against investment income, to the extent that expenses exceed 2 percent of the taxpayer's adjusted gross income. Further, individuals who invest through mutual funds effectively get a deduction for all investment expenses without regard to the 2 percent floor applicable to direct investment. Corporate taxpayers are also entitled to a tax deduction for all investment expenses.

In contrast to the general rule, the AMT as it applies to individuals denies them a deduction for any investment expenses, despite the fact that such expenses are legitimate costs of earning investment income. Denying the deduction for investment expenses is especially harsh when applied to individual partners in a venture capital partnership, because all of the partnership's expenses—for example, salaries, rent, legal and accounting services, and the costs of investigating and managing investment opportunities—are considered investment expenses that cannot be deducted under the AMT.

The goal of the AMT is to properly measure a taxpayer's income, so that the tax is paid on economic income. There is no policy justification for preventing the deduction of legitimate expenses of earning investment income.

The bill that I am introducing today would address the undesirable AMT policy in current law by treating individuals investing in partnerships and subject to the AMT the same as individuals under the regular income tax. Partners would be allowed to deduct partnership investment expenses against their partnership investment income, subject to the same 2 percent floor applied to other individual investors under the regular income tax.

These proposed tax changes should increase the flow of funds to partnerships investing in new businesses by eliminating a substantial tax barrier that currently exists. The vast majority of venture capital funds are organized as partnerships. Further, this proposed legislation should improve the efficiency of capital markets by bringing the AMT rules for partnership investments into conformity with those applicable under the regular income tax rules, and closer to those applicable to investors in mutual funds.

Mr. President, I ask unanimous consent that the text of the bill be placed in the RECORD.

S. 1100

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. TREATMENT OF PARTNERSHIP INVESTMENT EXPENSES UNDER MINIMUM TAX.

(a) GENERAL RULE.—Subparagraph (A) of section 56(b)(1) of the Internal Revenue Code of 1986 (relating to limitation on deductions) is amended to read as follows:

''(A) DISALLOWANCE OF CERTAIN DEDUCTIONS.—

''(i) IN GENERAL.—No deduction shall be allowed—

''(I) for any miscellaneous itemized deduction (as defined in section 67(b)), or

''(II) for any taxes described in paragraph (1), (2), or (3) of section 164(a).

''(ii) TREATMENT OF PARTNERSHIP INVESTMENT EXPENSES.—Subclause (I) of clause (i) shall not apply to the taxpayer's distributive share of the expenses described in section 212 of any partnership; except that the aggregate amount allowed as a deduction by reason of this sentence shall not exceed the lesser of (I) the aggregate adjusted investment income of the taxpayer from partnerships, or (II) the excess of the aggregate of the taxpayer's distributive shares of such expenses over 2 percent of adjusted gross income. For purposes of the preceding sentence, the term 'adjusted investment income' means investment income (as defined in section 163(d)(4)(B) without regard to clause (ii)(II) or clause (iii) reduced by investment interest (as defined in section 163(d)(3)).

''(iii) TREATMENT OF CERTAIN TAXES.—Subclause (II) of clause (i) shall not apply to any amount allowable in computing adjusted gross income.''

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to taxable years beginning after December 3, 1994.

Mr. HATCH. Mr. President, I am pleased to join with my distinguished colleague, Senator MOYNIHAN, in introducing legislation to ease the burden of the alternative minimum tax [AMT] on investors. I commend Senator MOYNIHAN and my other colleagues for the work they have done to help bring this bill to introduction in the Senate and to secure the strong bipartisan support that it enjoys.

Mr. President, changes to this area of the tax law are long overdue. Congress has attempted to correct this problem several times within the past few years. In fact, this bill was passed in its exact present form by both houses of Congress in 1992 as part of H.R. 11. My colleagues will recall that H.R. 11 was vetoed by President Bush for reasons unrelated to this provision.

Under current law, individuals who incur investment expenses may deduct them for regular tax purposes, subject to a 2-percent gross income floor. This includes expenses passed through to individuals from partnerships. While these legitimate investment expenses are deductible under the regular tax system, the alternative minimum tax system completely disallows their deductibility.

In the case of venture capital partnerships, investment expenses are often quite substantial. These partnerships spend a great deal of time and resources exploring possibilities for new investments to make sure that the products and companies will be successful before committing venture capital funding. The expenses required to explore and begin such investments include hiring support staff, renting office space, obtaining computers and other equipment, hooking up utilities, and legal and accounting fees.

Partners in these partnerships are generally successful and active businesspeople. Activities such as running other businesses, serving on boards of other companies, and investing heavily in other areas of the economy, often subjects their income to the alternative minimum tax. Even though their investment expenses from partnerships are completely legitimate, if the partners are subject to the AMT, these investment expenses are nondeductible and the partners, in effect, are punished for daring to invest.

The fact that these men and women are successful business people in other areas of their lives is the only reasons that the AMT kicks in to punish their investment activity. Mr. President, don't we want successful people to be the ones developing the products of tomorrow? In our view, there is simply no justification for disallowing legitimate expenses for reasons not even related to the venture capital investments.

Even the Treasury has acknowledged that the AMT's treatment of investment expenses is conceptually flawed. According to a recent report, this disparity in treatment results in the incorrect measurement of the economic income of investors subject to the AMT. The problem is not just conceptual. Real money, desperately needed by small businesses, is being diverted by a flawed tax policy.

Investors are often simply unwilling to make investments in emerging businesses that not only carry the highest risks in the investment world, but also carry the highest possible tax rates.

Mr. President, our bill will help stop the flow of capital away from entrepreneurial investments by allowing a partner in an investment partnership, filing as an individual, to deduct certain investment expenses for both regular tax and alternative minimum tax purposes. The strong disincentive to invest that the AMT has imposed on such partnerships would thus be eliminated.

Mr. President, this bill is pro-economy and pro-jobs. Allowing the deductibility of investment expenses will enhance the critical role that private sector investment plays in advancing our Nation's growth and development goals. This bill will affect the economic growth and vitality of our Nation in such industries as health care, biotechnology, pharmaceuticals, and high technology.

Small firms with venture capital support contribute significantly to the overall job growth of our economy. Such firms contribute greatly to the creation of jobs, and these are generally high quality jobs. In fact, 59 percent of the labor force in businesses created by venture capital are high-skill, high-wage workers such as engineers, scientists, and managers.

With an average annual growth rate of 25 percent, venture capital financed firms outpace almost all other sectors of our economy. As we remove this burden of the AMT, millions of dollars in entrepreneurial capital will be attracted that can provide a vital source

of funding for the jobs created by such start-up businesses.

In my home State of Utah, venture capital has contributed an estimated $100 million dollars to high growth industries. In fact, several of Utah's medical device and computer software companies owe their very existence to the capital that these partnerships provide.

Our bill would eliminate the AMT's financial impediment to the development of new, innovative products. Benefactors of this legislation include companies like Anefta, a Utah company which recently created the first pre-operating room anesthetic specifically designed for children. With the aid of a venture capital group, Anefta created an anesthetic in the form of a lollypop that hospitals across the country now give to children going into surgery.

Mr. President, it is time to stop punishing those willing to invest in America's future, in companies like Anefta. We need to remove the burden of the AMT on the entrepreneurial sector of our economy. I urge my colleagues to join Senator MOYNIHAN and myself in sponsoring this important legislation.

By Mr. HATCH (for himself and Mr. HEFLIN) (by request):

S. 1101. A bill to make improvements in the operation and administration of the Federal courts, and for other purposes; to the Committee on the Judiciary.

THE FEDERAL COURTS IMPROVEMENT ACT OF 1995

Mr. HATCH. Mr. President, at the request of the Administrative Office of the United States Courts, today I introduce the Federal Courts Improvement Act of 1995.

The Administrative Office prepared this legislation, and I am pleased to introduce it on that office's behalf. While I have reservations about some provisions of the bill, I believe that, out of comity to the judicial branch, the Senate should have the judiciary's specific proposals on record so that we can give those suggestions a full and fair hearing.

As for content, the bill is lengthy and includes both technical and substantive changes in the law. Some of its substantive changes do raise concern. For example, section 201 of the bill provides authorization for judicial branch reimbursement out of civil forfeiture funds for expenses incurred in connection with asset forfeiture proceedings. This might have a harmful effect on law enforcement and related programs, which currently receive reimbursement from civil forfeiture funds, and on other recipients of residual forfeiture funds.

A number of provisions relax rules pertaining to senior judges. Section 401 of the bill, for instance, changes the service requirements governing when judges may take senior status. Under the current rule, the earliest time a judge may take senior status is at 65 years of age, with 15 or more years of service. Under the new provision, a judge would be permitted to take senior status as early as age 60, so long as that judge's combined age and years of service equal at least 80.

Section 402 loosens requirements for senior judges' work certification to permit senior judges to obtain retroactive credit. Under that provision, a senior judge's work could be credited toward a prior year in which the judge did not complete the minimum work requirements. That would enable senior judges to remain eligible for salary increases for which they otherwise would not be qualified.

I have some concern that those provisions would increase costs to the Federal Government. With judges taking senior status earlier, a greater number of active judges would have to be appointed to handle the heavy Federal court caseload. Enabling senior judges to maintain senior status without meeting the already reduced work requirements could increase salary costs unnecessarily.

I mention these simply to highlight some concerns I have with this detailed and broad-ranging bill. The bill contains many other provisions that I hope to support. At this point, however, I must reserve my complete endorsement of it.

Mr. HEFLIN. Mr. President, I am joining with my colleague Senator ORRIN HATCH, chairman of the Judiciary Committee, to introduce at the request of the Administrative Office of the U.S. Courts the Federal Courts Improvement Act of 1995.

This bill contains some proposals carried over from previous Congresses, but it also contains some new proposals which the Federal judiciary believes will enhance and improve its operation. Section 101 would provide Federal authority for probation and pretrial service officers to carry firearms under rules prescribed by the Director of the Administrative Office of the Courts, if approved by the appropriate district court.

Section 202 would increase the civil filing fee from $120 to $150.

Section 304 would eliminate in-State plaintiff diversity jurisdiction.

Section 309 would raise the jurisdictional amount in diversity cases from $50,000 to $75,000 and index such amount for inflation to be adjusted at the end of each year evenly divisible by five.

Section 409 would authorize Federal judges to carry firearms for purposes of personal security.

Section 410 would change the date of temporary judgeships created in the 101st Congress under Public Law 101–650. Under current law, the 5 year term, after which new vacancies are not filled, began to run on the date of enactment of the public law. Under the proposed revision, the 5-year period would not begin until the confirmation date of the judge filling the temporary position.

Section 504 repeals a provision in a continuing appropriation resolution that bars annual cost-of-living adjustments in pay for Federal judges except as specifically authorized by Congress.

Section 603 would amend the Criminal Justice Act to delegate authority to the Judicial Conference to establish compensation rates and case compensation maximum amounts which are paid to attorneys who provide services under CJA.

The foregoing are just some of the provisions of the legislation we are introducing by request today. I do not agree with each and every proposal in the bill we are introducing, and I reserve the right to look at each specific proposal on its merits. I am confident that the Judiciary Committee will give this bill careful consideration and look forward to working with my colleagues on the committee in the weeks ahead.

ADDITIONAL COSPONSORS

S. 47

At the request of Mr. SARBANES, the name of the Senator from Washington [Mrs. MURRAY] was added as a cosponsor of S. 47, a bill to amend certain provisions of title 5, United States Code, in order to ensure equality between Federal firefighters and other employees in the civil service and other public sector firefighters, and for other purposes.

S. 112

At the request of Mr. DASCHLE, the name of the Senator from Wisconsin [Mr. KOHL] was added as a cosponsor of S. 112, a bill to amend the Internal Revenue Code of 1986 with respect to the treatment of certain amounts received by a cooperative telephone company.

S. 254

At the request of Mr. LOTT, the names of the Senator from Kansas [Mr. DOLE] and the Senator from Virginia [Mr. WARNER] were added as cosponsors of S. 254, a bill to extend eligibility for veterans' burial benefits, funeral benefits, and related benefits for veterans of certain service in the United States merchant marine during World War II.

S. 400

At the request of Mrs. HUTCHISON, the name of the Senator from Pennsylvania [Mr. SANTORUM] was added as a cosponsor of S. 400, a bill to provide for appropriate remedies for prison conditions, and for other purposes.

S. 434

At the request of Mr. KOHL, the name of the Senator from New York [Mr. D'AMATO] was added as a cosponsor of S. 434, a bill to amend the Internal Revenue Code of 1986 to increase the deductibility of business meal expenses for individuals who are subject to Federal limitations on hours of service.

S. 487

At the request of Mr. MCCAIN, the name of the Senator from Colorado [Mr. CAMPBELL] was added as a cosponsor of S. 487, a bill to amend the Indian Gaming Regulatory Act, and for other purposes.

S. 593

At the request of Mr. HATCH, the name of the Senator from Indiana [Mr. LUGAR] was added as a cosponsor of S. 593, a bill to amend the Federal Food, Drug, and Cosmetic Act to authorize the export of new drugs, and for other purposes.

S. 619

At the request of Mr. SMITH, the name of the Senator from Maine [Ms. SNOWE] was added as a cosponsor of S. 619, a bill to phase out the use of mercury in batteries and provide for the efficient and cost-effective collection and recycling or proper disposal of used nickel cadmium batteries, small sealed lead-acid batteries, and certain other batteries, and for other purposes.

S. 650

At the request of Mr. SHELBY, the name of the Senator from Idaho [Mr. KEMPTHORNE] was added as a cosponsor of S. 650, a bill to increase the amount of credit available to fuel local, regional, and national economic growth by reducing the regulatory burden imposed upon financial institutions, and for other purposes.

S. 772

At the request of Mr. DORGAN, the name of the Senator from North Carolina [Mr. FAIRCLOTH] was added as a cosponsor of S. 772, a bill to provide for an assessment of the violence broadcast on television, and for other purposes.

S. 847

At the request of Mr. GREGG, the name of the Senator from Indiana [Mr. LUGAR] was added as a cosponsor of S. 847, a bill to terminate the agricultural price support and production adjustment programs for sugar, and for other purposes.

S. 851

At the request of Mr. JOHNSTON, the names of the Senator from Oklahoma [Mr. INHOFE], the Senator from New Hampshire [Mr. SMITH], the Senator from Kentucky [Mr. MCCONNELL], the Senator from Wyoming [Mr. THOMAS], the Senator from Mississippi [Mr. COCHRAN], and the Senator from Michigan [Mr. ABRAHAM] were added as cosponsors of S. 851, a bill to amend the Federal Water Pollution Control Act to reform the wetlands regulatory program, and for other purposes.

S. 915

At the request of Mr. D'AMATO, the name of the Senator from Idaho [Mr. CRAIG] was added as a cosponsor of S. 915, a bill to govern relations between the United States and the Palestine Liberation Organization [PLO], to enforce compliance with standards of international conduct, and for other purposes.

S. 969

At the request of Mr. BRADLEY, the name of the Senator from Rhode Island [Mr. PELL] was added as a cosponsor of S. 969, a bill to require that health plans provide coverage for a minimum hospital stay for a mother and child following the birth of the child, and for other purposes.

S. 972

At the request of Mr. DASCHLE, the names of the Senator from Illinois [Mr. SIMON], and the Senator from Arkansas [Mr. BUMPERS] were added as cosponsors of S. 972, a bill to amend title XIX of the Social Security Act to provide for medicaid coverage of all certified nurse practitioners and clinical nurse specialists services.

S. 989

At the request of Mrs. KASSEBAUM, the names of the Senator from Colorado [Mr. BROWN] and the Senator from North Carolina [Mr. FAIRCLOTH] were added as cosponsors of S. 989, a bill to limit funding of an executive order that would prohibit Federal contractors from hiring permanent replacements for lawfully striking employees, and for other purposes.

S. 1072

At the request of Mr. THURMOND, the name of the Senator from Colorado [Mr. BROWN] was added as a cosponsor of S. 1072, a bill to redefine ''extortion'' for purposes of the Hobbs Act.

S. 1086

At the request of Mr. PRYOR, the name of the Senator from Louisiana [Mr. JOHNSTON] was added as a cosponsor of S. 1086, a bill to amend the Internal Revenue Code of 1986 to allow a family-owned business exclusion from the gross estate subject to estate tax, and for other purposes.

SENATE RESOLUTION 149

At the request of Mr. AKAKA, the names of the Senator from Vermont [Mr. LEAHY], and the Senator from New Jersey [Mr. LAUTENBERG] were added as cosponsors of Senate Resolution 149, a resolution expressing the sense of the Senate regarding the recent announcement by the Republic of France that it intends to conduct a series of underground nuclear test explosions despite the current international moratorium on nuclear testing.

AMENDMENTS SUBMITTED

THE FOREIGN RELATIONS REVITALIZATION ACT OF 1995

KERRY (AND PELL) AMENDMENT NO. 2034

(Ordered to lie on the table.)

Mr. KERRY (for himself and Mr. PELL) submitted an amendment intended to be proposed by them to the bill (S. 908) to authorize appropriations for the Department of State for fiscal years 1996 through 1999 and to abolish the United States Information Agency, the United States Arms Control and Disarmament Agency, and the Agency for International Development, and for other purposes; as follows:

On page 1, at the beginning of line 3, strike all that follows through page 2, line 20, and add the following—

''Section 4 of the United Nations Participation Act of 1945 (22 U.S.C. 287b) is amended—

''(1) by redesignating subsection (e) as subsection (f); and

''(2) by inserting after subsection (d) the following:

''(e) NOTICE TO CONGRESS OF PROPOSED UNITED NATIONS PEACEKEEPING ACTIVITIES.—(1) Except as provided in paragraph (2), at least 5 days before any vote in the Security Council to authorize any United Nations peacekeeping activity (including any extensions, modification, suspension, or termination of any previously authorized peacekeeping activity) which would involve the use of United States Armed Forces or the expenditure of United States funds, the President shall submit to the designated congressional committees a notification with respect to the proposed action. The notification shall include the following:

''(A) A cost assessment of such action (including the total estimated cost and the United States share of such cost).

''(B) Identification of the source of funding for the United States share of the costs of the action (whether in an annual budget request, reprogramming notification, a rescission of funds, a budget amendment, or a supplemental budget request).

''(2)(A) If the President determines that an emergency exists which prevents submission of the 5-day advance notification specified in paragraph (1) and that the proposed action is in the national interest of the United States, the notification described in paragraph (1) shall be provided in a timely manner but no later than 48 hours after the vote by the Security Council.

''(B) Determinations made under subparagraph (A) may not be delegated.''.

KERRY AMENDMENT NO. 2035

(Ordered to lie on the table.)

Mr. KERRY submitted an amendment intended to be proposed by him to the bill S. 908, supra; as follows:

Beginning on page 125, strike line 1 and all that follows through line 15 on page 267 and insert the following:

DIVISION B—CONSOLIDATION AND REINVENTION OF FOREIGN AFFAIRS AGENCIES

SEC. 1001. SHORT TITLE.

This division may be cited as the ''Foreign Affairs Reinvention Act of 1995''.

SEC. 1002. PURPOSES.

The purposes of this division are—

(1) to reorganize and reinvent the foreign affairs agencies of the United States in order to enhance the formulation, coordination, and implementation of United States foreign policy;

(2) to streamline and consolidate the functions and personnel of the Department of State, the Agency for International Development, the United States Information Agency, and the United States Arms Control and Disarmament Agency in order to eliminate redundancies in the functions and personnel of such agencies;

(3) to assist congressional efforts to balance the Federal budget and reduce the Federal debt;

(4) to strengthen the authority of United States ambassadors over all United States Government personnel and resources located in United States diplomatic missions in order to enhance the ability of the ambassadors to deploy such personnel and resources to the best effect to attain the President's foreign policy objectives;

(5) to encourage United States foreign affairs agencies to maintain a high percentage of the best qualified, most competent United

States citizens serving in the United States Government while downsizing significantly the total number of people employed by such agencies; and

(6) to ensure that all functions of United States diplomacy be subject to recruitment, training, assignment, promotion, and egress based on common standards and procedures while preserving maximum interchange among such functions.

TITLE XI—REORGANIZATION OF FOREIGN AFFAIRS AGENCIES

SEC. 1101. REORGANIZATION PLAN FOR THE DEPARTMENT OF STATE AND INDEPENDENT FOREIGN AFFAIRS AGENCIES.

(a) SUBMISSION OF PLAN.—Not later than 6 months after the date of enactment of this Act, the President shall transmit to the appropriate congressional committees a reorganization plan providing for the streamlining and consolidation of the Department of State, the United States Information Agency, the Agency for International Development, and the United States Arms Control and Disarmament Agency. Such plan shall provide for—

(1) the enhancement of the formulation, coordination, and implementation of policy;

(2) the maintenance, to the maximum extent possible, of a United States presence abroad within budgetary constraints;

(3) a reduction in the aggregate number of independent foreign affairs agencies;

(4) the elimination in the duplication of functions and personnel between the Department of State and such other agency or agencies not abolished under paragraph (3);

(5) the reduction in the aggregate number of positions in the Department of State and the independent foreign affairs agencies which are classified at each of levels II, III, and IV of the Executive Schedule;

(6) the reorganization and streamlining of the Department of State; and

(7) the achievement of a cost savings of at least $2,000,000,000 over 4 years through the consolidation of agencies.

(b) PLAN ELEMENTS.—The plan under subsection (a) shall—

(1) identify the functions of the independent foreign affairs agencies that will be transferred to the Department of State under the plan, as well as those that will be abolished under the plan;

(2) identify the personnel and positions of the agencies (including civil service personnel, Foreign Service personnel, and detailees) that will be transferred to the Department, separated from service with the Agency, or be eliminated under the plan, and set forth a schedule for such transfers, separations, and terminations;

(3) identify the personnel and positions of the Department (including civil service personnel, Foreign Service personnel, and detailees) that will be transferred within the Department, separated from service with the Department, or eliminated under the plan and set forth a schedule for such transfers, separations, and terminations;

(4) specify the consolidations and reorganization of functions of the Department that will be required under the plan in order to permit the Department to carry out the functions transferred to the Department under the plan;

(5) specify the funds available to the independent foreign affairs agencies that will be transferred to the Department under this title as a result of the implementation of the plan;

(6) specify the proposed allocations within the Department of unexpended funds of the independent foreign affairs agencies; and

(7) specify the proposed disposition of the property, facilities, contracts, records, and other assets and liabilities of the independent foreign affairs agencies resulting from the abolition of any such agency and the transfer of the functions of the independent foreign affairs agencies to the Department.

(c) LIMITATIONS ON CONTENTS OF PLAN.—(1) Sections 903, 904, and 905 of title 5, United States Code, shall apply to the plan transmitted under subsection (a).

(2) The plan may not provide for the termination of any function authorized by law.

(d) EFFECTIVE DATE OF PLAN.—(1) The plan transmitted under subsection (a) shall take effect 60 calendar days of continuous session of Congress after the date on which the plan is transmitted to Congress unless Congress enacts a joint resolution, in accordance with subsection (e), disapproving the plan.

(2) For purposes of paragraph (1)—

(A) continuity of session is broken only by an adjournment of Congress sine die; and

(B) the days on which either House is not in session because of an adjournment of more than 3 days to a day certain are excluded in the computation of any period of time in which Congress is in continuous session.

(e) CONGRESSIONAL PRIORITY PROCEDURES.—(1) Except as provided in paragraph (2), sections 908, 910, 911, and 912 of title 5, United States Code, shall apply to the consideration by Congress of a joint resolution described in paragraph (3) that is introduced in a House of Congress.

(2) The following requirements shall apply to actions described in paragraph (1) without regard to chapter 9 of title 5, United States Code:

(A) A referral of joint resolutions under this section may only be made to the Committee on Foreign Relations of the Senate and the Committee on International Relations of the House of Representatives.

(B) The reference in section 908 of such title to reorganization plans transmitted on or before December 31, 1984, shall have no force or effect.

(3) A joint resolution under this section means only a joint resolution of the Congress, the matter after the resolving clause of which is as follows: ''That the Congress disapproves the reorganization plan numbered ___ transmitted to the Congress by the President on ___, 19___'', which plan may include such modifications and revisions as are submitted by the President under section 903(c) of title 5, United States Code. The blank spaces therein are to be filled appropriately.

(4) The provisions of this subsection supersede any other provision of law.

(f) EXPIRATION OF AUTHORITY TO TRANSMIT PLAN.—The authority of the President to transmit a reorganization plan under subsection (a) shall expire on the date that is 6 months after the date of the enactment of this Act.

(g) DEADLINE FOR IMPLEMENTATION.—If the reorganization plan transmitted under subsection (a) is not disapproved by Congress in accordance with subsection (e), the plan shall be implemented not later than March 1, 1997.

(h) ABOLITION OF INDEPENDENT FOREIGN AFFAIRS AGENCIES.—

(1) ABOLITION FOR FAILURE TO TRANSMIT PLAN.—If the President does not transmit to Congress a reorganization plan under subsection (a), the United States Arms Control and Disarmament Agency, the United States Information Agency, and the Agency for International Development are abolished as of 180 days after the date of enactment of this Act.

(2) ABOLITION FOR FAILURE TO IMPLEMENT PLAN.—If the President does not implement the reorganization plan transmitted and not disapproved under this section with respect to an agency referred to in paragraph (1), the agency is abolished as of March 1, 1997.

(i) DEFINITION.—As used in this section, the term ''independent foreign affairs agencies'' means the United States Arms Control and Disarmament Agency, the United States Information Agency, and the Agency for International Development.

SEC. 1102. TRANSFERS OF FUNCTIONS.

(a) TRANSFERS.—Subject to subsection (b), there are transferred to, and vested in, the Secretary of State all functions vested by law (including by reorganization plan approved before the date of the enactment of this Act pursuant to chapter 9 of title 5, United States Code) in, or exercised by, the head of each of the following agencies, the agencies themselves, or officers, employees, or components thereof:

(1) The United States Arms Control and Disarmament Agency

(2) The United States Information Agency.

(3) The Agency for International Development.

(b) EFFECTIVE DATE.—The transfers referred to in subsection (a) shall take place—

(1) if the President does not transmit a reorganization plan to Congress under section 1101(a), not later than 180 days after the date of enactment of this Act; or

(2) if the President does not implement the reorganization plan transmitted and not disapproved under such section with respect to an agency referred to in subsection (a), not later than March 1, 1997.

SEC. 1103. VOLUNTARY SEPARATION INCENTIVES.

(a) AUTHORITY TO PAY INCENTIVES.—The head of an agency referred to in subsection (b) may pay voluntary incentive payments to employees of the agency in order to avoid or minimize the need for involuntary separations from the agency as a result of the abolition of the agency and the consolidation of functions of the Department of State under this title.

(b) COVERED AGENCIES.—Subsection (a) applies to the following agencies:

(1) The Department of State.

(2) The United States Arms Control and Disarmament Agency.

(3) The United States Information Agency.

(4) The Agency for International Development.

(c) PAYMENT REQUIREMENTS.—(1) The head of an agency shall pay voluntary separation incentive payments in accordance with the provisions of section 3 of the Federal Workforce Restructuring Act of 1994 (Public Law 103-226; 108 Stat. 111), except that an employee of the agency shall be deemed to be eligible for payment of a voluntary separation incentive payment under that section if the employee separates from service with the agency during the period beginning on the date of enactment of this Act and ending on February 28, 1997.

(2) The provisions of subsection (d) of such section 3 shall apply to any employee who is paid a voluntary separation incentive payment under this section.

(d) FUNDING.—The payment of voluntary separation incentive payments under this section shall be made from funds in the Foreign Affairs Reorganization Transition Fund established under section 1104. The Secretary of State may transfer sums in that Fund to the head of an agency under subsection (e)(1)(B) of that section for payment of such payments by the agency head.

(e) TERMINATION OF AUTHORITY.—The authority of the head of an agency to authorize payment of voluntary separation incentive payments under this section shall expire on February 28, 1997.

SEC. 1104. TRANSITION FUND.

(a) ESTABLISHMENT.—There is hereby established on the books of the Treasury an account to be known as the ''Foreign Affairs Reorganization Transition Fund''.

(b) PURPOSE.—The purpose of the account is to provide funds for the orderly transfer of functions and personnel to the Department of State as a result of the implementation of this title and for payment of other costs associated with the consolidation of foreign affairs agencies under this title.

(c) DEPOSITS.—(1) Subject to paragraphs (2) and (3), there shall be deposited into the account the following:

(A) Funds appropriated to the account pursuant to the authorization of appropriations in subsection (j).

(B) Funds transferred to the account by the Secretary of State from funds that are transferred to the Secretary by the head of an agency under subsection (d).

(C) Funds transferred to the account by the Secretary from funds that are transferred to the Department of State together with the transfer of functions to the Department under this title and that are not required by the Secretary in order to carry out the functions.

(D) Funds transferred to the account by the Secretary from any unobligated funds that are appropriated or otherwise made available to the Department.

(2) The Secretary may transfer funds to the account under subparagraph (C) of paragraph (1) only if the Secretary determines that the amount of funds deposited in the account pursuant to subparagraphs (A) and (B) of that paragraph is inadequate to pay the costs of carrying out this title.

(3) The Secretary may transfer funds to the account under subparagraph (D) of paragraph (1) only if the Secretary determines that the amount of funds deposited in the account pursuant to subparagraphs (A), (B), and (C) of that paragraph is inadequate to pay the costs of carrying out this title.

(d) TRANSFER OF FUNDS TO SECRETARY OF STATE.—The head of a transferor agency shall transfer to the Secretary the amount, if any, of the unobligated funds appropriated or otherwise made available to the agency for functions of the agency that are abolished under this title which funds are not required to carry out the functions of the agency as a result of the abolishment of the functions under this title.

(e) USE OF FUNDS.—(1)(A) Notwithstanding any other provision of law, the Secretary shall use sums in the account for payment of the costs of carrying out this title, including costs relating to the consolidation of functions of the Department of State and relating to the termination of employees of the Department.

(B) The Secretary may transfer sums in the account to the head of an agency to be abolished under this title for payment by the head of the agency of the cost of carrying out a voluntary separation incentive program at the agency under section 1103.

(2) Funds in the account shall be available for the payment of costs under paragraph (1) without fiscal year limitation.

(3) Funds in the account may be used only for purposes of paying the costs of carrying out this title.

(f) TREATMENT OF UNOBLIGATED BALANCES.—(1) Subject to paragraph (2), unobligated funds, if any, which remain in the account after the payment of the costs described in subsection (e)(1) shall be transferred to Department of State and shall be available to the Secretary of State for purposes of carrying out the functions of the Department.

(2) The Secretary may not transfer funds in the account to the Department under paragraph (1) unless the appropriate congressional committees are notified in advance of such transfer in accordance with the procedures applicable to reprogramming notifications under section 34 of the State Department Basic Authorities Act of 1956.

(g) REPORT ON ACCOUNT.—Not later than October 1, 1998, the Secretary of State shall transmit to the appropriate congressional committees a report containing an accounting of—

(1) the expenditures from the account established under this section; and

(2) in the event of any transfer of funds to the Department of State under subsection (f), the functions for which the funds so transferred were expended.

(i) TERMINATION OF AUTHORITY TO USE ACCOUNT.—The Secretary may not obligate funds in the account after September 30, 1999.

(j) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated $200,000,000 for deposit under subsection (c)(1) into the account established under subsection (a).

SEC. 1105. ASSUMPTION OF DUTIES BY APPROPRIATE APPOINTEES.

An individual holding office on the date of the enactment of this Act—

(1) who was appointed to the office by the President, by and with the advice and consent of the Senate;

(2) who is transferred to a new office in the Department of State under this title; and

(3) who performs duties in such new office that are substantially similar to the duties performed by the individual in the office held on such date,

may, in the discretion of the Secretary of State, assume the duties of such new office, and shall not be required to be reappointed by reason of the enactment of this title.

SEC. 1106. RIGHTS OF EMPLOYEES OF ABOLISHED AGENCIES.

(a) IN GENERAL.—Except as otherwise provided by this title, the transfer pursuant to this title of full-time personnel (except special Government employees) and part-time personnel holding permanent positions shall not cause any such employee to be separated or reduced in grade or compensation for 1 year after the date of transfer of such employee under this title.

(b) EXECUTIVE SCHEDULE POSITIONS.—Except as otherwise provided in this title, any person who, on the day preceding the date of the abolition of a transferor agency under this title, held a position in such an agency that was compensated in accordance with the Executive Schedule prescribed in chapter 53 of title 5, United States Code, and who, without a break in service, is appointed in the Department of State to a position having duties comparable to the duties performed immediately preceding such appointment shall continue to be compensated in such new position at not less than the rate provided for such previous position, for the duration of the service of such person in such new position.

(c) TERMINATION OF CERTAIN POSITIONS.—Positions whose incumbents are appointed by the President, by and with the advice and consent of the Senate, the functions of which are transferred under this title, shall terminate on the date of the transferal of the functions under this title.

(d) EXCEPTED SERVICE.—(1) Subject to paragraph (2), in the case of employees occupying positions in the excepted service or the Senior Executive Service, any appointment authority established pursuant to law or regulations of the Office of Personnel Management for filling such positions shall be transferred.

(2) The Department of State may decline a transfer of authority under paragraph (1) (and the employees appointed pursuant thereto) to the extent that such authority relates to positions excepted from the competitive service because of their confidential, policy-making, policy-determining, or policy-advocating character, and noncareer positions in the Senior Executive Service (within the meaning of section 3132(a)(7) of title 5, United States Code).

(e) EMPLOYEE BENEFIT PROGRAMS.—(1) Any employee accepting employment with the Department of State as a result of such transfer may retain for 1 year after the date such transfer occurs membership in any employee benefit program of the transferor agency, including insurance, to which such employee belongs on the date of the enactment of this Act if—

(A) the employee does not elect to give up the benefit or membership in the program; and

(B) the benefit or program is continued by the Secretary of State.

(2) The difference in the costs between the benefits which would have been provided by such agency or entity and those provided by this section shall be paid by the Secretary of State. If any employee elects to give up membership in a health insurance program or the health insurance program is not continued by the Secretary of State, the employee shall be permitted to select an alternate Federal health insurance program within 30 days of such election or notice, without regard to any other regularly scheduled open season.

(f) SENIOR EXECUTIVE SERVICE.—A transferring employee in the Senior Executive Service shall be placed in a comparable position at the Department of State.

(g) ASSIGNMENTS.—(1) Transferring employees shall receive notice of their position assignments not later than the date on which the reorganization plan setting forth the transferal of such employees is transmitted to the appropriate congressional committees under this title.

(2) Foreign Service personnel transferred to the Department of State pursuant to this title shall be eligible for any assignment open to Foreign Service personnel within the Department.

SEC. 1107. TRANSFER AND ALLOCATIONS OF APPROPRIATIONS AND PERSONNEL.

(a) IN GENERAL.—Except as otherwise provided in this title, the personnel employed in connection with, and the assets, liabilities, contracts, property, records, and unexpended balances of appropriations, authorizations, allocations, and other funds employed, used, held, arising from, available to, or to be made available in connection with the functions transferred under this title, subject to section 1531 of title 31, United States Code, shall be transferred to the Department of State.

(b) TREATMENT OF PERSONNEL EMPLOYED IN TERMINATED FUNCTIONS.—The following shall apply with respect to officers and employees of a transferor agency that are not transferred under this title:

(1) Under such regulations as the Office of Personnel Management may prescribe, the head of any agency in the executive branch may appoint in the competitive service any person who is certified by the head of the transferor agency as having served satisfactorily in the transferor agency and who passes such examination as the Office of Personnel Management may prescribe. Any person so appointed shall, upon completion of the prescribed probationary period, acquire a competitive status.

(2) The head of any agency in the executive branch having an established merit system in the excepted service may appoint in such service any person who is certified by the head of the transferor agency as having served satisfactorily in the transferor agency and who passes such examination as the head of such agency in the executive branch may prescribe.

(3) Any appointment under this subsection shall be made within a period of 1 year after

completion of the appointee's service in the transferor agency.

(4) Any law, Executive order, or regulation which would disqualify an applicant for appointment in the competitive service or in the excepted service concerned shall also disqualify an applicant for appointment under this subsection.

SEC. 1108. PERSONNEL AUTHORITIES FOR TRANSFERRED FUNCTIONS.

(a) APPOINTMENTS.—(1) Subject to paragraph (2), the Secretary of State may appoint and fix the compensation of such officers and employees, including investigators, attorneys, and administrative law judges, as may be necessary to carry out the respective functions transferred to the Department of State under this title. Except as otherwise provided by law, such officers and employees shall be appointed in accordance with the civil service laws and their compensation fixed in accordance with title 5, United States Code.

(2) A person employed under paragraph (1) may not continue in such employment after the end of the period (as determined by the Secretary) required for the transferal of functions under this title.

(b) EXPERTS AND CONSULTANTS.—The Secretary of State may obtain the services of experts and consultants in connection with functions transferred to the Department of State under this title in accordance with section 3109 of title 5, United States Code, and compensate such experts and consultants for each day (including traveltime) at rates not in excess of the rate of pay for level IV of the Executive Schedule under section 5315 of such title. The head Secretary may pay experts and consultants who are serving away from their homes or regular place of business travel expenses and per diem in lieu of subsistence at rates authorized by sections 5702 and 5703 of such title for persons in Government service employed intermittently.

SEC. 1109. PROPERTY AND FACILITIES.

(a) IN GENERAL.—The Secretary of State shall review the property and facilities of each transferror agency for purposes of determining if the property is required by the Department of State in order to carry out the functions of the Department after the transfer of functions to the Department under this title.

(b) DEADLINE FOR TRANSFER.—Not later than March 1, 1997, all property and facilities within the custody of the transferor agencies shall be transferred to the custody of the Secretary of State.

SEC. 1110. DELEGATION AND ASSIGNMENT.

Except where otherwise expressly prohibited by law or otherwise provided by this title, the Secretary of State may delegate any of the functions transferred to the Secretary under this title and any function transferred or granted to the Secretary after the effective date of this title to such officers and employees of the Department of State as the Secretary may designate, and may authorize successive redelegations of such functions as may be necessary or appropriate. No delegation of functions by the Secretary under this section or under any other provision of this title shall relieve the Secretary of responsibility for the administration of such functions.

SEC. 1111. RULES.

The Secretary of State may prescribe, in accordance with the provisions of chapters 5 and 6 of title 5, United States Code, such rules and regulations as the Secretary determines necessary or appropriate to administer and manage the functions of the Department of State after the transfer of functions to the Department under this title.

SEC. 1112. INCIDENTAL TRANSFERS.

The Director of the Office of Management and Budget may, at such time or times as the Director shall provide, make such additional incidental dispositions of personnel, assets, liabilities, grants, contracts, property, records, and unexpended balances of appropriations, authorizations, allocations, and other funds held, used, arising from, available to, or to be made available in connection with such functions, as may be necessary to carry out the provisions of this title. The Director shall provide for the termination of the affairs of all entities terminated by this title and for such further measures and dispositions as may be necessary to effectuate the purposes of this title.

SEC. 1113. EFFECT ON CONTRACTS AND GRANTS.

(a) PROHIBITION ON NEW OR EXTENDED CONTRACTS OR GRANTS.—Except as provided in subsection (b), the United States Arms Control and Disarmament Agency, the United States Information Agency, and the Agency for International Development may not—

(1) enter into a contract or agreement which will continue in force after the termination date, if any, of such agency under this title;

(2) extend the term of an existing contract or agreement of such agency to a date after such date; or

(3) make a grant which will continue in force after such date.

(b) EXCEPTION.—Subsection (a) does not apply to the following:

(1) Contracts and agreements for carrying out essential administrative functions.

(2) Contracts and agreements for functions and activities that the Secretary of State determines will be carried out by the Department of State after the termination of the agency concerned under this title.

(3) Grants relating to the functions and activities referred to in paragraph (2).

(c) EVALUATION AND TERMINATION OF EXISTING CONTRACTS.—The Secretary of State and the head of each agency referred to in subsection (a) shall—

(1) review the contracts of such agency that will continue in force after the date, if any, of the abolishment of the agency under this title in order to determine if the cost of abrogating such contracts before that date would be exceed the cost of carrying out the contract according to its terms; and

(2) in the case of each contract so determined, provide for the termination of the contract in the most cost-effective manner practicable.

SEC. 1114. SAVINGS PROVISIONS.

(a) CONTINUING EFFECT OF LEGAL DOCUMENTS.—All orders, determinations, rules, regulations, permits, agreements, grants, contracts, certificates, licenses, registrations, privileges, and other administrative actions—

(1) which have been issued, made, granted, or allowed to become effective by the President, any Federal agency or official thereof, or by a court of competent jurisdiction, in the performance of functions which are transferred under this title, and

(2) which are in effect at the time this title takes effect, or were final before the effective date of this title and are to become effective on or after the effective date of this title,

shall continue in effect according to their terms until modified, terminated, superseded, set aside, or revoked in accordance with law by the President, the Secretary of State or other authorized official, a court of competent jurisdiction, or by operation of law.

(b) PROCEEDINGS NOT AFFECTED.—The provisions of this title shall not affect any proceedings, including notices of proposed rulemaking, or any application for any license, permit, certificate, or financial assistance pending before the transferor agency at the time this title takes effect for that agency, with respect to functions transferred under this title but such proceedings and applications shall be continued. Orders shall be issued in such proceedings, appeals shall be taken therefrom, and payments shall be made pursuant to such orders, as if this title had not been enacted, and orders issued in any such proceedings shall continue in effect until modified, terminated, superseded, or revoked by a duly authorized official, by a court of competent jurisdiction, or by operation of law. Nothing in this subsection shall be deemed to prohibit the discontinuance or modification of any such proceeding under the same terms and conditions and to the same extent that such proceeding could have been discontinued or modified if this title had not been enacted.

(c) SUITS NOT AFFECTED.—The provisions of this title shall not affect suits commenced before the effective date of this title, and in all such suits, proceedings shall be had, appeals taken, and judgments rendered in the same manner and with the same effect as if this title had not been enacted.

(d) NONABATEMENT OF ACTIONS.—No suit, action, or other proceeding commenced by or against the transferor agency, or by or against any individual in the official capacity of such individual as an officer of the transferor agency, shall abate by reason of the enactment of this title.

(e) ADMINISTRATIVE ACTIONS RELATING TO PROMULGATION OF REGULATIONS.—Any administrative action relating to the preparation or promulgation of a regulation by the transferor agency relating to a function transferred under this title may be continued by the Secretary of State with the same effect as if this title had not been enacted.

SEC. 1115. SEPARABILITY.

If a provision of this title or its application to any person or circumstance is held invalid, neither the remainder of this title nor the application of the provision to other persons or circumstances shall be affected.

SEC. 1116. TRANSITION.

The Secretary of State may utilize—

(1) the services of such officers, employees, and other personnel of the transferor agency with respect to functions transferred to the Department of State under this title; and

(2) funds appropriated to such functions for such period of time as may reasonably be needed to facilitate the orderly implementation of this title.

SEC. 1117. ADDITIONAL CONFORMING AMENDMENTS.

The President may submit a report to the appropriate congressional committees containing such recommendations for such additional technical and conforming amendments to the laws of the United States as may be appropriate to reflect the changes made by this division.

SEC. 1118. FINAL REPORT.

Not later than October 1, 1998, the President shall provide by written report to the Congress a final accounting of the finances and operations of the United States Arms Control and Disarmament Agency, the United States Information Agency, and the Agency for International Development.

SEC. 1119. DEFINITIONS.

For purposes of this title, unless otherwise provided or indicated by the context—

(1) the term ''appropriate congressional committees'' means the Committee on Foreign Relations of the Senate and the Committee on International Relations of the House of Representatives;

(2) the term ''Federal agency'' has the meaning given to the term ''agency'' by section 551(1) of title 5, United States Code;

(3) the term ''function'' means any duty, obligation, power, authority, responsibility, right, privilege, activity, or program;

(4) the term ''office'' includes any office, administration, agency, institute, unit, organizational entity, or component thereof;

(5) the term ''transferor agency'' refers to each of the following agencies:

(A) The Agency for International Development, a component of the International Development Cooperation Agency.

(B) The International Development Cooperation Agency (insofar as it exercises functions related to the Agency for International Development).

(C) The United States Information Agency (exclusive of the Broadcasting Board of Governors).

(D) The United States Arms Control and Disarmament Agency.

TITLE XII—CONSOLIDATION OF DIPLOMATIC MISSIONS AND CONSULAR POSTS

SEC. 1201. CONSOLIDATION OF UNITED STATES DIPLOMATIC MISSIONS AND CONSULAR POSTS.

(a) CONSOLIDATION PLAN.—The Secretary of State shall develop a worldwide plan for the consolidation, wherever practicable, on a regional or areawide basis, of United States missions and consular posts abroad in order to carry out this section.

(b) CONTENTS OF PLAN.—The plan shall—

(1) identify the specific United States diplomatic missions and consular posts for consolidation;

(2) identify those missions and posts at which the resident ambassador would also be accredited to other specified states in which the United States either maintained no resident official presence or maintained such a presence only at staff level; and

(3) provide an estimate of—

(A) the amount by which expenditures would be reduced through the reduction in the number of United States Government personnel assigned abroad;

(B) through a reduction in the costs of maintaining United States properties abroad; and

(C) the amount of revenues generated to the United States through the sale or other disposition of United States properties associated with the posts to be consolidated abroad.

(c) TRANSMITTAL.—Not later than 180 days after the date of enactment of this Act, the Secretary of State shall transmit a copy of the plan to the appropriate congressional committees.

(d) IMPLEMENTATION.—Not later than 60 days after transmittal of the plan under subsection (c), the Secretary of State shall take steps to implement the plan unless the Congress before such date enacts legislation disapproving the plan.

(e) CONGRESSIONAL PRIORITY PROCEDURES.—(1) A joint resolution described in paragraph (2) which is introduced in a House of Congress after the date on which a plan developed under subsection (a) is received by Congress, shall be considered in accordance with the procedures set forth in paragraphs (3) through (7) of section 8066(c) of the Department of Defense Appropriations Act, 1985 (as contained in Public Law 98-473 (98 Stat. 1936)), except that—

(A) references to the ''report described in paragraph (1)'' shall be deemed to be references to the joint resolution; and

(B) references to the Committee on Appropriations of the House of Representatives and to the Committee on Appropriations of the Senate shall be deemed to be references to the Committee on International Relations of the House of Representatives and the Committee on Foreign Relations of the Senate.

(2) A joint resolution under this paragraph is a joint resolution the matter after the resolving clause of which is as follows: ''That the Congress disapproves the plan submitted by the President on _____ pursuant to section 1109 of the Foreign Relations Revitalization Act.''.

(f) RESUBMISSION OF PLAN.—If, within 60 days of transmittal of a plan under subsection (c), Congress enacts legislation disapproving the plan, the President shall transmit to the appropriate congressional committees a revised plan developed under subsection (a).

(g) STATUTORY CONSTRUCTION.—Nothing in this section requires the termination of United States diplomatic or consular relations with any foreign country.

(h) DEFINITIONS.—As used in this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means the Committee on International Relations of the House of Representatives and the Committee on Foreign Relations of the Senate.

(2) PLAN.—The term ''plan'' means the plan developed under subsection (a).

SEC. 1202. DETAIL OF OTHER AGENCY PERSONNEL TO STATE DEPARTMENT.

Any employee of any agency other than the Department of State who is assigned to an overseas post located within any United States mission except for those assigned to a military command shall be detailed to the Department of State for the duration of such assignment, and shall be fully under the authority of the Chief of Mission. The Chief of Protocol, at the sole discretion of the Secretary of State, shall accord diplomatic titles, privileges, and immunities to any such employees as the Secretary of State deems appropriate.

BROWN AMENDMENT NO. 2036

(Ordered to lie on the table.)

Mr. BROWN submitted an amendment intended to be proposed by him to amendment No. 1938 proposed by him to the bill S. 908, supra; as follows:

At the appropriate place in the bill, insert the following new section:

''SEC. . LIMITATION ON CARGO PREFERENCE.

For all agricultural commodities transported under section 901(b) and 901b of the Merchant Marine Act of 1936 as part of any United States Government-administered program of food assistance to foreign countries, the United States shall not reimburse carriers more than 25 percent above the international market rate, as determined by the Secretary of Agricultural.''

BROWN AMENDMENTS NOS. 2037–2039

(Ordered to lie on the table.)

Mr. BROWN submitted three amendments to be proposed by him to amendments submitted by him to the bill S. 908, supra; as follows;

AMENDMENT NO. 2037

At the appropriate place in the bill, add the following new section:

SEC. . REIMBURSEMENT FOR MARGINAL COSTS.

(a) For all agricultural commodities transported under sections 901(b) and 901b of the Merchant Marine Act of 1936 as part of any United States government-administered program of food assistance to foreign countries, the United States is authorized to reimburse carriers above the international market rate as determined by the Secretary of Agriculture only to the extent of the differential cost incurred by U.S. shippers necessary to comply with U.S. health, safety, labor and other U.S. standards that are not required for non-U.S. vessels.

(b) REPORT.—The Secretary of Transportation shall submit a report 90 days after the enactment of this Act and annually thereafter to the appropriate committees of Congress detailing the U.S. health, safety, labor and other standards and their differential cost to U.S. shippers of agricultural commodities under sections 901(b) and 901b of the Merchant Marine Act of 1936.

AMENDMENT NO. 2038

At the appropriate place in the bill, add the following new section:

''SEC. . AUTHORIZATION FOR AN INDUSTRIAL PARK ON THE BORDER BETWEEN THE TERRITORIES AND ISRAEL.

(a) FINDINGS.—The Congress finds that:

(1) Extremists in Hamas and Islamic Jihad who reject the gains made since the signing of the Declaration of Principles have used terrorist tactics to force the closing of the territories;

(2) These terrorist acts have exacerbated existing problems and Gaza is now experiencing staggering unemployment nearing 50%, increasing chaos and a downward spiral of dashed hopes and deepening poverty;

(3) Israel's legitimate security concerns necessitate creative new methods of ensuring continued economic opportunity for the Palestinians; and

(4) The development of industrial parks along the border between Gaza, the West Bank and Israel sponsored by individual nations provides an important means of providing both development for Palestinians while maintaining border security.

(b) SENSE OF CONGRESS.—It is the sense of Congress that:'

(1) The United States should take prompt, visible action before the coming elections in Gaza and Jericho that promises hope and jobs to Palestinians;

(2) The rapid development of an industrial park, closely coordinated with private sector investors, will provide a clear sign of opportunity resulting from peace with Israel;

(3) The decision to site the industrial park should give special consideration to the extremely difficult economic conditions in Gaza;

(4) The President should appoint a Special Coordinator to coordinate the rapid development of an industrial park in Gaza and to begin the recruitment of U.S. investors; and

(5) The Secretary of State should direct a short-term review and implementation of U.S. assistance plans to assist in speeding the flow of goods and services between Israel and Gaza while increasing security between the two areas.

(b) AUTHORIZATION.—There are authorized to be appropriated $10,000,000 for the rapid development of a prototype industrial park in Gaza and/or the West Bank, notwithstanding sections 513 and 545 of the FY1995 Foreign Operations, Export Financing and Related Programs and FY1994 Supplemental Appropriations Act (P.L. 103–306) or similar provisions.''

AMENDMENT NO. 2039

At the appropriate place in the bill, insert the following new section:

TITLE ___—NATO PARTICIPATION ACT AMENDMENTS OF 1995

SECTION 1. SHORT TITLE.

This title may be cited as the ''NATO Participation Act Amendments of 1995''.

SEC. 2. FINDINGS.

The Congress makes the following findings:

(1) Since 1949, the North Atlantic Treaty Organization (NATO) has played an essential role in guaranteeing the security, freedom, and prosperity of the United States and its partners in the Alliance.

(2) NATO has expanded its membership on three different occasions since 1949.

(3) The sustained commitment of the member countries of NATO to mutual defense of their security ultimately made possible the democratic transformation in Central and Eastern Europe and the demise of the Soviet Union.

(4) NATO was designed to be and remains a defensive military organization whose members have never contemplated the use of, or used, military force to expand the borders of its member states.

(5) While the immediate threat to the security of the United States and its allies has been reduced with the collapse of the Iron Curtain, new security threats, such as the situation in Bosnia and Herzegovina, are emerging to the shared interests of the member countries of NATO.

(6) NATO remains the only multilateral security organization capable of conducting effective military operations to protect Western security interests.

(7) NATO has played a positive role in defusing tensions between NATO members and, as a result, no military action has occurred between two NATO member states since the inception of NATO in 1949.

(8) NATO is also an important diplomatic forum for the discussion of issues of concern to its member states and for the peaceful resolution of disputes.

(9) America's security, freedom, and prosperity remain linked to the security of the countries of Europe.

(10) Any threat to the security of the newly emerging democracies in Europe would pose a security threat to the United States and its European allies.

(11) The admission to NATO of European countries that have been freed from Communist domination and that meet specific criteria for NATO membership would contribute to international peace and enhance the security of the region.

(12) A number of countries have expressed varying degrees of interest in NATO membership, and have taken concrete steps to demonstrate this commitment.

(13) Full integration of Central and East European countries into the North Atlantic Alliance after such countries meet essential criteria for admission would enhance the security of the Alliance and, thereby, contribute to the security of the United States.

(14) The expansion of NATO can create the stable environment needed to successfully complete the political and economic transformation envisioned by European states emerging from communist domination.

(15) In recognition that not all countries which have requested membership in NATO will necessarily qualify at the same pace, the accession date for each new member will vary.

(16) The provision of NATO transition assistance should include those countries most ready for closer ties with NATO, and should be designed to assist other countries meeting specified criteria of eligibility to move forward toward eventual NATO membership.

(17) The evaluation of future membership in NATO for countries emerging from communist domination should be based on the progress of those nations in meeting criteria for NATO transition assistance and evolving NATO criteria, which require enhancement of NATO's security and the approval of all NATO members.

SEC. 3. UNITED STATES POLICY.

It should be the policy of the United States—

(1) to join with the NATO allies of the United States to redefine the role of the NATO Alliance in the post-Cold War world;

(2) to actively assist European countries emerging from communist domination in their transition so that such countries may eventually qualify for NATO membership; and

(3) to work to define the political and security relationship between an enlarged NATO and the Russian Federation.

SEC. 4. REVISIONS TO PROGRAM TO FACILITATE TRANSITION TO NATO MEMBERSHIP.

(a) ESTABLISHMENT OF PROGRAM.—Subsection (a) of section 203 of the NATO Participation Act of 1994 (title II of Public Law 103–447; 22 U.S.C. 1928 note) is amended to read as follows:

''(a) ESTABLISHMENT OF PROGRAM.—The President shall provide expanded security assistance and other related assistance to countries designated under subsection (d) to facilitate their transition to full NATO membership.''.

(b) ELIGIBLE COUNTRIES.—

(1) ELIGIBILITY.—Subsection (d) of section 203 of such Act is amended to read as follows:

''(d) DESIGNATION OF ELIGIBLE COUNTRIES.—

''(1) PRESIDENTIAL REVIEW AND REPORT.—Within 60 days of the enactment of the NATO Participation Act Amendments of 1995, the President shall transmit to the Congress an evaluation of Poland, Hungary, the Czech Republic, and Slovakia as well as Estonia, Latvia, Lithuania, Slovenia, Bulgaria, Romania and Albania in accordance with the criteria in paragraph (3) and specifically designate one or more of these countries to be eligible to receive assistance under the program established in subsection (a). The President shall provide a report of the country-by-country evaluation as well as an evaluation of each designated country's progress toward conformance with criteria for full NATO membership.

''(2) OTHER EUROPEAN COUNTRIES EMERGING FROM COMMUNIST DOMINATION.—

''(A) In addition to the country or countries designated pursuant to paragraph (1), the President may designate other European countries emerging from communist domination. The President may make such a designation in the case of any such country only if the President determines, and reports to the designated congressional committees, that such country meets the criteria specified in paragraph (3).

''(3) CRITERIA.—The criteria referred to in paragraph (2) are, with respect to each country, that the country—

''(A) has made significant progress toward establishing—

''(i) shared values and interests;

''(ii) democratic governments;

''(iii) free market economies;

''(iv) civilian control of the military, of the police, and of intelligence services;

''(v) adherence to the values, principles, and political commitments embodied in the Helsinki Final Act of the Organization on Security and Cooperation in Europe; and

''(vi) more transparent defense budgets and is participating in the Partnership For Peace defense planning process;

''(B) has made public commitments—

''(i) to further the principles of NATO and to contribute to the security of the North Atlantic area;

''(ii) to accept the obligations, responsibilities, and costs of NATO membership; and

''(iii) to implement infrastructure development activities that will facilitate participation in and support for NATO military activities;

''(C) is not ineligible for assistance under section 563 of Public Law 103–306, with respect to transfers of equipment to a country the government of which the the Secretary of State has determined is a terrorist government for purposes of section 40(d) of the Arms Export Control Act; and

''(D) is likely, within five years of the determination of the President under paragraph (1) or (2), to be in a position to further the principles of the North Atlantic Treaty and to contribute to its own security and that of the North Atlantic area.

''(4) PROHIBITION ON FUNDING FOR PARTNERSHIP FOR PEACE ACTIVITIES OR ON FUNDING FOR THE WARSAW INITIATIVE.—Effective 60 days after the date of enactment of the NATO Participation Act Amendments of 1995, no funds authorized to be appropriated under any provision of law may be obligated or expended for activities associated with the Partnership for Peace program or the Warsaw Initiative until the President has designated at least one country to participate in the transition program established under subsection (a).''.

(2) CONFORMING AMENDMENTS.—

(A) Subsections (b) and (c) of section 203 of such Act are amended by striking ''countries described in such subsection'' each of the two places it appears and inserting ''countries designated under subsection (d)''.

(B) Subsection (e) of section 203 of such Act is amended—

(i) by striking ''subsection (d)'' and inserting ''subsection (d)(2)''; and

(ii) by inserting ''(22 U.S.C. 2394)'' before the period at the end.

(C) Section 204(c) of such Act is amended by striking ''any other Partnership for Peace country designated under section 203(d)'' and inserting ''any country designated under section 203(d)(2)''.

(c) TYPES OF ASSISTANCE.—Section 203(c) of such Act is amended—

(1) by redesignating paragraphs (1) through (4) as subparagraphs (A) through (D), respectively; and

(2) by inserting after subparagraph (D) (as redesignated) the following new subparagraphs:

''(E) Assistance under chapter 4 of part II of the Foreign Assistance Act of 1961 (relating to the Economic Support Fund).

''(F) Funds appropriated under the 'Nonproliferation and Disarmament Fund' account''.

''(G) Assistance under chapter 6 of part II of the Foreign Assistance Act of 1961 (relating to peacekeeping operations and other programs).''.

''(H) Authority for the Department of Defense to pay excess defense articles costs for countries designated for both grant lethal and nonlethal excess defense articles.

''(I) Authority to convert FMF loans to grants, and grants to loans, for eligible countries.''.

(3) by inserting ''(1)'' immediately after ''TYPE OF ASSISTANCE.—''; and

(4) by adding at the end the following new paragraphs:

''(2) For fiscal years 1996 and 1997, in providing assistance under chapter 5 of part II of the Foreign Assistance Act of 1961 for the countries designated under subsection (d), the President shall include as an important component of such assistance the provision of sufficient language training to enable military personnel to participate further in programs for military training and in defense exchange programs.

''(3) Of the amounts made available under chapter 5 of part II of the Foreign Assistance Act of 1961 (relating to international military education and training), $5,000,000 for fiscal year 1996 and $5,000,000 for fiscal year 1997 should support—

''(A) the attendance of additional military personnel of Poland, Hungary, the Czech Republic, and Slovakia at professional military education institutions in the United States in accordance with section 544 of such Act; and

''(B) the placement and support of United States instructors and experts at military educational centers within the foreign countries designated under subsection (d) that are receiving assistance under that chapter.''.

SEC. 5. ASSISTANCE FOR NATO PARTICIPATION ACT DESIGNEES.

The President is authorized to obligate and expend $60,000,000 from funds made available under the Foreign Assistance Act of 1961 in support of countries designated to receive transition assistance under section 203(a) of the NATO Participation Act, as follows:

(1) Poland: $20,000,000.

(2) Czech Republic: $10,000,000.

(3) Hungary: $5,000,000.

(4) Slovakia: $5,000,000.

(5) Other European countries designated under subsection (d)(1) or subsection (d)(2): $20,000,000.

SEC. 6. TERMINATION OF ELIGIBILITY.

Section 203(f) of the NATO Participation Act of 1994 (title II of Public Law 103–447; 22 U.S.C. 1928 note) is amended to read as follows:

''(f) TERMINATION OF ELIGIBILITY.—(1) The eligibility of a country designated under subsection (d) for the program established in subsection (a) shall terminate 60 days after the President makes a certification under paragraph (2) unless, within the 60-day period, the Congress enacts a joint resolution disapproving the termination of eligibility.

''(2) Whenever the President determines that the government of a country designated under subsection (d)—

''(A) no longer meets the criteria set forth in subsection (d)(2)(A);

''(B) is hostile to the NATO alliance; or

''(C) poses a national security threat to the United States,

then the President shall so certify to the appropriate congressional committees.

''(3) Nothing in this Act shall affect the eligibility of countries to participate under other provisions of law in programs described in this Act.''.

(b) CONGRESSIONAL PRIORITY PROCEDURES.—Section 203 of such Act is amended by adding at the end the following new subsection:

''(g) CONGRESSIONAL PRIORITY PROCEDURES.—

''(1) APPLICABLE PROCEDURES.—A joint resolution described in paragraph (2) which is introduced in a House of Congress after the date on which a certification made under subsection (f)(2) is received by Congress shall be considered in accordance with the procedures set forth in paragraphs (3) through (7) of section 8066(c) of the Department of Defense Appropriations Act, 1985 (as contained in Public Law 98–473 (98 Stat. 1936)), except that—

''(A) references to the 'resolution described in paragraph (1)' shall be deemed to be references to the joint resolution; and

''(B) references to the Committee on Appropriations of the House of Representatives and to the Committee on Appropriations of the Senate shall be deemed to be references to the Committee on International Relations of the House of Representatives and the Committee on Foreign Relations of the Senate.

''(2) TEXT OF JOINT RESOLUTION.—A joint resolution under this paragraph is a joint resolution the matter after the resolving clause of which is as follows: 'That the Congress disapproves the certification submitted by the President on _____ pursuant to section 203(f) of the NATO Participation Act of 1994.'.''.

SEC. 7. REPORTS.

(a) ANNUAL REPORT.—Section 206 of the NATO Participation Act of 1994 (title II of Public Law 103–447; 22 U.S.C. 1928 note), as redesignated by section 5(1) of this Act, is amended—

(1) by inserting ''annual'' in the section heading before the first word;

(2) by inserting ''annual'' after ''include in the'' in the matter preceding paragraph (1);

(3) in paragraph (1), by striking ''Partnership for Peace'' and inserting ''European''; and

(4) by striking paragraph (2) and inserting instead the following new paragraph:

''(2) In the event that the President determines that, despite a period of transition assistance, a country designated under section 203(d) has not, as of January 10, 1999, met criteria for NATO membership set forth by the North Atlantic Council, the President shall transmit a report to the designated congressional committees containing an assessment of the progress made by that country in meeting those standards.''.

SEC. 8. DEFINITIONS.

The NATO Participation Act of 1994 (title II of Public Law 103–447; 22 U.S.C. 1928 note), as amended by this Act, is further amended by adding at the end the following new section:

''SEC. 207. DEFINITIONS.

''For purposes of this title:

''(1) NATO.—The term 'NATO' means the North Atlantic Treaty Organization.

''(2) DESIGNATED CONGRESSIONAL COMMITTEES.—The term 'designated congressional committees' means—

''(A) the Committee on International Relations, the Committee on National Security, and the Committee on Appropriations of the House of Representatives; and

''(B) the Committee on Foreign Relations, the Committee on Armed Services, and the Committee on Appropriations of the Senate.

''(3) EUROPEAN COUNTRIES EMERGING FROM COMMUNIST DOMINATION.—The term 'European countries emerging from Communist domination' includes, but is not limited to, Albania, Bulgaria, Czech Republic, Estonia, Hungary, Latvia, Lithuania, Moldova, Poland, Romania, Slovakia, Slovenia, and Ukraine.''.

BROWN AMENDMENT NO. 2040

(Ordered to lie on the table.)

Mr. BROWN submitted an amendment intended to be proposed by him to amendment No. 1950 proposed by him to the bill S. 908, supra; as follows:

At the appropriate place in the bill, add the following new section:

SEC. 510. CLARIFICATION OF RESTRICTIONS UNDER SECTION 620E OF THE FOREIGN ASSISTANCE ACT OF 1961.

(a) IN GENERAL.—Section 620E of the Foreign Assistance Act of 1961 (22 U.S.C. 2375) is amended—

(1) in subsection (e)—

(A) by striking ''No assistance'' and inserting ''No military assistance'';

(B) by striking ''in which assistance is to be furnished or military equipment or technology'' and inserting ''in which military assistance is to be furnished or military equipment or technology'';

(C) by striking ''the proposed United States assistance'' and inserting ''the proposed United States military assistance'';

(D) by inserting ''(1)'' immediately after ''(e)''; and

(E) by adding at the end the following new paragraph:

''(2) The prohibitions in this subsection do not apply to any assistance or transfer provided for the purposes of—

''(A) international narcotics control (including chapter 8 of part I of this Act) or any other provision of law available for providing assistance for counternarcotics purposes;

''(B) facilitating military-to-military contact, training (including chapter 5 of part II of this Act), or humanitarian or civic assistance projects;

''(C) peacekeeping and other multilateral operations (including chapter 6 of part II of this Act, relating to peacekeeping) or any provisions of law available for providing assistance for peacekeeping purposes, except that any lethal military equipment provided under this subparagraph shall be provided on a lease or loan basis only and shall be returned upon completion of the operation for which it was provided; or

''(D) antiterrorism assistance (including chapter 8 of part II of this Act, relating to antiterrorism assistance) or any other provision of law available for antiterrorism assistance purposes.

''(3) The restrictions of this subsection shall continue to apply to contracts for the delivery of F–16 aircraft to Pakistan.

''(4) Notwithstanding the restrictions contained in this subsection, military equipment, technology, or defense services, other than F–16 aircraft, may be transferred to Pakistan pursuant to contracts or cases entered into before October 1, 1990.''; and

(2) by adding at the end the following new subsections:

''(f) STORAGE COSTS.—The President may release the Government of Pakistan of its contractual obligation to pay the United States Government for the storage costs of items purchased prior to October 1, 1990, but not delivered by the United States Government by virtue of the application of subsection (e) and may reimburse the Government of Pakistan for any such amounts paid, on such terms and conditions as the President may prescribe, if such payments would have no impact on the scoring of United States budget authority or outlays.

''(g) RETURN OF MILITARY EQUIPMENT.—The President may return to the Government of Pakistan military equipment paid for and delivered to Pakistan and subsequently transferred for repair or upgrade to the United States but not returned to Pakistan by virtue of the application of subsection (e). Such equipment or its equivalent may be returned to the Government of Pakistan if the President determines and so certifies to the appropriate congressional committees that such equipment or equivalent neither constitutes nor has received any significant qualitative upgrade since being transferred to the United States.''.

HELMS AMENDMENT NO. 2041

Mr. HELMS proposed an amendment to the bill S. 908, supra; as follows:

At the end of the bill, add the following:

SEC. . SENSE OF CONGRESS REGARDING CONSOLIDATION AND REINVENTION OF FOREIGN AFFAIRS AGENCIES.

(a) FINDINGS.—The Congress finds that it is necessary in order to make the Government more efficient and to realize significant budgetary savings for the American taxpayer—

(1) to consolidate and reinvent foreign affairs agencies of the United States within the Department of State;

(2) to provide for the reorganization of the Department of State to maximize efficient use of resources eliminate redundancy in functions, and improve the management of the Department of State;

(3) to assist congressional efforts to balance the Federal budget by the year 2002;

(4) to ensure that the international affairs budget function shoulders an appropriate

share of the reductions in United States Government spending necessary to eliminate the $4,800,000,000,000 budget deficit; and

(5) to strengthen—

(A) the coordination of United States foreign policy;

(B) the leading role of the Secretary of State in the formulation and articulation of United States foreign policy;

(C) the authority of United States ambassadors over all United States Government personnel and resources located in United States diplomatic missions, in order to enhance the ability of the ambassadors to deploy those resources to the best effect that will attain the President's foreign policy objectives; and

(D) the United States Foreign Service, as the forward deployed civilian force of the United States Government, through renewed emphasis on the original principles which undergird the distinct Foreign Service personnel system. These include worldwide availability, assignments based on the needs of the service, rank in person, and merit-based advancement.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the President should—

(1) consolidate within the Department of State, or eliminate, such duplicative, overlapping, or superfluous personnel, functions, goals, activities, offices, and programs that the United States Arms Control and Disarmament Agency, the United States Information Agency, and the Agency for International Development have in common with the Department of State in order to realize a budgetary savings to the American taxpayer of at least $3,000,000,000 during fiscal years 1996 through 1999;

(2) encourage the United States foreign affairs agencies to maintain a high percentage of the best qualified, most competent American citizens serving in the United States Government while downsizing significantly the total number of people employed by these agencies; and

(3) ensure that all functions of diplomacy be subject to recruitment, training, assignment, promotion and egress based on common standards and procedures, with maximum interchange among the functions.

HELMS AMENDMENT NO. 2042

Mr. HELMS proposed an amendment to amendment No. 2041 proposed by him to the bill S. 908, supra; as follows:

Strike all after the word ''SEC.'' and insert the following:

. . SENSE OF CONGRESS REGARDING CONSOLIDATION AND REINVENTION OF FOREIGN AFFAIRS AGENCIES.

(a) FINDINGS.—The Congress finds that it is necessary in order to make the Government more efficient and to realize significant budgetary savings for the American taxpayer—

(1) to consolidate and reinvent foreign affairs agencies of the United States within the Department of State;

(2) to provide for the reorganization of the Department of State to maximize efficient use of resources, eliminate redundancy in functions, and improve the management of the Department of State;

(3) to assist congressional efforts to balance the Federal budget by the year 2002;

(4) to ensure that the international affairs budget function shoulders an appropriate share of the reductions in United States Government spending necessary to eliminate the $4,800,000,000,000 budget deficit; and

(5) to strengthen—

(A) the coordination of United States foreign policy;

(B) the leading role of the Secretary of State in the formulation and articulation of United States foreign policy;

(C) the authority of United States ambassadors over all United States Government personnel and resources located in United States diplomatic missions, in order to enhance the ability of the ambassadors to deploy those resources to the best effect that will attain the President's foreign policy objectives; and

(D) the United States Foreign Service, as the forward deployed civilian force of the United States Government, through renewed emphasis on the original principles which undergird the distinct Foreign Service personnel system. These include worldwide availability, assignments based on the needs of the service, rank in person, and merit-based advancement.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the President should—

(1) consolidate and eliminate, such duplicative, overlapping, or superfluous personnel, functions, goals, activities, offices, and programs that the United States Arms Control and Disarmament Agency, the United States Information Agency, and the Agency for International Development have in common with the Department of State in order to realize a budgetary savings to the American taxpayer of at least $3,000,000,000 during fiscal years 1996 through 1999;

(2) encourage the United States foreign affairs agencies to maintain a high percentage of the best qualified, most competent American citizens serving in the United States Government while downsizing significantly the total number of people employed by these agencies; and

(3) ensure that all functions of diplomacy be subject to recruitment, training, assignment, promotion and egress based on common standards and procedures, with maximum interchange among the functions.

HATCH (AND OTHERS) AMENDMENT NO. 2043

(Ordered to lie on the table.)

Mr. HATCH (for himself, Mr. MOYNIHAN, Mr. JEFFORDS, Mr. PELL, Mr. HARKIN, and Mr. CAMPBELL) submitted an amendment intended to be proposed by them to the bill S. 908, supra; as follows:

On page 84, stroke lines 23 and 24.

On page 85, line 1, strike ''(2)'' and insert ''(1)''.

On page 85, line 3, strike ''(3)'' and insert ''(2)''.

On page 85, line 4, strike ''(4)'' and insert ''(3)''.

On page 85, line 6, strike ''(5)'' and insert ''(4)''.

HATCH (AND ABRAHAM) AMENDMENT NO. 2044

(Ordered to lie on the table.)

Mr. HATCH (for himself and Mr. ABRAHAM) submitted an amendment intended to be proposed by them to the bill S. 908, supra; as follows:

On page 124, after line 20, add the following:

SEC. 618. TERMINATION OF THE UNITED STATES ARMS EMBARGO APPLICABLE TO THE GOVERNMENT OF THE REPUBLIC OF CROATIA.

(a) TERMINATION.—Subject to subsection (b), the President shall terminate the United States arms embargo of the Government of the Republic of Croatia at such time that the United States terminates the United States arms embargo of the Government of Bosnia and Herzegovina.

(b) RESUMPTION.—The President may resume the United States arms embargo of the Government of the Republic of Croatia upon—

(1) determining the Government of the Republic of Croatia is actively interfering with the transhipment of arms deliveries to the Government of Bosnia and Herzegovina, and

(2) reporting in writing to the President pro tempore of the Senate and the Speaker of the House of Representatives that he has determined the Government of the Republic of Croatia is actively interfering with the transhipment of arms deliveries to the Government of Bosnia and Herzegovina, the basis for his determination, and the measures the United States has taken to minimize such interference.

(c) DEFINITION.—As used in this section, the terms ''United States arms embargo of the Government of the Republic of Croatia,'' and ''United States arms embargo of the Government of Bosnia and Herzegovina'' mean the application to the Government of the Republic of Croatia and the Government of Bosnia and Herzegovina, respectively, of the policy adopted July 10, 1991, and published in the Federal Register of July 19, 1991 (58 FR 33322) under the heading ''Suspension of Munitions Export Licenses to Yugoslavia.''

BOND AMENDMENT NO. 2045

(Ordered to lie on the table.)

Mr. BOND submitted an amendment intended to be proposed by him to the bill S. 908, supra; as follows:

On page 24 line 3, strike all after the word ''The'' through the word ''Committee'' on line 14, and insert in lieu thereof the following:

''Attorney General shall conduct a study to develop, in consultation with the Secretary of State, the Secretary of Commerce, the Secretary of Treasury, the Director of Central Intelligence, the Securities and Exchange Commission, the United States Trade Representative, the Overseas Private Investment Corporation, the Trade and Development Agency, and the Export-Import Bank of the United States, proposals to end the discrimination against United States exports that result from bribery and corruption in international business transactions.

''(d) REPORT.—The Attorney General, in consultation with the agencies and agency heads listed in subsection (c), shall submit a report containing the proposals developed under subsection (c) to the Committee on Banking, Housing and Urban Affairs and the''.

KASSEBAUM AMENDMENT NO. 2046

(Ordered to lie on the table.)

Mrs. KASSEBAUM submitted an amendment intended to be proposed by her to the bill S. 908, supra; as follows:

On page 108 strike lines 13 through 25, and on page 109 strike lines 1 through 3.

FEINGOLD (AND SIMPSON) AMENDMENT NO. 2047

(Ordered to lie on the table.)

Mr. FEINGOLD (for himself and Mr. SIMPSON) submitted an amendment intended to be proposed by them to amendment No. 1916 submitted by Mr. HELMS to the bill S. 908, supra; as follows:

Strike all and in lieu of the matter intended to be inserted, insert the following:

On page 124, after line 20, insert the following:

SEC. . UNITED NATIONS POPULATION FUND.

(a) AVAILABILITY OF FUNDS.—Of the amounts made available to carry out part I

of the Foreign Assistance Act of 1961, $35,000,000 shall be made available for each of fiscal years 1996 and 1997 to the United Nations Population Fund (UNFPA).

(b) PROHIBITION.—None of the funds made available under this section may be made available for activities in the People's Republic of China.

(c) CONDITION.—Funds made available under this section to the UNFPA shall be provided only on the condition that such funds are maintained in a separate account and are not commingled with any other funds.

(d) REPORTS.—

(1) Not later than February 1, 1996, and February 1, 1997, the Secretary of State shall submit to the Committees on Appropriations and Foreign Relations of the Senate and the Committees on Appropriations and International Relations of the House of Representatives a report indicating the amount that the UNFPA plans to spend in the People's Republic of China during the fiscal year in which the report is submitted.

(2) If the amount indicated in a report submitted under paragraph (1) exceeds $7,000,000, then the amount made available to the UNFPA shall be reduced by $7,000,000.

BROWN AMENDMENTS NOS. 2048–2052

(Ordered to lie on the table.)

Mr. BROWN submitted five amendments intended to be proposed by him to amendments submitted by him to the bill S. 908, supra; as follows:

AMENDMENT NO. 2048

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

SEC. . AUTHORIZATION FOR AN INDUSTRIAL PARK ON THE BORDER BETWEEN THE TERRITORIES AND ISRAEL.

(a) FINDINGS.—The Congress finds that:

(1) Extremists in Hamas and Islamic Jihad who reject the gains made since the signing of the Declaration of Principles have used terrorist tactics to force the closing of the territories;

(2) These terrorist acts have exacerbated existing problems and Gaza is now experiencing staggering unemployment nearing 50%, increasing chaos and a downward spiral of dashed hopes and deeping poverty;

(3) Israel's legitimate security concerns necessitate creative new methods of ensuring continued economic opportunity for the Palestinians; and

(4) The development of industrial parks along the border between Gaza, the West Bank and Israel sponsored by individual nations provides an important means of providing both development for Palestinians while maintaining border security.

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

(1) The United States should take prompt, visable action before the coming election in Gaza and Jericho that promises hope and jobs to Palestinians;

(2) The rapid development of an industrial park, closely coordinated with private sector investors, will provide a clear sign of opportunity resulting from peace with Israel;

(3) The decision to site the industrial park should give special consideration to the extremely difficult economic conditions in Gaza;

(4) The President should appoint a Special Coordinator to coordinate the rapid development of an industrial park in Gaza and to begin the recruitment of U.S. investors; and

(5) The Secretary of State should direct a short-term review and implement of U.S. assistance plans to assist in speeding the flow of goods and services between Israel and Gaza while increasing security between the two areas.

(c) AUTHORIZATION.—There are authorized to be appropriated $10,000,000 for the rapid development of a prototype industrial park in Gaza and/or the West Bank, notwithstanding sections 513 and 545 of the FY1995 Foreign Operations, Export Financing and Related Programs and FY1994 Supplemental Appropriations Act (P.L. 103–306) or similar provisions.

AMENDMENT NO. 2049

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

SEC. . REIMBURSEMENT FOR MARGINAL COSTS.

(a) For all agricultural commodities transported under sections 901(b) and 901b of the Merchant Marine Act of 1936 as part of any United States Government-administered program of food assistance to foreign countries, the United States is authorized to reimburse carriers above the international market rate as determined by the Secretary of Agriculture only to the extent of the differential cost incurred by U.S. shippers necessary to comply with U.S. health, safety, labor and other U.S. standards that are not required for non-U.S. vessels.

(b) REPORT.—The Secretary of Transportation shall submit a report 90 days after the enactment of this Act and annually thereafter to the appropriate committees of Congress detailing the U.S. health, safety, labor and other standards and their differential cost to U.S. shippers of agricultural commodities under sections 901(b) and 901b of the Merchant Marine Act of 1936.

AMENDMENT NO. 2050

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

SEC. . LIMITATION ON CARGO PREFERENCE.

For all agricultural commodities transported under sections 901(b) and 901b of the Merchant Marine Act of 1936 as part of any United States Government-administered program of food assistance to foreign countries, the United States shall not reimburse carriers more than 25 percent above the international market rate, as determined by the Secretary of Agriculture.

AMENDMENT NO. 2051

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

SEC. 510. CLARIFICATION OF RESTRICTIONS UNDER SECTION 620E OF THE FOREIGN ASSISTANCE ACT OF 1961.

(a) IN GENERAL.—Section 620E of the Foreign Assistance Act of 1961 (22 U.S.C. 2375) is amended—

(1) in subsection (e)—

(A) by striking ''No assistance'' and inserting ''No military assistance'';

(B) by striking ''in which assistance is to be furnished or military equipment or technology'' and inserting ''in which military assistance is to be furnished or military equipment or technology'';

(C) by striking ''the proposed United States assistance'' and inserting ''the proposed United States military assistance'';

(D) by inserting ''(1)'' immediately after ''(e)''; and

(E) by adding at the end the following new paragraph:

''(2) The prohibitions in this subsection do not apply to any assistance or transfer provided for the purposes of—

''(A) international narcotics control (including chapter 8 of part I of this Act) or any other provision of law available for providing assistance for counternarcotics purposes;

''(B) facilitating military-to-military contact, training (including chapter 5 of part II of this Act), or humanitarian or civic assistance projects;

''(C) peacekeeping and other multilateral operations (including chapter 6 of part II of this Act, relating to peacekeeping) or any provisions of law available for providing assistance for peacekeeping purposes, except that any lethal military equipment provided under this subparagraph shall be provided on a lease or loan basis only and shall be returned upon completion of the operation for which it was provided; or

''(D) antiterrorism assistance (including chapter 8 of part II of this Act, relating to antiterrorism assistance) or any other provision of law available for antiterrorism assistance purposes.

''(3) The restrictions of this subsection shall continue to apply to contracts for the delivery of F–16 aircraft to Pakistan.

''(4) Notwithstanding the restrictions contained in this subsection, military equipment, technology, or defense services, other than F–16 aircraft, may be transferred to Pakistan pursuant to contracts or cases entered into before October 1, 1990.''; and

(2) by adding at the end the following new subsections:

''(f) STORAGE COSTS.—The President may release the Government of Pakistan of its contractual obligation to pay the United States Government for the storage costs of items purchased prior to October 1, 1990, but not delivered by the United States Government by virtue of the application of subsection (e) and may reimburse the Government of Pakistan for any such amounts paid, on such terms and conditions as the President may prescribe, if such payments would have no impact on the scoring of United States budget authority or outlays.

''(g) RETURN OF MILITARY EQUIPMENT.—The President may return to the Government of Pakistan military equipment paid for and delivered to Pakistan and subsequently transferred for repair or upgrade to the United States but not returned to Pakistan by virtue of the application of subsection (e). Such equipment or its equivalent may be returned to the Government of Pakistan if the President determines and so certifies to the appropriate congressional committees that such equipment or equivalent neither constitutes nor has received any significant qualitative upgrade since being transferred to the United States.''.

AMENDMENT NO. 2052

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

TITLE ____—NATO PARTICIPATION ACT AMENDMENTS OF 1995

SECTION 1. SHORT TITLE.

This title may be cited as the ''NATO Participation Act Amendments of 1995''.

SEC. 2. FINDINGS.

The Congress makes the following findings:

(1) Since 1949, the North Atlantic Treaty Organization (NATO) has played an essential role in guaranteeing the security, freedom, and prosperity of the United States and its partners in the Alliance.

(2) NATO has expanded its membership on three different occasions since 1949.

(3) The sustained commitment of the member countries of NATO to mutual defense of their security ultimately made possible the democratic transformation in Central and Eastern Europe and the demise of the Soviet Union.

(4) NATO was designed to be and remains a defensive military organization whose members have never contemplated the use of, or

used, military force to expand the borders of its member states.

(5) While the immediate threat to the security of the United States and its allies has been reduced with the collapse of the Iron Curtain, new security threats, such as the situation in Bosnia and Herzegovina, are emerging to the shared interests of the member countries of NATO.

(6) NATO remains the only multilateral security organization capable of conducting effective military operations to protect Western security interests.

(7) NATO has played a positive role in defusing tensions between NATO members and, as a result, no military action has occurred between two NATO member states since the inception of NATO in 1949.

(8) NATO is also an important diplomatic forum for the discussion of issues of concern to its member states and for the peaceful resolution of disputes.

(9) America's security, freedom, and prosperity remain linked to the security of the countries of Europe.

(10) Any threat to the security of the newly emerging democracies in Europe would pose a security threat to the United States and its European allies.

(11) The admission to NATO of European countries that have been freed from Communist domination and that meet specific criteria for NATO membership would contribute to international peace and enhance the security of the region.

(12) A number of countries have expressed varying degrees of interest in NATO membership, and have taken concrete steps to demonstrate this commitment.

(13) Full integration of Central and East European countries into the North Atlantic Alliance after such countries meet essential criteria for admission would enhance the security of the Alliance and, thereby, contribute to the security of the United States.

(14) The expansion of NATO can create the stable environment needed to successfully complete the political and economic transformation envisioned by European states emerging from communist domination.

(15) In recognition that not all countries which have requested membership in NATO will necessarily qualify at the same pace, the accession date for each new member will vary.

(16) The provision of NATO transition assistance should include those countries most ready for closer ties with NATO, and should be designed to assist other countries meeting specified criteria of eligibility to move forward toward eventual NATO membership.

(17) The evaluation of future membership in NATO for countries emerging from communist domination should be based on the progress of those nations in meeting criteria for NATO transition assistance and evolving NATO criteria, which require enhancement of NATO's security and the approval of all NATO members.

SEC. 3. UNITED STATES POLICY.

It should be the policy of the United States—

(1) to join with the NATO allies of the United States to redefine the role of the NATO Alliance in the post-Cold War world;

(2) to actively assist European countries emerging from communist domination in their transition so that such countries may eventually qualify for NATO membership; and

(3) to work to define the political and security relationship between an enlarged NATO and the Russian Federation.

SEC. 4. REVISIONS TO PROGRAM TO FACILITATE TRANSITION TO NATO MEMBERSHIP.

(a) ESTABLISHMENT OF PROGRAM.—Subsection (a) of section 203 of the NATO Participation Act of 1994 (title II of Public Law 103–447; 22 U.S.C. 1928 note) is amended to read as follows:

''(a) ESTABLISHMENT OF PROGRAM.—The President shall provide expanded security assistance and other related assistance to countries designated under subsection (d) to facilitate their transition to full NATO membership.''.

(b) ELIGIBLE COUNTRIES.—

(1) ELIGIBILITY.—Subsection (d) of section 203 of such Act is amended to read as follows:

''(d) DESIGNATION OF ELIGIBLE COUNTRIES.—

''(1) PRESIDENTIAL REVIEW AND REPORT.—Within 60 days of the enactment of the NATO Participation Act Amendments of 1995, the President shall transmit to the Congress an evaluation of Poland, Hungary, the Czech Republic, and Slovakia as well as Estonia, Latvia, Lithuania, Slovenia, Bulgaria, Romania and Albania in accordance with the criteria in paragraph (3) and specifically designate one or more of these countries to be eligible to receive assistance under the program established in subsection (a). The President shall provide a report of the country-by-country evaluation as well as an evaluation of each designated country's progress toward conformance with criteria for full NATO membership.

''(2) OTHER EUROPEAN COUNTRIES EMERGING FROM COMMUNIST DOMINATION.—

''(A) In addition to the country or countries designated pursuant to paragraph (1), the President may designate other European countries emerging from communist domination. The President may make such a designation in the case of any such country only if the President determines, and reports to the designated congressional committees, that such country meets the criteria specified in paragraph (3).

''(3) CRITERIA.—The criteria referred to in paragraph (2) are, with respect to each country, that the country—

''(A) has made significant progress toward establishing—

''(i) shared values and interests;

''(ii) democratic governments;

''(iii) free market economies;

''(iv) civilian control of the military, of the police, and of intelligence services;

''(v) adherence to the values, principles, and political commitments embodied in the Helsinki Final Act of the Organization on Security and Cooperation in Europe; and

''(vi) more transparent defense budgets and is participating in the Partnership For Peace defense planning process;

''(B) has made public commitments—

''(i) to further the principles of NATO and to contribute to the security of the North Atlantic area;

''(ii) to accept the obligations, responsibilities, and costs of NATO membership; and

''(iii) to implement infrastructure development activities that will facilitate participation in and support for NATO military activities;

''(C) is not ineligible for assistance under section 563 of Public Law 103–306, with respect to transfers of equipment to a country the government of which the the Secretary of State has determined is a terrorist government for purposes of section 40(d) of the Arms Export Control Act; and

''(D) is likely, within five years of the determination of the President under paragraph (1) or (2), to be in a position to further the principles of the North Atlantic Treaty and to contribute to its own security and that of the North Atlantic area.

''(4) PROHIBITION ON FUNDING FOR PARTNERSHIP FOR PEACE ACTIVITIES OR ON FUNDING FOR THE WARSAW INITIATIVE.—Effective 60 days after the date of enactment of the NATO Participation Act Amendments of 1995, no funds authorized to be appropriated under any provision of law may be obligated or expended for activities associated with the Partnership for Peace program or the Warsaw Initiative until the President has designated at least one country to participate in the transition program established under subsection (a).''.

(2) CONFORMING AMENDMENTS.—

(A) Subsections (b) and (c) of section 203 of such Act are amended by striking ''countries described in such subsection'' each of the two places it appears and inserting ''countries designated under subsection (d)''.

(B) Subsection (e) of section 203 of such Act is amended—

(i) by striking ''subsection (d)'' and inserting ''subsection (d)(2)''; and

(ii) by inserting ''(22 U.S.C. 2394)'' before the period at the end.

(C) Section 204(c) of such Act is amended by striking ''any other Partnership for Peace country designated under section 203(d)'' and inserting ''any country designated under section 203(d)(2)''.

(c) TYPES OF ASSISTANCE.—Section 203(c) of such Act is amended—

(1) by redesignating paragraphs (1) through (4) as subparagraphs (A) through (D), respectively; and

(2) by inserting after subparagraph (D) (as redesignated) the following new subparagraphs:

''(E) Assistance under chapter 4 of part II of the Foreign Assistance Act of 1961 (relating to the Economic Support Fund).

''(F) Funds appropriated under the 'Nonproliferation and Disarmament Fund' account''.

''(G) Assistance under chapter 6 of part II of the Foreign Assistance Act of 1961 (relating to peacekeeping operations and other programs).''.

''(H) Authority for the Department of Defense to pay excess defense articles costs for countries designated for both grant lethal and nonlethal excess defense articles.

''(I) Authority to convert FMF loans to grants, and grants to loans, for eligible countries.''.

(3) by inserting ''(1)'' immediately after ''TYPE OF ASSISTANCE.—''; and

(4) by adding at the end the following new paragraphs:

''(2) For fiscal years 1996 and 1997, in providing assistance under chapter 5 of part II of the Foreign Assistance Act of 1961 for the countries designated under subsection (d), the President shall include as an important component of such assistance the provision of sufficient language training to enable military personnel to participate further in programs for military training and in defense exchange programs.

''(3) Of the amounts made available under chapter 5 of part II of the Foreign Assistance Act of 1961 (relating to international military education and training), $5,000,000 for fiscal year 1996 and $5,000,000 for fiscal year 1997 should support—

''(A) the attendance of additional military personnel of Poland, Hungary, the Czech Republic, and Slovakia at professional military education institutions in the United States in accordance with section 544 of such Act; and

''(B) the placement and support of United States instructors and experts at military educational centers within the foreign countries designated under subsection (d) that are receiving assistance under that chapter.''.

SEC. 5. ASSISTANCE FOR NATO PARTICIPATION ACT DESIGNEES.

The President is authorized to obligate and expend $60,000,000 from funds made available under the Foreign Assistance Act of 1961 in support of countries designated to receive

transition assistance under section 203(a) of the NATO Participation Act, as follows:

(1) Poland: $20,000,000.

(2) Czech Republic: $10,000,000.

(3) Hungary: $5,000,000.

(4) Slovakia: $5,000,000.

(5) Other European countries designated under subsection (d)(1) or subsection (d)(2): $20,000,000.

SEC. 6. TERMINATION OF ELIGIBILITY.

Section 203(f) of the NATO Participation Act of 1994 (title II of Public Law 103–447; 22 U.S.C. 1928 note) is amended to read as follows:

''(f) TERMINATION OF ELIGIBILITY.—(1) The eligibility of a country designated under subsection (d) for the program established in subsection (a) shall terminate 60 days after the President makes a certification under paragraph (2) unless, within the 60-day period, the Congress enacts a joint resolution disapproving the termination of eligibility.

''(2) Whenever the President determines that the government of a country designated under subsection (d)—

''(A) no longer meets the criteria set forth in subsection (d)(2)(A);

''(B) is hostile to the NATO alliance; or

''(C) poses a national security threat to the United States,

then the President shall so certify to the appropriate congressional committees.

''(3) Nothing in this Act shall affect the eligibility of countries to participate under other provisions of law in programs described in this Act.''.

(b) CONGRESSIONAL PRIORITY PROCEDURES.—Section 203 of such Act is amended by adding at the end the following new subsection:

''(g) CONGRESSIONAL PRIORITY PROCEDURES.—

''(1) APPLICABLE PROCEDURES.—A joint resolution described in paragraph (2) which is introduced in a House of Congress after the date on which a certification made under subsection (f)(2) is received by Congress shall be considered in accordance with the procedures set forth in paragraphs (3) through (7) of section 8066(c) of the Department of Defense Appropriations Act, 1985 (as contained in Public Law 98–473 (98 Stat. 1936)), except that—

''(A) references to the 'resolution described in paragraph (1)' shall be deemed to be references to the joint resolution; and

''(B) references to the Committee on Appropriations of the House of Representatives and to the Committee on Appropriations of the Senate shall be deemed to be references to the Committee on International Relations of the House of Representatives and the Committee on Foreign Relations of the Senate.

''(2) TEXT OF JOINT RESOLUTION.—A joint resolution under this paragraph is a joint resolution the matter after the resolving clause of which is as follows: 'That the Congress disapproves the certification submitted by the President on _____ pursuant to section 203(f) of the NATO Participation Act of 1994.'.''.

SEC. 7. REPORTS.

(a) ANNUAL REPORT.—Section 206 of the NATO Participation Act of 1994 (title II of Public Law 103–447; 22 U.S.C. 1928 note), as redesignated by section 5(1) of this Act, is amended—

(1) by inserting ''annual'' in the section heading before the first word;

(2) by inserting ''annual'' after ''include in the'' in the matter preceding paragraph (1);

(3) in paragraph (1), by striking ''Partnership for Peace'' and inserting ''European''; and

(4) by striking paragraph (2) and inserting instead the following new paragraph:

''(2) In the event that the President determines that, despite a period of transition assistance, a country designated under section 203(d) has not, as of January 10, 1999, met criteria for NATO membership set forth by the North Atlantic Council, the President shall transmit a report to the designated congressional committees containing an assessment of the progress made by that country in meeting those standards.''.

SEC. 8. DEFINITIONS.

The NATO Participation Act of 1994 (title II of Public Law 103–447; 22 U.S.C. 1928 note), as amended by this Act, is further amended by adding at the end the following new section:

''SEC. 207. DEFINITIONS.

''For purposes of this title:

''(1) NATO.—The term 'NATO' means the North Atlantic Treaty Organization.

''(2) DESIGNATED CONGRESSIONAL COMMITTEES.—The term 'designated congressional committees' means—

''(A) the Committee on International Relations, the Committee on National Security, and the Committee on Appropriations of the House of Representatives; and

''(B) the Committee on Foreign Relations, the Committee on Armed Services, and the Committee on Appropriations of the Senate.

''(3) EUROPEAN COUNTRIES EMERGING FROM COMMUNIST DOMINATION.—The term 'European countries emerging from Communist domination' includes, but is not limited to, Albania, Bulgaria, Czech Republic, Estonia, Hungary, Latvia, Lithuania, Moldova, Poland, Romania, Slovakia, Slovenia, and Ukraine.''.

THE ENERGY AND WATER DEVELOPMENT APPROPRIATIONS ACT, 1996

REID AMENDMENT NO. 2053

Mr. DOMENICI (for Mr. REID) proposed an amendment to the bill (H.R. 1905) making appropriations for energy and water development for the fiscal year ending September 30, 1996, and for other purposes; as follows:

On page 24, line 7, strike ''135(a)(2), 135(d), 135(e). 141(g), 145'' and insert ''135(d), 135(e),''.

JEFFORDS (AND OTHERS) AMENDMENT NO. 2054

Mr. JEFFORDS (for himself, Mr. ROTH, Mr. GRAMS, Mr. WELLSTONE, Mr. HARKIN, and Mr. LEHY) proposed an amendment to the bill H.R. 1905, supra; as follows:

On page 20, line 23 insert the following:

SEC. . FUNDING FOR ENERGY SUPPLY, RESEARCH AND DEVELOPMENT ACTIVITIES RELATING TO RENEWABLE ENERGY SOURCES.

''(a) REDUCTION IN APPROPRIATION FOR DEPARTMENTAL ADMINISTRATION.—Notwithstanding any other provision of this Act, the amount appropriated in title III of this Act under the heading DEPARTMENTAL ADMINISTRATION is hereby reduced by $37,000,000.

''(b) INCREASE IN APPROPRIATION FOR ENERGY SUPPLY, RESEARCH AND DEVELOPMENT ACTIVITIES.—Notwithstanding any other provision of this Act, the amount appropriated in title III of this act under the heading ENERGY SUPPLY, RESEARCH AND DEVELOPMENT ACTIVITIES is hereby increased by $37,000,000.

''(c) AVAILABILITY OF FUNDS.—Of the funds appropriated in title III of this Act under the heading ENERGY SUPPLY, RESEARCH AND DEVELOPMENT ACTIVITIES—

''(1) not less than $4,500,000 shall be available for solar building technology research;

''(2) not less than $78,929,000 shall be available for photovoltaic energy systems;

''(3) not less than $28,443,000 shall be available for solar thermal energy systems;

''(4) not less than $55,300,000 shall be available for biofuels of which no less than half shall go toward the BIOMASS ELECTRIC PROGRAM;

''(5) not less than $42,000,000 shall be available for wind energy systems;

''(6) not less than $8,000,000 shall be available for international solar energy programs;

''(7) not less than $9,000,000 shall be available for hydrogen research;''.

BUMPERS (AND OTHERS) AMENDMENT NO. 2055

Mr. BUMPERS (for himself, Mr. INHOFE, Mr. KERRY, Mr. FEINGOLD, and Mr. BRADLEY) proposed an amendment to the bill H.R. 1905, supra; as follows:

Strike lines 22–23 on page 20 and insert in lieu thereof the following: ''$2,793,324,000 to remain available until expended. *Provided that,* no more than $7,500,000 of such funds shall be used for the termination of the Gas Turbine-Modular Helium Reactor program.''

ABRAHAM (AND OTHERS) AMENDMENT NO. 2056

Mr. ABRAHAM (for himself, Mr. GRAMS, Mr. KYL, and Mr. ASHCROFT) proposed an amendment

On page 41, between lines 12 and 13, insert the following:

SEC. 510. MAGNETIC FUSION ENERGY ENGINEERING.

Section 7 of the Magnetic Fusion Energy Engineering Act (42 U.S.C. 9396) is repealed.

SEC. 511. REPEAL OF REPORT ON VERIFICATION TECHNIQUES FOR PRODUCTION OF PLUTONIUM AND HIGHLY ENRICHED URANIUM.

Section 3131 of the National Defense Authorization Act for Fiscal Year 1991 (Public Law 101–510; 104 Stat. 1839) is amended by striking out subsection (c).

DORGAN (AND OTHERS) AMENDMENT NO. 2057

Mr. DORGAN (for himself, Mr. KOHL, Mr. FORD, Mr. ROBB, Mr. BREAUX, Mr. HARKIN, Mr. BRADLEY, and Mr. WELLSTONE) proposed an amendment to the bill H.R. 1905, supra; as follows:

At the appropriate place in the bill, insert the following:

SEC. . SENSE OF THE SENATE ON THE CONFERENCE ON S. 4, THE LINE ITEM VETO ACT.

(a) FINDINGS.—The Senate finds that—

(1) the line item veto was a major plank in the House majority's ''Contract with America'' and has received strong bipartisan support in the 104th Congress;

(2) the House of Representatives on February 6, 1995, passed H.R. 2, the Line Item Veto Act, on a vote of 294–134;

(3) the Senate on March 23, 1995, passed S. 4, the Separate Enrollment and Line Item Veto Act of 1995, on a vote of 69–29;

(4) the House passed S. 4, with the text of H.R. 2 inserted, by voice vote on May 17, 1995, 50 days after passage by the Senate;

(5) notwithstanding the failure of the House to request a conference, the Senate disagreed with the House amendments, requested a conference and appointed conferees on S. 4 on June 20, 1995;

(6) the papers for S. 4 have been held at the desk of the Speaker of the House for 42 days, and the Speaker of the House has not yet moved to appoint conferees;

(7) with the passage of time it increasingly appears that the Congress may pass and send to the President not only the appropriations bills for fiscal year 1996 but also the reconciliation bill required by H.Con.Res. 67 (the concurrent resolution setting forth the congressional budget for fiscal years 1996, 1997, 1998, 1999, 2000, 2001, and 2002) without first passing and sending to the President a line item veto bill; and

(8) the House majority leadership has publicly cast doubt on the prospects for a conference on S. 4 this year.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that—

(1) the Speaker of the House should move to appoint conferees on S. 4 immediately, so that the House and Senate may resolve their differences on this important legislation;

GRAMS (AND OTHERS) AMENDMENT NO. 2058

Mr. GRAMS (for himself, Mr. MCCAIN, and Mr. FEINGOLD) proposed an amendment to the bill H.R. 1905, supra; as follows:

On page 32, line 13, strike ''$182,000,000'' and insert ''$142,000,000.''

BINGAMAN AMENDMENT NO. 2059

Mr. JOHNSTON (for Mr. BINGAMAN) proposed an amendment to the bill H.R. 1905, supra; as follows:

At the appropriate place, insert the following:

SEC. . ENERGY SAVINGS AT FEDERAL FACILITIES.

(a) REDUCTION IN FACILITIES ENERGY COSTS.—The head of each agency for which funds are made available under this Act shall take all actions necessary to achieve during fiscal year 1996 a 5 percent reduction, from fiscal year 1995 levels, in energy costs of the facilities used by the agency.

(b) USE OF COST SAVINGS.—An amount equal to the amount of cost savings realized by an agency under subsection (a) shall remain available for obligation through the end of fiscal year 1997, without further authorization or appropriation, as follows:

(1) CONSERVATION MEASURES.—Fifty percent of the amount shall remain available for the implementation of additional energy conservation measures and for water conservation measures at such facilities used by the agency as are designated by the head of the agency.

(2) OTHER PURPOSES.—Fifty percent of the amount shall remain available for use by the agency for such purposes as are designated by the head of the agency, consistent with applicable law.

(c) REPORT.—

(1) IN GENERAL.—Not later than December 31, 1996, the head of each agency described in subsection (a) shall submit a report to Congress specifying the results of the actions taken under subsection (a) and providing any recommendations as to how to further reduce energy costs and energy consumption in the future.

(2) CONTENTS.—Each report shall—

(A) specify the total energy costs of the facilities used by the agency;

(B) identify the reductions achieved; and

(C) specify the actions that resulted in the reductions.

LAUTENBERG (AND BRADLEY) AMENDMENT NO. 2060

Mr. JOHNSTON (for Mr. LAUTENBERG, for himself and Mr. BRADLEY) proposed an amendment to the bill H.R. 1905, supra; as follows:

On page 20, lines 22 and 23, after ''expended'' insert '', of which amount within available funds $56,000,000 may be available to continue operation of the Tokamak Fusion Test Reactor (for which purpose, the Secretary may use savings from reducing general administrative expenses in accordance with the Department of Energy's strategic alignment and downsizing effort, but none of the savings used for this purpose shall come from programmatic accounts within this title)''.

DASCHLE AMENDMENT NO. 2061

Mr. JOHNSTON (for Mr. DASCHLE) proposed an amendment to the bill H.R. 1905, supra; as follows:

On page 15, line 17, add: ''*provided further,* within available funds, $300,000 is for the completion of the feasibility study of alternatives for meeting the drinking water needs on the Cheyenne River Sioux Reservation and surrounding communities.''

BAUCUS AMENDMENT NO. 2062

Mr. JOHNSTON (for Mr. BAUCUS) proposed an amendment to the bill H.R. 1905, supra; as follows:

On page 20, lines 22 and 23, after ''expended'' insert ''*Provided further,* That within the amount for Indian Energy Resource projects, $2,000,000 may be made available fund the Crow energy resources programs under title XXVI of the Energy Policy Act of 1992 (25 U.S.C. 3501 et seq.)''.

BYRD AMENDMENT NO. 2063

Mr. JOHNSTON (for Mr. BYRD) proposed an amendment to the bill H.R. 1905, supra; as follows:

At the appropriate place in the bill (suggest page 12, after line 16) insert the following:

SEC. . The project for flood control for Petersburg, West Virginia, authorized by section 101(a)(26) of the Water Resources Development Act of 1990 (P.L. 101–640, 104 Stat. 4611) is modified to authorize the Secretary of the Army to construct the project at a total cost not to exceed $26,600,000, with an estimated first Federal cost of $19,195,000 and an estimated first non-Federal cost of $7,405,000.

FEINGOLD AMENDMENT NO. 2064

Mr. JOHNSTON (for Mr. FEINGOLD) proposed an amendment to the bill H.R. 1905, supra; as follows:

On page 38, lines 1 and 2, after ''$110,339,000, to remain available until expended'' insert ''Of the funds appropriated under this heading, not more than $25,000,000 may be expended for the Tennessee Valley Authority Environmental Research Center in Muscle Shoals, Alabama, in the event that the Center expends less than $25 million, such amount not expended shall be returned to the U.S. Treasury and the Tennessee Valley Authority appropriation reduced accordingly and the Tennessee Valley Authority shall take steps to obtain funding from other sources so as to reduce appropriated funding in the future and, not later than January 1, 1996, submit to Congress a preliminary plan securing funding from other sources.

BOXER (AND BAUCUS) AMENDMENT NO. 2065

Mr. JOHNSTON (for Mrs. BOXER, for herself and Mr. BAUCUS) proposed an amendment to the bill H.R. 1905, supra; as follows:

On page 9, line 24, insert ''(including the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives)'' after ''Congress''.

HUTCHISON AMENDMENT NO. 2066

Mr. DOMENICI (for Mrs. HUTCHISON) proposed an amendment to the bill H.R. 1905, Supra; as follows:

On page 13 insert the following new section after line 23:

SEC.—.''(a) The Secretary of the Army is authorized to accept from a non-Federal sponsor an amount of additional lands not to exceed 300 acres which are contiguous to the Cooper Lake and Channels Project, Texas, authorized by the River and Harbor Act of 1965 and the Water Resources Development Act of 1986, and which provide habitat value at least equal to that provided by the lands authorized to be redesignated in subsection (b).

''(b) Upon the completion of subsection (a), the Secretary is further authorized to redesignate an amount of mitigation land not to exceed 300 acres to recreation purposes.

''(c) The cost of all work to be undertaken pursuant to this section, including but not limited to real estate appraisals, cultural and environmental surveys, and all development necessary to avoid net mitigation losses, to the extent such actions are required, shall be borne by the donating sponsor.

GRAMS (AND WELLSTONE) AMENDMENT NO. 2067

Mr. DOMENICI (for Mr. GRAMS, for himself and Mr. WELLSTONE) proposed an amendment to the bill H.R. 1905, supra; as follows:

On page 6, after line 11, add: ''; For Marshall, Minnesota, $850,000;''.

WARNER AMENDMENT NO. 2068

Mr. DOMENICI (for Mr. WARNER) proposed an amendment to the bill H.R. 1905, supra; as follows:

On page 6, between line 11 and line 12 insert the following: ''Virginia Beach Erosion Control and Hurricane Protection, Virginia, $1,100,000;''.

BROWN AMENDMENTS NOS. 2069–2070

Mr. DOMENICI (for Mr. BROWN) proposed two amendments to the bill H.R. 1905, supra; as follows:

AMENDMENT NO. 2069

On page 33, strike line 5 and insert the following: Commission, as authorized by law (75 Stat. 716), $440,000, *Provided:* that the U.S. Commissioner (Alternate Federal Member) shall not be compensated at a level higher than General Schedule level 15.

AMENDMENT NO. 2070

On page 37, strike line 14 and insert the following: $280,000, *Provided:* that the U.S. Commissioner (Alternate Federal Member) shall not be compensated at a level higher than General Schedule level 15.

CRAIG (AND KEMPTHORNE) AMENDMENT NO. 2071

Mr. DOMENICI (for Mr. CRAIG, for himself and Mr. KEMPTHORNE) proposed an amendment to the bill H.R. 1905, supra; as follows:

Page 26, line 16, insert the following before the period: ": Provided, that within available funds, $4,952,000 is provided for electrical and utility systems upgrade, Idaho Chemical Processing Plant, Idaho National Engineering Laboratory, project number 96–D–463".

PRESSLER (AND DASCHLE) AMENDMENT NO. 2072

Mr. DOMENCI (for Mr. PRESSLER, for himself and Mr. DASCHLE) proposed an amendment to the bill H.R. 1905, supra; as follows:

At the appropriate place in title I, insert the following:

SEC. 1 . WATER LEVEL IN LAKE TRAVERSE, SOUTH DAKOTA AND MINNESOTA.

(a) IN GENERAL.—Subject to subsection (b), notwithstanding any other law, the Secretary of the Army, acting through the Chief of Engineers of the Army Corps of Engineers and using funds made available under this Act, shall, to the greatest extent practicable, take such actions as are necessary to obtain and maintain an elevation of 977 feet above sea level in Lake Traverse, South Dakota and Minnesota.

(b) LIMITATION.—No action taken under subsection (a) shall result in flooding at Mud Lake, South Dakota and Minnesota.

DOLE (AND KASSEBAUM) AMENDMENT NO. 2073

Mr. DOMENICI (for Mr. DOLE, for himself and Mrs. KASSEBAUM) proposed an amendment to the bill H.R. 1905, supra; as follows:

On page 5 insert the following between lines 16 and 17: "Arkansas City flood control project, Kansas, $700,000, except that for the purposes of the project, section 902 of Public Law 99–662 is waived;".

HATFIELD AMENDMENT NO. 2074

Mr. DOMENICI (for Mr. HATFIELD) proposed an amendment to the bill H.R. 1905, supra; as follows:

On page 13, insert the following after line 23:

SEC. . Using funds appropriated herein the Secretary of the Army, acting through the Chief of Engineers, is authorized to undertake the Coos Bay, Oregon project in accordance with the Report of the Chief of Engineers, dated June 30, 1994, at a total cost of $14,541,000, with an estimated Federal cost of $10,777,000 and an estimated non-Federal cost of $3,764,000.

PRESSLER AMENDMENT NO. 2075

Mr. DOMENICI (for Mr. PRESSLER) proposed an amendment to the bill H.R. 1905, supra; as follows:

At the appropriate place in title I, insert the following:

SEC. . WATER LEVEL IN LAKE TRAVERSE, SOUTH DAKOTA AND MINNESOTA.

(a) IN GENERAL.—Subject to subsection (b), notwithstanding any other law, the Secretary of the Army, acting through the Chief of Engineers of the Army Corps of Engineers and using funds made available under this Act, shall, to the greatest extent practicable, take such actions as are necessary to obtain and maintain an elevation of 977 feet above sea level in Lake Traverse, South Dakota and Minnesota.

(b) LIMITATION.—No action taken under subsection (a) shall result in flooding at Mud Lake, South Dakota and Minnesota.

WELLSTONE AMENDMENT NO. 2076

Mr. WELLSTONE proposed an amendment to the bill H.R. 1905, supra; as follows:

At the appropriate place in title V, insert the following:

SEC. . WATER LEVELS IN RAINY LAKE AND NAMAKAN LAKE.

(a) FINDINGS.—Congress finds that—

(1) the Rainy Lake and Namakan Reservoir Water Level International Steering Committee conducted a 2-year analysis in which public comments on the water levels in Rainy Lake and Namakan Lake revealed significant problems with the current regulation of water levels and resulted in Steering Committee recommendations in November 1993; and

(2) maintaining water levels closer to those recommended by the Steering Committee will help ensure the enhancement of water quality, fish and wildlife, and recreational resources in Rainy Lake and Namakan Lake.

(b) DEFINITIONS.—In this section:—

(1) EXISTING RULE CURVE.—The term "existing rule curve" means each of the rule curves promulgated by the International Joint Commission to regulate water levels in Rainy Lake and Namakan Lake in effect as of the date of enactment of this Act.

(2) PROPOSED RULE CURVE.—The term "proposed rule curve" means each of the rule curves recommended by the Rainy Lake and Namakan Reservoir International Steering Committee for regulation of water levels in Rainy Lake and Namakan Lake in the publication entitled "Final Report and Recommendations" published in November 1993.

(c) WATER LEVELS.—The dams at International Falls and Kettle Falls, Minnesota, in Rainy Lake and Namakan Lake, respectively, shall be operated so as to maintain water levels as follows:

(1) COINCIDENT RULE CURVES.—In each instance in which as existing rule curve coincides with a proposed rule curve, the water level shall be maintained within the range of such coincidence.

(2) NONCOINCIDENT RULE CURVES.—In each instance in which an existing rule curve does not coincide with a proposed rule curve, the water level shall be maintained at the limit of the existing rule curve that is closest to the proposed rule curve.

(d) ENFORCEMENT.—

(1) IN GENERAL.—The Federal Energy Regulatory Commission shall enforce this section as though the provisions were included in the license issued by the Commission on December 31, 1987, for Commission Project No. 5223–001.

(2) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to require the Commission to alter the license for Commission Project No. 5223–001 in any way.

(e) SUNSET.—This section shall remain in effect until the International Joint Commission review of and decision on the Steering Committee's recommendations are completed.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. HELMS. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be allowed to meet during the Tuesday, August 1, 1995 session of the Senate for the purpose of conducting a hearing on the future of the Department of Commerce.

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

COMMITTEE ON FOREIGN RELATIONS

Mr. HELMS. Mr. President, I ask unanimous consent that the Committee of Foreign Relations be authorized to meet during the session of the Senate on Tuesday, August 1, 1995, at 9:00 a.m.

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

COMMITTEE ON FOREIGN RELATIONS

Mr. HELMS. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate of the Senate on Tuesday, August 1, 1995, at 11 a.m.

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

SUBCOMMITTEE ON CLEAN AIR, WETLANDS, PRIVATE PROPERTY AND NUCLEAR SAFETY

Mr. HELMS. Mr. President, I ask unanimous consent that the Subcommittee on Clean Air, Wetlands, Private Property and Nuclear Safety be granted permission to conduct an oversight hearing Tuesday, August 1, at 2:00 p.m. on title V of the Clean Air Act.

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

SUBCOMMITTEE ON THE CONSTITUTION, FEDERALISM AND PROPERTY RIGHTS

Mr. HELMS. Mr. President, I ask unanimous consent that the Subcommittee on the Constitution, Federalism and Property Rights of the Committee on the Judiciary, be authorized to meet during the session of the Senate on Tuesday, August 1, 1995 at 9:00 a.m., to hold a hearing on H.R. 660, Older Americans Act.

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

SUBCOMMITTEE ON IMMIGRATION

Mr. HELMS. Mr. President, I ask unanimous consent that the Subcommittee on Immigration, of the Committee on the Judiciary, be authorized to meet during the session of the Senate on Tuesday, August 1, 1995 at 11:00 a.m., to hold a hearing on annual refugee consultation.

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

SUBCOMMITTEE ON INTERNATIONAL TRADE

Mr. HELMS. Mr. President, I ask unanimous consent that the Subcommittee on International Trade of the Committee on Finance be permitted to meet Tuesday, August 1, 1995, beginning at 10:00 a.m. in room SD–215, to conduct a hearing on Cambodia and Bulgaria most-favored-nation status, the renewal of the Generalized System of Preferences Program, and Trade Agency Budgets for fiscal year 1996.

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

ADDITIONAL STATEMENTS

WHO ARE THE VETERANS OF WORLD WAR II?

● Mr. COATS. Mr. President, I rise today to present a poem, ''Who Are the Veterans of World War II,'' that Dr. Jack Gren, a Fort Wayne, IN, native, has written to pay tribute to the veterans of World War II. It reflects his experiences during possibly the most historic war of this century.

As a young man, Dr. Gren volunteered for the Air Force and flew the Hump in the China-Burma-India theater of operations. He has since been involved with several speaking engagements and seminars detailing his life experiences.

Mr. President, I ask that the poem be printed in the RECORD.

The poem follows:

WHO ARE THE VETERANS OF WORLD WAR TWO?

Who are the veterans of World War Two?
People proud of the red, white and blue.

When the war broke out we got right in
Knowing somehow we'd eventually win.

The average age was twenty-six
But there certainly was a full range mix.

Some were the old guys at thirty-five
Fighting to keep our country alive.

A few of us were kids, still in our teens
Sincere and eager and full of dreams.

Joined the Air Force, Army, Marines and Navy too
There was an important job we had to do.

We took all the training and it was rough
But that's what taught us how to be tough.

Yes, we were tough when we had to be
But only out of necessity.

The rest of the time we were gentle and kind
Just winning the war was first in our mind.

We fought all over the world day by day
And every night found time to pray.

We fought in Europe with all our might
We knew that we had to make things right.

The battles were fierce in the Africa campaign
And even there we did sustain.

We fought throughout the Pacific Islands
From jungle swamps up to the highlands.

We fought in China, Burma and India as well
Now that was a real living hell.

We thought about our loved ones way back home
And sometimes felt so terribly alone.

We cared for our buddies quite a bit
And it tore us apart when they got hit.

Casualties occurred in many different ways
Sometimes it put us in kind of a daze.

It was difficult seeing wounded in terrible pain
And no way to help was hard to explain.

But worse was to see friends lie dying
It was all we could do to keep from crying.

Whether killed in a plane, a ship or tank
It was then we thought the whole world stank.

But that was the way it had to be
And we kept on fighting till the world was free.

Yes, we did our duty and did it with pride
Some of us lived while others died.

Then came the year of '45
The war was over and we were alive.

First Victory in Europe, then VJ Day
Thank You, God, we knelt to pray.

Then we came home to start once more
Hoping there'd not be another war.

We went to college or learned a skill
Thinking never again we'd have to kill.

We married, had children and that was nice
But like everything else we had paid a price.

We struggled as we tried to build a career
And many a night shed a silent tear.

Some attitudes changed it was hard to understand
Why certain people didn't appreciate this land.

When other wars started and some people fled
We remembered the ones who fought and bled.

Then along came those who defiled our flag
They spit on it burned it and called it a rag.

They called it ''free expression,'' That it was their right
Something given to them without struggle or fight.

They insulted the veterans who came home lame
For their outrageous actions they ought to feel shame.

And some people still try to get a free ride
It's through self achievement that we earn our pride.

Now our children are grown and out on there own
And once again we're alone.

If we're lucky we still have a loving wife
It's really been an interesting life.

We've seen the world change and its hard to explain
Why there are wars, turmoil and pain.

When will people heed the message from above
And learn to live in peace and love.

Yes, World War II was long ago
Will the veterans forget it, the answer is no.

For some old guys in the war, their journey is done
They lived a good life and the battles were won.

We who were kids, then still in our teens
Are now in our sixties and accomplished our dreams.

We attend military reunions, reminisce with the guys
And occasionally a thought brings tears to our eyes.

We look around, observe and it's easy to see
There aren't as many of us left as there used to be.

But if a terrible war came, heaven forbid
We'd probably do the same thing as we once did.

We'd join in the fray with all our might
And do what we could to make things right.

For we still love this country, the red white and blue
And that by God, is the best we can do.●

IN PRAISE OF SUMMER INTERNS

● Mr. MOYNIHAN. Mr. President, I rise in recognition of my summer intern staff.

These fine young men and women volunteered their time and energy this summer, and did a most outstanding job. Mr. President, in recognition of a job well done, I ask that a list of their names be printed in the RECORD:

The list follows:

Daniel Anziska, Matthew Cross, Cheryl Glickler, Stacey Goldberg, Jessica Lappin, Michael McGinn, Jim Papa, Daniel Preister, Elizabeth Ross, Jeffrey Rotenberg, Jessica Ruthizer, Peter Sims, Rina Schiff, and Zachery Stillerman.●

GOOD OL' BOYS' ROUNDUP

● Mr. ABRAHAM. Mr. President, I would like to take a few moments to comment on the so-called Good ol' Boys' Roundup that was recently the subject of a Senate Judiciary Committee hearing. During that hearing, I and other committee members heard testimony about reprehensible acts of racism that took place at the roundup.

In my view, incidents like the roundup paint all law enforcement officials—not just the ATF and the FBI—with the coarse brush of racism and discrimination. I do remain confident that the attitudes and biases displayed at the roundup are not, in fact, representative of the views of law enforcement officials generally. But incidents like the roundup cannot help but erode citizens' confidence in what the 14th amendment calls the equal protection of the laws.

When citizens have occasion to wonder whether the law is being enforced evenhandedly, they sometimes cannot help but look with suspicion upon the actions of the officers involved in a particular case. As a result, trials in criminal cases often focus more on the actions of the police than on those of the defendant. Adhering to the maximum that the best defense is a good offense, defense attorneys in criminal cases, in effect, put the police on trial, just as the prosecutor puts the defendant on trial. The upshot, then, is that racist events like the roundup erode the effectiveness not only of the agencies whose officers were involved, but also of police departments across the country.

Mr. President, we must, therefore, redouble our efforts to ensure that racism is not present in the law enforcement community. Officers who engage in racist activities should be severely disciplined. Moreover, officers who do not themselves take part in racist activities must understand that they cannot passively stand by while others engage into racist behavior, without regard to whether they are on or off duty. The no-tolerance policy for racism must extend from the highest to the lowest ranks of our law enforcement community. Only by this kind of vigilance, Mr. President, can we ensure that the promise of the 14th amendment is kept.●

FRANCIS HIPP: SOUTH CAROLINA'S CIVIC LEADER

● Mr. HOLLINGS. Mr. President, I rise today to remember a true friend and South Carolina patriot—Francis M. Hipp. Last week at age 84, my friend

and colleague passed away in Greenville.

Francis Hipp, a native of Newberry, and his brothers took over Liberty Life Insurance Co. from their father in 1943. Over the next three decades, he pushed the company, now named Liberty Corp., to spectacular business heights as it blossomed into a major insurer and broadcaster.

But the innovative and intelligent way that Francis ran his company is not what I most remember him for. That memory is reserved for the kind, caring way that he volunteered to help his State.

Francis Hipp was a civic leader extraordinare. He played a key role in moving South Carolina from a agricultural and textile State into a diversified national and international business powerhouse. In 1959 when I became Governor, I appointed Francis to head the newly reorganized State Development Board. Under his leadership, Francis jump-started economic growth in the Palmetto State.

Francis Hipp is the reason for today's prosperity in South Carolina. What we needed in the early 1960's was a successful businessman who could talk to successful businessmen. Francis traveled tirelessly telling the South Carolina story. He brought investment. He brought industry. He brought the jobs.

Mr. President, without the devotion, hard work and caring of Francis Hipp, South Carolina would not have today's successful business environment. It is with a profound sense of loss that we mourn his passing. With Francis' death, South Carolina has lost its greatest civic leader.●

THE 75TH ANNIVERSARY OF WOMEN SUFFRAGE

● Mrs. BOXER. Mr. President, this month, across our Nation, Americans are coming together to celebrate the 75th anniversary of one of the most important events in our history—the passage of the 19th amendment to the U.S. Constitution, guaranteeing women the right to vote.

As we commemorate this momentous anniversary, we pay tribute to the remarkable women of the suffrage movement, whose determination and courage have inspired and empowered countless Americans. These visionary leaders—Susan B. Anthony, Elizabeth Cady Stanton, Julia Ward Howe, Lucy Stone, and so many more—endured discrimination and scorn as they fought to extend a basic right to American women.

On August 26, 1920, the 19th amendment to the Constitution of the United States took effect. It is hard to imagine today that the passage of this amendment, with its modest declaration of equality, was so hard-fought and divisive. It reads simply:

> The right of citizens of the United States to vote shall not be denied or abridged by the United States or any state on account of sex.

But to the women of America, these simple words represented profound change and the culmination of a 72-year battle for the right to vote.

On this occasion, we are reminded of the tremendous strides made by women in the last century. Just 75 years ago, women could not vote. Today, women are actively involved in our political system, organizing campaigns, running as candidates, and voting on policy in city councils and State legislatures across the country and in the U.S. Congress. Indeed, two women now represent California in the U.S. Senate. What remarkable change in such a short time. And in every other area of our society, women have proven themselves to be gifted and able leaders.

But at this special time, we are also reminded of the many challenges that lie ahead. Currently, women earn only 76 cents for every dollar earned by men. A ''glass ceiling'' still prevents many women from occupying top management positions in the work force. And our elected Government still does not reflect the tremendous diversity of our society.

As we observe this anniversary, we must renew our commitment to creating equality for women at every level of our society. And we must always remember—every time we exercise our right to vote—the great gift bestowed on us by the brave and selfless women of the suffrage movement.●

TRIBUTE TO DR. ROBERT H. MCCABE

● Mr. GRAHAM. One of the foundations of our democracy is our education system, which has the high calling of passing knowledge for one generation to the next, of preparing our young people for the future and teaching us about the past.

Mr. President, in the United States, our great tradition of public education is personified by Dr. Robert H. McCabe, president of Miami-Dade Community College.

After more than three decades of service to the college, Bob McCabe will retire, leaving a legacy that would inspire Socrates and Jefferson. A fundamental principle of our education system is that knowledge shall not be bounded by race or class or religion, that in a truly free society all people have access to learning.

For some, that principle is an academic precept. For Bob McCabe, it is a lifelong passion. He lives that principle every day.

Miami-Dade Community College is the latest of its kind in America, a nationally recognized institution which makes a consistent vital contribution to our future.

Thousands of Floridians—productive, employed, having an immeasurable positive impact on America—got their start in higher education at Miami-Dade Community College. For them, the community college was a door to the future, and Bob McCabe made sure that door was open to everyone.

As a native of Florida, as a former member of the Florida Legislature, as a past Governor of Florida and now a U.S. Senator representing Florida, I have a profound pride for our State's system of community colleges. These schools. located throughout our State, give real meaning to the sometimes fleeting goal of ''access to higher education.'' Community colleges are close to the students they serve and affordable.

Community colleges are in the community and of the community. Bob McCabe is a tribute to that inter-connection between education and community, making multiple contributions to a greater south Florida. He helped establish the New World School of Arts and the New World Symphony, and worked with Miami's ''We Will Rebuild'' after Hurricane Andrew in 1992.

Bob McCabe's dedication to higher education earned him the 1988 Distinguished Graduate Award from the University of Miami and a MacArthur Fellowship in 1992. This year, he received the prestigious American Association of Community Colleges Leadership Award for his outstanding work on behalf of community colleges.

For an active person with a creative mind like Bob McCabe's, retirement is perhaps a misnomer. As we mark this milestone in his career, we salute his leadership knowing the our community and our Nation will reap the benefits from his efforts into the next century.●

THE ROUGH AND READY ENGINE CO., NO. 5

● Mr. CHAFEE. Mr. President, it is with great pleasure that I rise today to pay tribute to the Rough and Ready Engine Co., No. 5 of Warren, RI on the occasion of its 50th annual clambake, which will occur on August 6, 1995.

Declared ''Rough and Ready Clambake Day'' by the Warren Town Council, this day commemorates both the professional and charitable work of the Roughs, as they have been fondly nicknamed by the town. Part of the fire company's charter ''* * * To assist in the extinguishing of fires, the protection of life and property and to enhance the general welfare of the community * * *'' is also the Roughs' motto.

The Rough and Ready Clambake commemorates 50 years of charitable work with the State of Rhode Island. In 1994 and 1995, over 10 organizations and charitable institutions within the community have benefited from donations totaling over $3,000. The Roughs have sponsored a Little League baseball team and a youth soccer team. Three residents of Warren were given the opportunity to attend Camp Stonetower, a camp for children with mental disabilities. During the Christmas season, the Roughs annually prepare dinner baskets for distribution through local churches to those in need within the community.

I ask my colleagues in the Senate to join with me and all Rhode Islanders in commending the members of the Rough

and Ready Engine Co., No. 5 for their many acts of generosity and good will within their community, and in wishing them continued health and prosperity.●

AMENDMENT NO. 1854 TO THE RYAN WHITE CARE ACT.

● Mr. LIEBERMAN. Mr. President, I rise in support of the Ryan White CARE Act. The purpose of the act is to provide health care services in a cost effective way to people with HIV and AIDS. The Ryan White CARE Act is working in my State and throughout the Nation. I am very concerned about any amendment that would undermine the effectiveness of this program. Senate HELMS' amendment 1854 would prohibit the use of Federal funding to ''promote or encourage, directly or indirectly, homosexual activities or injection drug use.'' Senator HELMS' amendment could be broadly applied and therefore potentially undermine one of the most cost effective Federal programs we have.

Under the Helms amendment, it would be difficult to determine what services provided by a clinic would be considered to ''promote or encourage homosexual activities or injection drug use.'' In particular, prevention programs that discuss sexual behaviors that contribute to the spread of AIDS might be judged to promote homosexual activities. Prevention programs that discuss and advocate clean needles for drug addicts might be judged to promote injection drug use. Although the Ryan White Act does not pay for preventive services, clinics that deliver Ryan White-funded health services often have prevention programs. If these clinics which provide comprehensive care to people with AIDS are considered to indirectly promote homosexuality, then these programs could lose funding. That means denying life-saving medical services for people with HIV and AIDS.

Mr. President, doctors, nurses and other health professionals cannot talk about a sexually transmitted disease without also talking about the sexual behaviors that will prevent its spread. It is unclear if this amendment would allow professionals serving the HIV-infected population to talk about sexual behaviors. The ambiguous language of this amendment could damage the protection of public health.

Again, let me remind my colleagues that the purpose of this bill is to provide health care to individuals suffering from a terrible, terminal disease. The bill reflects not a moral consensus about homosexuality but a shared compassion for people with AIDS and a commitment to the public's health.

Finally, the Ryan White CARE Act makes economic sense. Cost-effective delivery of care keeps AIDS patients out of costly emergency rooms. The public funds provided by Ryan White have been leveraged in my State with private dollars to provide a network of cost-effective services to the HIV-infected population. If we shut off Federal funds to community-based providers because there is a question of whether or not the nature of their services indirectly promotes homosexuality, then we will undermine efforts to limit the spread of AIDS and will shift the burden of caring for people with AIDS on to our already over-burdened public hospitals.●

(At the request of Mr. DOLE, the following statement was ordered to be printed in the RECORD.)

CONGRATULATIONS TO RED RIVER ARMY DEPOT COMMUNITY

● Mr. GRAMM. Mr. President, I want to commend the efforts of the people of northeast Texas and southwest Arkansas for the excellent job they did making the case to save Red River Army Depot. As you know, in each of the last three base closure rounds, the Defense Department recommendations have been approved by the Base Closure Commission 85 percent of the time. The fact that Red River Army Depot overcame those odds is a testament to the dedicated efforts of everyone in the community, and particularly those members of the Red River Defense Committee: Deldon Brewer, Judge James Carlow, Linda Crawford, Dr. Phillip Duvall, Hubert Easley, Bob Embrey, John Henson, Dr. K.C. Hillis, Edward Holly, Bill Hubbard, Hoyt Johnson, R.E. ''Swede'' Lee, Dennis Lewis, John ''Wimpy'' McCoy, Fred Milton, Robert Mountz, Dee Reese, Eldridge Robertson, Don Ruggels, George Shackelford, Horace Shipp, James Stokes, Scotty Taylor, and Steve Wiggs. Even in a community as unified, dedicated, and active as theirs, these individual efforts stood out.

Mr. President, the Red River Defense Committee saved Red River because they had the facts on their side and they worked together as a team. Each committee member volunteered countless hours to work on the Red River briefing, often traveling to Washington to gather information or meet with the Base Closure Commission. They organized massive public demonstrations of support, raised money, and took precious time away from their families and jobs to dedicate themselves to saving the depot. On this Saturday, August 5, 1995, they, their families, and as many citizens as can fit in the Four States Fair Entertainment Center will celebrate their well-deserved victory. As they do, I would once again like to offer my congratulations on a job well done.●

WAIVING PROVISIONS OF THE LEGISLATIVE REORGANIZATION ACT OF 1970

Mr. DOMENICI. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of House Concurrent Resolution 89 just received from the House.

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

The clerk will report.

The legislative clerk read as follows:

A concurrent resolution (H. Con. Res. 89) waiving provisions of the Legislative Reorganization Act of 1970 requiring adjournment of Congress by July 31.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the concurrent resolution?

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mr. DOMENICI. I ask unanimous consent that the concurrent resolution be agreed to, the motion to reconsider be laid on the table, and any statements relating to the concurrent resolution appear at appropriate place in the RECORD.

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

So the concurrent resolution (H. Con. Res. 89) was agreed to.

MEASURE INDEFINITELY POSTPONED—S. 617

Mr. DOMENICI. Mr. President, I ask unanimous consent that calendar No. 39, S. 617, be indefinitely postponed.

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

ORDERS FOR WEDNESDAY, AUGUST 2, 1995

Mr. DOMENICI. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in recess until the hour of 9 a.m. on Wednesday, August 2, 1995; that following the prayer, the Journal of the proceedings be deemed approved to date, the time for the two leaders be reserved for their use later in the day, and that the Senate immediately turn to the consideration of S. 1026, the Department of Defense authorization bill.

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

PROGRAM

Mr. DOMENICI. For the information of all Senators, the Senate will begin the DOD authorization bill at 9 a.m. Amendments are expected to the bill. Therefore, Members can expect rollcall votes throughout Wednesday's session of the U.S. Senate.

RECESS UNTIL 9 A.M. TOMORROW

Mr. DOMENICI. If there is no further business to come before the Senate, I ask unanimous consent that the Senate stand in recess under the previous order.

There being no objection, the Senate, at 8:43 p.m., recessed until Wednesday, August 2, 1995, at 9 a.m.

NOMINATIONS

Executive nominations received by the Senate August 1, 1995:

MISSISSIPPI RIVER COMMISSION

REAR ADM. JOHN CARTER ALBRIGHT, NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION, TO BE A MEMBER OF THE MISSISSIPPI RIVER COMMISSION, VICE REAR ADM. WESLEY V. HULL.

THE JUDICIARY

BRUCE W. GREER, OF FLORIDA, TO BE U.S. DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF FLORIDA, VICE JAMES W. KEHOE, RETIRED.

EXTENSIONS OF REMARKS

CABLE AMENDMENT

HON. EDWARD J. MARKEY
OF MASSACHUSETTS
IN THE HOUSE OF REPRESENTATIVES

Monday, July 31, 1995

Mr. MARKEY. Mr. Speaker, the Nation's cable monopolies are trying to persuade the Congress to dismantle the rate regulation rules that have saved consumers over $3 billion since 1993.

They are trying to break free from consumer protection rules before competition arrives to offer Americans an affordable marketplace choice.

Cable consumers should be on red alert. What's in store for the American public if Congress goes along?

What is the cable industry offering consumers? Free remotes? Special discounts? Unlimited channels?

No. Although we might wish it were otherwise, without effective competition to give consumers a real choice, the cable industry is going to give us reruns.

Reruns of the hyper-inflationary rate hikes that were the norm before Congress reined in the monopolies.

Reruns of the exorbitant prices charged for equipment.

A rerun of the same horror story for the American consumer.

That's right. If cable consumers have a TV clicker in one hand, they better be holding onto their wallets with the other because the telecommunications bill moving through Congress is going to raise cable rates.

The House bill would lift all rate regulation on cable programming, either immediately on small systems—representing about 30 percent of consumers—or 15 months after the date of enactment for the rest of the country.

And when they're deregulated the cable monopolists will return to past practice and consumers will be forced to relive that past again.

Many cable operators will use their newfound freedom to charge exorbitant rates.

The new 18-inch Direct Broadcast Satellite dishes will not hold them back as long as it's a $700 alternative.

And the telephone companies won't hold back cable rate hikes until they show up and start delivering the goods. And the cold reality is that no telephone company is currently offering cable service on a commercial basis in competition with a cable company.

In fact, a recent front page story in the Wall Street Journal made it clear that the phone companies aren't coming soon. The article stated that the Bell companies are unlikely to reach 25 percent of the country with a competing video service until well after the year 2000. The chairman of one of the Bell company's multimedia group stated that simply aiming at the 25 percent mark in the next 7 years would be ''very optimistic.''

The hooplah many of us heard as recently as a few months ago about a video world with over 500 channels being offered to millions of consumers by the end of the year is pure fantasy. The high tech hype has confronted engineering reality. The phone companies are still figuring out how to make the technology work.

To pretend, as H.R. 1555 does, that 15 months from now, this world will have suddenly changed to one of widespread delivery of commercially competitive cable service from a telephone company, is sheer folly.

As in any industry, the cable world has its share of bad actors. They will see their unregulated monopoly opportunities, and they will take them.

The blindly deregulatory provisions in the pending telecommunications bills will take us back to the recent past where from 1986 to 1989 the U.S. General Accounting Office found that, on average, the price of basic cable services rose more than 40 percent—3 times the rate of inflation over that time.

As most of you know, things got so bad that in 1992 Congress had to act. The current law already stipulates that when a cable company faces effective competition the cable company's rates are deregulated.

I believe we should stick with a competition-based telecommunications policy. Competition offers consumers choice. Competition will bring lower prices. Competition will drive infrastructure development and innovation.

The Markey-Shays amendment will correct many of the anticonsumer, anticompetitive cable provisions of H.R. 1555.

The Markey-Shays amendment will allow cable operators flexibility in the rates they charge for cable programming services, but will restrain operators from engaging in rate gouging. The Markey-Shays amendment says that until a cable operator faces effective competition in the marketplace, that operator must charge reasonable rates.

Rates will be deemed unreasonable if they exceed, on a per channel basis, the percentage annual increase in the Consumer Price Index.

Again, these limitations on how high cable rates can go are temporary provisions. The Cable Act of 1992 already has put provisions in the law that state that when a competitor reaches 50 percent of the homes in a franchise area and 15 percent take that alternative, the incumbent cable operator's rates are deregulated.

H.R. 1555 also modifies the complaint threshold that must be met to review cable rates charged to ascertain whether they exceed legal limitations. The legislation requires that 10 consumers or 5 percent of all subscribers of a cable system, whichever is greater, must complain to the FCC to induce a rate proceeding. In other words, H.R. 1555 would require that in a cable system of 200,000 subscribers, that 10,000 consumers would have to complain.

This is absurd. Moving the complaint level to 5 percent of subscribers is a clear attempt to create an impossibly high threshold in order to insulate cable companies from provisions originally designed in the Cable Act of 1992 for consumer protection and empowerment.

Another anticompetitive provision in the bill is the repeal of prohibitions on predatory pricing.

Not only does H.R. 1555 prematurely deregulate cable monopolies, it contains provisions that would snuff out fledging competitors before they can take wing in a community. It would allow cable monopolies to target unfairly a new competitor's customers for temporary lower prices and special offers. These lower prices and special offers to undercut a competitor would not be available to all subscribers in the cable systems' franchise areas. Rather, other subscribers would subsidize lower rates to undercut competitors. In this way, cable monopolies can crush competition in its cradle.

Nascent competitors, such as wireless cable systems and direct broadcast satellite [DBS] systems, would suffer greatly from this anticompetitive provision. H.R. 1555 would significantly thwart the ability of consumers to reap the benefits of competition in the form of greater choice, higher quality, and lower price, if section 202(g) is retained in the bill.

Not content simply to deregulate monopolies before competition arrives, H.R. 1555 frustrates, rather than promotes, the emergence of a competitive market. The current cable provisions constitute a glaring flaw in a bill whose ostensible purpose is to promote competition in the telecommunications marketplace.

The Markey-Shays amendment will retain the uniform pricing rules on cable operators.

Finally, the Markey-Shays amendment will scale back the sweeping definition of small cable system contained in the bill.

As I have mentioned before, the bill deregulates rates for cable programming services for so-called ''small cable systems'' immediately upon enactment. These are systems which largely serve rural America.

As a result, it will be consumers in rural America who see their cable rates rise first. H.R. 1555 deregulates any cable system which has less than 1 percent of all cable subscribers (approximately 600,000 subscribers) and is not affiliated with an entity that earns in excess of $250 million in gross annual revenues.

According to the FCC, this provision would deregulate cable systems affecting 28.8 percent of all cable subscribers.

The Markey-Shays amendment would define small cable systems as those that directly serve fewer than 10,000 cable subscribers in its franchise area and have in aggregate less than 250,000 subscribers.

I believe that the cable provision of H.R. 1555 go far astray of a competition-based telecommunications policy. They are opposed by the administration. They are opposed by consumer groups. They should be amended to protect consumers until competition arrives to offer an affordable marketplace choice.

MARKEY BROADCAST AMENDMENT

The drastic and indiscriminate elimination of mass media ownership rules proposed by this bill would eviscerate the public interest principles of diversity and localism. Instead, H.R.

1555 will concentrate great wealth and media power in the hands of a few. It allows for the concentration of television, radio, cable and newspaper properties in a way that will make Citizen Kane look like an underachiever.

The mass media provisions of H.R. 1555, which were adopted in the form of an amendment offered by Mr. Stearns (R-FL), are sweeping in scope. The network duopoly rule is repealed. The broadcast-cable crossownership rule is repealed. The network-cable crossownership rule is repealed. The broadcast rule is repealed. The broadcast-newspaper crossownership rule is repealed. National limits on radio station ownership are repealed. Limits on local ownership of radio stations are also eliminated. The one-to-a-market rule is repealed, allowing for the creation of television duopolies in local markets. Finally, the national audience reach limitation for television networks is allowed to double from 25 percent of the country to 50 percent.

The aggregate effect of these changes are to move telecommunications policy back to the 1930's. They will encourage the rapid consolidation of mass media ownership in this country and the elimination of diverse sources of opinion and expression. They are a powerful toxin to democracy and a death knell for community control of its own media.

H.R. 1555 will ensure that mass media outlets increasingly became beholden to policies and programming originating in New York and Hollywood.

The bill encourages the hoarding of media power to truly nightmarish proportions; in a particular town one large company could control 2 TV stations, an unlimited number of radio stations, the only newspaper in town, the town's only cable system, and in small towns the local phone company. Such control over the local media marketplace would give the owner a huge advantage in dictating the terms for advertising. More importantly, it also furnishes this local media potentate with dramatic power to influence coverage and public opinion on hundreds of issues of concern to the citizens of that local community.

The bill repeals local media cross-ownership rules between television stations, cable systems and newspapers, allows for unlimited AM and FM radio ownership on both the national and local levels, allows the national television networks to consolidate and to double their audience reach, and permits people to own 2 television stations within a community. Rather than promoting a forward-looking media policy for a 21st century economy, these provisions return us to the 1930's-era when there were very few media owners in most communities.

The current rules, which have successfully created a level of media diversity in this country that is the envy of the world, were not the sole creation of liberals. They were implemented on a bipartisan basis by both liberals and conservatives, Democrats and Republicans, to mitigate against media concentration and to promote competition and diversity.

Such media concentration was not a theoretical possibility. During the 1930's, NBC had a Red and a Blue television network. In 1941, the FDR administration barred dual network ownership and required NBC to divest itself of its Blue network. That network became the American Broadcasting Co. After waiting decades for the emergence of a fourth competing network (FOX), the House bill would allow FOX to buy CBS and permit NBC and ABC to merge back together again after a 50-year hiatus. This ill-advised proposal will lead to less choice, less diversity, less competition.

On the local level, powerful conglomerates in the 1960's and 1970's were amassing multiple ownership of media outlets. At the time, in the top 50 television markets (comprising 75 percent of the Nation's television homes), 30 markets had one of the local TV stations owned by a major newspaper in the same market. By 1967, some 76 communities had only one AM radio station and only one daily newspaper, with cross-ownership interests between the two. Fourteen communities had one AM radio station, one television station, and only one daily newspaper, all commonly owned. Moreover, in 1968 it was reported that the infant cable industry was already seeing a trend toward media concentration, with 30 percent of cable systems controlled by broadcasters.

Across the country, media moguls were assembling what was called a Royal Flush: one person or company would own a local television station, an FM station, an AM station, the daily newspaper and the cable system.

And who stepped in to implement rules to prevent the unhealthy accumulation of media power? Why, it was the Nixon and Ford Administrations that found the trend so disturbing they decided to take action. The Republican-led FCC in that era, reflecting main street, small town sensibility on media concentration issues, adopted restrictions on mass media ownership to further the twin goals of diversity and competition.

Now who is threatened by the communications cannibalism in media properties that would be unleashed by the current House proposal? Local television affiliates and independent TV stations, small radio stations with innovative but niche programming formats, family-run newspapers struggling to remain independent are endangered species in a new digital Darwinism where only the communications colossi can survive.

Every local town and hamlet runs the risk of becoming real life Pottersville, the mythical town that Jimmy Stewart prevented from existing in the 1946 classic ''It's a Wonderful Life.''

The House bill would allow for the aggregation of mass media power that far exceeds the Royal Flush in local markets. Such a historic public policy reversal poses grave repercussions for democratic government. Since the time of Jefferson, access to a diversity of information and opinions on the important issues of the day was considered essential to the workings of democracy.

In an era when we are searching for ways to break down monopolies and provide consumers with greater choice, the telecommunications bill returns us to a bygone era and resurrects the possibility that the emerging multimedia milieu will be dominated by a few communications cartels.

My amendment addresses two key issues in the bill.

REPEAL OF THE BROADCAST-CABLE CROSSOWNERSHIP RULE

This rule prevents TV-cable combinations within local markets. Adopted by the FCC during the Nixon administration, this rule helps to protect fair competition in the local media marketplace and safeguards diversity in mass media outlets within local communities. Simply put, this rule prevents a cable system from acquiring a local TV station in the same city.

Television broadcasters today rely upon so-called must carry rules to ensure their carriage on local cable systems. These rules are currently subject to litigation in the courts.

If the court invalidates these rules, the broadcast-cable crossownership repeal contained in H.R. 1555 could have adverse consequences. For example, if a cable company has a financial interest in one of the TV stations within the local market (or 2 TV stations if it is one of the new local duopolies permitted by H.R. 1555), some or all of the remaining broadcasters may be refused carriage or discriminated against in such carriage. Without safeguards, repeal of this rule would allow a local cable system-local television combination to utilize the bottleneck of cable system access to stifle media voices and distort the advertising market.

Yet even without any judicial decision with respect to the status of must carry obligations, repeal of this rule will have anticompetitive consequences. H.R. 1555 does not extend must carry rights to any new channels offered by broadcasters. In developing new section 336 of the Communication Act of 1934, the authors of H.R. 1555 stipulate that if the Commission decides to award additional licenses for advanced television services, the supplementary services or channels that a broadcaster may develop utilizing digital compression are not granted must carry rights on cable systems.

Although numerous broadcasters in a locality might be using digital compression technology to create 3, 4, or 5 additional TV channels each, the cable system is not obligated to carry these additional channels. This is a competitively neutral provision only if all the local television stations are treated by the cable system in similar fashion.

With repeal of the broadcast-cable crossownership rule, however, the local cable system could immediately favor the television station in which it had a financial interest. The cable system could do this simply by carrying the additional or supplementary channels and services of that TV station and denying such opportunity to the other broadcasters within the same community.

DEREGULATION OF THE NATIONAL TV AUDIENCE REACH LIMITATION

The bill would lift the current cap limiting television networks to 25-percent coverage of the Nation to 35 percent immediately. It would then be lift the cap to 50 percent 1 year later.

I believe that the relationship between networks and television affiliates has served our country well. H.R. 1555 does more than tip the balance between TV networks and their affiliates toward the networks. It completely disrupts that balance.

Local broadcasters in communities across the country are fighting to remain local broadcasters in this legislation. Increasing the national audience caps to 50 percent puts localism in jeopardy. The doubling of the audience cap will hurt diversity.

The nature of the network-affiliate relationship today is that networks must count on their affiliates to air national programming while affiliates count on the networks to provide national news, sports and entertainment to add to a mix of local news and independently-produced programming. tilting the balance too much toward the networks will create a concentration of nationally-produced programming and a corresponding loss of locally-oriented programming.

If networks can own stations that cover the largest markets in the country, we lose the tradition—and the capability—of having local affiliates pre-empt network programming to bring viewers important local news, public interest programming, and local sports. As Ed Reilly, president of McGraw Hill Broadcasting Co. said in testimony before the Committee: A network-owned station almost never pre-empts a network program to cover a local sports event or to air a local charity telethon.

Because American society is built upon local community expression, the policy favoring localism is fundamental to the licensing of broadcast stations. Localism permits broadcasters to tailor their programming to the needs and interests of their communities. Moreover, as trends toward national homogenization of the media grow—for example, cable channels and direct broadcast satellite service—localism increases in importance. Expansion of national media outlets increases the need for local media outlets with the locally ubiquitous reach of broadcast television stations.

In short, relaxation of the national audience caps is an anti-competitive proposal. Deregulation of the audience cap will intensify concentration in the hands of the vertically-integrated, national television networks. Once they are permitted to gobble up additional local stations, these mega-networks will have an increased ability to sell national advertising by controlling local distribution.

No one will argue that, in general, it is not more efficient to simply make local broadcast stations passive conduits for network transmissions from New York. Localism is an expensive value. We believe it is a vitally important value, however, and like universal service, it is a principle of communications policy rooted in the Communications Act of 1934. It should be preserved and enhanced as we reform our laws for the next century.

TRIBUTE TO AMERICA'S KOREAN WAR VETERANS

HON. RODNEY P. FRELINGHUYSEN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 1, 1995

Mr. FRELINGHUYSEN. Mr. Speaker, today, I rise to pay tribute to our Nation's Korean war veterans. Last week, the Korean War Veterans Memorial was dedicated to their honor—and it's about time. These men and women have waited too long to be recognized for their sacrifices. They fought, and many died, for ''a country they never knew and a people they never met,'' as reads an inscription on one of the memorial's sculptures.

The Korean War Veterans Memorial is a somber yet powerful monument to those who served in what is often referred to as ''the forgotten war'' of the 20th century. Many heroes of the Korean war have spent the last 40 years lost in the shadows of the triumphant victory in World War II and the national divisiveness sparked by the war in Vietnam. Yet, the Korean war was critical because it was the first test of the post-World War II order; our Nation's commitment to defend liberty and to arrest the growing threat of tyranny were being directly challenged.

Carved in stone on the memorial are the words, ''Freedom is Not Free''—a truism confirmed by painful numbers. Over 5 million Americans were mobilized for the Korean war—103,000 were wounded in battle, 52,000 gave their lives and 8,000 prisoners of war are still unaccounted for. There are still over 140,000 Korean war veterans in New Jersey, 12,400 of them in the 11th Congressional District.

Today, as I speak, thousands of American troops work together with South Korean forces to maintain the fragile peace that their grandparents fought and died for along the 38th parallel. For 42 years now, they have stood watch. Ever vigilant, ever brave, they continue to guard what has become a thriving democracy and a vibrant culture. So, while a threat still looms from the north, our Nation's commitment to defend the principles of liberty remain steadfast.

The legacy of the soldiers who fought in the frozen hills of the Korean Peninsula is evident today in the stark contrast of a nation's people still divided. The morning before the memorial was dedicated, South Korea's President, Kim Yong-sam, addressed a joint session of the United States Congress as the leader of a free and democratic nation while Kim Il Jung of North Korea still shrouds his people in the cloak of communism.

The Korean War Veterans Memorial serves as a reminder to the United States, South Korea, and the rest of the world that freedom has a price and we ought never to forget those who paid it.

THE HAMPTON CLASSIC

HON. MICHAEL P. FORBES

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 1, 1995

Mr. FORBES. Mr. Speaker, I rise today to proclaim August to be Hampton Classic Month. On August 27, I will join with tens of thousands of admirers in Bridgehampton, Long Island, NY, in celebration of the 20th anniversary of the Hampton Classic. In addition to being one of the Nation's most superb horseshows, it is also an outstanding fundraising event. Thanks to the classic's program of charitable giving, the public's support of this wonderful event also makes possible a generosity that otherwise might not be available.

Since the inaugural show in 1976, Southampton Hospital has received more than $500,000 thanks to patrons of the Hampton Classic. In addition, Mr. Speaker, the classic produces significant annual revenues for the Nassau-Suffolk Chapter of Juvenile Diabetes Foundation and the U.S. Equestrian Team, sponsors of our Olympic and other international riding teams.

Mr. Speaker, I join with all our neighbors, friends, and visitors to the east end in extending heartiest congratulations and sincere thanks to everyone in the Hampton Classic family whose selfless devotion to this tremendous undertaking have made it a success. The Hampton Classic is a truly extraordinary event and, on behalf of a grateful community, I extend my sincere appreciation to all who support it.

HONORING DR. CARL E. WHIPPLE

HON. WILLIAM F. CLINGER, JR.

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 1, 1995

Mr. CLINGER. Mr. Speaker, I rise today to honor Dr. Carl E. Whipple for a quarter century of service to the Housing Authority of Warren County, PA.

A native Pennsylvanian, Dr. Whipple dedicated himself to educating and encouraging others to achieve their goals. He began his career as a teacher, subsequently earning masters and doctoral degrees in education. Following a naval tour aboard the aircraft carrier U.S.S. *Ranger*, Dr. Whipple continued his devotion to education during a year mission to India.

Many regions across Pennsylvania also benefited from Dr. Whipple's lifelong commitment to community service. As a teacher, principal and superintendent of several schools, Dr. Whipple actively pursued improvement of the public school system.

In addition to his career as an educator, Dr. Whipple will long be remembered for the realization of one of his dreams. Following retirement from Warren County Schools, Dr. Whipple while traveling on a family visit to California, viewed for the first time a public housing complex for senior citizens. Upon return to Pennsylvania, Dr. Whipple led the charge to establish a similar program in Warren County. Not only did Dr. Whipple play an instrumental role designing the housing authority, he also served as chairman of the board of directors for 25 years.

From his first job as a high school teacher, and throughout his participation in the Pennsylvania Retired Public School Employees Association, the Rotary Club, and the Northern Allegheny Conservation Association, Dr. Whipple continuously demonstrated the depth of his commitment to mankind.

I am proud to recognize Dr. Carl E. Whipple for his outstanding accomplishments and extraordinary dedication to public service in Warren County and throughout the world. We, in northwest Pennsylvania, are fortunate to have such an individual who serves as a shining example of what community service is all about.

A SALUTE TO JAZMIN BROOKS

HON. PATSY T. MINK

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 1, 1995

Mrs. MINK of Hawaii. Mr. Speaker, I would like to take this opportunity to salute an outstanding young women from my congressional district, Ms. Jazmin Brooks. Jazmin was recently named a national winner of the ''Voice of Democracy'' broadcast scriptwriting contest which is sponsored by the Veterans of Foreign Wars of the United States and its Ladies Auxiliary. The competition requires high school students to write an essay on a specified patriotic theme. In 1995, over 126,000 students participated. Jazmin was sponsored by VFW Post 2875, VFW Post 94, Ship's Post 2432 and its Ladies Auxiliary. All are located in Honolulu HI. This year's theme was entitled, ''My Vision for America'' and I am pleased to share Jazmin's award winning entry with you.

MY VISION FOR AMERICA

(By Jazmin Brooks)

The date: October 12, 1492. The Man: Christopher Columbus. A time in which the seas were an open book waiting to be written. A time in which the skies were the navigational tools for all explorers to seek. A time in which the new land was like a canvas anticipating an artist's touch. One of these artists was Columbus. His painting was the Americas.

With one small stroke, Columbus began the drawing. This drawing would contain wars, revolutions, and many a rivers of tears. But this drawing was the beginning of hope, freedom, and liberty. Had this Italian man known the ''door'' he had just unlocked for the future of the most dominant of all nations? Could he have ''envisioned'' what the future possessed? . . .

Vision is a common word we perceive as being connected with the action of eyesight. This is true, but it alone is not the only element to its significance. From where I stand I see three other essentials necessary to truly project and set forth the future which you desire.

One: a mind that is as open and free as the air soaring through the wings of the masterful American eagle, knowledgeable, tenacious, and wishing to teach all those who gather. Two: a heart stout enough to withstand the mightiest of all blows, yet gentle enough to concern and reach out for those less providential. Three: a lordly soul bearing the load of the mind, heart, and body, to guide and lead the way to utmost success.

The mind, the heart, and the soul are the keys to which many great leaders have found themselves and their futures. Learn from them, observe their past and present deeds to better yourself. We all share a trace of ignorance and therefore must thrive off one another to move forward. It starts with one small step . . . a dream and a vision.

I envision the future of America thirty years from now. I see a dividend of lifestyles between micro-computers and the ''Jetsons.'' I see the animals being able to equally share the land with humans. I see no pollution due to the fact we can now change it into lovely household pottery! I see no vandals, gangs, guns, or drugs—these people overdosed to their death in their own self-pity and anger. I see no diseases, decaying, or unwanted pain. I see wholesome lives, unlocked doors, and nightly jogs because people are no longer afraid. I see racial harmony, with acknowledgement and acceptance of the past, and a ''ready foot'' to move forward . . . united!

This is all that I see. This is my dream. I have that mind, that heart, and that soul to make this real. I may not do it alone, but it will be done. It may not be now, but it will be soon. And I will be that leader who shall be looked upon as a true scholar. Young adults who will be entering the ''real world'' with little experience, but lots of energy just looking for a light to guide them through. I will be one of those lights burning brightly for hereafter.

DEPARTMENTS OF VETERANS AFFAIRS AND HOUSING AND URBAN DEVELOPMENT, AND INDEPENDENT AGENCIES APPROPRIATIONS ACT, 1996

SPEECH OF

HON. ROBERT A. BORSKI

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 1995

The House in Committee of the Whole House on the State of the Union had under consideration of the bill (H.R. 2099) making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 1996, and for other purposes.

Mr. BORSKI. Mr. Chairman, I wish to express my support for the important amendment by the gentleman from Michigan to restore the needed funding for the cleanup of the Nation's hazardous waste sites.

The Dingell amendment is absolutely essential for our Nation's environment.

The funding level in this bill is totally inadequate for a program that will protect the health and environment of the American people.

In the Water Resources and Environment Subcommittee we have had six hearings on Superfund where I have attempted to question virtually every witness about how the program should be funded.

Reducing cleanups is not an acceptable answer.

Without exception, there has been no witnesses who has given a credible answer on replacing the revenue that would be lost if we repeal retroactive liability, which some in Congress want to do.

We now have a $3 billion annual program with half the funds appropriated and half recovered through liability procedures.

This bill proposes a drastic reduction in the appropriated funds for cleanup. If we add in the repeal of Retroactive Liability, the Hazardous Waste Cleanup Program in this country will grind to a halt.

I do not believe it is acceptable to the American people to halt the cleanup of hazardous waste from their communities.

If our goal is a Superfund Program that will show real progress in cleaning up hazardous waste sites, we must pass the Dingell amendment.

The funding level in the bill is a cut of $416 million from last year's level.

This budget level put a halt to the start of 120 construction projects.

Superfund projects would not be allowed to move to the next phase, meaning that those communities that are waiting for construction to begin are simply out of luck.

This funding level tells the people of America who are threatened by Superfund sites to live with it.

This cut will affect cleanups in more than 40 States—a truly national reduction in environmental protection.

It means that more Superfund trust fund money, taxes which are being paid by the American people and by American businesses, will remain in the trust fund.

The money in the trust fund should be used for the purpose for which it was intended—cleanups.

With one in four Americans living within 4 miles of a Superfund national priorities list site, this funding cut will have a severe impact on millions of people.

Besides the environmental impacts, these cuts will result in 3,500 lost contractor jobs and further delays in returning Superfund sites in urban areas to productive economic use.

In Pennsylvania, cleanup construction is set to begin at the site of a former scrap wire recovery site. The ground water, sediments, surface water, and soil are contaminated with the volatile organic compounds and heavy metals, including lead.

The cleanup at this site will help protect the 52,000 people who live nearby.

Construction cleanup would begin at this site in the coming months if we provide adequate funds for the Superfund Program.

H.R. 2099 does not provide the needed funds.

It would leave the people who live near this site and many others like it waiting for many more months and years for cleanup to begin.

The Dingell amendment would provide the funds for these cleanups to move forward.

I urge passage of the amendment.

IN MEMORY OR ELMER CERIN

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 1, 1995

Mrs. MALONEY. Mr. Speaker, Congress has lost one of its most precious resources.

On Monday, July 24, Elmer Cerin passed away. I join with many of my colleagues, our staff, and others whose lives intersect with our's on Capital Hill to mourn Elmer's death and to take a moment to celebrate his life.

Unlike many of Elmer's admirers, I only knew him for a short time. When I arrived in Washington in January 1993, I began, of course, to meet the Hill's personalities. I met the Speaker. I met powerful Senators. I met important Ambassadors. And I met Elmer. Bounding into my office 1 day with a huge smile on his face and a stack of Dear Colleagues under his arm, I first laid eyes on this incredible man, on this Capitol Hill institution.

One of my staff members, who had known Elmer for several years, filled me in. Elmer was a volunteer lobbyist for a number of important causes, including health care, religious freedom, and pro-Israel issues. Although he had reached the age of 80, he had the energy of the interns a quarter his age with whom he constantly bantered. He was kind and funny, I was told, but also incredibly persistent and persuasive. With the force of his personality and his shoeleather, Elmer won many more legislative battles than he lost.

Elmer had a long and distinguished career before he ever began his lobbying crusades. He served in the administrations of Presidents Roosevelt and Truman, and also worked for the Postal Service for over 20 years. Subsequently, Elmer was a successful attorney in private practice.

When Elmer's beloved wife, Sylvia, was diagnosed with ALS—Lou Gehrig's disease—in 1977, he began the phase of his life that put him in contact with so many on the Hill. Elmer began a personal effort to lobby for more research funds for ALS. Over the years, he took

on additional health issues including breast cancer, smoking, and NIH funding. For many years, he worked out of the office of our colleague HENRY WAXMAN, who spoke eloquently last week at Elmer's funeral.

Elmer also had a desk in Steve Solarz's office where he worked with Steve on human rights and Jewish issues. I'm told that he helped Representative Solarz pass the famous yarmulke bill—which allowed Jewish servicemen to wear religious head coverings while on duty—by recounting to Members and staff the fact that Elmer himself wore his yarmulke while parachuting behind enemy lines in World War II.

Together with his second wife, Shoshana Riemer, herself an activist, Elmer was very involved in a host of civic and community affairs. He was legendary for his continuous vigil in front of the Soviet Embassy during the dark days of oppression of Soviet Jews. He and Shoshana were charter sponsors of the Holocaust Museum.

In a New York Times profile about Elmer written in 1986, Elmer said, ''During my lifetime, if I can reduce suffering in this world a little bit, I will be more than rewarded for all my efforts.'' Sadly, Elmer's life has come to an end. But he did indeed succeed in helping many, many people. And he enriched and inspired those he left behind. The poet Thomas Campbell wrote, ''To live in the hearts we leave is not to die.'' By this measure, Elmer will live on in all who knew and loved him.

DEPARTMENTS OF VETERANS AFFAIRS AND HOUSING AND URBAN DEVELOPMENT, AND INDEPENDENT AGENCIES APPROPRIATIONS ACT, 1996

SPEECH OF

HON. RICHARD W. POMBO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 1995

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 2099) making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 1996, and for other purposes:

Mr. POMBO. Mr. Chairman, I rise today to address the section of H.R. 2099, the fiscal year 1996 VA–HUD appropriations bill, that will prevent the Federal Emergency Management Agency [FEMA] from spending any further taxpayer dollars for work on flood insurance rate maps [FIRM] for the city of Stockton and San Joaquin County, CA. I have worked with this appropriations subcommittee to see that language is included in this bill that would ensure that these inaccurate and deficient maps are not prematurely imposed on the Stockton metropolitan area. This Congress must ensure that FEMA is a partner with the city and county in providing accurate and complete information on the risk of flooding and to assist in coordinating the completion of improvements to the existing levee system. Such a coordinated effort will more rapidly restore an adequate level of flood protection and enhance, rather than threaten, the regional, and State's economy.

Unlike most FEMA floodplain maps for urbanized areas, the proposed FIRM's for Stockton do not indicate flood depths. Such information is critical to determine insurance premium rates and building code requirements. Because FEMA did not provide this information during its most recent flood insurance study, the city and county can only estimate flood depths, thereby assuming liability for inaccurate estimates, in addition to its individual property owners incurring the costs of determining the appropriate flood depths. In order to minimize this cost to property owners, the city and county have stepped forward to fully finance the necessary flood depth study. This necessary study is expected to be completed in 2 years. The legislation we are adopting today will suspend FEMA's maps and ensuing process, at least for 1 year, while the study is conducted.

FEMA's draft maps also contain significant errors. Processing has already been delayed by FEMA because of omissions and inclusions that were not part of the initial draft. The city and county have already hired an engineering firm to review the maps, and numerous other errors have been found. Despite the fact that the city and county are moving rapidly to review the proposed FIRM's, the 90-day appeal period allowed by FEMA is insufficient time considering the vast area that has been remapped. My provision contained in the appropriations bill is intended to prevent the appeal period from expiring while more accurate data is collected and eventually provided to FEMA.

Mr. Speaker, FEMA has praised the city and county for the initiative they have exercised to respond to these maps and the potential for future flooding. Since being notified last November, that nearly the entire metropolitan area was being redesignated as a floodplain, the local governments have already established a joint powers authority [JPA], retained engineering and public finance consultants, and appropriated more than $2 billion. The city and county JPA plans to construct the needed flood protection improvements without Federal financial assistance in order to expedite completion of the project. The JPA has already established a fast-track schedule that begins constructions in May 1996 and expects completion before the end of 1998. We must now ensure that FEMA's administrative actions assist rather than impede this effort.

JUDGE LLOYD TATUM, A GREAT AMERICAN

HON. HAROLD ROGERS

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 1, 1995

Mr. ROGERS. Mr. Speaker, this Saturday, August 5, 1995, Judge Lloyd Tatum of Henderson, TN, will celebrate his birthday, matching the Biblical age of three score and ten.

Judge Tatum is a highly respected west Tennessee lawyer, known throughout Tennessee legal circles for having served many years as a member of the Tennessee Criminal Court of Appeals. Upon his retirement from the active bench several years ago, he resumed private practice in Henderson with his son, Lloyd Rogers Tatum, while continuing to serve as a reserve judge.

In addition to being the husband of my beloved deceased sister, Inadene, Judge Tatum is a mentor of mine. He is a brother-in-law who is as close to me as a brother. He inspired me to become a lawyer, to engage in politics and to muster the self-confidence to stand for Congress.

We confer frequently about issues of the day, as well as our latest golf scores—such as they are—and I value his advice.

Saturday, his four children and their spouses, many grandchildren, other family and scores of friends are gathering to wish Lloyd a joyous birthday.

I hope that through his life, I can inspire just a fraction of the great number of people who have been inspired and encouraged by Lloyd Tatum.

I wish for him many more productive years and thank him for all he means to me, my family, and hundreds of friends and admirers.

Happy birthday, Lloyd.

CONGRATULATIONS TO TERRY JAMES MCCOY

HON. CHARLES H. TAYLOR

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 1, 1995

Mr. TAYLOR of North Carolina. Mr. Speaker, it is with great pleasure that I offer my congratulations to Terry James McCoy of Franklin, NC, who has been named a national winner in the 1995 Voice of Democracy broadcast scriptwriting contest.

The program was started 48 years ago and since 1958 has been sponsored each year by the Veterans of Foreign Wars of the United States and its Ladies Auxiliary.

Students competing in the contest write and record a 3-to-5-minute essay on a patriotic theme. This year more than 126,000 secondary school students nationwide participated in the contest competing for the 54 national scholarships.

McCoy, a recent graduate of Franklin High School, was named the North Carolina State winner for his script, ''My Vision for America,'' and was awarded the $2,000 Jesse A. Lewis Memorial Scholarship Award.

I congratulate Terry on an outstanding accomplishment and ask that his script be placed in the RECORD.

MY VISION FOR AMERICA

(By Terry James McCoy)

The United States of America was, and is, an experiment. In its brief two hundred and eighteen years as an independent nation, America has stood the test of destruction many times. Every time this nation is engaged in a battle, it is tested. Every time America experiences a lapse in its economy, it is tested. When American citizens burn the symbol of this great land, it is tested.

The Civil War was possibly this nations greatest trial. Descension among citizens has never been this high. As states began to secede, hatred towards one another began to grow. Many were declaring this, ''the end of democracy, and this nation.'' How fortunate, that from the fields of Illinois there came a tall, powerful man. This man has vision for America. He could see past the hatred and the violence. He saw America as it should have been. Abraham Lincoln led a nation out of its greatest test and left it far better than he found it.

The Great Depression is yet another potentially disastrous predicament that America has had to face. The United States' economy was in shambles. It was not only an economic depression but a social depression as well. Unemployment was at an all time high. Yet again there were those who said that, ''capitalism has failed, its the end of this nation.'' Children were starving, families were destroyed, and American citizens were without hope. Through the midst of this terrible time, a great leader cam to the forefront. He showed the American people that there was hope. He promised them that America could pull through this evil beast, called the Great Depression. Franklin Delano Roosevelt had a vision for America. Roosevelt knew that America could quickly become the worlds largest economic and militaristic super power. Franklin Roosevelt never saw the day when America became what he dreamed it to be. His vision is still very much alive in this country and will continue to be alive as long as American citizens are students of its history.

These two men contributed more to this nation than we will ever realize. Their visions are still very much a part of this country. However, their visions are not the only visions that have influenced America. Every citizen of this nation has had a vision for America's future. For example, Susan B. Anthony had a very simple vision. It was a vision in which all Americans had the right to vote.

Henry Ford had a vision in which all the people of this country could afford and own their own car. The Wright brothers dreamed of an America in which people could travel through the air to get to their destinations. These visions for America were not just fantasies that only existed in these dreamer's heads, but they were attainable ideals that many other American's shared with them.

What is my vision for America? It is one of idealism, but attainable idealism. I see an America in which citizens can put faith in those that govern them. I see an America in which if you destroy the United States Flag, the very symbol of our freedom and our pride, not only will you be breaking a federal law but you will be directly defying the United States Constitution. My vision for America is one in which we stand proud of those that have served this nation so well, both in military service and civilian service. I foresee a nation where school children are no longer afraid of violence in their own schools. I dream of the day when the people of this nation can once again stroll the streets in safety. I look forward to an America where people are proud of it and its rich history. This is my vision for America.

A TRIBUTE TO THE MEDICARE PROGRAM'S 30TH ANNIVERSARY

HON. LOUIS STOKES

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 1, 1995

Mr. STOKES. Mr. Speaker, I rise to pay tribute to the 30th anniversary of the Medicare Program—three decades of commitment, service, and dedication to providing for the health care needs of our Nation's elderly citizens. Signed into law on July 30, 1965, by President Johnson, the Medicare Program has a rich history that all Americans can be proud of.

Prior to Medicare only 46 percent of the elderly had health care coverage, as a result of Medicare, today 97 percent of the Nation's elderly have health care coverage.

After the implementation of the Medicare Program, the death rates for all causes decreased dramatically. From 1960 to the present, the number of deaths for Americans ages 65 to 74 has decreased by over a quarter of a million—275,000—and for those over the age of 85 the number of deaths has decreased by nearly half million—427,000.

With good medical care, the live expectancy for Americans had increased by 6.1 years, increasing from 69.7 years prior to Medicare, to 75.8 years today.

In spite of Medicare's proven success in prolonging elderly Americans' independence, and its success in improving their quality of life, the Republicans have been steadfast in their commitment to kill the Medicare Program. Since day 1, they have attacked the Medicare Program from all angles—labeling it as socialized medicine, unnecessary, and ill-conceived.

Thirty years after the establishment of the Medicine Program, the Republican assault had not only continued, but as escalated and become even more mean spirited. Today, the GOP seeks to destroy the Medicare Program through the budget process. The Republican-passed budget resolution cuts $270 billion out of the Medicare Program, threatening the health of millions of American elderly.

While the Republicans have never supported the Medicare Program, their decision to gut the program's funding in order to give a tax cut to the wealthy is one of their most callous acts—not only against the Medicare Program—but more importantly, against the elderly citizens served by the program.

The American people must not tolerate the Republicans' blatant disregard for the health care needs of the elderly—the GOP's assault on the elderly is unconscionable and inhumane.

Mr. Speaker, when President Johnson signed the Medicare Program into law, he stated:

> No longer will older Americans be denied the healing miracle of modern medicine . . . no longer will illness crush and destroy the savings that they have so carefully put away over a lifetime so that they might enjoy dignity in their later years . . . and, no longer will this Nation refuse the hand of justice to those who have given a lifetime of service and wisdom and labor to the progress of this progressive country.

Mr. Speaker, I ask my colleagues to join me in paying tribute to the Medicare Program on its 30th anniversary, and to pledge ourselves to making its absolutely clear—that we will not allow the Republican Party to make our Nation's elderly their pawn in the Republican-tax give away scheme for the rich.

CONGRATULATIONS AND HAPPY 100TH BIRTHDAY CARL EVERETT VAIL, SR.

HON. MICHAEL P. FORBES

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 1, 1995

Mr. FORBES. Mr. Speaker, I rise today to give my most heart-felt congratulations to Mr. Carl Everett Vail, Sr., on the occasion of his 100th birthday. Mr. Vail was born August 12, 1895, the son of Floyd Wiggins, a farmer and market hunter, and Elizabeth Genin Penny.

Mr. Vail has served both Long Island and this Nation for many years. He volunteered for the draft in 1917, and served valiantly in the 77th Division in World War I. He incurred a temporary disability during the war due to poisonous gas, and was discharged from the Army in 1919. Originally a farmer, Vail was unable to continue that occupation because of his disability. He decided to follow his interest in automobiles which began at the age of eight.

Through a combination of hard work, dedication, skill, and timing, Carl Vail built up his car dealerships from a single car—the Waltham, Massachusetts war-baby—to a multimillion dollar business. His success never tarnished his reputation for honesty and fairness. When the United States entered World War II, Vail again volunteered to serve his country. His wartime responsibilities included service on a civilian Army ordnance team that raised 2,200 men and officers for the regular Army ordnance. He was also eastern Long Island division captain in charge of Coast Guard Temporary Reserve with 200 men on part-time duty.

Aside from being a successful businessman and a national patriot, Carl Vail is also community-minded and a dedicated patriarch of the Vail family. His spirit of voluntarism lead him to actively participate in promoting automotive safety and driver education on eastern Long Island. He was also a founder and past commander of Raymond Cleaves Post, American Legion, Mattituck. Over the years, Carl Vail has been a dutiful husband, father, and grandfather. He has 3 children, 8 grandchildren, and 11 great grandchildren.

Once again I extend my best wishes and congratulations on 100 successful years to Carl Everett Vail, Sr. He is a man whose life is an inspiration to us all.

IN RECOGNITION OF NATIONAL FORGE CO., IRVINE, PA

HON. WILLIAM F. CLINGER, JR.

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 1, 1995

Mr. CLINGER. Mr. Speaker, I rise today in proud recognition of the new employee-owners of National Forge Co. in Irvine, PA. On June 29, 1995, these men and women purchased the company's assets and those of a subsidiary in Manchester, England. In so doing, they married the dignity of hard work with the passion of self-investment.

An internationally competitive producer of precision machined steel components, the company has thrived on a reputation for excellence in quality and productivity. From its founding in 1915 by Clinton E. Wilder to its most recent days under the leadership of his son, Robert O. Wilder, National Forge has grown steadily, continuously seizing new opportunities and enhancing its operations.

National Forge is a northwest Pennsylvania success story, but it is also a company of national significance. An exporter to customers around the world, it is a source of our country's global competitiveness. The award-winning service and products of National Forge also contribute to our national defense. In times of need—from the world wars through the gulf war—the company was a key supplier to our Armed Forces, and it remains one today.

Now, National Forge takes another bold step forward. the employees look forward to the future with a new sense of vigor, and stand ready to face the challenges of the 21st century.

I appreciate this opportunity to recognize the people of National Forge. With their skill, dedication, and confidence they are pursuing the American dream, and I wish them all of the best.

CONGRATULATIONS TO NCOA IN CELEBRATING ITS 35-YEAR ANNIVERSARY

HON. BOB STUMP

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 1, 1995

Mr. STUMP. Mr. Speaker, I rise today to congratulate the Non-Commissioned Officers Association of the United States of America [NCOA] in celebrating its 35-year anniversary. I have enjoyed working with the members of the NCOA and wish them the very best in the years to come. I want to share with my colleagues the following article which chronicles the history of the association:

NCOA CELEBRATES 35 YEARS OF SERVICE TO MILITARY PERSONNEL, VETERANS, AND RETIREES

SAN ANTONIO, TX, July 29, 1995.—In 1960, several retired U.S. servicemembers founded the Non-Commissioned Officers Association (NCOA) as a vehicle for enlisted veterans and military retirees to discuss military issues. Today, the San Antonio-based association has members around the world and is regarded as one of the most influential military organizations in America.

''NCOA's lobbyists have successfully defended military and veterans entitlements while striving to improve the quality of life for enlisted personnel and their families,'' says NCOA President Charles R. Jackson, MCPO, USN (Ret). ''Additionally, NCOA members, located on nearly every military installation in the U.S. and overseas, have made lasting contributions to their communities.''

Thirty-five years ago, Army Sergeant Major Orville L. Vickers broadened the scope of the original vision of NCOA. SGM Vickers included active duty enlisteds from all five branches in the organizational composition. The new association, SGM Vickers declared, would have four primary purposes: fraternal, social, educational and patriotic. It would also provide some commercial benefits and employment services.

On September 20, 1960, just three days after NCOA's charter was issued by the state of Texas, SGM Vickers officially created NCOA. As the Association's first president, SGM Vickers paid his $12 membership dues and the dues of four NCOs who would form the board of directors. He also deposited $100 into NCOA's brand-new bank account.

Membership grew slowly for the first year or two, and was confined primarily to the San Antonio area. But within just a few years, the word got out about NCOA and the Association began to build a sizable membership throughout the U.S. and the world.

The 1960s was a period of growth and self-examination for NCOA. Emphasis was placed on public relations, membership recruitment and an exploration of which goals and issues the Association should pursue.

By the 1970s, NCOA had taken its place as a leading advocate of personnel issues pertaining to active duty military, veterans and retirees. The Association's lobbyists began appearing before congressional committees, defending endangered benefits and supporting progressive programs.

During the 1980's, the Association's membership and influence grew dramatically. NCOA members were now all around the world, in more than 200 chapters. In Washington, D.C., NCOA lobbyists had become well known. Based on their list of legislative achievements, NCOA had earned the respect of congressmen and senators. Perhaps one of their greatest accomplishments came in the mid-1980s, when President Ronald Reagan signed a bill (that had been passed unanimously by both houses of Congress) that granted a federal charter to NCOA. NCOA's federal charter was at that time only the 79th authorized by the U.S. Congress.

Today, NCOA has members and chapters worldwide. It employs a full-time team of registered lobbyists in Washington and provides a national network of service centers. NCOA's job placement assistance and veteran service programs have proven to be valuable assets to its members. Through the Association's Certified Merchant Program, members save dollars through consumer benefits and discounts.

NCOA membership encompasses the entire enlisted force—active duty, reservists, National Guardsmen, veterans and retirees from all branches of the U.S. armed services. Moreover, NCOA has committed itself to improving the lives of others. For instance, chapter members continue to support causes such as Special Olympics, Muscular Dystrophy Association, the NCOA Medical Trust Fund, the NCOA Scholarship Fund and the NCOA Disaster Relief Fund.

''NCOA certainly has come a long way in just three and one-half decades,'' says Jackson. ''And we have lived up to our motto, 'Strength in Unity,' by fighting for servicemembers' benefits, helping them with problems, supporting important programs and providing unparalleled camaraderie. Simultaneously, through our commitment to benevolent acts, we have made a significant contribution to the civilian community,'' Jackson adds. ''NCOA also remains the only national organization exclusively dedicated to representing enlisted servicemembers of all branches of the military.''

NCOA's legislative highlights through the years:

In the 1970s, NCOA was:

The only military association to appear before the Veterans Affairs Committee to seek increases in veterans' compensation and DIC rates.

The first military association to appear before the House Budget Committee on behalf of military personnel (to seek increased sea pay).

One of only two military/veterans organizations testifying in opposition to law that barred persons in receipt of military retired pay from collecting unemployment compensation.

The first military association to suggest and testify for the opening of individual retirement accounts to active duty personnel, which later became law.

The first organization to seek a new GI Education Bill for members of the Armed Forces. A bill authored by NCOA was the first of its kind to be introduced in 1979 in Congress.

The only military association actively supporting increases in veterans' burial allowances, which subsequently became law.

In the 1980s, NCOA was:

Successfully recommended a 17 percent targeted pay raise for noncommissioned and petty officers in 1981.

Instrumental in fighting against subsequent military pay reductions and helping attain pay raises.

Influential in getting the Coast Guard's operating budget raised.

The first military association to provide a network of accredited Veterans Services Officers (VSOs) outside the nation's capital.

The first organization to open a veterans service office on a military installation.

The first military association to present its veterans affairs goals to a congressional panel.

Instrumental in preserving reemployment rights and retired pay eligibility for federal civilian employees who perform extended reserve duty in the Armed Forces.

A major player in getting the Senate to accept an increase in coverage for participants in Servicemen's Government Life Insurance (SGLI) and Veterans' Government Life Insurance (VGLI).

In the 1990s, NCOA has:

Successfully fought for enlisted widows to receive benefits equal to officers' widows under the Dependency and Indemnity Compensation program.

Helped persuade Congress to expand the DoD family dental plan.

Successfully pursued legislation that protects retirement benefits for NCOs and POs who have completed 18 years of service, thus extending to enlisteds a benefit previously enjoyed only by officers.

Requested and received the introduction of the first enlisted involuntary separation pay proposals considered by Congress, which subsequently became law.

Supported the subsequent enactment of voluntary separation pay for enlisted servicemembers and was successful in efforts to have these benefits extended to the Coast Guard, National Guard and military reserves.

Supported the creation of mail-order pharmacies and health care options to serve retirees at base closure sites.

Successfully supported the creation of the Troops to Teachers and the Leadership Employment for Armed Services Personnel (LEAP) programs to assist veterans and retirees in gaining employment.

IN MEMORY OF WILLIAM ''BOONE'' DARDEN

HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 1, 1995

Mr. HASTINGS of Florida. Mr. Speaker, on July 22, Florida lost one of its finest citizens. I rise today to commemorate the life of community leader William Darden. Affectionately known as Boone, Mr. Darden had a long and distinguished career in law enforcement and public service. His career culminated in being named police chief in his hometown of Riviera Beach, becoming the first African-American police chief of a major city in Florida.

Born in Atlanta, Mr. Darden began his service to his country as a military policeman in World War II. Following the war, he became one of the first African-American policemen hired by the West Palm Beach Police Department. Throughout his life, he continued opening doors closed to minorities. When he rose to the position of lieutenant, he became the highest ranking African-American police officer in the South. In 1971, he was called in by Riviera Beach city leaders to help quell the devastating violence and calm the atmosphere of

anger created by the integration of public schools. Using his considerable mediation skills, Mr. Darden single-handedly brought peace to his fractured community. He was promptly named police chief of Riviera Beach and set to work cleaning up and revitalizing the chaotic police force which at the time was a symbol of racial division.

A model of goodwill and a hero to many African-American youth, he was reknown for his community work with troubled children. His popularity spread across Florida and was widely regarded as a major force in State politics. He was the vice chair of the State Democratic Affirmative Action Committee and subsequently rose to hold a seat on the national executive committee of the Democratic Party. Having close ties to the Carter White House, Mr. Darden participated in a diplomatic trip to Algeria at the behest of President Carter. After a remarkable rise from patrolman to chief, Mr. Darden retired in 1983 to devote his time to his family. As well as being a respected community leader, Mr. Darden was a devoted family man, and he is survived by his wife, Rose, his daughter, Kimberly, two sons, William, Jr., and Darell; and a grandchild, Dominique.

A pioneer, peacemaker, and a dear friend, Boone Darden was an exceptional man. Mr. Speaker, Florida has lost one of its great citizens with the passing of William ''Boone'' Darden. His courageous life is an inspiration to all of us, and a blueprint of the American dream. We can only hope that his life emboldens those that face their own mountains to climb.

DISENFRANCHISING TENS OF MILLIONS OF ELDERLY AND LOW-INCOME AMERICANS

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 1, 1995

Mr. STARK. Mr. Speaker, on July 25, the president of the National Association of Public Hospitals, Larry Gage, testified before the Ways and Means Subcommittee on Health on the pending Medicare cuts.

I'd like to reprint here two paragraphs from his outstanding statement—a statement that every Member should read before voting on the excessive, destructive Medicare and Medicaid cuts proposed by the budget resolution:

Despite rhetoric to the contrary, these programs have achieved their results for the most part efficiently and economically. Medicare in particular has seen provider payments capped at a growth rate less than inflation for most of the last decade. And current projections for growth in the Medicaid program are largely due to demand for long term care and the growth in the number of recipients, with the poor elderly being a major factor on both fronts.

For these reasons, it is simply impossible for most analysts to imagine reducing spending in these two programs by almost half a trillion dollars over the next seven years without destroying both programs and disenfranchising tens of millions of elderly and low income Americans. Surely, it is impossible to contemplate implementing positive reforms such as are envisioned in the Committee's new proposal in the face of such reductions.

TRIBUTE TO TEMPLE SHIR SHALOM

HON. SANDER M. LEVIN

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 1, 1995

Mr. LEVIN. Mr. Speaker, I rise today to recognize the dedication of a new home for Temple Shir Shalom of West Bloomfield, MI. Temple Shir Shalom was founded in June 1988 with just 30 committed families. For the past 7 years, congregants worshiped in rented space in an office building at the same time promoting and planning for a permanent home.

Today Temple Shir Shalom is the proud congregation of 650 members, and their new home reflects the commitment and diligence of the entire congregation—the clergy, the staff, and the congregants. I commend them on their achievement of reaching the day they had looked forward to for so long.

To everyone at Temple Shir Shalom, I extend every good wish for many, many fruitful years ahead.

Daily Digest

HIGHLIGHTS

See Résumé of Congressional Activity.

Senate passed Energy and Water Appropriations, 1996.

House passed Bosnia and Herzegovina Self-Defense bill.

Senate

Chamber Action

Routine Proceedings, pages S11043–S11126

Measures Introduced: Three bills were introduced, as follows: S. 1099–1101. **Page S11107**

Measures Passed:

Energy and Water Appropriations, 1996: Senate passed H.R. 1905, making appropriations for energy and water development for the fiscal year ending September 30, 1996, after agreeing to committee amendments, and taking action on amendments proposed thereto, as follows: **Pages S11068–99, S11101–05**

Adopted:

(1) Domenici (for Reid) Amendment No. 2053 (to committee amendment on page 23, line 7), relating to the expansion of a facility for the storage of uranium. **Page S11069**

(2) Jeffords Amendment No. 2054, to increase funds for energy research and development of solar and renewable energy technologies. **Pages S11071–72**

Subsequently, the amendment was modified. **Page S11073**

(3) By 62 yeas to 38 nays (Vote No. 347), Bumpers Amendment No. 2055, to provide for the termination of the Gas Turbine-Modular Helium Reactor program. **Pages S11073–78**

(4) Abraham Amendment No. 2056, to repeal authorizations for the Technical Committee on Verification of Fissile Material and Nuclear Warhead Control and the Technical Panel on Magnetic Fusion. **Pages S11079–80**

(5) By 83 yeas to 14 nays, 1 responding present (Vote No. 348), Dorgan Amendment No. 2057, to express the sense of the Senate that the Speaker of the House should move to appoint conferees on S. 4, Line Item Veto immediately, so that the House and Senate may resolve their differences. **Pages S11080–84**

(6) Johnston (for Bingaman) Amendment No. 2059, to reduce the energy costs of Federal facilities. **Pages S11093–94**

(7) Johnston (for Lautenberg/Bradley) Amendment No. 2060, to provide for the use of funds for the Tokamak Fusion Test Reactor. **Pages S11093–95**

(8) Johnston (for Daschle) Amendment No. 2061, to provide funds for the completion of the feasibility study of alternatives for meeting the drinking water needs on the Cheyenne River Sioux Reservation and surrounding communities. **Pages S11093–95**

(9) Johnston (for Baucus) Amendment No. 2062, to provide $2 million for Crow Indian energy resource projects. **Pages S11093–95**

(10) Johnston (for Byrd) Amendment No. 2063, to provide for the revising of a cost ceiling relating to the flood control project for Petersburg, West Virginia. **Pages S11093–95**

(11) Johnston (for Feingold) Amendment No. 2064, to limit funding for the Tennessee Valley Authority Environmental Research Center. **Pages S11093–97**

(12) Johnston (for Boxer/Baucus) Amendment No. 2065, to require the Secretary of the Army to submit the plan to reduce the number of division offices within the Army Corps of Engineers to the Senate Committee on Environment and Public Works and the House of Representative Committee on Transportation and Infrastructure. **Pages S11093–97**

(13) Domenici (for Hutchison) Amendment No. 2066, to provide for the donation of land to the Army Corps of Engineers, the development of a recreation center, and the designation of land for mitigation. **Pages S11097–98**

(14) Domenici (for Grams/Wellstone) Amendment No. 2067, to provide funds for the Marshall, Minnesota flood control project. **Pages S11097–98**

(15) Domenici (for Warner) Amendment No. 2068, to provide funds for Virginia Beach erosion control and hurricane protection. **Pages S11097–98**

(16) Domenici (for Brown) Amendment No. 2069, to limit the use of funds for the Delaware River Basin Commission. **Pages S11097–98**

(17) Domenici (for Brown) Amendment No. 2070, to limit the use of funds for the Susquehanna River Basin Commission. **Pages S11097–98**

(18) Domenici (for Gregg/Kempthorne) No. 2071, to provide funds for electrical and utility systems upgrade, Idaho Chemical Processing Plant, Idaho National Engineering Laboratory. **Pages S11097–98**

(19) Domenici (for Pressler/Daschle) Amendment No. 2072, to require the Army Corps of Engineers to take such actions as are necessary to obtain and maintain a specified elevation in Lake Traverse, South Dakota and Minnesota. **Pages S11097–99**

(20) Domenici (for Dole/Kassebaum) Amendment No. 2073, to provide funds for the Arkansas City flood control project, Kansas. **Pages S11097–99**

(21) Domenici (for Hatfield) Amendment No. 2074, to provide funds to undertake the Coos Bay, Oregon project. **Pages S11097–99**

(22) Wellstone Amendment No. 2075, to establish interim water levels in Rainy Lake and Namakan Lake, Minnesota. **Pages S11097–S11110**

Rejected:

Grams Amendment No. 2058, to reduce the level of funding for the Appalachian Regional Commission by $40 million. (By 60 yeas to 38 nays (Vote No. 349), Senate tabled the amendment.) **Pages S11088–92**

Senate insisted on its amendments, requested a conference with the House thereon, and the Chair appointed the following conferees: Senators Domenici, Hatfield, Cochran, Gorton, McConnell, Bennett, Burns, Johnston, Byrd, Hollings, Reid, Kerrey, and Murray. **Page S11105**

Waiving Congressional Adjournment: Senate agreed to H. Con. Res. 89, waiving provisions of the Legislative Reorganization Act of 1970 requiring adjournment of Congress by July 31. **Page S11125**

Department of State Authorizations: Senate continued consideration of S. 908, to authorize appropriations for the Department of State for fiscal years 1996 through 1999 and to abolish the United States Information Agency, the United States Arms Control and Disarmament Agency, and the Agency for International Development, taking action on amendments proposed thereto, as follows: **Pages S11049–66, S11067–68**

Adopted:

Hutchison Amendment No. 2033 (to Amendment No. 2025), to express the sense of the Congress that the United Nations Fourth World Conference on Women, to be held in Beijing, China, should promote a representative American perspective on issues of equality, peace and development. **Page S11050**

Pending:

Dole Amendment No. 2025, to withhold certain funds for international conferences if funds were expended for U.S. participation in the United Nations Fourth World Conference on Women while Harry Wu was being detained in China. **Page S11049**

Helms Amendment No. 2031, to authorize reduced levels of appropriations for foreign assistance programs for fiscal years 1996 and 1997. **Page S11049**

Kerry (for Boxer) Amendment No. 2032 (to Amendment No. 2025), to express the sense of the Senate regarding the arrest of Harry Wu by the Government of the People's Republic of China. **Page S11049**

Helms Amendment No. 2041, to express the sense of Congress regarding the consolidation and reinvention of the foreign affairs agencies of the United States. **Pages S11049–66**

Helms Amendment No. 2042 (to Amendment No. 2041), in the nature of a substitute. **Pages S11058–66**

During consideration of the bill today, the following also occurred:

By 55 yeas to 45 nays (Vote No. 345), three-fifths of those Senators duly chosen and sworn not having voted in the affirmative, Senate failed to close further debate on the bill. **Pages S11049–50**

By 55 yeas to 45 nays (Vote No. 346), three-fifths of those Senators duly chosen and sworn not having voted in the affirmative, Senate again failed to close further debate on the bill. **Page S11067**

Subsequently, the bill was returned to the Senate calendar. **Page S11068**

Measure Indefinitely Postponed:

Supplemental Appropriations/Rescissions, 1995: Senate indefinitely postponed further consideration of S. 617, making additional supplemental appropriations and rescissions for the fiscal year ending September 30, 1995. **Page S11125**

Messages From the President: Senate received the following messages from the President of the United States:

Transmitting the report on the national emergency with Iraq; referred to the Committee on Banking, Housing, and Urban Affairs. (PM–71). **Pages S11105–06**

Nominations Received: Senate received the following nominations:

Rear Admiral John Carter Albright, National Oceanic and Atmospheric Administration, to be a Member of the Mississippi River Commission.

Bruce W. Greer, of Florida, to be United States District Judge for the Southern District of Florida. **Page S11126**

Messages From the President: **Pages S11105–06**

Messages From the House: **Pages S11106–07**

Measures Referred: **Page S11107**

Statements on Introduced Bills: **Pages S11107–09**

Additional Cosponsors: **Pages S11109–10**

Amendments Submitted: **Pages S11110–22**

Authority for Committees: **Page S11122**

Additional Statements: **Pages S11123–25**

Record Votes: Five record votes were taken today. (Total–349)

Pages S11049–50, S11067, S11078, S11084, S11091–92

Recess: Senate convened at 9:30 a.m., and recessed at 8:43 p.m., until 9 a.m., on Wednesday, August 2, 1995. (For Senate's program, see the remarks of the Acting Majority Leader in today's RECORD on page S11126.)

Committee Meetings

(Committees not listed did not meet)

BUDGET REVIEW

Committee on the Budget: Committee concluded hearings on the mid-session review of the 1996 budget, focusing on the Administration's proposal to reduce the Federal deficit and facilitate economic growth, after receiving testimony from Alice M. Rivlin, Director, Office of Management and Budget.

DEPARTMENT OF COMMERCE FUTURE

Committee on Commerce, Science, and Transportation: Committee concluded hearings to examine the future of the Department of Commerce, after receiving testimony from Ronald H. Brown, Secretary of Commerce; Edward Hudgins, CATO Institute, and Suzanne Iudicello, Center for Marine Conservation, both of Washington, D.C.; Sergio Mazza, American National Standards Institute, New York, New York; Richard Gowen, South Dakota School of Mines and Technology, Rapid City; Robert W. Cross, Nanophase Technologies Corporation, Burr Ridge, Illinois; and Gary W. Jones, FED Corporation, Hopewell Junction, New York.

OPERATING PERMITS PROVISIONS OF CLEAN AIR ACT

Committee on Environment and Public Works: Subcommittee on Clean Air, Wetlands, Private Property, and Nuclear Safety concluded oversight hearings on the implementation of Title V of the Clean Air Act of 1990 (P.L. 101–549), relating to Federal operating permits which require industries to comply with certain pollution control requirements, after receiving testimony from Mary Nichols, Assistant Administrator, Office of Air and Radiation, and Steven Herman, Assistant Administrator, Office of Enforcement and Compliance Assurance, both of the Environmental Protection Agency; David Hawkins, Natural Resources Defense Counsel, Washington, D.C.; Paul J. Eisele, Masco Corporation, Taylor, Michigan, on behalf of the American Furniture Association; Richard Wimbish, Techform, Incorporated, Mount Airy, North Carolina, on behalf of the Society of the Plastics Industry, Inc.; Jeff Saitas, Texas Natural Resource Conservation Commission, Austin; Robert Hodanbosi, Ohio Environmental Protection Agency, Columbus; and Dan V. Bartosh, Jr., Dallas, Texas, on behalf of Texas Instruments Corporation and the Air Implementation Reform Coalition.

INTERNATIONAL TRADE ISSUES

Committee on Finance: Subcommittee on International Trade held hearings to examine various international trade issues, focusing on granting most-favored-nation (MFN) tariff status to Cambodia and the permanent extension of MFN tariff status to Bulgaria, proposed legislation to authorize funds for the Generalized System of Preferences program, and the Administration's fiscal year 1996 budget requests for the Office of the United States Trade Representative, the United States International Trade Commission, and the United States Customs Service, receiving testimony from Senator McCain; Charlene Barshefsky, Deputy United States Trade Representative; Vincette L. Goerl, Assistant Commissioner, Office of Finance, and Chief Financial Officer, United States Customs Service, Department of the Treasury; Peter S. Watson, Chairman, United States International Trade Commission; William J. Cunningham, AFL–CIO, Washington, D.C.; Ronald L. Parrish, Tandy Corporation, Forth Worth, Texas; and John L. Smith, Amsurco Incorporated, Mendham, New Jersey.

Hearings were recessed subject to call.

NOMINATIONS

Committee on Foreign Relations: Committee concluded hearings on the nominations of William H. Courtney, of West Virginia, to be Ambassador to the Republic of Georgia, James F. Collins, of Illinois, to be Ambassador at Large and Special Advisor to the Secretary of State for the New Independent States, Joseph A. Presel, of Rhode Island, for the rank of Ambassador during his tenure of service as Special Negotiator for Nagorno-Karabakh, Stanley T.

Escudero, of Florida, to be Ambassador to the Republic of Uzbekistan, and Lee F. Jackson, of Massachusetts, to be United States Director of the European Bank for Reconstruction and Development, after the nominees testified and answered questions in their own behalf. Mr. Collins was introduced by Senator Simon.

HOUSING FOR OLDER PERSONS ACT

Committee on the Judiciary: Subcommittee on Constitution, Federalism, and Property Rights concluded hearings on H.R. 660, to amend the Fair Housing Act to modify the exemption from certain familial status discrimination prohibitions granted to housing for older persons, after receiving testimony from Senator Kyl; Stuart Ishimaru, Counsel to the Assistant Attorney General on Civil Rights, Department of Justice; Sara K. Pratt, Director of Investigations, Office of Fair Housing and Equal Opportunity, Department of Housing and Urban Development; Vice Mayor Laurie Van Ardale, Hemet, California; Bill Williams, Federation of Mobile Home Owners of Florida, Inc., Largo, Florida; Kristian Jensen, Jensen's Incorporated, Southington, Connecticut; and James B. Morales, National Center for Youth Law, San Francisco, California.

ANNUAL REFUGEE CONSULTATION

Committee on the Judiciary: Subcommittee on Immigration concluded hearings to examine the President's fiscal year 1996 budget request for refugee admissions, after receiving testimony from Peter Tarnoff, Undersecretary of State for Political Affairs.

WHITEWATER

Special Committee to Investigate the Whitewater Development Corporation and Related Matters: Committee resumed hearings to examine issues relative to the President's involvement with the Whitewater Development Corporation, focusing on certain events following the death of Deputy White House Counsel Vincent Foster, receiving testimony from Deborah L. Gorham, Assistant to Associate Counsel to the President, former Executive Assistant to the Deputy Counsel to the President; Linda R. Tripp, Deputy Director, Joint Civilian Orientation Conference, United States Department of Defense, former Executive Assistant to the Counsel to the President; and Robert E. Langston, Chief, Charles W. Hume, Captain, and Peter W. Markland, Sergeant, all of the United States Park Police, National Park Service, Department of the Interior.

Hearings continue tomorrow.

House of Representatives

Chamber Action

Bills Introduced: 11 public bills, H.R. 2148–2158, were introduced. **Page H8174**

Reports Filed: Reports were filed as follows:

H.R. 1225, to amend the Fair Labor Standards Act of 1938 to exempt employees who perform certain court reporting duties from compensatory time requirements applicable to certain public agencies, amended (H. Rept. 104–219);

H.J. Res. 102, disapproving the recommendations of the Defense Base Closure and Realignment Commission (H. Rept. 104–220);

H. Res. 206, waiving points of order against the conference report to accompany H.R. 1854, making appropriations for the Legislative Branch for the fiscal year ending September 30, 1996 (H. Rept. 104–221);

H.R. 1670, to revise and streamline the acquisition laws of the Federal Government and to reorganize the mechanisms for resolving Federal procurement disputes, amended (H. Rept. 104–222, Part 1);

H. Res. 207, providing for the consideration of H.R. 1555, to promote competition and reduce regulation in order to secure lower prices and higher quality services for American telecommunications consumers and encourage the rapid deployment of new telecommunications technologies (H. Rept. 104–223); and

H. Res. 208, providing for consideration of H.R. 2127, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies, for the fiscal year ending September 30, 1996 (H. Rept. 104–224).

Pages H8173–74

Speaker Pro Tempore: Read a letter from the Speaker wherein he designates Representative Clinger to act as Speaker pro tempore for today.

Page H8069

Recess: House recessed at 9:47 a.m. and reconvened at 10 a.m. **Page H8074**

Bosnia and Herzegovina Self-Defense Act: By a yea-and-nay vote of 298 yeas to 128 nays, Roll No.

608, the House passed S. 21, to terminate the United States arms embargo applicable to the Government of Bosnia and Herzegovina—clearing the measure for the President. **Pages H8076–H8122**

H. Res. 204, the rule under which the bill was considered, was agreed to earlier by voice vote.

Pages H8076–84

Fair Labor Standards Amendments: House passed H.R. 1225, to amend the Fair Labor Standards Act of 1938 to exempt employees who perform certain reporting duties from the compensatory time requirements applicable to certain public agencies.

Pages H8122–23

Agreed to the committee amendment in the nature of a substitute. **Page H8123**

Late Report: Committee on Government Reform and Oversight received permission to have until midnight tonight to file reports on H.R. 1670, to revise and streamline the acquisition laws of the Federal Government, and to reorganize the mechanisms for resolving Federal procurement disputes and H.R. 2108, District of Columbia Convention Center and Sports Arena Authorization Act of 1995. **Page H8123**

Presidential Message—Iraqi National Emergency: Read a message from the President wherein he reports on the developments concerning the national emergency with respect to Iraq—referred to Committee of International Relations and ordered printed (H. Doc. 104–106). **Pages H8126–27**

Senate Messages: Message received from the Senate today appears on page H8075.

Amendments Ordered Printed: Amendments ordered printed pursuant to the rule and appear on pages H8175–77.

Quorum Calls—Votes: One yea-and-nay vote developed during the proceedings of the House today and appears on pages H8121–22. There were no quorum calls.

Adjournment: Met at 9 a.m. and adjourned at 9:23 p.m.

Committee Meetings

TRANSFORMATION OF THE MEDICAID PROGRAM

Committee on Commerce: Subcommittee on Health and Environment concluded hearings on the Transformation of the Medicaid Program. Testimony was heard from public witnesses.

CLEAN AIR ACT AMENDMENTS—IMPLEMENTATION AND ENFORCEMENT

Committee on Commerce: Subcommittee on Oversight and Investigations continued hearings on the Implementation and Enforcement of the Clean Air Act Amendments of 1990. Testimony was heard from Robert Watson, Associate Director, Environment, Office of Science and Technology Policy; Mary D. Nichols, Assistant Administrator, Air and Radiation, EPA; Ambassador William Milam, Special Negotiator, Bureau for Oceans and International Environmental and Scientific Affairs, Department of State; Larry Elworth, Special Assistant Pesticide Policy, Natural Resources and Environment, USDA; and public witnesses.

OVERSIGHT

Committee on Government Reform and Oversight: Subcomittee on Government Management, Information, and Technology held an oversight hearing on the Inspector General Act. Testimony was heard from the following officials of the President's Council on Integrity and Efficiency (PCIE): June Gibbs Brown, Vice Chair and Inspector General, Department of Health and Human Services; Hubert Sparks, Vice Chair, Executive Council and Inspector General, Appalachian Regional Commission; Valerie Lau, Chairman, Audit Committee and Inspector General, Department of the Treasury; and William Esposito, Chairman, Integrity Committee and Deputy Assistant Director, Criminal Investigative Division, FBI, Department of Justice; Frank DeGeorge, Inspector General, Department of Commerce; and public witnesses.

OVERSIGHT

Committee on Government Reform and Oversight: Subcommittee on Human Resources and Intergovernmental Relations and the Subcommittee on National Economic Growth, Natural Resources, and Regulatory Affairs held a joint oversight hearing on FDA's Regulation of Medical Devices, including the Status of Breast Implants. Testimony was heard from Representatives Traficant and Ganske; the following officials of the FDA, Department of Health and Human Services: David A. Kessler, Commissioner; and D. Bruce Burlington, Director, Center for Devices and Radiological Health; former Representative Marilyn Lloyd, State of Tennessee; and public witnesses.

GOVERNMENT PRINTING REFORMS

Committee on House Oversight: Held a hearing on Government Printing Reforms. Testimony was heard from Representatives Klug and Dunn of Washington; the following officials of GPO: Michael DiMario, Public Printer; and Wayne Kelley, Superintendent of Documents; Sally Katzen, Administrator, Office of Information and Regulatory Affairs, OMB; and public witnesses.

EXAMINATION OF THE CIENFUEGOS NUCLEAR PLANT IN CUBA

Committee on International Relations: Subcommittee on Western Hemisphere Affairs held a hearing to examine the Cienfuegos Nuclear Plant in Cuba. Testimony was heard from Representative Deutsch; Richard Stratford, Director, Office of Nuclear Affairs, Department of State; Keith Fultz, Assistant Comptroller General, Resources, Community and Economic Development, GAO; and public witnesses.

OVERSIGHT—WACO

Committee on the Judiciary: Subcommittee on Crime and the Subcommittee on National Security, International Affairs, and Criminal Justice of the Committee on Government Reform and Oversight concluded joint oversight hearings on Federal Law Enforcement Actions in Relation to the Branch Davidian Compound in Waco, Texas. Testimony was heard from Janet Reno, Attorney General, Department of Justice.

BUDGET RECONCILIATION RECOMMENDATIONS

Committee on National Security: Ordered reported Budget reconciliation recommendations.

BUREAU OF LAND MANAGEMENT TRANSFER

Committee on Resources: Subcommittee on National Parks, Forests and Lands held a hearing on H.R. 2032, to transfer the lands administered by the Bureau of Land Management to the State in which the lands are located. Testimony was heard from Senator Thomas; Representative Skeen; the following officials of the Department of the Interior: Bonnie Cohen, Assistant Secretary, Policy Management and Budget; John D. Leshy, Solicitor; and Maitland Sharpe, Assistant Director, Resource Assessment and Planning, Bureau of Land Management; Walter D. Bradley, Lt. Gov., State of New Mexico; Jim Magagna, State Land Commissioner, State of Wyoming; and public witnesses.

CONFERENCE REPORT—LEGISLATIVE BRANCH APPROPRIATIONS

Committee on Rules: Granted, by voice vote, a rule waiving all points of order against the conference report to accompany H.R. 1854, making appropriations for the Legislative Branch for the fiscal year ending September 30, 1996, and against its consideration. Testimony was heard from Representatives Packard and Fazio.

COMMUNICATIONS ACT OF 1995

Committee on Rules: Granted, by voice vote, a modified closed rule providing 90 minutes of debate on H.R. 1555, Communications Act of 1995. The rule waives section 302(f) (prohibiting consideration of legislation which exceeds a committee's allocation of new budget authority) of the Budget Act against consideration of the bill. The rule makes in order as an original bill for the purpose of amendment the amendment in the nature of a substitute recommended by the Committee on Commerce and provides that the amendment be considered as read. The rule waives clause 5(a) of rule XXI (prohibiting appropriations in an authorization bill) and section 302(f) (prohibiting consideration of legislation which exceeds a committee's allocation of new budget authority) of the Budget Act against the Committee amendment. The rule provides first for the consideration, prior to consideration of any other amendment, of the amendment printed in Part 1 of the Rules Committee report; only by a Member designated in the report; debatable for 30 minutes, equally divided between a proponent and an opponent; and provides that the amendment be considered as read. The rule provides that the amendment shall not be subject to amendment or to a demand for a division of the question in the House or in the Committee of the Whole. The rule provides that if that amendment is adopted, the provisions of the bill, as amended, shall be considered as the original bill for the purpose of further amendment under the five-minute rule. The rule makes in order only those amendments printed in Part 2 of the Rules Committee report, in the order specified; by Members designated in the report; debatable for the time specified in the report, equally divided between a proponent and an opponent; and provides for amendments to be considered as read. The rule provides that amendments shall not be subject to amendment (except as otherwise specified in the report) or to a demand for a division of the question in the House or in the Committee of the Whole. The rule waives all points of order against amendments printed in the report. The rule permits the Chairman of the Committee of the Whole to postpone and cluster votes on amendments. The rule provides one motion to recommit, with or without instructions.

The rule provides for the consideration of S. 652 in the House, waives points of order against the Senate bill and against its consideration. The rule allows for a motion to strike all after the enacting clause of S. 652 and insert in lieu thereof the provisions of H.R. 1555 as passed by the House, and waives all points of order against that motion. Finally, the rule allows for a motion that the House insist on its amendments to S. 652 and request a conference with the Senate.

LABOR–HHS–EDUCATION APPROPRIATIONS

Committee on Rules: Granted an open rule providing one hour of general debate on H.R. 2127, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies, for the fiscal year ending September 30, 1996. The rule provides first for the consideration of two (manager's) amendments printed in part 1 of the Rules Committee report, which are considered as read, are not subject to amendment or to a division of the question, and are debatable for 10 minutes each divided between the proponent and an opponent. If adopted, the amendments are considered as part of the base text for further amendment purposes. The rule provides for the reading of the bill by title rather than by paragraph, with each title considered as read. The rule waives clause 2 of rule XXI (prohibiting unauthorized and legislative provisions) and clause 6 of rule XXI (prohibiting reappropriations) against provisions in the bill. The rule provides for consideration at any time during the reading of the bill for amendment of amendments printed in part 2 of the report on the rule if offered by the Member designated. The amendment shall be considered as read, debatable for the time specified, and shall not be subject to amendment, except as specified in the report, or to a division. The rule waives all points of order against amendments printed in the report. The rule authorizes the Chair to accord priority in recognition to Members who have pre-printed their amendments in the CONGRESSIONAL RECORD. Finally, the rule provides one motion to recommit with or without instructions.

ETHICS INVESTIGATION

Committee on Standards of Official Conduct: Met in executive session to continue to take testimony regarding the ethics investigation of Speaker Gingrich. Testimony was heard from Rupert Murdock, Chief Executive, News Corporation; and James Fox, General Counsel, Harper/Collins Publishers, Inc.

OCEAN SHIPPING REFORM ACT; COAST GUARD DRUG INTERDICTION MISSION

Committee on Transportation and Infrastructure: Subcommittee on Coast Guard and Maritime Transportation approved for full Committee approved for full Committee action amended the Ocean Shipping Reform Act of 1995.

The Subcommittee also held a hearing on the Coast Guard Drug Interdiction Mission. Testimony was heard from Lee Brown, Director, Office of National Drug Control Policy; Adm. Robert Kramek, USCG, Commandant, U.S. Coast Guard, Department of Transportation; Robert Nieves, Chief, Foreign Operations, DEA, Department of Justice; Joseph Kelly, Director, International Affairs Issues, GAO; Harvey G. Pothier, Deputy Assistant Commissioner, Office of Aviation Operations, U.S. Customs Service, Department of the Treasury; Brian E. Sheridan, Deputy Assistant Secretary, Enforcement Policy and Support, Department of Defense; John Walters, former Deputy Director, Supply Reduction, Office of National Drug Control Policy; and William Olson, former Deputy Assistant Secretary, Department of State.

COMMITTEE MEETINGS FOR WEDNESDAY, AUGUST 2, 1995

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Appropriations, Subcommittee on Transportation, business meeting, to mark up H.R. 2002, making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 1996, 3:30 p.m., S–128, Capitol.

Committee on Commerce, Science, and Transportation, Subcommittee on Aviation, to hold hearings to examine proposals to reform the operation of the Federal Aviation Administration (FAA), 2:30 p.m., SR–253.

Committee on Energy and Natural Resources, business meeting, to consider the nomination of John Raymond Garamendi, of California, to be Deputy Secretary of the Interior; to be followed by hearings to discuss leasing of the Arctic oil reserve located on the coastal plain of the Arctic National Wildlife Refuge for oil and gas exploration and production and the inclusion of the leasing revenues in the Budget Reconciliation, 9 a.m., SD–366.

Committee on Environment and Public Works, business meeting, to consider pending calendar business, 10 a.m., SD–406.

Subcommittee on Clean Air, Wetlands, Private Property, and Nuclear Safety, to resume oversight hearings on implementation of section 404 (relating to wetlands) of the Clean Water Act, 2 p.m., SD–406.

Committee on Finance, Subcommittee on Social Security and Family Policy, to hold hearings on the impact of privatization proposals on the Social Security Old Age and Survivors Insurance Trust Fund, 9:30 a.m., SD–215.

Committee on Governmental Affairs, to hold hearings on the nominations of Jacob J. Lew, of New York, to be Deputy Director of the Office of Management and Budget, Jerome A. Stricker, of Kentucky, and Sheryl R. Marshall, of Massachusetts, each to be a Member of the Federal Retirement Thrift Investment Board, William H. LeBlanc III, of Louisiana, to be a Commissioner of the Postal Rate Commission, and Beth Susan Slavet, of Massachusetts, to be a Member of the Merit Systems Protection Board., 9 a.m., SD–342.

Subcommittee on Post Office and Civil Service, to hold hearings to review the annual report of the Postmaster General, 9:30 a.m., SD–342.

Committee on the Judiciary, Subcommittee on Administrative Oversight and the Courts, to hold hearings on proposed legislation authorizing funds for the Administrative Conference, 9:30 a.m., SD–226.

Subcommittee on Constitution, Federalism, and Property Rights, business meeting, to mark up H.R. 660, to amend the Fair Housing Act to modify the exemption from certain familial status discrimination prohibitions granted to housing for older persons, 2 p.m., SD–226.

Committee on Labor and Human Resources, business meeting, to mark up S. 1028, to provide increased access to health care benefits, to provide increased portability of health care benefits, to provide increased security of health care benefits, and to increase the purchasing power of individuals and small employers, S. 593, to authorize the export of new drugs, and proposed legislation to authorize funds for programs of the Substance Abuse and Mental Health Services Act, 9:30 a.m., SD–430.

Committee on Indian Affairs, to hold oversight hearings on the implementation of the Indian Tribal Justice Act (P.L. 103–176), 9:30 a.m., SR–485.

Select Committee on Intelligence, to hold closed hearings on intelligence matters, 2 p.m., SH–219.

Special Committee To Investigate Whitewater Development Corporation and Related Matters, to continue hearings to examine issues relative to the President's involvement with the Whitewater Development Corporation, focusing on certain events following the death of Deputy White House Counsel Vincent Foster, 9:30 a.m., SH–216.

House

Committee on Appropriations, Subcommittee on Interior, on Fish and Wildlife Service Law Enforcement, 9:30 a.m., B–308 Rayburn.

Committee on Banking and Financial Services, Subcommittee on Financial Institutions and Consumer Credit, hearing on the financial condition of the Bank Insurance Fund (BIF) and the Savings Association Insurance Fund (SAIF) and proposals to merge the banking thrift industries, 10 a.m., 2128 Rayburn.

Committee on Commerce, to mark up H.R. 1020, Integrated Spent Nuclear Fuel Management Act of 1995, 10 a.m., 2123 Rayburn.

Committee on International Relations, hearing on overview of U.S. Policy in the Middle East, 10 a.m., 2172 Rayburn.

Subcommittee on International Operations and Human Rights, hearing on the Beijing conference on Women, 2 p.m., 2172 Rayburn.

Committee on National Security, hearing on acquisition reform, 9:30 a.m., 2118 Rayburn.

Committee on Resources, to mark up the following bills: H.R. 1743, to amend the Water Resources Research Act of 1964 to extend the authorization of appropriations through fiscal year 2000; H.R. 238, Ozark Wild Horses Protection Act; H.R. 1745, Utah Public Lands Management Act of 1995; and H.R. 1508, to require the transfer of title to the District of Columbia of certain real property in Anacostia Park to facilitate the construction of National Children's Island, a cultural, educational, and family-oriented park, 11 a.m., 1324 Longworth.

Committee on Small Business, Subcommittee on Government Programs, hearing to review the efforts of some to promote ''sole source'' bid requirements in government contracts, 10 a.m., 2359 Rayburn.

Subcommittee on Taxation and Finance, to continue hearings on the need to clarify the status of independent contractors, with discussion of the following bills: H.R. 1972, Independent Contractors Tax Simplification Act of 1995; and H.R. 582, Independent Contractors Tax Fairness Act of 1995, 2 p.m., 2359 Rayburn.

Committee on Standards of Official Conduct, executive, to consider pending business, 10:30 a.m., HT–2M Capitol.

Committee on Transportation and Infrastructure, to mark up the following: H.R. 2145, Economic Development Partnership Act of 1995; Ocean Shipping Act of 1995; and H.R. 1788, Amtrak Reform and Privatization Act of 1995, 1 p.m., 2167 Rayburn.

Committee on Veterans' Affairs, Subcommittee on Education, Training, Employment and Housing, hearing on the following: H.R. 1941, to amend title 38, United States Code, to make clarifying and technical amendments to further clarify the employment and reemployment rights and responsibilities of members of the uniformed services, as well as those of the employer community; legislation on the Housing Loan Programs and Veterans Small Business, and a discussion on LVER/DVOP (Local Veterans Employment Representative/Disabled Veterans Outreach Program Specialist), 9 a.m., 334 Cannon.

Committee on Ways and Means, Subcommittee on Trade, to mark up the following: Trade Agreements Authority Act; and technical corrections and miscellaneous trade proposals legislation, 10 a.m., 1100 Longworth.

Permanent Select Committee on Intelligence, executive, briefing on the Department of Justice Inspector General Report on Guatemala, 2 p.m., H–405 Capitol.

Résumé of Congressional Activity

FIRST SESSION OF THE ONE HUNDRED FOURTH CONGRESS

The first table gives a comprehensive résumé of all legislative business transacted by the Senate and House. The second table accounts for all nominations submitted to the Senate by the President for Senate confirmation.

DATA ON LEGISLATIVE ACTIVITY

January 4 through July 31, 1995

	Senate	*House*	*Total*
Days in session	124	105	..
Time in session	1109 hrs., 20′	944 hrs., 10′	..
Congressional Record:			
Pages of proceedings	11,042	8,068	..
Extensions of Remarks	..	1,569	..
Public bills enacted into law	11	9	..
Private bills enacted into law	0	..	..
Bills in conference	7	2	..
Measures passed, total	172	221	..
Senate bills	33	14	..
House bills	19	84	..
Senate joint resolutions	2	..	..
House joint resolutions	0	3	..
Senate concurrent resolutions	5	2	..
House concurrent resolutions	12	16	..
Simple resolutions	101	102	..
Measures reported, total	*141	*206	..
Senate bills	97	4	..
House bills	14	120	..
Senate joint resolutions	3	..	..
House joint resolutions	2	5	..
Senate concurrent resolutions	3	..	..
House concurrent resolutions	0	3	..
Simple resolutions	22	74	..
Special reports	13	4	..
Conference reports	0	8	..
Measures pending on calendar	108	37	..
Measures introduced, total	1,315	2,546	..
Bills	1,098	2,147	..
Joint resolutions	37	105	..
Concurrent resolutions	22	89	..
Simple resolutions	158	205	..
Quorum calls	3	14	..
Yea-and-nay votes	344	144	..
Recorded votes	..	449	..
Bills vetoed	0	1	..
Vetoes overridden	0	..	..

*These figures include all measures reported, even if there was no accompanying report. A total of 125 reports has been filed in the Senate; a total of 218 reports has been filed in the House.

DISPOSITION OF EXECUTIVE NOMINATIONS

January 4 through July 31, 1995

Civilian nominations, totaling 312, disposed of as follows:	
Confirmed	157
Unconfirmed	153
Withdrawn	2
Civilian nominations (FS, PHS, CG, NOAA), totaling 1,006, disposed of as follows:	
Confirmed	805
Unconfirmed	201
Air Force nominations, totaling 10,235, disposed of as follows:	
Confirmed	10,202
Unconfirmed	33
Army nominations, totaling 8,110, disposed of as follows:	
Confirmed	8,076
Unconfirmed	34
Navy nominations, totaling 7,233, disposed of as follows:	
Confirmed	6,265
Unconfirmed	968
Marine Corps nominations, totaling 2,766, disposed of as follows:	
Confirmed	2,557
Unconfirmed	208
Withdrawn	1

Summary

Total nominations received this session	29,662
Total confirmed	28,062
Total unconfirmed	1,597
Total withdrawn	3

Next Meeting of the SENATE

9 a.m., Wednesday, August 2

Senate Chamber

Program for Wednesday: Senate will begin consideration of S. 1026, Department of Defense Authorizations.

Next Meeting of the HOUSE OF REPRESENTATIVES

10 a.m., Wednesday, August 2

House Chamber

Program for Wednesday and the balance of the week: Complete consideration of H.R. 2126, Defense Appropriations for fiscal year 1996;

Consideration of H.R. 2127, Labor–HHS–Education Appropriations for fiscal year 1996 (open rule, 1 hour of general debate); and

H.R. 1555, Communications Act of 1995 (modified closed rule, 90 minutes of general debate).

Extensions of Remarks, as inserted in this issue

HOUSE

Borski, Robert A., Pa., E1574
Clinger, William F., Jr., Pa., E1573, E1576
Forbes, Michael P., N.Y., E1573, E1576
Frelinghuysen, Rodney P., N.J., E1573
Hastings, Alcee L., Fla., E1577
Levin, Sander M., Mich., E1578
Maloney, Carolyn B., N.Y., E1574
Markey, Edward J., Mass., E1571
Mink, Patsy T., Hawaii, E1573
Pombo, Richard W., Calif., E1575
Rogers, Harold, Ky., E1575
Stark, Fortney Pete, Calif., E1578
Stokes, Louis, Ohio, E1576
Stump, Bob, Ariz., E1577
Taylor, Charles H., N.C., E1575

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