

the implementing agencies and local redevelopment authorities under the 1994 Act will be published on Monday, August 7, 1995.

In order to fulfill the intent and purpose of the 1994 Act, the Department of Defense must retain authority to dispose of bases closed in the 1988 and 1990 Acts, beyond the end of the current fiscal year. Unfortunately, the General Services Administration's original delegation of its authority to dispose of surplus property to the DOD was by its own terms set to expire October 1, 1995. Particularly in light of later amendments to the base closure laws which clarified that DOD's disposal authority was to extend beyond that date, GSA should renew—indeed, it is required—to extend its delegation of authority.

This matter is of great interest to the local redevelopment authority in East Hanover Township, NJ, which is working within the 1994 Act to prepare a redevelopment plan for a small base closed under the 1988 Act. I understand that there are one or more bases around the country similarly situated.

I had intended to offer an amendment to make it absolutely clear that DOD's disposal authority continues beyond the current fiscal year, and mandate the appropriate delegation of authority by GSA. However, I have received assurances from the GSA that it fully intends to extend its delegation of authority. I have also received a copy of a memorandum from DOD's general counsel's office expressing its view that DOD retains its disposal authority. In reliance on these statements, I will withhold my amendment.

However, I would like to seek the commitment from the chairman and ranking member that they will seek an appropriate legislative solution in conference, should it appear before conference is completed that, for some reason, the delegation will not be renewed by the agencies.

Mr. THURMOND. It is certainly the intent of the committee that the DOD shall continue to exercise authority beyond October 1, 1995, to dispose of 1988 bases whose redevelopment authorities elected to proceed under the 1994 Act. The appropriate agencies are apparently on track to make sure that the authority is in place. However, if there is a snag, I assure my colleague from New Jersey that we will be prepared to correct the matter in conference. In the meantime, I appreciate my colleague's withholding his amendment at this time.

Mr. NUNN. I concur with the chairman and join in his commitment.

Mr. LAUTENBERG. I thank my distinguished colleagues. I ask unanimous consent that the full text of a letter to me from the General Services Administration be placed in the RECORD, along with a memorandum from the general counsel's office of DOD.

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

GENERAL SERVICES  
ADMINISTRATION,  
PUBLIC BUILDINGS SERVICE,  
Washington, DC, August 3, 1995.

Hon. FRANK LAUTENBERG,  
U.S. Senate,  
Washington, DC.

DEAR SENATOR LAUTENBERG: As discussed with Mr. Mitch Warren of your staff and Ms. Marcia Herzog of the General Service Administration (GSA's) Office of Congressional and Intergovernmental Affairs, I am responding to your concerns with respect to GSA's extension of disposal authority to the Department of Defense (DOD) pursuant to the Defense Authorization Amendments and Base Closure and Realignment Act (Public Law 100-526) of October 24, 1988. The delegation, under its own terms, will expire on October 1, 1995.

Last week this Office received from DOD the Fiscal Year 1994 Annual Report, required by the current delegation, detailing DOD's exercise of the Administrator of General Services' disposal authority under the Federal Property and Administrative Services Act of 1949, as amended. As discussed with Mr. Warren on July 25, 1995, receipt of this report was requisite to our extension of the delegation.

We are in the process of reviewing DOD's report. Upon completion of our review, we intend to transmit an extension to DOD no later than August 31, 1995.

I hope this information is responsive to your concerns.

Sincerely,

DAVID L. BIBB  
(FOR KENNETH R. KIMBROUGH,  
Commissioner).

DEPARTMENT OF DEFENSE,  
OFFICE OF GENERAL COUNCIL,  
Washington, DC, August 2, 1995.

MEMORANDUM FOR THE SPECIAL ASSISTANT TO  
THE ASSISTANT SECRETARY OF DEFENSE FOR  
ECONOMIC SECURITY

Subject: Status of the Delegation of GSA's  
Authority Under the Federal Property  
and Administrative Services Act of 1949  
with respect to Installations Closed or  
Realigned Pursuant to the Base Closure  
and Realignment Act of 1900

The 1988 BRAC Act directed the Administrator of GSA to delegate him authority under Federal Property and Administrative Services Act of 1949 with respect to property at installations closed or realigned pursuant to the 1988 BRAC Act to the Secretary of Defense. 1988 BRAC Act at Section 204(b). The Administrator's delegation to the Secretary of Defense pursuant to this provision was issued with an expiration date of September 30, 1995.

Under the 1988 BRAC Act, the authority of the Secretary to carry out any closure or realignment "shall terminate on October 1, 1995," except that the termination of authority "shall not apply to the authority of the Secretary to carry out . . . disposal of property of [1] military installations closed or realigned under this title." BRAC Act at Section 202(c). Because the 1980 BRAC Act as originally enacted did not contain any exemption from the general termination of authority, the limited term delegation of authority by GSA was entirely appropriate. However, as the 1988 BRAC Act is currently written (as the result of amendment over the years), there is no question that the Administrator of GSA is obligated to delegate his authority to the Secretary of Defense with respect to BRAC 1988 installations. This legal conclusion has been agreed to by all parties within the Department of Defense who have examined the issue, including the Department of the Army, and it has been

agreed to by Rich Butterworth, the lawyer for GSA who is responsible for all BRAC-related issues.

The Department of the Army has been acting as DoD's executive agent for purposes of securing an extension to the GSA delegation. It has shared a draft request for an extension with GSA, and the only issue that arose as a result was the fact that DoD had failed to submit a report on the disposition of properties pursuant to the delegated authority to GSA. GSA told the Army that it would not extend the delegation until DoD submitted the required report, but it also told the Army that there were no other impediments, legal or otherwise, that would therefore with the issuance of a new delegation.

In response to inquiries about the tardy report, work on the report was promptly completed, and the report was submitted from DoD to GSA more than two weeks ago. I have been informed by GSA that there are no remaining barriers to the issuance of an extended delegation.

The formal request for a new delegation, however, has not yet been submitted by DoD. The request is being staffed by the Department of the Army, and the Army anticipates that it will clear its review process shortly after the end of this week. I have requested the Army to forward the request to your offices, to the attention of Robert Hertfeld, for prompt proceeding.

ROBERT S. TAYLOR,  
Deputy General Counsel,  
Environment and Installations.

#### IS CONGRESS IRRESPONSIBLE? CONSIDER THE ARITHMETIC

Mr. HELMS. Mr. President, the impression will not go away: The \$4.9 trillion Federal debt stands today as a sort of grotesque parallel to television's energizer bunny that appears and appears and appears in precisely the same way that the Federal debt keeps going up and up and up.

Politicians like to talk a good game—and "talk" is the operative word—about reducing the Federal deficit and bringing the Federal debt under control. But watch how they vote.

Control, Mr. President. As of Thursday, August 3, at the close of business, the total Federal debt stood at exactly \$4,956,664,786,501.42 or \$18,815.58 per man, woman, child on a per capita basis. *Res ipsa loquitur*.

Some control, is it not?

#### AGREEMENT BETWEEN THE UNITED STATES AND THE GOVERNMENT OF BULGARIA—MESSAGE FROM THE PRESIDENT—PM 75

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 Foreign Relations:

*To the Congress of the United States:*

I am pleased to transmit to the Congress, pursuant to sections 123 b. and 123 d. of the Atomic Energy Act of 1954, as amended (42 U.S.C. 2153(b), (d)), the text of a proposed Agreement Between the Government of the United States of America and the Government of the