

occur on adoption of the conference report immediately following the vote on H.R. 2880.

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

UNANIMOUS-CONSENT  
AGREEMENT—START II TREATY

Mr. DOLE. Mr. President, I also ask unanimous consent, as if in executive session, that it be in order for me at this time to ask for the yeas and nays on the adoption of the resolution of ratification to accompany the START II treaty.

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

Mr. DOLE. Further, Mr. President, I ask unanimous consent as if in executive session that the vote on the resolution occur immediately after the vote on adoption of the DOD authorization conference report.

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

Is there a sufficient second for the advancement of the rollcall vote? There is a sufficient second.

The yeas and nays were ordered.

Mr. DOLE. Mr. President, I ask unanimous consent that the votes be 10 minutes each.

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

Mr. DOLE. Mr. President, I ask unanimous consent that there be 1 minute in between votes to explain the next vote.

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

If there be no further amendment to be offered, the question is on the third reading and passage of the bill.

The bill (H.R. 2880) was ordered to a third reading and was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall the bill pass?

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 Utah [Mr. BENNETT], the Senator from Colorado [Mr. CAMPBELL], the Senator from Indiana [Mr. COATS], the Senator from New Mexico [Mr. DOMENICI], the Senator from North Carolina [Mr. FAIRCLOTH], the Senator from Texas [Mr. GRAMM], the Senator from Arizona [Mr. KYL], and the Senator from Alabama [Mr. SHELBY] are necessarily absent.

I further announce that, if present and voting, the Senator from Colorado [Mr. CAMPBELL] would vote "yea."

Mr. FORD. I announce that the Senator from South Carolina [Mr. HOLLINGS], is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 82, nays 8, as follows:

[Rollcall Vote No. 4 Leg.]

YEAS—82

Abraham	Frist	Mikulski
Akaka	Gorton	Moseley-Braun
Ashcroft	Graham	Moynihan
Baucus	Grams	Murkowski
Biden	Grassley	Murray
Bingaman	Gregg	Nickles
Bond	Harkin	Nunn
Boxer	Hatch	Pell
Bradley	Hatfield	Pressler
Breaux	Heflin	Pryor
Bumpers	Hutchison	Robb
Burns	Inhofe	Rockefeller
Byrd	Inouye	Roth
Chafee	Jeffords	Santorum
Cochran	Johnston	Sarbanes
Cohen	Kassebaum	Simon
Conrad	Kempthorne	Simon
Coverdell	Kennedy	Simpson
Craig	Kerrey	Smith
D'Amato	Kerry	Snowe
Daschle	Kohl	Specter
DeWine	Leahy	Stevens
Dole	Lieberman	Thomas
Dorgan	Lott	Thompson
Exon	Lugar	Thurmond
Feingold	Mack	Warner
Feinstein	McCain	Wellstone
Ford	McConnell	

NAYS—8

Brown	Glenn	Levin
Bryan	Helms	Reid
Dodd	Lautenberg	

NOT VOTING—9

Bennett	Domenici	Hollings
Campbell	Faircloth	Kyl
Coats	Gramm	Shelby

So the bill (H.R. 2880) was passed.

Mr. BRADLEY. Mr. President, I move to reconsider the vote by which the bill was passed, and I move to lay that motion on the table.

Mr. DOLE. Under the previous order, there is 1 minute between each vote, if anybody would like to have it.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 1996—CONFERENCE REPORT

The PRESIDING OFFICER. The clerk will report the conference report.

The assistant legislative clerk read as follows:

The committee on conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 1124) to authorize appropriations for fiscal year 1996 for military activities of the Department of Defense, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses this report, signed by a majority of the conferees.

The Senate proceeded to consider the conference report.

(The conference report is printed in the House proceedings of the RECORD of January 22, 1996.)

Mr. THURMOND. Mr. President, I am disappointed that the Senate has to consider the revised Defense authorization conference report for fiscal year 1996. To the dismay of many Members, President Clinton vetoed the original bill on December 28 because of his objections to: Deploying a missile defense system able to defend all 50 States; certifying that deployments of U.S. forces under U.N. command and control are in the national interest; and, requiring

the President to seek congressional approval of funding of unanticipated contingency operations.

The primary reason for the President's veto of the bill was the administration's uncompromising opposition to deploying a system to defend the United States against ballistic missiles. The first duty of the President, as defined in the Constitution, is to defend America. Missile defense for America is a very achievable goal; it is hard to understand the opposition to providing protection for America.

Mr. President, we are told that there is no immediate threat, but I can assure you that when we are threatened, it will be too late to start. We will then be at the mercy of an aggressor's blackmail, or worse. In order to complete action rapidly on the renewed conference without further diluting the national missile defense provisions, the conferees dropped the NMD sections from the conference report. Although the conference report we are now considering does not include language on NMD, Republicans remain determined to enact forceful NMD legislation in the near future. I remain strongly committed to the deployment of a multiple-site NMD system by 2003 and am working with Senator LOTT, Senator SMITH, Senator KYL, and others in formulating a new bill.

Mr. President, the requirement to submit a supplemental request of funds to pay for contingency operations was also listed as a reason for the President's veto.

Unfortunately, President Clinton continues to deploy our military forces overseas for a variety of non-traditional military operations without due regard to cost or funding. These operations absorb significant human resources and funds which had been budgeted and appropriated for military readiness and modernization.

Our provision would merely have required the submission of a supplemental request to ensure that readiness is maintained, while at the same time allowing the Congress to carry out its constitutional responsibility. Although I disagree with President Clinton's argument that such a requirement is unconstitutional, the conferees agreed to change this requirement to a sense of Congress.

In his veto message, the President asserted that he thought his authority as commander in chief would be undermined by a requirement to certify that placing U.S. troops under operational control of the United Nations is in our national security interest. I do not understand how any President can possibly object to a requirement that explicitly states to the American people that any deployment of American troops is in the national interest. This was a broadly supported provision and the President's veto ensures that neither the Congress nor the President has seen the last of this common-sense legislation.

While I disagree with the objection, since certification is an accepted way