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House of Representatives

The House was not in session today. Its next meeting will be held on Tuesday, June 4, 1996, at 12:30 p.m.

Senate

MONDAY, JUNE 3, 1996

The Senate met at 1:30 p.m., and was called to order by the President pro tempore [Mr. THURMOND].

PRAYER

The Chaplain, Dr. Lloyd John Ogilvie, offered the following prayer:

Almighty God, source of all that we have and are, forgive us for taking Your blessings for granted. We go to sleep at night fully confident that we will awake the next morning, but often we do not praise You for the wonder of being alive. We rush into the day on our high horse and then ride off in all directions without thanking You for each day brimming full and overflowing with Your goodness. We presumptuously assume that we are in control of our lives, others, and circumstances. So much of what we think we accomplish alone is really the result of what You plan for us out of sheer grace, and give us the strength to attempt. We are so quick to take the credit. Life soon becomes horizontal and flat with faithless familiarity. Then into the blandness of this drift into self-help humanism, we hear the challenge Sursum Corda: Lift up your hearts. Carpe diem: Seize the day. Life is a privilege to be lived to the fullest in serving with humble gratitude. Remind us that we could not breathe a breath, think a thought, or work creatively this day without Your permission and Your power. Now we are ready for a new week of opportunities and challenges. In the name of our Lord. Amen.

RECOGNITION OF THE ACTING MAJORITY LEADER

The PRESIDENT pro tempore. The able acting majority leader, Senator LOTT, is recognized.

Mr. LOTT. Thank you very much, Mr. President.

PROGRAM

Mr. LOTT. The Senate will be in a period of morning business today until the hour of 3:30 p.m., with Senators permitted to speak for up to 5 minutes each. The first 90 minutes of morning business will be under the control of Senator COVERDELL of Georgia, or his designee, and the last 30 minutes will be under the control of Senator DASCHLE, or his designee.

At 3:30 today, the Senate will resume debate on a motion to proceed to S. 1635, the Defend America Act. No rollcall votes will occur during today's session but as a reminder there will be a cloture vote on the motion to proceed to S. 1635 at 2:15 p.m. tomorrow. If cloture is invoked on Tuesday, it is the hope that we may begin consideration of the defend America legislation and hopefully complete action on that important bill in a reasonable timeframe.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER (Mr. DEWINE). Under the previous order, leadership time is reserved.

MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, there will now be a period for the transaction of morning business not to extend beyond the hour of 3:30 p.m., with Senators permitted to speak therein for not to exceed 5 minutes each.

Under the previous order, the first 90 minutes shall be under the control of the Senator from Georgia [Mr. COVERDELL].

The Senator from Georgia is recognized.

BALANCED BUDGET AMENDMENT TO THE CONSTITUTION

Mr. COVERDELL. Mr. President, we will soon once again cast a historic vote on a balanced budget amendment to the Constitution. It will be a historic vote. It will be a defining vote. Given the experience of the last 26 years, $5 trillion in debt, interest on debt that will soon exceed Defense Department spending, it is certainly an appropriate matter for the Senate to consider.

I will not prolong my remarks right now, but, Mr. President, I will yield up to 10 minutes to the distinguished Senator from Mississippi, if I might.

The PRESIDING OFFICER. The Senator from Mississippi.

Mr. LOTT. Mr. President, I thank the Senator from Georgia for having this time for us to discuss this very important issue.

For many years, I have supported the constitutional amendment for a balanced budget. The American people

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

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have overwhelmingly indicated repeatedly that they support a constitutional amendment for a balanced budget. I guess it would be just as well, maybe better, if we had in fact been balancing the budget every year over all these many years going all the way back, I guess, to 1969 when we had a last annual balanced budget.

There have been some very serious, some very credible efforts to come up with a balanced budget over a period of a number of years. Last year, the Congress passed a balanced budget resolution that would have balanced the budget in a 7-year period of time, with the plan to get that job done. Of course, that one was vetoed by the President. There have been other instances where we started toward controlling Federal spending. We had that effort in the early 1980's when President Reagan was in the White House. We had the Gramm–Latta bill that reduced spending by several billions of dollars and then after about 1982–83 the numbers, the spending by Congress started going back the other way.

And, of course, we had the Gramm–Rudman procedure whereby if we did not actually balance the budget each year, there would be an across-the-board cut known as a sequester. This had an impact for a year or two, and then every time Congress would get up to the point where they were going to have to make decisions or allow sequester or cuts to go into effect, Congress backed away from it, just moved the dates until finally it was rendered useless.

So there have been some good efforts, but the fact is it has not been accomplished. But yet almost every State in the Nation balances its budget every year. Even a poor State like my home State of Mississippi every year balances its budget.

Why is it? It is because the constitutions at the State level require it. You cannot have deficit spending in so many States. A few of them that do not have it in their constitution do it anyway. Some of them I guess have it in their constitution and may violate what is required. But for the most part I believe that is the fundamental difference.

It is time the Federal Government lived within its means. I think the simple solution is if you do not have x amount of revenue coming in to get the job done, you just make changes. You change priorities. If you do not have it, you do not spend it. It is real simple.

I believe that putting this balanced budget requirement in the Constitution is the responsible thing to do, and it is the mechanism that will guarantee that Congress, working with the President, would have to do the responsible thing, and that is balance the budget each year.

A week ago, Mr. President, I joined Senator DOMENICI and others in writing President Clinton one last plea that he support the balanced budget amendment to the Constitution. That is what we need. Last time we had this vote, we were one vote short in the Senate—just one vote. And there were at least six or seven Senators who had voted for a constitutional amendment for a balanced budget in the past but switched and voted against it last year. So there is a pool of Democrats that could be convinced, and I thought that a plea from the President would make the difference.

So far his reply has been silence, and that is disappointing, but it is not entirely surprising. But if he really agrees that we should have a balanced budget, which he has said that he does, then we need his help. Both as a candidate and as Chief Executive, President Clinton has talked a good fight about balancing the Federal budget. But when it comes to the one legislative veto that can get the job done, he has not been very helpful.

It is often said that the Federal Government and the taxpayers, more important, are drowning in red ink. That is a good metaphor, but it needs one addition. That addition is President Clinton standing at the edge of the red ink ocean, feeling the pain of those who are drowning while holding behind his back the only available life preserver. This is that available life preserver. That is the balanced budget amendment. It is the only way that we have, that I have seen, to pull our children and our grandchildren out of the sea of Government debt. It is the only means we have to force Government to live within its means.

An old song reminds us that ''It don't mean a thing if it ain't got that swing.'' By the same token, no amount of Presidential rhetoric about a balanced budget means a thing if we do not pass a balanced budget amendment. Opponents of the amendment know that and have known it all along. That is why they have been willing over the years to give lipservice to the goal of budgetary balance and even to endorse the balanced budget amendment itself as long as there was no immediate prospect of its passage.

Now, I think a lot of credit goes to the Senator from Illinois; he has worked hard in actually trying to get this done. There are many who have said they would vote for it, but when it got to the time actually to vote for it, decided they better change their mind, especially last year when they saw it was about to pass.

Then came the elections of 1994. The old order sort of shattered and the political landscape was transformed with the new majorities of both the House and Senate.

Almost overnight, a balanced budget amendment was not just talk anymore. Clear majorities in both Chambers of Congress had pledged to vote for it. So the angry and aroused, energized electorate was finally going to get some action, action it had been seeking for a long time. That is what the American public thought was happening.

But we were entering a period of second thoughts, a time when many Members of Congress revised their official positions on the balanced budget amendment. I already pointed out that six Senators who had voted for it in the past switched last year and voted against it. That was the key in its defeat.

That is why I, along with others, are now publicly calling on the President, appealing to the President, to step forward and help us with this vote this week.

I hope that we will have another vote on the constitutional amendment requiring a balanced budget this week, probably on Wednesday. If we could pick up just another couple of votes, the job would be done. The President can help us by making those contacts.

I give the President his due. Whatever his problems with the American public may be, it is clear he wields tremendous clout with congressional Democrats, especially here in the Senate. Time and again his allies in this Chamber have come to his rescue, blocking bills that the White House did not want to have to deal with. Actually, it has been a remarkably synchronized operation—a real tribute.

But, if you look at what is happening right now in the Senate, bill after bill after bill is being hung up by filibusters or failure to agree to procedures to allow those bills to be voted on. The White House Travel Office legislation is still, in effect, pending before the Senate. A taxpayers bill of rights No. 2 is pending and awaiting action. Repeal of the 4.3-cents-a-gallon gas tax is waiting for action. Many bills that the American people support overwhelmingly and deserve to have passed are in limbo here, and that has been the case with the balanced budget amendment.

The letter we sent to the President last week asked him to address this issue in his Saturday radio address, to rally support for the amendment. In candor, we felt obliged to warn that, ''[f]ailure to do everything in your power to win this vote would send a clear signal to the American people * * *'' that he really did not want this balanced budget amendment to pass, even though he has said nice things about it in the past. Thus far, we have not heard from the President. He did not endorse the amendment in his Saturday radio speech and he has not lifted a finger, the best I can tell, to help us pass the amendment through the Senate so the American people can decide.

Remember this, even if we passed it here in the Senate after it has already passed in the House, it still would have to go to the American people so the various State legislatures could vote on ratification in that amendment process. Should we not at least let the American people, through their State legislatures, have a chance to express themselves, to vote on this issue? So that is all we have been asking, is to allow us an opportunity to take up this amendment, debate it, vote on it, and hopefully pass it on to the States for them to pass judgment.

Opponents of the balanced budget amendment tend to ignore that part of the constitutional process. Instead, throughout the Senate's year-long debate on the amendment, they have come up with a number of red herrings. We have been told the amendment would imperil Social Security, it would devastate crucial domestic programs, that it would require tax hikes, and that it might hobble the Government in times of national or international emergency.

Do opponents of the amendment seriously believe that three-quarters of the State legislatures would ratify a constitutional amendment that was going to harm Social Security? Would the Senate? Would the U.S. Senate vote for that? I don't think so. I know I would not.

Do opponents of the amendment really think that 37 State legislatures would adopt an amendment that in any way cripples Government in times of crisis? Of course not. I think the opponents of the balanced budget amendment realize those arguments are, at best, irrelevant and, at worst, false. I guess we should be relieved they have not blamed the amendment for Britain's ''mad cow'' disease or global warming, but there is still time before the vote and we may hear that.

Since these are all false arguments blocking this amendment, I urge that we take them up, debate them seriously here in the next 2 days, and have a vote on this constitutional amendment.

Since those are all false reasons for blocking the amendment, why are its opponents so determined to kill it here in the Senate, before the States can even have a say in the process? I think the answer is obvious. The amendment is indeed a danger, a peril, and a threat.

It endangers the entrenched interests that have called the shots in official Washington for most of the last half-century. It imperils the network of lobbies whose reason for existence is bigger and fatter Government budgets. It threatens to derail the Federal gravy train and make its relaxed riders walk for a change.

They cannot survive under a balanced budget amendment, for it would take away their subsidized pulpits and make them earn their keep in the open marketplace of ideas. They cannot do that, and they know it. They do not have the support of the American people, so they cling to the support of the American Government.

It is why the balanced budget amendment, almost overnight, changed from a bipartisan sure thing to an endangered species. And it is why, when we vote again on the amendment within the next few days, we will probably be two or three votes short of passage. Unless, that is, unless President Clinton steps into the breach and convinces his Senate allies to vote the same way they campaigned: for the amendment and against business as usual in Washington.

The ball is in his court. If the amendment is defeated this time around, the whole country will know who bears the responsibility for its demise.

Mr. President, I ask unanimous consent that the text of my letter to President Clinton be printed in the RECORD.

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

CONGRESS OF THE UNITED STATES,
Washington, DC, May 29, 1996.

DEAR MR. PRESIDENT: You have been telling the American people that you believe we need a balanced budget.

With a decisive vote on a constitutional balanced budget amendment scheduled for the Senate floor the week of June 3, we now have a unique opportunity to exhibit leadership over partisanship for the best interests of this nation and for our children's future.

If you are sincere in wanting a balanced budget, then please use the power of your office to persuade Democrat senators that this is best for our children and our nation. As you know, six Democrat senators campaigned on their support for a balanced budget amendment, but then helped defeat it last year.

Failure to do everything in your power to win this vote would send a clear signal to the American people that you place politics above country. Join us in passing this necessary and historic amendment. We propose that you use your Saturday radio address this week to rally support for the balanced budget amendment, and Republicans will use our response time to echo your message.

Sincerely,

SENATOR TRENT LOTT
SENATOR PETE DOMENICI
REPRESENTATIVE DICK ARMEY
REPRESENTATIVE JOHN KASICH

Mr. LOTT. Mr. President, I want to take this opportunity to convey to him something that was not in that letter.

I want to assure him that, even if he succeeds in blocking the balanced budget amendment, he is not going to block Congress' efforts to curb his tax-and-spend approach to Government.

That is the meaning of the budget resolution the House and Senate have already passed. And it will be the clear and frugal bottom line of the appropriation bills we will send down to the White House over the next 4 months.

One way or another, the taxpayers are going to win this fight. President Clinton and his Senate allies can delay that outcome, but they cannot prevent it forever.

The PRESIDING OFFICER. The Senator from Georgia.

Mr. COVERDELL. Mr. President, I thank the Senator from Mississippi. I think he has hit on key features relating to the passage of the balanced budget amendment, the first being that this really is in the hands of the President of the United States. He was the reason that six members of his party changed their minds, and his rhetoric can now be the reason to support a balanced budget by speaking out and calling on his side to support it.

I am very pleased that Senator DOLE is fulfilling his promise to the American people and recalling it, even though the odds against getting over that hill are great.

Now, Mr. President, I yield up to 15 minutes to the principal sponsor of the balanced budget amendment, its long-time and ardent supporter, the Senator from Utah.

The PRESIDING OFFICER. The Senator from Utah is recognized for 15 minutes.

Mr. HATCH. Mr. President, I rise today to call on the Senate to send the Dole-Hatch-Simon balanced budget amendment to the States for ratification. We will have the opportunity to vote for it again soon. I am hoping that the Senate will respond to the needs of the American people.

President Clinton has fought the balanced budget amendment every step of the way, and I would just like to ask, ''Why?'' The President says he is for a balanced budget. Yet, I suggest that the opponents of the balanced budget amendment are simply not ready to impose the kind of fiscal discipline on themselves that a constitutional amendment would require. It is tough to stop spending other peoples' money.

Last year he succeeded in blocking the balanced budget amendment. President Clinton won but the American people lost. The American people will lose again if President Clinton has his way this year, if we cannot talk him into helping here. Unless he changes his mind and makes clear his support for the balanced budget amendment we will probably fail one more time.

It is important for our country and our children. The subject matter goes to the heart of our Founding Fathers' hope for our constitutional system—a system that would protect individual freedom through limited government. In the latter half of this century, however, the intention of the Framers of the Constitution has been betrayed by Congress' inability to control its own spending habits. The size of the Federal leviathan has grown to such an extent that the very liberties of the American people are threatened.

The other body has already given its approval to the amendment, so it is up to the Senate to follow and meet the needs of the American people, 85 percent of whom favor a balanced budget amendment. We need to relegate the spendthrift and tax-happy policies of the past to the dustbin of history. This amendment has broad support in the country and among Democrats and Republicans who believe that we need to get the Nation's fiscal house in order so that we can leave a legacy of a strong national economy and a responsible National Government to our children and grandchildren.

Mr. President, our Nation is faced with a worsening problem of rising national debt and deficits and the increased Government use of capital that would otherwise be available to the private sector to create jobs to invest in our future. This problem presents risks to our long-term economic growth and endangers the well-being of our elderly,

our working people, and especially our children and grandchildren. The debt burden is a mortgage on their future.

The total national debt now stands at more than $5.1 trillion. That means that every man, woman, and child in Utah and all of our States has an individual debt burden of $19,600. While it took us more than 200 years to acquire our first trillion dollars of debt, we have recently been adding another trillion dollars to our debt about every 5 years, and that is shortening as we keep going.

Yet, Mr. President, opponents of the balanced budget amendment claim that there is no problem. They point to the marginal slowdown in the growth of the debt in the last year or so as if it suggested that all our problems are solved. Only inside the Washington, DC, beltway can people claim that we are on the right track while we add to a debt of more than $5.1 trillion. The President's own 1997 budget predicts that in the year 2000, total Federal debt will be more than $6 trillion. That means a Federal debt of about $23,700 per person. Every one of us will owe that much when we get to that point. That is, if the President has his way. This would be nearly a tenfold increase in the per capita debt since 1975.

When we last debated the balanced budget amendment, I gave a daily update of the debt increase as we debated. By the end of the debate, my ''debt tracker'' was becoming unwieldy, so I have brought down a sort of summary debt tracker to bring us up to date since we began debate on this amendment in January of last year.

As my chart shows, when we began debate on the balanced budget amendment, the debt was $4.8 trillion. As of this week, it stands at more than $5.1 trillion. That is an increase of $320 billion in a little over a year. It is absolutely incredible. Translated into more understandable terms, that means that the cost of the delay in passing this important amendment has been more than $1,200 for every man, woman and child in America.

Put another way, over the 15 months that have elapsed since President Clinton helped defeat the balanced budget amendment, the debt has increased on average over $650 million of debt, over $27 million an hour, over $450,000 a minute and over $7,500 every second. This is the price of the delay caused by President Clinton and his allies.

That increasing debt is not just numbers on a chart. Over time, the disproportionate burdens imposed on today's children and their children by a continuing pattern of deficits could include some combination of the following: increased taxes; reduced public welfare benefits; reduced public pensions; reduced expenditures on infrastructure and other public investments; diminished capital formation; diminished job creation; diminished productivity enhancement; diminished real wage growth in the private economy; higher interest rates; higher inflation; increased indebtedness to and economic dependence on foreign creditors; and an increased risk of default on the Federal debt.

This is fiscal child abuse, and it simply must end.

Mr. President, if one thing became clear during our recent experience in trying to enact the Balanced Budget Act of 1995, it is that we need a constitutional mandate. Some Senators argued during our debate last year on Senate Joint Resolution 1 that we did not need a constitutional amendment to balance the budget. ''We know what needs to be done,'' they said. ''We should just do it.''

The trouble is that Congress did it and the President did not. But under a constitutional amendment to balance the budget, the words ''just do it'' would have authority for both elected branches of the Government, both the executive and the legislative branches.

In the year that has gone by since President Clinton helped defeat the balanced budget amendment, the country has witnessed one of the most contentious budget battles in the history of our Nation. President Clinton was willing to let the Government shut down twice before he finally agreed to work seriously toward balancing the budget.

But what guarantee is there that the Federal Government will ever achieve a balanced budget? When the other side of the aisle controlled the Congress, we never had serious consideration of a balanced budget plan. President Clinton never proposed a balanced budget until he was forced to. The budget he first submitted when we debated this amendment last year had $200 billion deficits as far as the eye could see. Even our colleagues on the other side of the aisle recognized this as an entirely inadequate approach and rejected it. In fact, the President submitted no fewer than 10 budgets in 1 year and a series of attempts to avoid the tough, but responsible, decision to balance the budget.

Nothing shows more clearly how difficult it is to move in the right direction than the last 9 months. Mr. President, we need the balanced budget amendment to lock in the balanced budget rule now, or the future of our children will be bleaker and bleaker.

The proposed constitutional amendment will help us end Congress' dangerous deficit habit in the way that past efforts have not. It will do this by correcting a bias that exists in the system, in our present process, which favors ever-increasing levels of Federal Government spending. The balanced budget amendment reduces the spending bias in our present system by ensuring that, under normal circumstances, votes by Congress for increased spending will be accompanied by votes either to reduce other spending programs or to increase taxes to pay for such programs.

For the first time since the abandonment of our historical norm of balanced budgets, Congress would be required to cast politically difficult votes—one politically difficult vote a year at least as a precondition to casting a politically attractive vote to increasing spending.

Mr. President, the Senate should approve the balanced budget amendment. It is the right thing to do for ourselves and our children and grandchildren, and it will give us back responsible and accountable constitutional Government. If we continue to play around like we have over the last number of years during this administration, with all the mouthing in the world about balancing the budget and all the action in the world not doing so, we are bartering away our future.

Look at this growth of a little over a year—$320 billion more in deficits. Yet, they sit down there at the White House and act like everything is going just perfectly, like they are making real headway on the budgetary deficit. When this gets up much over $5.13 trillion into $6 trillion, the interest against the national debt is going to eat us alive. Then the pressure will be to monetize the debt—that is, print dollars like they did in Germany, where it took a wheelbarrow to buy a loaf of bread, so we can pay off our debt with cheap dollars and basically defraud all the people who rely on the valid well-being of the United States.

We have to face this. This is the time to do it. I hope our colleagues on the other side will get real on this. Everybody in Washington knows, and I think most people out in the country know, that this argument over Social Security is a false, fallacious and ridiculous argument. We have to do what is right now.

I thank my dear colleague from Georgia for leading this matter right now and having people here to speak to this issue.

I yield the floor.

Mr. COVERDELL addressed the Chair.

The PRESIDING OFFICER. The Senator from Georgia.

Mr. COVERDELL. Mr. President, I thank the Senator from Utah, not only for his remarks this afternoon, but for the extended effort over the years to produce a sound fiscal policy in the United States in the management of our financial affairs.

I now recognize the junior Senator from Utah for up to 10 minutes.

The PRESIDING OFFICER. The Senator from Utah is recognized for up to 10 minutes.

Mr. BENNETT. Thank you, Mr. President. This problem, like the poor, seems to always be with us. I can remember debates about balancing the budget and dealing with the budget deficit that go back 30 and 40 years. In the 1992 election, when President Clinton ran, this was a major issue, primarily because of Ross Perot. Ross Perot raised it, Ross Perot made an issue out of it and Ross Perot, I think, got his finest reaction on the television, when

he was being attacked for his lack of experience, when he responded by saying, ''You're right; I don't have experience. I have never run up a $4 trillion deficit in any of the businesses I have run. I don't know how to do that.''

I am not a supporter of Ross Perot. I voted for George Bush and campaigned for George Bush and think the country would be better off if George Bush had won. But I do give Mr. Perot his due for having focused our attention on this issue.

I ran in 1992 as well, so was heavily involved in it. At the time, the deficit was around $300 billion a year. I remember saying to those people who came to my town meetings and heard me as I was campaigning, ''Let me make a prediction. I predict that no matter who wins the election, the deficit will go down, and it will go down fairly significantly, and every politician in Washington will take credit for having made it go down, and none of them will have had anything to do with it at all.''

I think I predicted correctly. The deficit has gone down. It is roughly half what it used to be.

Let me remind everybody, lest they fall into the trap of misunderstanding what I am saying, the deficit is not the debt. To say the deficit is half what it was in 1992 is like saying to your teenaged child, ''You're overspending by $200 a month your allowance, but that's all right because you used to overspend by $400 a month, so your deficit has been cut in half.'' No. The debt keeps going up with every dollar of the deficit. But the deficit has indeed been cut in half.

Why was I able to predict that the deficit would be cut in half in 1992 with such accuracy? Two things. As I say, the politicians had nothing to do with either one of them.

No. 1, the cold war is over. President Clinton talks about the number of Government employees who have been severed from Government service since he has been President. He says, ''We've eliminated some 270,000 civilian jobs.'' He is right. Over 200,000 of those are in the Defense Department.

This is the so-called peace dividend that we heard about for so long. We are now at peace. The cold war is over. We are not spending nearly as much on the Defense Department as we used to. We have eliminated some 200,000 jobs of civilians in the Defense Department. As a result of that, the deficit has come down. Did any politician here have anything to do with it? No. In my opinion, the politician who should be most credited with ending the cold war is named Ronald Reagan. And he left town some time ago.

The second reason the deficit has come down is because the savings and loan bailout has been taken care of. I am a businessman. Anybody who has been in business knows what an extraordinary expenditure is. An extraordinary expenditure is something you have to pay that is not part of your everyday activity.

We had to pay hundreds of billions of dollars to the depositors at savings and loan institutions whose money was insured by the Federal Government. These S&L's went under, and while we can prosecute the owners and the managers of the S&L's if they have committed fraud, we have an obligation to pay off the depositors. So the cost of paying those depositors was going through the budget process like a pig in a python—a big bulge. Once it was digested, the python went back to its normal size.

We paid off the last of the savings and loans obligations a year or so ago. Somewhat to our surprise, we found out the properties we were left with, those S&L assets we seized in order to pay off the obligations, are worth more than was anticipated. So we got more in selling those properties than we expected, and we did not have to pay as much as we had expected in the obligations.

Put those two facts together and what do you get? You get a reduction in the deficit short term, one time. That is what I want to emphasize. This reduction in the deficit that was so predictable is a short-term, one-time phenomenon.

Look at the future and you see what June O'Neill, the Director of the Congressional Budget Office, told us in the Appropriations Committee last week; by the time some of the young folks who are here in the galleries observing the Senate operate are into their careers, that is, in the year 2020, 2030, not that far away, if we do not do something about the structural deficit—not this extraordinary expenditure kind of deficit that we had—if we do not do something about the structural deficit, June O'Neill says, at that point the national debt will be 180 percent of gross domestic product.

In other words, we will owe 180 percent of everything we produce in a single year. That is the same as saying, ''OK, if you have a $100,000-a-year salary, you have $180,000 in debt.''

The highest point in our history in terms of our debt was at the height of the Second World War when our debt stood at 130 percent of our gross domestic product. That was when we were at war fighting for our survival. We were willing to risk the debt under those circumstances.

The regular structural debt—that has nothing to do with war, nothing to do with emergencies, nothing to do with drought—in the working careers of the young people who come on their spring breaks and vacations to see us in the gallery, in their working careers you will see the debt higher than it was at the height of the Second World War if we do not do something about it.

We do not seem to be able to do anything about it. We passed balanced budgets. The President has vetoed them. We have come up with ways of controlling the spending. The President has vetoed them. Again and again we have had a legislative fix, and the answer has been, ''We'll deal with that tomorrow.'' I have said on this floor before, I think the theme song of this administration should be from the musical ''Annie'' because Annie was always singing about ''tomorrow, tomorrow,'' we will balance the budget tomorrow. It is always a day away.

When we say, let us start today, it is always, well, if you start today, it will start to hurt a little bit, so we will promise to hurt you tomorrow, but we will continue to spend today.

Apparently, the only way to get anybody's attention finally in this circumstance is to put it into our basic law. I have resisted this all my political career. I felt the Constitution should not be tampered with. I am a very reluctant and late-coming convert to the idea of a balanced budget amendment to the Constitution. I am there because I have come to the conclusion that there is, in fact, no other way.

So I join with my colleagues rising on the floor today to say, not tomorrow, today, and not through hopes and pledges and expressions of good intentions, but through writing it into our basic law and putting into our basic structure on which all other laws are built the requirement that we get our financial affairs in order, so that the young people who come to see us can send their children to come to see our children and have the debates over substantive ways to spend the taxpayers' money, instead of being in a circumstance where we have no choices because everything has to go to service the enormous national debt that we are looking at if we do not get this circumstance under control.

For that reason, Mr. President, I join with my colleagues in endorsing a balanced budget amendment and hope that we are successful this week in seeing it pass. I yield the floor.

Mr. COVERDELL addressed the Chair.

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

Mr. COVERDELL. Mr. President, I thank the Senator from Utah for a very forceful presentation.

I want to reiterate a point, before I yield to the Senator from Idaho, that was made by the Senator from Mississippi when he opened this discussion. He pointed out that this vote is to allow the States to take up the issue of whether or not the Constitution should be amended. The other side does not even want the States to carry on and conduct the debate of this great national issue. They do not want to let it go to the States.

I find that uniquely Washingtonian. ''No. We have to keep it all here. We don't dare let the States debate this great issue and make their voices heard.'' It takes three-fourths of them to ratify this before it would become an amendment to the Constitution.

With that, Mr. President, I yield up to 10 minutes to the Senator from Idaho who, I might add, has also been a

driving force behind the effort to secure a balanced budget amendment to the Constitution.

The PRESIDING OFFICER. The Senator from Idaho is recognized.

Mr. CRAIG. Mr. President, let me thank my colleague from Georgia and the Senator from Utah who has just spoken on this fundamental American issue.

Mr. President, I had the privilege of beginning my service to the State of Idaho in 1981 in the U.S. House of Representatives. By 1982, it had become obvious to me that the collective bias, if you will, inside the Congress and elsewhere in the Federal Government, at that time and still today, was largely to spend money, to tax when you had to, but clearly to spend money on those programs that you felt most beneficial to your constituency. And when taxation was not popular, the bias was to go ahead and borrow the money because—that was certainly popular in the 1970's and 1980's and into the early 1990's—if you could bring home one Government program after another and deliver it to your constituency, especially if you did not have to pay for it in the form of taxes, you were just an extremely popular politician and you tended to get reelected year after year after year. Thank goodness the attitude has changed a bit in Congress.

It was in 1982 that I and a Democrat Congressman from Texas, Charlie Stenholm, first introduced, and joined forces in a bipartisan effort to pass, a balanced budget amendment to the Constitution on the floor of the U.S. House of Representatives. At that time, I and others traveled nationwide from State to State asking the State legislatures to petition the Congress for the very right that the Senator from Georgia has just spoken to—the right to speak to the Constitution, the right to amend the very basic document of our country.

From 1982 to 1995, this Congress has been struggling with the fact that they really did want to deny the American people the right to speak their will on their Constitution, to reshape their Constitution, in a very important way, in what it would do to direct, to simply limit, the Congress of the United States and its activities.

In 1982, if you looked at the polls, the public was somewhat concerned about a balanced budget amendment. It was not until the late 1980's when the deficits were soaring to nearly $300 billion a year that this issue finally became an urgent issue with the American people. Even in a poll today, after 2 long years of struggling with liberal Democrats and fighting to try to balance a budget, the American people, now 83 percent strong, say, ''Give us a constitutional amendment for us to speak on, to debate and ratify, that would force the Congress of the United States to balance its budget.''

From 1982 to 1996, this issue has become, without question, the most important, single, driving issue in the minds of the average person out there. That average American believes in a balanced budget, and recognizes the tremendous difficulties that the Congress itself has had in attempting to balance the budget, and therefore believes it will take the weight of the Constitution to balance the budget.

What does it mean in real terms? Mr. President, we talk about a constitutional amendment requiring the Congress to function in certain ways. All well and good. Everybody wants a balanced budget and wants our Government to keep their fiscal house in order. Even this President, who only pays simple lip service to a balanced budget and does not really mean it—we saw between 1992 to 1994 when he was big spender No. 1 and big taxer No. 1. Now, of course, because of 1994 and the elections, he has changed his tune a lot. In fact, it is awfully hard to tell who he is these days, but we do know he at least says he is now for a balanced budget. Not for a constitutional amendment. Oh, no, do not force the Government to be fiscally responsible. Just trust Bill. Just trust the President that he will be a responsible public servant, along with the Congress, that for now, 36 years, has been unable to balance its budget. As critical as I am of this President, his own people said in his budget for 1995 that, because of the way Government spends, that future generations are going to look at paying 82 percent of their income into taxation on an annual basis for all levels of Government service and to pay interest on the debt. I cannot imagine any one young person, let alone any adult, who would believe that to be acceptable. Yet the best minds from this Government supposedly say that is a fact, unless we change things.

The National Taxpayers Union estimates a child born today, in his or her lifetime, is going to pay an extra $180,000 in taxes just to pay interest on the current accruing Federal debt. Those are the people reasons that we ought to do something. Clearly, the ability to keep our fiscal house in order, Mr. President, is of paramount importance to any one American's future and to the future and strength of this country.

The balanced budget bill that the President vetoed this last year would have begun the very important process to lead us to the balanced budget we speak of by the year 2002. What does it mean to the American family if we would have been able to accomplish what the President vetoed on one side and then said he was for on the other? About $2,400 a year in mortgage payments for a $75,000, 30-year mortgage. That is significant money. How about $1,000 on the lifetime of a 4-year car loan? That is big money to an American family. How about $1,900 on the life of a 10-year student loan? All we have heard from this administration when we tried to adjust the student loan program is that we were cutting the loan program, when we did not cut loans or eligibility a dime. Yet, they will not balance their budget to give the student who has to pay the interest on the debt that he or she has accrued the benefit of a $1,900 savings on a 10-year student loan. That is big money to real families, spread across millions and millions of students who need student loans to put themselves through their undergraduate years.

How about 6 million new jobs by the year 2002—just from balancing the budget. And there are other kinds of growth or multipliers in the economy that will occur if we are able to do this. Those are the good reasons. That is why we ought to be balancing the budget.

Now, can we get there without a constitutional amendment? Well, I think everyone watching today, and certainly the American people over the last 2 years, have watched us play the game. Some of us were deadly serious about a balanced budget. I am afraid the other side of the aisle was not at all that interested. We have heard one plan, two plans, four plans, six plans. Oh, there are all kinds of plans to balance the budget. But when that side of the aisle disagrees with this side of the aisle, and ultimately, in the end, with the President's veto standing there over us, balanced budgets simply do not occur because the Constitution does not require them. We have only our ability to work together to solve this, and that is not enough.

I have always been convinced from the very day that I fought for a balanced budget amendment on the floor of the U.S. House in 1982 that we needed the extraordinary power of the Constitution to force the Congress of the United States and those who serve it to be fiscally responsible. We had learned—not this particular Senator, but a good many before him—that there were all kinds of ways to game the system, and in the end you could ultimately tell the American people you were doing one thing when, in fact, you were doing something different.

It does not work that way when the Constitution requires you to respond in a certain manner. Oh, there are those who would say you can just ignore the Constitution. Mr. President, that is one thing that is not ignored around here. In the privileged time I have had to serve the State of Idaho in Congress, I have seen the Constitution is not intentionally ignored. There are times when what we do gets judged by the courts to be constitutionally lacking. When that occurs with a law we pass, we make the necessary decisions and adjustments to change it and bring it back into shape.

Since 1969 we have had 27 unbalanced budgets in a row. From 1960 on, 35 of 36 budgets have been unbalanced. A majority of the American people have seen the Federal Government balance its books only once or never. Yet, when our Founding Fathers created this great country, they did not require this as a constitutional requirement because they simply felt there would

never be a day when the budgets would not be balanced. If they did become unbalanced, certainly, the fiscally responsible Congress would move quickly to bring them back into balance.

Mr. President, let me conclude by saying we will have an opportunity once again to vote on a constitutional amendment to require Congress and the President to balance the Federal budget. I know of no single, stronger way to allow the American people to debate the issue of a balanced budget in every State capital of this Nation, than to allow the legislatures of all of the States to move in the constitutionally prescribed way, and that is to ratify or deny a constitutional amendment—the 28th—to our Constitution, which would require the Government of this country to balance its budget on an annual basis.

I yield the remainder of my time.

Mr. COVERDELL. Mr. President, it is my understanding that the distinguished Senator from Arizona would like to speak on this subject matter. If he is willing, I would be pleased to replace him as Presiding Officer and yield up to 10 minutes from the Senator from Arizona.

(Mr. COVERDELL assumed the chair).

Mr. KYL. Mr. President, I appreciate the Senator conducting this special order, and I appreciate his yielding time for me to speak on the matter of the balanced budget amendment.

I think the case for the balanced budget amendment is now stronger than ever. Many of the critics of the balanced budget amendment in the past have argued that it was unnecessary, that if Congress only had the courage and the will, it could balance the budget and do so without the explicit mandate to do so in the Constitution.

Well, Mr. President, the majority of Congress did finally muster the courage and the will on November 17 of last year when it passed the Balanced Budget Act. For the first time in 26 years, a majority in the Senate and the House approved a comprehensive plan to begin to limit Federal spending and to balance the Federal budget.

But courage and will—and the votes of the majority in the Congress—were not enough to overcome President Clinton's dogged determination to spend beyond the Nation's means. A President committed to big Government can always be counted on to use every tool at his disposal to thwart progress toward a balanced budget, to wear down the courage and the will of even the most steadfast of the deficit hawks.

On April 25, for example, a majority in Congress concluded that it was easier to yield to President Clinton's demand for more spending than to fight for maximum deficit reduction. The omnibus appropriations bill for fiscal year 1996—a bill that I opposed—spent about $5 billion more than was originally intended. The Senate added another $5 billion to the fiscal year 1997 budget resolution 2 weeks ago to appease the President. Granted, the additional spending is offset by savings achieved in other areas. But if Congress had applied those offsets to deficit reduction instead of accommodating the President's demands for more spending, it would be that much easier to achieve the goal of balancing the budget. As it stands, it will be billions of dollars harder to achieve the goal of a balanced budget by the year 2002.

The balanced budget amendment would correctly put the onus on the President in future situations like this. Instead of requiring Congress to muster a supermajority vote to limit Government spending—for example, to override President Clinton's veto of more frugal appropriations legislation—the balanced budget amendment would require the President to orchestrate a supermajority to vote for his proposals to add to the deficit.

Mr. President, this illustrates the problem. It is far easier to spend money than it is to save it. While it will take a supermajority to save taxpayer money and balance the budget over President Clinton's veto, it takes only a simple majority to spend hard-earned tax dollars. In fact, because so much of the Federal budget is on autopilot, the Government can spend more every year without taking any vote at all.

President Clinton uses this fact to his advantage. He claims to support a balanced budget, but resists every effort to accomplish that objective, knowing full well that inaction means that the Government will continue to grow and that Federal spending will continue to escalate.

The fact is, despite claims to the contrary, President Clinton has never proposed a budget that would actually achieve balance. Speaking about the latest budget proposed by the administration, the Director of the Congressional Budget Office, June O'Neill, said in testimony on April 17, ''Under CBO's more cautious economic and technical assumptions, the basic policies outlined in the President's budget would bring down the deficit to about $80 billion by the year 2002 instead of producing the budget surplus that the administration estimates.''

In other words, the President's most frugal budget would still result in an $80 billion budget deficit.

So for all of the President's proclamations that he is now a true believer in a balanced budget, the fact is that he has yet to offer an honest plan to achieve balance by any date certain.

By contrast, the budget that the Congress passed last year and the budget we just passed 2 weeks ago, do achieve balance and they do so while protecting the programs that are most important to the American people. We promised not to cut Medicare. We do not. Medicare spending would be allowed to grow at twice the rate of inflation. In fact, per beneficiary spending would grow from $5,200 in 1996 to $7,000 in 2002—a 35-percent increase. We allow it to grow, but at a sustainable level.

We provide a $500-per-child tax credit for every child under 18 years of age. We protect Social Security. We reform Medicaid and continue progress toward more market-oriented farm policies.

Mr. President, there are good reasons to balance the budget. The Congressional Budget Office predicts that a balanced budget would facilitate a reduction in long-term real interest rates of between 1 and 2 percent. That means that more Americans will have the chance to live the American dream—to own their own homes. A 2-percent reduction on a typical 30-year mortgage in my State of Arizona would save homeowners over $230 a month. That is $2,655 each year. That same 2-percent reduction in interest rates on a typical $15,000 car loan would save buyers $676. The savings would also accrue on student loans, credit cards, and loans to businesses that want to expand and create new jobs. Reducing interest rates is probably one of the most important things we can do to help people across this country, and reductions in interest rates are the first result of a balanced budget.

With that in mind, I urge my colleagues to vote for the balanced budget amendment when it comes before the Senate later this week. It has been a long time in coming, and it is urgently needed.

Before closing, I want to make one final point. Ideally, the balanced budget amendment should include a tax or spending limitation, or both, because it matters how we balance the budget.

I have long advocated a spending limit as the best approach. The balanced budget spending limitation amendment, Senate Joint Resolution 3, which I introduced in January 1995, includes such a limitation. It would require a balanced budget and limit spending to 19 percent of the gross national product, which is roughly the level of revenue that the Federal Government has collected over the last 40 years.

Limit spending and there is no need to consider tax increases. Congress would not be allowed to spend the additional revenue raised. Link Federal spending to economic growth, as measured by GNP, and an incentive is created for Congress to promote pro-growth economic policies. The more the economy grows, the more the Congress is allowed to spend, but always proportionate to the size of the economy.

A tax limit is the next best approach, and that is why we have advocated a supermajority to raise taxes.

The tax limitation amendment that I introduced earlier this year—an initiative the House just voted on on April 15—would require a two-thirds vote of each House of Congress to approve tax increases. It would make an important addition to the Constitution, whether or not the balanced budget amendment

is approved, but it is particularly important if the balanced budget amendment does become part of our Constitution. I do not believe that the balanced budget amendment should become an excuse to raise taxes. That is why I believe it should be accompanied by either a spending limitation or a tax limitation.

Mr. President, the balanced budget amendment is no panacea. A constitutional spending or tax limitation must follow to ensure that the budget is balanced in the right way—by eliminating spending. But it is essential that we take this first important step and pass the balanced budget amendment when it comes before us this week.

So I urge my colleagues to support the amendment and hope that we can adopt it and change the Constitution, that the States will ratify it, and that we will in fact require a balanced budget amendment requiring the Congress to maintain a balanced budget for our Federal Government.

Mr. President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. COVERDELL. Mr. President, I compliment you on your remarks. I did not have a chance to do so to the Senator from Idaho and all the others that have risen in support of the balanced budget amendment to the Constitution. If I could take just a minute to try to step back from this day-to-day routine and debate that we find ourselves in in the U.S. Senate in Washington, DC, not long ago—getting on to running on the second year—President Clinton's Bipartisan Commission on Entitlements issued its report. Mr. President, in that report it showed us—holding it right here in front of me—that in the year 2006, five Federal programs will consume 100 percent virtually of the U.S. Treasury. Though there is a little bit left—enough to run about one-third of the current Defense Department—that is it. That is within all of our watch. That is just within a decade. The five programs are Social Security, Medicare, Medicaid, Federal retirement, and the interest only on our debt—the interest only.

So we have in these Halls of Congress over the last 30 to 40 years put in place a potential catastrophe. We have talked about this for many, many years. Mr. President, the responsibility for addressing these problems can no longer be passed to someone in the future. We can no longer pass the baton. We are at the moment as we approach the new century of exercising prudent disciplines to bring into check the financial affairs of these United States of America of which the balanced budget amendment is a critical component. We have been joined by the Senator from Illinois who has been a dogged advocate of a balanced budget amendment to the Constitution. I am going to yield to him in just a moment.

Let me just say, Mr. President, that when a generation of Americans consciously engages in consuming the resources of a future generation it is engaged in abrogating their freedom. This country was birthed in the pursuit of freedom, and thousands of its citizens lie under markers across the world in unending and exhaustive efforts to protect our freedom. What no country was ever able to do from the outside we are close to doing to ourselves. We have been engaged in a domestic abuse that could have the very effect that we fought for so long to protect.

We just heard a Senator on this floor say unchecked a child born yesterday will forfeit 84 percent of their living wages to pay for this. That cannot happen. American citizens already work from January 1 to May 7 before they get to keep their first paycheck. If we do not bring this into check they would only get to keep their paycheck in the month of December.

This is just not a business about numbers, Mr. President. We are discussing freedom of the Americans who follow us. No generation of Americans I can imagine would ever consciously be engaged in robbing the future of the very freedom we fought to enjoy ourselves.

Mr. President, I would like to yield up to 10 minutes to my distinguished colleague from Illinois, Senator SIMON.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. SIMON. Mr. President, and my colleague from Georgia, I thank you.

I am pleased to rise in support of this. Let me comment first of all on the politics of this because there are those on my side who say this is political. And I do not think there is any question that its timing right now is in part political. That does not get to the merits of it, however.

I would have to say—and I say this as someone who is supporting Bill Clinton for reelection—that BOB DOLE has been consistent on this. This is not a phony position that he is taking in order to gain a few votes in an election.

Second, in terms of the politics, let me just add that if we should pass it we give BOB DOLE a small victory in terms of politics because whatever has happened in the past people do not worry about that in an election. They talk about what is going to happen in the future. If we defeat it—and it is Democrat votes that defeat it—then you hand BOB DOLE a much bigger issue. That is the political reality.

A second political reality is the public image—I say to my friends on the Republican side—of Republicans is they simply are too hard-hearted, are not considerate of those who struggle in our society, and too often candidly propose amendments and pass bills that confirm that impression. On our side, the public image is they are goodhearted people. But they are fiscally reckless. And too often we seem to go out of our way to confirm that. And if it is Democratic votes that defeat this tomorrow, or whenever we vote on this, we will have played into what is the worst of our perceptions.

But aside from the politics—and the politics really should be extremely secondary—we are talking about something that is absolutely essential for the future of our country. This is not a new idea. Thomas Jefferson was the first person to suggest that we needed this kind of a constitutional amendment. He was not in the United States in 1787 when the Constitution was written. He was negotiating for us in Paris. When he got back, he said, ''If I could just add one amendment to the Constitution it would be to prohibit the Federal Government from borrowing money.'' He wanted an absolute prohibition which this amendment does not do. It leaves room for emergencies to have deficits. But he said one generation should no more be willing to pay for the previous generation's debts than for the debts of another country. That was a very interesting observation from him.

I was reading the other day and came across where John Kennedy in 1963 complained about the huge amount of money that was being paid for interest for which we got nothing. Do you know what the gross interest expenditure was in 1963? Mr. President, $9 billion. That is a terrible waste of money. But do you know what the latest Congressional Budget Office figure is for this fiscal year? Gross interest expenditure—$344 billion. What if we had such a constitutional amendment in place in 1963, or what if we had it in place in 1980 when the total debt was less than $1 trillion? And if we do not pass it tomorrow, 5 years from now or 10 years from now the situation will be much worse. And people will say, ''Why didn't they act?'' Why, indeed? Mr. President, $344 billion—we will spend 11 times more on interest than on education, 22 times more on interest than foreign aid, and twice as much on interest as all of our poverty programs. What do we get for it? Nothing other than higher interest rates.

And I mentioned foreign aid. It is interesting. We now pay in interest to other countries somewhere in excess of $45 billion a year—when I say other countries, I am including people who own the bonds; maybe individuals in other countries. In other words, we are spending roughly three times as much on interest for those who are more fortunate than we are spending on foreign aid for those who are less fortunate. And it is getting worse. One of the publications I receive—and I am sure it has a very small circulation—is called Grant's Interest Rate Observers, published in New York City.

The last edition has this very interesting statistic: May 17, 1995, foreign

central bank holdings of Treasuries, $444 billion; May 15, 1996, 1 year later—it was $444 billion—it is $553 billion. And it is not going to go on indefinitely.

The distinguished economist Lester Thurow said that at some point other countries and people in other countries are going to say, ''We are not going to buy those bonds anymore.'' The question is not if they are going to say that; the question is when they are going to say that. We are headed for serious, serious trouble.

If you read an Adam Smith quotation—I should have brought it over here—in his ''Wealth of Nations,'' 1776, he said this is the history of nations: They pile up more and more debt, and then they find out the only politically satisfactory answer to solving the debt problem is to debase the currency.

That is where we are headed. Let no one make any mistake about it. Unless we have the discipline of a constitutional amendment, we will eventually do what the economists call monetize the debt. We are just going to start the printing presses rolling, because as you look at Social Security and other projections of entitlements in the long run, eventually some Congress—we may not be around at that point; I certainly will not be around—is going to face one of three very drastic choices. First, to dramatically increase taxes. And you know how popular that would be. Or to dramatically cut back on Social Security and other expenditures, and you know how popular that would be. And the third option, print more money, and that is where we are headed.

Now, the opponents will say we can do it without it. Both sides have agreed we are going to have a 7-year balanced budget. My friends, the Presiding Officer, the distinguished Senator from Arizona, will grow green hair before the budget is balanced in 7 years under this proposal. It just is not going to happen. Both parties put the really tough choices out to the end of 7 years. That is the politically easy thing to do. If it was politically easy, we would have balanced the budget a longtime ago. What we like to do is tell people we are for balancing the budget, but we are going to put off these really difficult decisions.

We need the discipline of a constitutional amendment to force us to do the right thing.

Now, some will argue, well, we ought to exclude Social Security. And we have since 1969 had a unified budget that has included Social Security. I have always favored excluding Social Security. Some of us who have been pushing this have tried to negotiate where we could over a period of years move in that direction to protect Social Security even more. But real candidly, we have been unable to pick up any additional votes by doing that. But let no one use the figleaf of Social Security to cover opposition to this. Bob Myers, chief actuary for Social Security for 21 years, said it is absolutely essential for the future of Social Security that we have a balanced budget amendment, because if we do not have a balanced budget amendment, frankly, we are going to monetize the debt, and that means just printing the money and the trust funds will just really move down.

I see I am being signaled on time.

Mr. COVERDELL. Mr. President, I yield 3 minutes to the Senator from Illinois.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. SIMON. I thank my colleague.

Let me just add two or three more points. We are spending an increasing percentage of our tax dollar on interest. I do not care whether you are Republican or Democrat, liberal or conservative. That just does not make sense. We ought to be spending our money on goods and services. And then let us differ on whether we have a national health program, which I strongly favor. Maybe my colleagues here differ with me on that. But we ought to have pay-as-you-go Government, and if we want to have a program, we have to pay for it. And if we do not have the courage to vote the revenue, we cannot have the program—just that basic. It is true for a family. It must be true for a nation.

This is also welfare in reverse. The biggest welfare program we have in the United States by far is interest, and it is welfare for the rich, and increasingly the rich beyond our borders. I know there are some who argue this trickle-down economic theory: Give to the wealthiest and it will help everybody. I have never bought that theory. I believe if you give money so people can buy General Motors cars, if you give to the people at the bottom, the president of General Motors is going to do all right, too. But it does not necessarily work in reverse. Even if you buy the trickle-down theory, who can argue that if you give money to wealthy people in Japan and Saudi Arabia and Great Britain and The Netherlands, that is helping people here in the United States of America?

We end up raising interest rates. We have seen Wharton and the other schools, the econometric studies that say if we pass this, when we achieve a balanced budget we will have interest rates—the largest projection—the prime rate dropping 3.5 percent. You have had the Concord Coalition study that says the deficit in the last 20 years is costing the average American family today $15,500 a year in income, and yet we continue dissipating our funds, violating the future of our children and our grandchildren.

It just does not make sense. We ought to do the right thing, and the right thing is to have a balanced budget requirement in the Constitution unless there is an emergency. Then you can get 60 percent of the vote.

I thank my colleague from Georgia for his leadership. And let me just add my thanks to Senator HATCH and Senator CRAIG and Senator THURMOND and others. Senator DeConcini, when he was here, was very helpful on this. Senator HEFLIN has been, and others. But this is one where I know politics rears its head at this point in our Nation. This is one where we have to say, what does the Nation need? And I think it is very clear what we need.

Mr. COVERDELL addressed the Chair.

The PRESIDING OFFICER. The Senator from Georgia.

Mr. COVERDELL. Mr. President, before the Senator from Illinois leaves the Chamber, I wish to tell him that in his limited few minutes here I thought he made an absolutely eloquent presentation as to why our Nation, this generation, and particularly those yet to come, are so dependent on the type of discipline as represented by the proposal the Senator from Illinois suggests. The Senator referred to Thomas Jefferson and his desire to have had this in the original Constitution. The reason, if you read through his works, is over and over there was an abiding fear of government and its spending proliferation consuming the resources of the breadearner, himself or herself. You see it over and over and over.

If he were here today on this floor, he would be a very disappointed gentleman, when he would know that the wages of a working family, currently almost half of them—it depends on who you are—are consumed by a growing and growing government. We just mentioned the data that, unchecked or unchanged, a child born yesterday will forfeit 84 percent of his or her working lifetime wages. That is not possible. There will be a revolution.

This is going to be solved. I will stop addressing this just to the Senator from Illinois so he can get on with his day—but this is going to be solved. We have two options. One, which is the proposal of the Senator from Illinois, that we as a people manage this problem, that we institute new disciplines, that we have a process that assures the people that their financial affairs will be managed. When we do that we very quickly, as everybody has alluded to, produce positive benefits. Or we can ignore it, wait until that last 2 years of a 7-year plan, talk about it tomorrow, wait until someone else is in office, and we will create an absolute destabilized, wounded America that will trip into the new century instead of march into it.

I admire the Senator from Illinois. As I said, those were eloquent remarks.

Mr. SIMON. If my colleague will yield, I thank him for his comments. The reality is, we have already wounded America. But the wounds will become much more severe if we do not pay attention to this.

Mr. COVERDELL. Mr. President, I yield the remainder of our time to the Senator from Oklahoma.

The PRESIDING OFFICER. The Senator from Oklahoma is recognized.

Mr. NICKLES. Mr. President, I compliment my colleague from Georgia for his leadership on this issue, and also for his statement earlier. In addition, I compliment the Senator from Illinois for his leadership, for his cosponsoring this resolution, not just today but last year, not just last year but the year before.

For several years Senator SIMON has been a leader in saying we should pass a constitutional amendment to balance the budget. He is right. He also makes it bipartisan, which is awfully important. I would support this amendment if it was offered by the Democrats. If you had a Democrat in the White House or a Republican in the White House or an Independent, this amendment should pass. It has passed in the Senate before. We actually passed this amendment in August 1982. It passed when Republicans gained control of the Senate for the first time. It passed with 69 votes, 69 to 31.

The House never passed it. The House tried that year but they failed. They came up short. Then, after we had Republican control of both Houses, the House passed it. And I compliment the House. They passed it on January 26, 1995. The Senate again considered it and, unfortunately, it failed by one vote. Actually the final vote was 65–35. Everyone knows it takes 67 votes, but Senator DOLE moved to reconsider it, which he has that right to do, so we can have another try at it. I compliment him for doing so. I believe this week we will have another chance to pass a constitutional amendment to balance the budget.

I remember when we had this debate some of our colleagues said, ''I believe in a balanced budget, I just do not think we have to have a constitutional amendment.'' But I remember reading some remarks that were made by some people on the other side of the aisle that said we need a constitutional amendment. They voted for it. Actually, on March 1, 1994, I had a resolution that said we should pass a constitutional amendment to balance the budget. Several of our colleagues on the Democrat side at that time supported it. But in 1995, when it was for real, after it had already passed the House, they voted no. That is unfortunate.

You might say, why did they vote no? President Clinton was against it. I wish he was not against it. Everybody in America should know that President Clinton was against a constitutional amendment to balance the budget. If he were in favor of it, I am sure some of our colleagues who did not vote for it would vote to pass it and we could pass it this week. And we should pass it this week.

Maybe there will be an election conversion. I think we have noticed a great deal of flexibility on the part of President Clinton on a lot of issues. Maybe on this issue he would see the wisdom, supported by 80-some-odd percent of the American people who say we should have a constitutional amendment to balance the budget. Most all States have something like this in their constitutions. That happens to work. And we need it in our Constitution.

I look at the words of one of our forefathers, Thomas Jefferson, who said, in 1798:

> I wish it were possible to obtain a single amendment to our Constitution. I would be willing to depend on that alone for reduction of the administration of our Government to the genuine principles of its Constitution. I mean an additional article taking from the Federal Government the power of borrowing.

Thomas Jefferson, 1798. He was exactly right.

I have seen Government spending grow a lot, even since I have been here. If you look at the total amount of Government spending: In 1960 we spent less than $100 billion, in 1970 we spent less than $200 billion, by 1980 we spent almost triple that and went to about $600 billion so you see it growing rather substantially. By 1990 it grew to over $1.2 trillion, and last year we spent over $1.5 trillion. So we have seen spending grow, and grow dramatically.

The present occupant of the Chair, Senator KYL from Arizona, said: Wait a minute, we should have a limitation, a limitation on taxes. I figure maybe a limitation on spending. But we both see the growth of Government growing substantially. For every dollar that Government spends, we have to take it away from the American people, either in the form of taxes today, and/or in borrowing, both of which are taking money from the private sector and putting it in the hands of the public sector.

I happen to think that is part of the problem, because I think that the private sector can spend money a lot better. Families can spend the money a lot better than Government can, than bureaucrats can. I happen to think families care a lot more about education than the bureaucrats in the Department of Education. I think families are a lot more interested in the health of their families than some bureaucrat in the Department of Health and Human Services. I think families are a lot more concerned, families and local communities, about welfare than the massive bureaucracy that we now have, that has 334 federally controlled, Federal defined, federally determined benefits of welfare. I think States and local groups can do a lot better job in job training than when we have 156 different Federal job training programs. They are stacked on top of each other. That is the reason we see spending just going through the roof. So we need to reform it.

How can we do it? If we have the majority votes we do not need a constitutional amendment. Maybe not a simple majority, maybe we need 60 votes because in the Senate sometimes it takes 60 to pass legislation. That is unfortunate. We passed a balanced budget resolution earlier, last month. It was a good resolution. It does lead us. It shows how we can get to a balanced budget in 6 years; not in 7 years, in 6 years. I support that. I think it is a giant step in the right direction.

Some people would say President Clinton offered a balanced budget, and is that not good? I would say it is a marked contrast to what he offered a year ago in January, which had $200 billion deficits forever. So we are making progress. But if you look at the details you realize his budget is not really balanced. The Senator from Arizona quoted the Director of the Congressional Budget Office, who says, ''No, it does not come into balance. Actually his budget, by the year 2002, has an $81 billion deficit unless you have automatic tax increases.''

So, if the economy does not perform as well as President Clinton had anticipated, instead of having automatic spending reductions he has automatic tax increases. I do not think that is a good idea. Then, if you look at some of the other things he has in his budget, they are purely smoke and mirrors. He plays games with Medicare, taking home health care and moving that away from Medicare part A, moving it out, $55 billion.

That is surely a charade. He cannot be serious. But we do have a serious budget.

Some of our colleagues said, ''I support a balanced budget, not the amendment, but I support a balanced budget.'' Well, we passed a balanced budget and we did show, yes, we would cut actually some discretionary spending—it is almost a freeze—but little more than a freeze in discretionary spending.

Take the total amount we spend on discretionary spending, about one-third of the budget. We spend $1.5 trillion, a little over that, one-third of that is discretionary spending. We basically freeze that for 6 years. We cut a little bit more than that from a freeze. President Clinton spends more than a freeze, and he cuts a lot more in defense. But we make that.

Then we curb the growth of some entitlement programs. Some people are really playing scare tactics, trying to scare senior citizens saying, ''Wait a minute, those policies the Republicans have, they're not fair, they're not realistic, they're cutting Medicare too much.''

It is totally false. For example, in Medicare in 1996, we are spending $186 billion. Under our budget in 2002, that figure increases to $279 billion. That is an increase of 42 percent. That is not a cut. That is not a cut. If you look at per capita, last year it was $4,800 per senior. By the year 2002, it is going to be over $2,000 more. That is not a cut. If you go from less than $5,000 and you are spending $7,000, that is over a $2,000 increase per capita in Medicare alone under our budget.

What do we do? We keep Medicare solvent for at least 10 years. President Clinton does not do that. Medicare is going to go broke. Those are just the

facts. He may want to put the facts off, but you cannot fool the people. Actually, Medicare in the first 6 months of this year paid out $4.2 billion more than it took in. You cannot do that indefinitely. You cannot sit back and just let that happen. If that happens, then Medicare is going to be broke and the hospitals and doctors will not be paid.

To me, that is not responsible. Some people may want to play politics and they may think that is going to help them in elections, but I found seniors in my State of Oklahoma are very realistic. When you tell them the facts, they are very mature and very willing to do what is necessary to save the system. Certainly, when you tell them, ''Wait a minute, Medicare is going to grow from $4,800 to $7,000,'' they do not think that is a cut.

What about welfare, Medicaid spending? Actually, in 1996, Medicaid spending was $95.7 billion. Under our proposal, in the year 2002, it grows to $139.5 billion. That is a 46 percent increase. That is not a cut. Medicaid goes up 46 percent in the next 6 years. That is not a cut.

So I just make those two points, Mr. President, because a lot of people say, ''They are slashing the budget.'' Actually, we do not slash the budget. In 1996, we spent $1.57 trillion. In this one year what is estimated to be spent is $1.57 trillion. In the year 2002, we are going to be spending $1.846 trillion. That is an increase of $271 billion, or 2.7 percent per year.

So spending grows every single year. Entitlement spending grows every single year, and we are able to save and keep Medicare solvent for 10 years. And we are able to deliver a balanced budget. And we are able to give some tax relief to American families. We are able to tell families, almost all working families with incomes less than $100,000 in America, if they have children, they will get a $500 tax credit per child. That is in our budget. That is our statement that we really and truly believe American families can spend this money better than Washington, DC, and we can do that and balance the budget.

I have heard President Clinton say he supports a tax credit for children. He campaigned on it in 1992, but he did not deliver it in 1993, 1994, or 1995. As a matter of fact, in 1993, instead of giving a tax reduction, as he campaigned for, he gave the largest tax increase in history, and he hit American families right between the eyes.

He gave an increase in gasoline taxes, an increase for families that are on Social Security income, and a big hit on other families. That is not fair, that is not right, that is not what he campaigned on. Actually, he campaigned, and in his book said, ''We're against increasing gasoline excise taxes.'' Lo and behold, if you look at his tax increase in 1993, there was an increase in gasoline taxes.

Now he says he would be willing to support reducing them temporarily. To me that is not good enough. It shows very much a strong inconsistency on the part of the President. Maybe he was not telling the truth. Maybe he did not level with the American people, but he did exactly the opposite of what he said he was going to do. In his book, he said he was opposed to gasoline tax increases, and in his tax increase, it had a 4.3-cent gasoline tax increase.

The total net amount of tax reduction that we have under the budget proposal that has already passed is $122 billion. President Clinton's net tax reduction in 6 years on his so-called budget is $6 billion. There is no net tax cut for American families under President Clinton's proposal. I think that is unfortunate.

We do have a balanced budget proposal. We do have a road map on how we can get there. We should do it. Thomas Jefferson was exactly right—exactly right. I just hope that my colleagues on both sides of the aisle will look at this and ask, ''What is in the best interest of the United States? Should we not pass a constitutional amendment to balance the budget?''

I think we should, and we should do it this week. Thomas Jefferson was right, Mr. President. I hope that our colleagues will reconsider. I am proud of the Senators on this side of the aisle. We had 98 percent of the Republicans, all but one, voted for a constitutional amendment to balance the budget. I hope that we will have that strong support on this side of the aisle, and I hope a few of our colleagues who supported a constitutional amendment to balance the budget in the past will likewise vote for it this time and give the American people what they really want. And that is a constitutional amendment to balance the budget.

Mr. President, I yield the floor.

The PRESIDING OFFICER (Mr. GRAMS). All time given to the Senator from Georgia has expired.

Under the previous order, there will now be 30 minutes for debate under the control of the Democratic leader, or his designee.

Mr. DORGAN addressed the Chair.

The PRESIDING OFFICER. The Senator from North Dakota.

BALANCED BUDGET AMENDMENT TO THE CONSTITUTION

Mr. DORGAN. Mr. President, it is Monday, and we have had an hour and a half of morning business by the majority party. It is, ''He said, she said, they said.''

And it is, ''President Clinton this'' and ''President Clinton that.''

And it is, ''We have a balanced budget and the other folks don't.''

And it is, ''They are the big spenders and we're the folks who want to put America back on track.''

Let us review exactly where we are, because it is important for people to understand what the business of the Senate is today.

The business of the Senate is to discuss a proposal by the majority party to change the Constitution to balance the budget and require a balanced budget in the Constitution, and the pending order of business in the Senate is a missile program, a national missile defense program, called the ''Defend America Act,'' which will cost, according to the Congressional Budget Office, upward of $60 billion of new spending just to construct—not to operate.

So the same folks who have been treating us to an hour and a half of discussion about the need to change the Constitution to balance the budget are also saying, ''By the way, we want to balance the budget, but we want a new $60 billion spending program, and we want to work on that immediately, and we demand that that money be spent right now.''

Following that, also pending before the Senate, is we also want to cut the gasoline tax, and we also want a very substantial tax cut during the 7 years. All of this from the same folks. ''We want a balanced budget, we want to increase spending,'' they say, ''we want to cut taxes, gas tax and other taxes.'' I do not understand what school they went to. I do not understand what arithmetic book they have studied.

It seems to me to be consistent if one says, ''Let's change the Constitution to require a balanced budget,'' and the very next act of business would not be to bring to the floor an enormously expensive new spending program called the Defend America Act, which is a nice way, a retitling, of saying we want to build star wars again.

Everybody has a right to develop their priorities and to advertise them, however inconsistent they may be. I am going to talk tomorrow about the Defend America Act, or the star wars program. We have had some experience with that. The only one that was ever built, the antiballistic missile program, was built in my State of North Dakota. There is a very large concrete monument to it, a large concrete pyramid that sits up in the hills of North Dakota. In today's dollars, $25 billion was spent in order to construct it, and it was decommissioned the same month it was declared operational—$25 billion. That is called shooting blanks.

But it is all right, I guess, according to some, because it was not their money, it was the taxpayers' money.

That is the attitude of some—anything that explodes, they want to build, any new weapons program they want to construct. Katie bar the door. The sky is the limit. The American taxpayers' credit card is at stake, so let's build it.

The same people who say let us change the Constitution to require a balanced budget, in the next order of business on the Senate floor will also say, let us spend $60 billion on a program that will not really defend America but that they can advertise will defend America.

At another time I will discuss that in greater detail. But first the issue of the constitutional amendment to balance

the budget. There is no balanced budget, contrary to the claims made in the last 1½ hours.

This is from recent weeks on the floor of the Senate. It sat on every desk here in the Senate. It is from the Budget Committee. It is the budget passed by this Senate that advertised it was balancing the budget. It says for the year 2002 that there will be a $108 billion deficit. This is the resolution they said balanced the budget.

Why would that be the case? Why, if they advertise a product they say balances the budget, would it in the text of the bill laying on every desk of the Senate say that in the year 2002 the deficit will be $108 billion? Because they take money from the Social Security trust funds, $108 billion, and use it over in the operating budget to say, ''Oh, by the way, our budget is in balance.''

But technically the law prohibits them from doing that in this legislation, so the only place where you have to tell the truth is right here. And it laid on every Senator's desk. Every one of the Senators who stood up stretched every inch of their height and proclaimed the budget was in balance. Even on their desks it demonstrated they were $108 billion short in the year 2002. But there is nothing in the Senate that prohibits anybody from false advertising or false claims or deciding to boast about whatever they want to boast about. So they boasted this was a balanced budget. Of course, it was not.

But the point I want to make today is that exactly what they did in the budget resolution for this year is what they insist on enshrining in the Constitution. The language in the constitutional amendment to balance the budget enshrines in the Constitution the provision that they shall use the Social Security trust fund surpluses to balance the Federal budget. There would not be one vote in favor of that proposition in the U.S. Senate today if you had to vote up or down on it.

I was here in 1983, serving in the House Ways and Means Committee, when we passed the Social Security reform bill. That bill provided that we begin saving each year—that is, raising more money in the Social Security trust fund—than we spend out through payroll taxes in order to save for when the baby boomers retire.

What is that all about? If you read your history books, you will know that just after the Second World War America had the largest crop of babies in its history. I am told that there was an enormous outpouring of affection and warmth and love when people who had been separated for long periods were reacquainted. And guess what? The war babies, the largest group of babies ever born in this country's history, were born just after the Second World War, just after all those folks came back from fighting that war. They will retire after the turn of the century.

In 1983, the decision was made to begin saving in the Social Security system for when we will need those funds when the baby boomers retire. This year, $69 billion more will be collected in the Social Security trust funds than will be spent out; $69 billion will be accrued as a surplus this year alone.

The proposition that the majority party brings to this Congress is to say this: Let us balance the budget, and let us, in fact, enshrine in the Constitution a provision that will balance the budget by allowing us to take the trust funds in the Social Security system every year and show it over here in the operating budget and claim we have balanced the operating budget.

My colleague from North Dakota, Senator CONRAD, says if you were in business and did that, they would put you in jail. If you were in business and did that, and said, ''By the way, I am going to balance my business budget this year by taking my employees' pension funds, that is how I am going to balance my budget, I will just take their pension revenues and bring it over into the operating budget and claim I balanced my budget or made a profit,'' you would have 2 years of hard tennis in a minimum-security prison, because you cannot do that. You ought not be able to do it in the Congress either, and you especially ought not to be able to do it in the U.S. Constitution.

If the majority party changed section 7 of their constitutional amendment proposal to say that they will not misuse these Social Security trust funds to balance the budget, they would get 75 votes for this proposition. But they will not do that. They will not do that because they understand that to lay their hands on the Social Security trust funds gives them an opportunity to claim they have balanced the budget even while they are pushing their own agenda of more tax cuts, building a $60 billion star wars program. And the fact is, none of it adds up. None of it adds up.

It is interesting. I have seen and heard the three stages of denial about the Social Security trust funds on the floor of the Senate. I will not name the Senators. I could, but I will not. Three Senators.

One stands up and says, ''There are no Social Security trust funds. There are no trust funds.'' That is the first denial. The second Senator stands up and says, ''There are trust funds, and we are not misusing them.'' The second denial. The third denial is the Senator who stands up and says, ''There are trust funds, and we are misusing them, but we promise to stop by the year 2008.'' All three assertions have been made by the majority side of the aisle.

What is it? There are no trust funds? That is interesting. Tell the millions and millions of people who work, who pay into that trust fund every year with payroll taxes, that there are no trust funds, or there are trust funds but we are not misusing them. Explain this. Explain the bottom of the budget document that was brought to the floor of the Senate. Or there are trust funds, we are misusing them, and we promise to stop by 2008. Translated, this means: Allow us to write in the Constitution at least for the next 12 years that we can misuse Social Security trust funds to claim we balanced the budget that is not in balance.

I know people have said, well, there has been switching here and there. Somebody voted for it before, then is against it. Look, when the constitutional amendment to balance the budget was previously brought to the floor of the Senate, Senator SIMON, who spoke not too long ago today, was an author. I raised the question with him about using the Social Security trust funds. The fact is, he wanted a constitutional amendment that would exclude the Social Security trust funds. He proposed that. He favored that. But in order to have a bipartisan coalition, he did not get that. But he said to me on the floor, and he said to others: We pledge that we will not be using the Social Security trust funds. And others did as well. We had a pledge that that would not be the case.

The second time around we not only did not have a pledge they would not use the Social Security trust funds, we had a vote on whether or not they would, and they voted to say, ''We will use the Social Security trust funds.'' Then people say the vote was exactly the same vote under the same circumstances. No, I am sorry to disagree. The first was a promise they would not misuse the Social Security trust funds, and the second was a legislative promise they would. Big difference, a difference that amounts to well over half a trillion dollars.

I want us to balance the Federal budget. I will vote for a constitutional amendment to balance the budget if they will change section 7 to say we are not going to misuse the Social Security trust funds. If they want to do that, they will get 75 votes, in my judgment, for this constitutional amendment. If they do not want to do that, it means they do not want a constitutional amendment and do not intend to balance the budget.

I also say, the most consistent thing they could do, those who allege they should balance the budget by enshrining in the Constitution a provision that they should misuse the Social Security trust funds, the most consistent thing they could do is bring to the floor of the U.S. Senate an agenda that could balance the budget.

I voted for a provision in 1993 that substantially changed expenditures by decreasing Federal spending, increasing some Federal taxes. And the deficit has been decreased substantially. All of us who voted for that experienced some difficulty because of the vote, because it was a hard vote to cast. I am glad I cast the vote. I think we did the right thing. Those of us who cast that vote cast an affirmative vote that says: We stand on the side of reducing the Federal deficit.

We will cast our votes to demonstrate that we will reduce the Federal deficit. I am glad I voted that way. We did not get one accidental vote on the other side of the aisle. Not one. You would think occasionally with a mixup somebody would vote wrong. We did not get one vote on the other side either in the Senate or the House.

They wanted us to do it because it was not easy to do it. We did it. The deficit is coming down. But the deficit will not continue to come down with a menu coming to the floor of the Senate for people that say the next thing we want to do is a $60 billion star wars program. I say to those people, how will you pay for it? Show me the money. Who will you tax to build the star wars program? Will it be like the concrete pyramid we have in the Dakotas, declared dysfunctional the same month it was declared operational, of which $25 billion of the taxpayer money was spent? Is that a consistent kind of philosophy? Does that come from people who really want to balance the budget? I do not think so.

The Senator from North Dakota, Senator CONRAD, my colleague, is on the floor. He also was involved in this discussion about the trust fund, Social Security, the right way to balance the budget, the right way to put something in the Constitution. There is a right and a wrong way to do it. I yield the floor so my colleague, Senator CONRAD, could offer some comments of his on this subject.

Mr. CONRAD. Mr. President, I thank my colleague from North Dakota for talking about the balanced budget amendment that will be offered this week and opening the discussion about what are we really doing here. I think this is one of the most misunderstood discussions in the United States.

When we hear people talking about a balanced budget amendment to the Constitution of the United States, the first question we ought to ask is, what budget is being balanced? It is very easy to talk around this town about balancing the budget. What one finds is there are not many folks who are willing to actually sit down and put their name next to a budget that does, in fact, balance.

What we have over the time I have been in Congress and for the time before I came to Congress, a series of folks who are willing to stand up and say, ''I am for Gramm-Rudman-Hollings. That is a formula that will balance the budget.'' Or, ''I am for a balanced budget amendment to the Constitution,'' without a plan attached to it and without talking very clearly about what budget they are balancing.

I hope people are paying attention because I will give them precisely what this balanced budget talks about. It says in section 7:

''Total receipts shall include all receipts of the United States Government except those derived from borrowing. Total outlays shall include all outlays of the United States Government except for those for repayment of debt principal.''

That is what is included in this amendment. Do you know what this means, colleagues and people who are listening around the country? This means you are including all of the receipts and all of the expenditures of the Social Security system. Social Security is not contributing to the deficit. It is not contributing to the debt. Social Security is in surplus. In 1997, for fiscal year 1997, the most recent estimate is that Social Security will contribute $72 billion of surplus—of surplus. Yet this definition would have us include in the determination of a balanced budget all of the Social Security surplus used between now and the year 2002.

Mr. President, that is $525 billion being thrown into the pot to call it a balanced budget. What a fraud. That is not a balanced budget. There is not a company in America that would take the retirement funds of its employees and throw those into the pot and call it balancing their company's budget. In fact, if anybody attempted to do that they would be on their way to a Federal institution and it would not be the U.S. Congress. They would be on their way to a Federal penitentiary because that is a violation of Federal law. It is a violation of Federal law to loot the trust funds of employees who are going to retire in order to balance a company's budget. Mr. President, that is precisely what is being proposed as a constitutional amendment.

Mr. President, let me say it as clearly as I can. We are talking about enshrining a principle and a policy in the Constitution of the United States that defines a balanced budget as one that uses Social Security trust fund surpluses to achieve balance. What could be more wrong? What could be more fraudulent? What could be a greater violation of the trust of the people that sent us here than to put into the Constitution of the United States, the organic law of this country, a definition of a balanced budget that assumes you raid and loot trust funds in order to achieve balance? Mr. President, I would not vote for that proposition under any circumstances, under any circumstances. I would not vote for that if my life were threatened because that is a fundamental violation of any precept of honesty.

Mr. President, some will say ''Senator, we are engaged in that process now. We loot the Social Security trust funds every year and call it part of the unified budget.'' Mr. President, that is exactly right. That is what we are doing. That does not make it right. We are taking Social Security surpluses and counting them when we report on the deficit of the United States because even though the law says that is not to be done, people put all the funds into one pot. As this chart shows—which I call the budget teakettle of America—it shows the revenues that go into that teakettle. The individual income taxes make up 45 percent of the revenue, Social Security taxes make up 37 percent, corporate income taxes, 10 percent, other taxes 8 percent. That is the money that goes in. The spending that comes out, Social Security is 22 percent, interest on the debt is 16 percent, defense is 16 percent, Medicare is 14 percent, Medicaid is 7 percent, and all other spending is 25 percent.

This shows precisely that is happening. All the money goes into one pot comes out of that same pot. That is the budget they are talking about balancing under this balanced budget amendment. The problem with that is Social Security is in surplus by $70 billion. What they are saying is they will take every single penny of Social Security surplus, throw that into the pot, and call it a balanced budget. That is not a balanced budget. That is an absolute fraud. That is not a balanced budget.

I have a financial background. Before I came here I was the tax commissioner of the State of North Dakota. I have a master's in business administration. Any class for anybody in business school, if you would have said you will take the retirement funds of your employees and throw those into the pot to call it a balanced budget, you would be laughed out of the class if you proposed such a thing. That is the balanced budget proposal that will be before this body. It is not, by any serious definition, a balanced budget.

The only way one could claim a balanced budget would be to take out the trust funds from the calculation. In fact, that is what the law requires. The law says specifically you are not to count Social Security surpluses in making a determination, whether or not you have balanced the budget. We passed that law right here. The Senators overwhelmingly said it is not honest, it is not correct, to use Social Security surpluses to determine whether or not you have balanced the budget.

Mr. President, all of us have been part of budget plans this year. We have had a Republican balanced budget plan. We have had the President's balanced budget plan. I have been part of a group called the centrist coalition, 22 Senators—11 Democrats and 11 Republicans—who have put together a plan. As I said in the Budget Committee, if we are going to be honest with each other and honest with the American people, none of those is a balanced budget plan. Each of them assumes the use of Social Security trust funds to balance by the year 2002. That is not a balanced budget.

In fact, last year I offered the Fair Share Balanced Budget Plan, the only plan that has been offered here that balances without using Social Security surpluses. Mr. President, I recognize that makes it more difficult to achieve balance, but it is the only honest way to get the job done. Mr. President, I am going to oppose, with every fiber in my being, putting into the Constitution of the United States—let us think a minute about what we are talking about here. Let us think about what we

are talking about. We are not talking about passing a budget plan. We are not talking about passing a statute. We are talking about changing the organic law of this country. We are talking about changing the document that has made this country the greatest one in human history. We are talking about changing the document that has provided a protection and a series of guarantees to the American people, unrivaled in world history. We are talking about putting the definition of a balanced budget in that document that says, yes, it is OK to go loot and raid trust funds to call it a balanced budget.

I will tell you, I really have to think, what would Benjamin Franklin think of that? What would Thomas Jefferson think of that? What would George Washington think of that? I do not think that would be a very proud moment in America's history—to enshrine in the Constitution of the United States the definition of a balanced budget that includes raiding every trust fund in sight in order to achieve balance.

Mr. President, that cannot be the outcome here.

Mr. DORGAN. Will the Senator yield?

Mr. CONRAD. Yes.

Mr. DORGAN. I ask the Senator if he has heard this. I have heard people stand on the Senate floor and say this issue you are raising about the Social Security trust funds is a bogus issue. There is a fellow, whose name I will not give, who wrote a piece in the Washington Post that said this is a bogus issue, that the Social Security trust funds are just part of the regular revenues of the Federal Government. Do they just profoundly misunderstand the circumstances here? How would the Senator respond to the folks who try to create kind of a smokescreen and say this is all bogus and none of this means anything?

Mr. CONRAD. I always hesitate to characterize the statements or motivations of others. But I will simply say this. It matters a lot what we do here. You know, sometimes the actions in this Chamber do not matter and the actions in the other Chamber do not matter much. This action matters a lot. Here is why it matters. For those who say, ''Well, we have been doing that; we have been taking Social Security surpluses, so what does it matter that we keep on doing it?'' The reason it matters is because, back in 1983, we saw we were headed for a cliff, for a circumstance in which the Social Security system would be broke. So Congress took action. Congress put into place a system that would assure Social Security surpluses so we would be prepared for when the baby boom generation started to retire. We know now that we have a short period of time to prepare for when those baby boomers start to retire.

The idea is to run surpluses to get ready for when those baby boomers have retired and have 48 million people on the system instead of 24 million, because if we do not have surpluses, we will have to have either an 82-percent tax rate in this country, or a one-third cut in all benefits. Does anybody believe we are going to have an 82-percent tax rate? I do not. That means we are going to have some dramatic cuts in benefits which people have paid into to secure for themselves. So the money is not available.

Mr. DORGAN. I have one additional question. There is virtue in balancing the budget. We ought to care about that and not spending our children's money or charging to our children and grandchildren. There is also virtue in keeping your promise. If you promise you are going to save by taking money out of people's paychecks, and if you say we are going to put that aside in a trust fund, there is virtue in keeping that promise as well; is that correct?

Mr. CONRAD. I think there is not only virtue in it, but it is required that we do it because the hard reality in this town is that while it is true we have been talking Social Security surpluses—about $500 billion so far—this is the tip of the iceberg. We are about to run, over the next 15 years, $2 trillion in Social Security surpluses, and we need every dime of it to be ready for when the baby boomers retire. If we spent it all, squandered every penny, if we deluded ourselves by passing a phony balanced budget amendment to the Constitution, and the baby boomers retire and they go to the cupboard and the cupboard is bare, we are going to have some mighty angry folks in this country, and they are going to ask some pretty tough questions. They are going to ask, ''Where did the money go? I thought you balanced the budget and secured the solvency of the Social Security System.''

Mr. President, the hard reality is that we have been doing something wrong and we have to stop it to prepare for the future. We have to get ready for when the baby boom generation retires. The only way we can do that is to balance the budget and do it honestly, without counting Social Security surpluses. To put it into the Constitution of the United States, to put a definition in the Constitution of the United States that a balanced budget includes raiding and looting the Social Security trust funds is just profoundly wrong. There is no principle in that.

The PRESIDING OFFICER. All time has expired under the previous order.

Mr. CONRAD. Mr. President, I ask unanimous consent for an additional 5 minutes.

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

A BROKEN PROMISE TO THE FARMERS

Mr. CONRAD. Mr. President, on a different matter, on Friday last, I learned that the Republicans on the House side have now broken the promise to farmers contained in the most recent farm bill.

Mr. President, I think everyone in this Chamber remembers that America's farmers were told that if you accept this new farm bill that has sharply declining payments in it and has no safety net for when prices plunge, you will at least be assured that for the 7 years of this farm bill the payments contained in that will be guaranteed. In fact, the proponents of the so-called Freedom to Farm Act told the American farm producers that this is like a contract. In fact, they related it to the Conservation Reserve Program contracts. They said, ''Farmers, at least you will be assured you are going to get payments of these amounts.''

Mr. President, last week, the House Appropriations subcommittee broke the promise, violated the pledge, and said to the American farmers that that was all a trick. We promised you a contract, but we are breaking the contract before the ink is even dry. The farm bill has just been signed into law, and already you might as well throw it out the window because the fundamental pledge and promise has turned out to be a hoax. Not a word of truth is in it because they have cut the transition payments before farmers have even received one—the payments that were supposed to be inviolate, the payments that were supposed to be guaranteed, the payments that were supposed to be a contract. It turns out that they have no guarantee attached to them at all. There is no contract. Farmers are being asked right now to sign up, put their name on the line. But they do not know what they are signing up to because it is very clear from the action taken in the House Appropriations Committee that they can cut the funding for those transition payments any time, in any amount, in any way they want. It does not have to be 7 years of payments; it could be 3. In the first 3 years, they could cut them 50 percent, or they could cut them 80 percent.

There is no contract here. There is no commitment here. There is no guarantee here. All there is is a betrayal, a betrayal of the farmers who trusted those who promoted this approach, who were told, and told repeatedly, that these are sharply declining payments, but at least you can be assured you will be getting what the formula provides over the next 7 years. Now we know none of it is true.

Mr. President, I think those who promoted the Freedom to Farm Act on the basis that it was a guarantee ought to apologize to America's producers. I think they ought to stand up and admit that there are not contract payments here. There is nothing here that is assured. They have sold farmers a pig in a poke. That, I think, was one of the most disappointing betrayals that I have seen in the 10 years I have been in the U.S. Senate; if there ever was a circumstance in which it was absolutely clear what the promise was—with respect to the so-called Freedom to Farm Program.

During debate on the farm bill, Republican Senator after Republican Senator stood on this floor in this Chamber and promoted the bill based on these payment guarantees. Farmers will have certainty. Payments will be guaranteed. Farmers will know how much money they will have to work with each year, they said. Now the truth is out. Freedom to Farm is a fraud. There is no contract. There is no guarantee.

Mr. President, unfortunately, they did not stop. They did not stop in the House Agriculture Committee with breaking the promise on transition payments. They then, after promising a market-based farm program, announced an unprecedented move to put a cap on sugarcane prices at 21.2 cents a pound—unprecedented. This is a market-oriented bill, and farmers are told you will get the benefits of the market. Well, it is a one-way benefit. You get the benefit when prices are going down. When the prices start going up, we are going to put a cap on them. That is an interesting idea of market orientation.

I thank the Chair. I yield the floor.

THE VERY BAD DEBT BOXSCORE

Mr. HELMS. Mr. President, at the close of business Friday, May 31, 1996, the Federal debt stood at $5,128,508,504,892.80.

On a per capita basis, every man, woman, and child in America owes $19,353.72 as his or her share of that debt.

NATIONAL SMALL BUSINESS WEEK

Mr. PRESSLER. Mr. President, this year National Small Business Week will be held from June 2 to June 8. This week is a fitting opportunity for us to recognize the contributions of the many entrepreneurs in our country and reassess policies affecting small businesses.

It has been said many times over, but small businesses really are the heart of our small towns and cities. A full 99.9 percent of businesses in South Dakota are small businesses. In fact, we have only 25 businesses in the State that employ more than 500 people. Entrepreneurs in the local cafe, gas station, hardware store, and pharmacy provide essential services and cohesion for our communities. Farmers and small business people too, contribute to the community. Together, these leaders are the key to our economic strength.

Small businesses operate against overwhelming odds. Burdensome regulations and paperwork, onerous taxes, inadequate access to capital, and excessive litigation all are barriers to success. Congress made good progress earlier this year by passing the Small Business Regulatory Relief Enforcement Fairness Act, which instituted judicial review of regulations. This is a step in the right direction. We should continue on this track and enact workplace safety and Fair Labor Standards Act reforms. I recently spoke with Clark Sinclair, who owns a furniture store in Madison, SD, about the need for flexibility in awarding either earn comp time or overtime. This flexibility would be beneficial for both employees and business owners.

Business men and women should be free to operate without fear that their livelihood is in jeopardy due to unreasonable Government regulation and enforcement. Karla and Richard Hauk are prime examples of the obstacles small business owners face today. The Hauks recently constructed a Days Inn in Wall, SD, believing they complied with the Americans with Disabilities Act. The Department of Justice filed suit against them even as the Hauks made goodfaith efforts to negotiate and comply with the law. Government should work constructively with law-abiding business owners like the Hauks and help them meet legal requirements.

Our tax policy also consistently works against small firms. The current estate tax system is a good example. I am proud to have worked with Senator DOLE on a reform proposal that would alleviate the heavy burden of estate taxes on small family-owned businesses. Currently, estate taxes are so onerous that the inheritors are frequently forced to sell all or part of a family business simply to pay off the taxes. This tax can reach as high as an overwhelming 55 percent of the total value of the business. Many families must sell off all or part of their business or farm just to pay the estate tax. That is wrong.

Congress also should increase the deductibility of health care insurance for the self-employed, increase expensing, and reduce the overall tax burden on small businesses. Many small business owners file personal tax returns for their businesses. Thus, thanks to the Clinton budget plan, many sole proprietorships pay a higher tax rate than the largest corporations in the Nation. Take a business like Malloy Electric in Sioux Falls. Gary Jacobsen employs 65 people but cannot hire more employees because of the high tax burden. This is a business that has been a cornerstone of the community for 25 years, and yet the Government continues to tie their hands.

Despite these obstacles, entrepreneurs strike out on their own—and succeed. I would like to recognize the 1996 South Dakota Small Business Persons of the Year, DeLon and Janice Buttolph, of Labelcrafters Inc. in Sioux Falls. The Buttolph's custom label printing business started in 1987 with just one employee and one small contract. Now, Labelcrafters runs two shifts with 24 employees and continues to grow. The company has received national recognition for producing environmentally friendly labels. As partners in life, as well as partners in business, DeLon and Janice have shown that good small businesses come from families.

I also would like to recognize several other South Dakota small business persons who have made a difference in our State: Shelly A. Knuths, Roscoe Manufacturing Co., Madison—South Dakota Women in Business Advocate; Kenneth E. Yager, K.O. Lee Co., Aberdeen—South Dakota Small Business Exporter; Terry L. Fredericks, attorney for Whiting, Hagg & Hagg, Rapid City—South Dakota Veteran Small Business Advocate; Richard B. Vallie, Native American Herbal Tea, Aberdeen—South Dakota Minority Small Business Advocate; and Mark W. Benson, First Bank of South Dakota, Rapid City—South Dakota Financial Services Advocate. In addition, Doug O'Bryan Contracting, Inc. of Martin, and C&W Enterprises of Sioux Falls, have received the Administrator's Award for Excellence for their outstanding performance as prime contractors under Federal contract.

These individuals are today's real heroes. They are creating jobs and prosperity in South Dakota small cities and towns. They are overlooked too often. This week we should take time to recognize their leadership and accomplishments. My congratulations to these and all other South Dakota entrepreneurs who daily make a difference.

HONORING KENTUCKY SMALL BUSINESS PERSON OF THE YEAR, BOB PATTERSON

Mr. FORD. Mr. President, I rise today to pay tribute to Mr. Bob Patterson of Louisville, KY, who has been selected as the Kentucky Small Business Person of the Year by the U.S. Small Business Administration.

Bob Patterson is the President, CEO, and partner of Consumers Choice Coffee, Inc., a coffee distributor in Louisville, KY. Under Bob Patterson, who has been involved with the coffee industry for 18 years, Consumers Choice Coffee has grown to become Kentucky's premier coffee company. Consumers Choice Coffee maintains an exclusive contract to supply more than 200 McDonald's restaurants in addition to supplying many upscale restaurants.

In 1990, when Bob became president and chief executive officer, Consumers Choice Coffee was entering into the worst period in its history. With losses in both profits and sales, Bob had his hands full. He concentrated on expansion, developing new product lines and reeducating his employees to improve customer service. Consumers Choice began to gain new customers. The company began to supply not only coffee, but equipment and service agreements.

As the company was beginning to improve, coffee prices were driven up do to a frost in Brazil. Bob advised his customers on this long-term crisis, and helped them to prepare. Again, more vendors came to rely on Consumers Choice Coffee because of its strong commitment to meet the needs of its customers.

Today, Consumers Choice Coffee, Inc. is a well known name in Kentucky's restaurant industry. It has an ever growing clientele of restaurants and other vendors. The company has Bob Patterson to thank. Bob has displayed great determination in the face of adversity. He sets an example of dedication of business and commitment to his customers that should be followed by small business persons across my State and the Nation. I am happy that Bob is being recognized for all of the good work he has done. I congratulate him on this significant accomplishment and wish him many future years of success.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, all time is elapsed, and morning business is now closed.

DEFEND AMERICA ACT OF 1996—MOTION TO PROCEED

The PRESIDING OFFICER. The Senate will now resume consideration of the motion to proceed to S. 1635, which the clerk will report.

The assistant legislative clerk read as follows:

A motion to proceed to the consideration of S. 1635, a bill to establish a United States policy for the deployment of a national missile defense system, and for other purposes.

The Senate resumed consideration of the motion to proceed.

Mr. THURMOND addressed the Chair.

The PRESIDING OFFICER. The Senator from South Carolina.

Mr. THURMOND. Mr. President, last Thursday the majority leader sought to proceed to the Defend America Act of 1996, but was blocked from doing so by those on the other side of the aisle who do not want the President to sign or be forced to veto this important legislation. These Senators may be able to block passage of the Defend America Act, but they will not be able to cover up the fact they and President Clinton have concluded that the American people should not be defended against ballistic missile attack.

Of course, the President has said that he favors ballistic missile defense. But his actions contradict this words. Since elected, President Clinton has cut funding for ballistic missile defense every year. No program has been cut more drastically than the National Missile Defense Program. The Defend America Act seeks to reverse this disturbing trend and to set a measured course toward the deployment of an affordable national missile defense system to protect all Americans.

In his recent speech to the Coast Guard Academy, President Clinton asserted that his fiscal year 1997 budget request includes $3 billion for national missile defense. In fact, it includes $2.8 billion for all ballistic missile defense technologies and programs and only $500 million for national missile defense. This amount is insufficient to fulfill even the goals of the President's own 3-plus-3 development program. Ironically, if it were not for continued Republican pressure on the administration, the President would not have developed even this figleaf of a plan.

The President and his allies in Congress have spent more time developing excuses for why we should not commit to a national missile defense deployment effort than they have in looking at the dire consequences of not going ahead with such a program. But like all such excuses, these ring hollow.

The President and other opponents of national missile defense have asserted that there is no threat to justify a commitment at this time, that we should wait 3 years before we even begin to think about a deployment decision. But in 3 years, North Korea could be on the verge of deploying an intercontinental ballistic missile and other rogue countries could be well along this path.

The opponents of national missile defense have also asserted that a commitment at this time could lead to technological obsolescence at the time the system becomes operational. If this argument were extended to other defense programs, we would never build another bomber, fighter, ship, or tank. Versions of this argument have been made time and again, each time opponents of a major defense program spin up the excuse making machine.

A national missile defense system developed pursuant to the Defend America Act will be no more outdated than one developed under the Clinton administration's 3-plus-3 plan. In fact, it would likely be more modern and technologically sophisticated, given the robust testing and focused development called for in this legislation. Under the Clinton plan, technology development will languish and many companies will soon pull out of the business altogether. Ironically, the technologies that would be pursued under the Defend America Act are the same ones that the administration is also developing. The main difference is that the Defend America Act would require us to get serious rather than sitting on our hands as we have been doing for the last 3 years.

The best way to ensure that we deploy a modern and operationally effective national missile defense system is to get an initial system fielded quickly, then upgrade and build upon this first piece as necessary. Contrary to what the President and his nay-saying supporters assert, readiness to respond to a threat does not come by keeping technology bottled up in a laboratory. Anyone familiar with manufacturing and technology development will confirm that the way to improve the state-of-the-art is to get started, gain operational knowledge, and then build on this experience in an incremental manner. This is the cost-effective, low-risk approach advocated in the Defend America Act.

Perhaps the most telling argument made by the opponents of the Defend America Act is the assertion that it would threaten arms control. In fact, the only thing it threatens is the status quo with respect to the ABM Treaty. The Defend America Act does call on the President to seek amendments to the ABM Treaty, which most opponents do not want to see happen. But, since it is awkward for them to be seen as more interested in defending an outdated treaty than the American people, other excuses have to be found. Hence the argument that START II might be jeopardized.

But there is no reason why the Defend America Act should in any way jeopardize START II or United States-Russian relations. Russia already has an operational national missile defense system, so obviously they cannot believe that such a deployment is destabilizing. More important, during past negotiations, Russia has demonstrated a clear willingness to amend the ABM Treaty. Unfortunately, the Clinton administration is only interested in making the ABM Treaty more restrictive rather than finding a way to loosen its grip on our missile defense programs. The fact that the United States and Russia were on the verge of agreeing to amend the ABM Treaty at the same time as START I was being concluded clearly illustrates that keeping the ABM Treaty is its current form is not a prerequisite for concluding strategic arms control agreements. We should remember that it was the Clinton administration and not the Russian Federation that ended the negotiations to expand our rights to deploy national missile defense.

Mr. President, as I have said many times before, the Defend America Act is a balanced and responsible piece of legislation. I am very disappointed that the President is seeking to prevent the Senate from voting on this important bill. If he is opposed to it, it is his right to veto it. But the American people deserve to know the President's position. In my view, procedural maneuvers and misleading arguments will not cloak those who seek to keep America defenseless.

Mr. President, I yield the floor.

Mr. KYL addressed the Chair.

Mr. THURMOND. Mr. President, I am going to yield to the able Senator from Arizona [Mr. KYL] at this time.

The PRESIDING OFFICER (Mr. CRAIG). The Senator from Arizona.

Mr. KYL. Mr. President, I thank the Senator from South Carolina, the chairman of the Armed Services Committee, for yielding but also for his leadership in this area.

I think two of the people who we have most to thank for bringing this matter to the attention of the Senate are our majority leader, BOB DOLE, and the chairman of the Senate Armed Services Committee, Senator THURMOND. It is Senator DOLE who wanted to ensure that before he left this body we had an opportunity to vote on and pass the Defend America Act. I agree with Senator THURMOND that our Senate colleagues ought to ensure that we

have an opportunity to vote on this important measure by ensuring that we vote for cloture tomorrow when we have that vote. So I appreciate Senator THURMOND's leadership on this matter.

Mr. President, before I proceed, I ask unanimous consent that Dan Ciechnowski, who is a fellow in my office, be allowed floor privileges during the pendency of this matter.

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

Mr. KYL. Mr. President, let me begin by discussing some of the details of this legislation because I think when our colleagues focus on precisely what it says, it is awfully hard to disagree with any of it. And in fact I cannot imagine that anyone would vote against the Defend America Act of 1996 except for purely political reasons. That would be most unfortunate because there is nothing more important that the Senate and the House and the President have as our responsibility than defending America. That is the first obligation of the U.S. Government. And to continue to allow the situation which currently exists, which is that the United States is totally vulnerable to a missile attack by any enemy in the future, is intolerable. We need to get about the business of ensuring that we can solve this problem, that we can deploy an effective system for defending against ballistic missiles, and the way to do that is to pass the Defend America Act. It is the necessary first step in this effort.

Let me begin by noting the provisions of the act itself. And if anyone wants to disagree with any of these provisions, I invite them here to the floor to engage in that debate. I do not think anyone can logically disagree with the provisions of this act.

Mr. President, people will disagree with other things. They will make up an argument about what we are really intending to achieve here, and they will argue against that. It is called red herrings. Or they will set up straw men which they will attempt to knock over. They will assert that we are trying to reestablish the Reagan administration's space shield to prevent a nuclear attack by the then Soviet Union. That is not what this is all about. They will argue about star wars. They will argue about $60 billion expenditures. None of that is what we are talking about here.

So I am going to focus specifically on what this act says, and I would ask those who come to argue against it to confine their remarks to this act, not some perceived or imaginary piece of legislation that they may wish to defeat but rather that which is before us right now.

It is called, as I said, the Defend America Act of 1996. Majority leader BOB DOLE is the sponsor. I can think of no more fitting tribute to BOB DOLE than for his Senate colleagues to allow us to vote on this important matter. They can then vote their consciences on whether they want to defend America or not but give the majority leader the right to vote on this important proposition.

I guarantee you that if we do not have that right, Republican candidate BOB DOLE is going to be talking to the American people throughout the length and the breadth of this country to remind them that today the United States has no ability to defend against a ballistic missile attack by another country.

Mr. President, that does not have to come to China and Russia, the two countries that today have the capability of launching intercontinental ballistic missiles against the United States. It can come in the form of an accidental launch from one of those countries or another country. It can come in the form of a limited attack either against our troops stationed abroad, against our allies, or against parts of the United States that are within reach today or soon will be within the reach of ballistic missiles of other nations like North Korea, for example.

It is interesting just parenthetically that one of the studies which said there was no threat to the United States in the near term, that is, before the end of the century, relied upon the notion that the definition of United States was the lower 48 States. Well, as I recall, Alaska and Hawaii have been States for some time now and the citizens of those States would be a bit surprised to learn that colleagues in the Senate do not think it important to defend that because they are not part of the lower 48.

Mr. President, every veteran of World War II knows how the war in the Pacific started. It was an attack on Pearl Harbor in Hawaii, not even then a State but obviously part of the United States in terms of our defense at risk, and we went to war over that. To suggest that because there is not a threat to the lower 48 States today, we should not begin to prepare against the contingency when that threat will exist or to prepare to defend other Americans who do not live in the lower 48 States is irresponsible, and therefore I would urge my colleagues, as I said, to allow us to at least vote on this Defend America Act.

Here are the findings in the act. First, that the United States has the technical capability to develop and deploy a national missile defense system.

There is no disagreement about this. There is disagreement about exactly which system to deploy. The administration has its favorites. Others have their favorites. But there is no disagreement about the fact that the technology is here.

Second, the threat posed to the United States by the proliferation of ballistic missiles is growing. The trend is toward longer-range missiles including those with intercontinental reach.

Again, intelligence estimates make this point clear, and the President himself has declared an emergency based upon this threat of proliferation.

Third, there are ways for determined countries to acquire intercontinental ballistic missiles by means other than indigenous development.

Of course, that is true, and it is an important point to make because it is not the threat that a country beginning today will after a period of years figure out how to build one of these weapons, but it is also the case that countries around the world are trying very hard to buy components and even completed systems from other countries. This is why the sale by either Russia or China of part or whole of a missile system or a weapon of mass destruction is so disconcerting because countries do not have to develop them indigenously; they can buy them or buy the key components from other countries, and that is why the threat will occur sooner rather than later.

Fourth, the deployment by the United States of an NMDS, National Missile Defense System, will help to deter countries from seeking long-range missiles.

That, too, should be obvious. It is clear that to the extent we have a defense against such weapons, it does not make sense for another country to expend a lot of resources to develop those kinds of systems. It is very much one of the reasons why the Soviet Union collapsed and why the Soviet Union decided at a certain point that it would not be able to defeat the United States militarily, notwithstanding its very strong intercontinental ballistic missile system, because Ronald Reagan was preparing to develop and eventually deploy the Strategic Defense Initiative, a system which would have been able to thwart such attack—not defeat it completely but to preclude it from succeeding completely and therefore allowing the United States the opportunity to respond with our own offensive deterrent capability. And that potential for development of SDI, as it was then called, was enough to cause the Russians to throw in the towel with respect to that matter. And it was one of the reasons why the Soviet Union eventually collapsed.

And that is not just me talking. There are several Russians who were in power at the time who confirmed the fact. The same thing is true of much less powerful and less wealthy nations than the Soviet Union of old, talking about countries like Iraq, Iran, North Korea, Libya, countries that may well desire to develop these weapons today knowing that we have no defense against them but if we had such a defense would perhaps turn their attentions elsewhere.

The next point of the bill is that the danger of an accidental missile launch has not disappeared and deployment of an NMD system will reduce concerns about this threat. That should be obvious and require no further explanation.

Next. Deployment of an NMD system can enhance stability in the post-cold-war era. The United States and Russia

should welcome the opportunity to reduce reliance on threats of nuclear retaliation as the sole basis of stability.

This should be obvious, Mr. President, but it is interesting, and even paradoxical, I would say, that there are still some people in the Government and perhaps even here in the Congress who believe we are more stable in an unstable environment than we are in a stable environment.

That may sound counterintuitive, but there used to be an argument that if we were very vulnerable to an attack and if our opponent at that time, the Soviet Union, was also very vulnerable to an attack, that neither one of us would dare to attack each other. It was called ''mutual assured destruction.'' If they would attack us, then we would attack them, and we would both destroy each other. Some people believe that was one of the factors that precluded either country from attacking the other during the cold war, and it may have had some impact.

But that is no longer the situation we face today, Mr. President. There is no longer a Soviet Union threatening to destroy the United States, and certainly we have no pretensions in that regard. There is a Russia with a lot of nuclear weapons, some of which could, by mistake, be launched against the United States; some of which could, by mistake, find their way to the hands of people who are not very friendly to us. Certainly the Chinese are developing weapons that they do not have a need to develop.

But the real threat today is from countries arrayed around the world that would do us harm, that have foreign policy interests inimical to ours, and that would use these weapons as threats. They are weaker countries than ours. We do not have to worry about them attacking us with these missiles in order to defeat us militarily. That is not the point. The concern is they would use these missiles in order to thwart us from achieving our foreign policy goals.

For example, we know 5 years ago during the time of the gulf war, the vote in Congress to try to kick Saddam Hussein out of Kuwait was a very close vote in both the House and the Senate. Among the concerns people had was the threat of loss of life to the U.S. military in trying to repel Saddam Hussein. If we had known at that time that Saddam had a nuclear weapon capability and the missiles to deliver those weapons—not just to the United States but, let us say, to Israel, to London, to Rome, to Paris, to Cairo, wherever—would the United States Congress, knowing that, have then decided to vote to use military force to repel Saddam Hussein? I think it is a very close question, and I am not certain what the answer would have been.

Put it another way. Would the European allies who joined what was then called the ''grand coalition of nations'' to defeat Saddam Hussein, knowing he had weapons that could reach their capital cities, would they have been as willing to come to the aid of Kuwait in that instance? I think the answer is obvious.

The point is that countries who would use these weapons today would use them, not in an all-out attack on the United States—nobody is suggesting that—but as a means, in effect, of blackmailing the United States. The most recent expression of this was a Chinese leader who said, with respect to the desire of the United States to come to the aid of Taiwan, ''You better think twice about this, because we really do not think that Taiwan is as important to you as the lives of the people in Los Angeles.'' Would the United States be willing to go to war to protect Taiwan if it knew that China would launch a missile against the people of Los Angeles?

Well, it causes you to think. Any President of the United States would have to think very, very carefully about asking the Congress for authority to use force in a situation that did not directly involve the United States if the force that we were attempting to take action against, or might take action against, if that country had a nuclear weapon or a chemical or biological weapon that could be delivered to a United States city or to the city of an ally in Europe or some other place in the world. That is the threat that currently exists and that will exist in the near term before those missiles have the capability of hitting the United States.

And, yes, Alaska and Hawaii are a part of the United States. The North Korean missile will be able to hit those States before it will be able to hit, I suppose, California or Arizona or Idaho. But that is still part of the United States, and therefore the threat is sooner and closer, not farther away.

In any event, I think it is fairly clear that both the United States and Russia should welcome the opportunity to reduce the reliance on threats of nuclear retaliation as the sole basis of stability, because it is not realistic to expect that the United States would obliterate the people of Iraq, for example, with nuclear weapons if Saddam were to engage in some other act of aggression in the Middle East today. It is just not realistic to expect that the United States would do that.

Finally, the authors of the ABM Treaty envisioned the need to change the treaty as circumstances changed, and they provide the mechanisms to do so in the treaty. We note that in the findings of the Defend America Act. Then we say the United States and Russia previously considered such changes and should do so again.

As we note later on in the act, it may be necessary for us to approach the Russians to discuss questions of amending the ABM Treaty so that both of our nations will be free of the constraints currently imposed by that treaty that do not permit us to defend ourselves against missile attack, or at least adequately defend ourselves.

Next we come to the National Missile Defense Policy. There are two specific policy goals stated in the act. The first is the deployment by the end of the year 2003—that is 8 years from now—of an NMD system—

> . . . capable of providing a highly-effective defense of the territory of the United States against limited, unauthorized, or accidental ballistic missile attacks; and
>
> (2) [which] will be augmented over time to provide a layered defense against larger and more sophisticated ballistic missile threats as they emerge.

The second goal or policy is:

> . . . cooperative transition to a regime that does not feature an offensive-only form of deterrence as the basis for strategic stability.

Let me take them in reverse order. The second is one I already discussed, cooperatively transitioning to a situation in which the powers of the world are not engaged in threats against each other as the method by which to deter an attack against them; the idea that if you attack us, we will attack you. There ought to be a more humane and logical way of keeping peace in the world, and that is to have the capability of defending ourselves as the best way of deterring an attack.

That is so for an additional reason that should be obvious, but I will simply note it quickly. There are a lot of regimes in the world today that do not have the stability and the interest in peace that the United States and the Soviet Union had during the cold war. As belligerent as we believed the Soviet Union was, we recognized that it was led by rational people who understood the enormous power of nuclear weapons and the devastation and the tragedy that could be loosed on the world if they were ever to pull the trigger of those weapons. That is why they were not used.

That same cannot be said for some of the leaders today. There are people in the world today, leaders who have already said that, if they had the ballistic missile capability, they would use it against the United States. Mu'ammar Qadhafi of Libya is one such person who has said precisely that. I think there is no doubt that countries led by the current leaders of Iraq, Iran, and perhaps other nations—North Korea is certainly not a stable nation today either and other countries could evolve in the future—do not have the same degree of stability that the United States and the Soviet Union had in the past. To rely upon the idea of deterrence without defense, given these kinds of regimes loose in the world today, is clearly not in the best interests of the people of the United States.

Let me get to the first of the policy goals, because there is some disagreement about this goal. It has really three components to it. First of all, deployment by the end of the year 2003 of an NMD system. Opponents say 2003 is too specific, it is too soon, we really need more time. If we had more time we could develop an even better system.

Mr. President, I am guilty of that same kind of logic when it comes to buying computers. There is going to be a better computer 6 months from now and a year from now. If we maintain that point of view, of course, we would never buy a computer. I know the same thing is true about cars. It is true about virtually everything in our technology area today. But when it comes to defending ourselves against ballistic missile attack, when the threat is here and now and certainly will be before us by the year 2003, I do not think it makes sense to say let us wait a little longer because better technology will come along in the future.

Sure it will. That is why we say in the act that we should deploy a system by the year 2003 with the capability of adding additional layers and technology as time goes on and as threats evolve. That is precisely why we say let us start now with something that is relatively simple and have the capability of making it more robust as the threats further clarify and emerge and as we have the capability of doing so.

What is the capability that people argue about? We say deployment by the end of 2003 of an NMD system capable of providing a highly effective defense of U.S. territory. Any argument about that, providing a highly effective defense of U.S. territory?

. . . against limited, unauthorized or accidental ballistic missile attacks;

Is there any reason why we should not provide defense against those three things? Are they all three legitimate threats? Yes, any intelligence source will identify ''limited, unauthorized or accidental ballistic missile attacks'' threats in the near term.

The third principle is:

. . . and will be augmented over time to provide a layered defense as larger and more sophisticated threats emerge.

Precisely as I said before: The goal is to employ what we can at the time a limited threat is before us, to be able to meet that threat and then build on that system as our capabilities increase and as threats might later emerge. Those are the two policy goals in the bill.

What do we call for in terms of architecture? There has been a lot of criticism of the bill on the ground it is going to cost too much. That is literally untrue, because the bill does not identify a particular system. It is like going to a broker, as Majority Leader BOB DOLE has said. I go to a real estate broker and say, ''I would like to buy a house.'' The broker says, ''I can get you one for $40,000 or I can get you one for $4 million. Which do you want?''

Obviously, there is a big range between $40,000 and $4 million in houses, just as there is a big range in the kind of thing we could buy here to defend ourselves, and it certainly depends on the kind of threat we see emerging, the degree of our technology we want to put in place at any given time and a variety of other factors.

What we said is the President should decide. So if the President and his supporters claim it is going to cost too much, it is because they choose a system that is going to cost too much, because the bill allows the President to decide which system to buy and which system to deploy.

You cannot have it both ways, Mr. President. You cannot say you want the ability to decide which system and then also say that it is going to cost too much. If it costs too much, it is only because you bought one that costs too much.

But the reality is, we are all pretty much agreed on what we need, and it is not too expensive. My guess is it will be less than $2 billion a year for the next 10 years out of a defense budget of $265 billion each year. That is not too much to pay to protect the American people from attack.

In any event, what we call for here is components which would be developed for deployment and would include the following things:

(1) An interceptor system that optimizes defensive coverage of the United States . . .

Obviously, you want to optimize coverage. A single ground site would not optimize coverage. That is all that is allowed by the ABM Treaty, and that is why we have to deal with the ABM Treaty later on. We say it can be either ground based, sea based or space based, or any combination of these basing modes.

Typically, the criticism of the Missile Defense Act is we are talking about star wars, a massive shield of space-based satellites that would protect the United States from any conceivable attack. That is what was contemplated back during the cold war when the threat from the Soviet Union required us to develop that degree of protection. That is no longer necessary. Nobody is talking about that, and that is why we say either ground based, sea based or space based, or any combination of these.

Probably what would be developed first is a sea-based system or a ground-based system, and then later they would be integrated. The only components in space, at least to begin with, is the satellite that detects the launch. We already have that, and everyone agrees that we need to have a satellite in space that can detect a launch, wherever it might occur, and communicate the information about that launch to the system, whichever it is, sea-based or ground-based.

Obviously, we need fixed-based ground radars. If we have a sea-based system, we also need radars on our Aegis cruisers. We already have them, so that is a zero-cost investment. We have 40-plus Aegis cruisers and destroyers out there with this radar already on there, and fixed ground-based radars already exist.

We need space based, including a space and missile tracking system. This is a satellite that would be able to detect a launch and communicate that information as it tracks the adversary's missile through space.

Finally, battle management, command, control, and communications. Everybody understands the need for that.

Those are the components. Nothing new there, nothing wild, nothing exorbitant, no space shield, as some people have suggested.

Section 5 of the bill talks about implementation of the National Missile Defense System and specifies certain actions that the Secretary of Defense must take in implementing the NMD policy. This is an area where there is some disagreement, because we say specifically the President should initiate actions necessary to meet the deployment goal. That includes conducting by the end of 1998 an integrated systems test. This is one of the milestones, one of the mileposts, along with actually deploying a system that would need to be achieved in order to achieve the deployment by the year 2003.

We talk about using streamlined acquisition procedures. I do not know who can disagree with that. That will certainly save money and time.

Finally, we talk about developing a follow-on NMD program. Some opponents find this, and say, ''Aha, we finally discovered the problem with your Defend America Act, because you require a follow-on NMD program.''

All that means is we are not going to freeze everything in place and forget about the development of future threats. We are going to provide for the technology to meet those threats as they evolve. That is all that means.

Section 6 of the bill requires a report on the plan for NMD development and deployment. It requires the Secretary of Defense to submit a report to Congress by March 15, 1997, which addresses the following matters:

First, the Secretary's plan for implementing the NMD policy, including a description and discussion of the NMD architecture selected. That should not be any problem.

Second, the Secretary's estimate of the cost associated with the NMD. Tell us how much the system you choose is going to cost.

Third, an analysis of follow-on options. We need that to evaluate properly what we are going to have to spend and develop in the future.

Finally, a point at which NMD development would conflict with the ABM Treaty. This is very important, because some people rightly say there is a point beyond which the United States could be in violation of the ABM Treaty if we deploy a system that is capable of defending us.

That is true. Unfortunately, the irony is the only kind of system that is permitted under the treaty today probably would not defend the entire United States, at least very effectively, at least against much of a threat. That is why most everyone agrees we need more than a single site, land-based system. To do that, we have to reopen the ABM Treaty, and that gets us into section 7, policy regarding the ABM Treaty.

Let me back up. The bill itself notes there is already in the ABM Treaty a policy established for amending and otherwise dealing with changes to the treaty. They include the following:

We would urge the President to pursue high-level discussions with Russia to amend the ABM Treaty. The ABM Treaty allows for its amendment.

Second, any amendment must be submitted for advice and consent to the Senate. Everyone knows that.

Third, the bill calls for the President and the Congress to withdraw from the treaty if amendments are not produced within 1 year. That, too, is called for in the ABM Treaty. If it is in the interest of the United States to withdraw from the treaty because we have not been able to amend it to our satisfaction, then we have that right under the treaty.

What the bill calls for is a longer period of time, 1 year, than the treaty itself calls for, 6 months. So, Mr. President, I do not see how anyone could object to the language in the Defend America Act that says we tried to amend the treaty, if we need to, and if we cannot, then after a year withdraw from it. Frankly, I would be in favor withdrawing earlier than a year, but we provide that much leeway to the President of the United States.

I have now described the act, Mr. President. What is there to disagree with here? The only thing, as I said, I think a reasonable person could disagree with is the specifying of the year 2003 for the actual deployment of a system, and on that reasonable people could differ.

Should it be 2003? Should it be the year 2000? Should it be the year 2005? Or should it be a flexible date? Reasonable people can differ about that.

As to everything else in here, I fail to see how any reasonable person interested in the defense of the United States could find disagreement with the words of this act. I really challenge my colleagues to come down here and point out what they would disagree with except for this date of 2003.

Let me address that again just a little bit. As I said before, one of the arguments is if we lock that date in we will be locking in technology. That is true with any system that we ever have purchased on defense. But sometimes threats are upon us and we have to go with what we have.

We have been working on missile defense for a long time. In fact, one of the criticisms of the missile defense program is we have been spending $30 billion on this for well over a decade. That is true. And critics say we do not have anything to show for it. That is not true. We have a lot to show for it.

We have a lot of technology that is just ready to be developed and deployed if somebody will just let us do it. That is what this act finally says: You have been critical of us for spending the money and not developing or deploying it. All right. Agree with us that we are going to get on with the job.

The only way to do that is to specify a date, because if we do not, Mr. President, we will continue to go on and on and on and on without ever deploying, always saying, ''Well, there's something just right around the corner that is even better.'' It is a Catch-22 for those of us who support missile defense. We say, ''OK, we'll wait for something better.'' And our critics say, ''You haven't deployed any, and you've gone at it for 15 years and spent $30 billion.''

Mr. President, my point is, let us set a date, take the technology we have in hand, which is very good, and plenty good to defeat the kind of missile technology that would be used against us in the foreseeable future, and deploy a system that we know we can deploy. We have done this with weapons systems that we have acquired throughout the last several decades.

Many of the systems we have acquired have the built-in capability of being upgraded to more robust or sophisticated systems as time goes on. That is precisely what we call for in the Missile Defense Act. Let us start with what we can build by the year 2003, and, as we say, as technology improves and the threat evolves, we will have follow-on systems.

Some opponents of the act have objected to the act because it allows us to do that or calls upon the Congress and the President to do that. But it clearly is nothing more than good sense. And it is really the same argument that opponents have used against us saying, well, there will be better technology later on. That is right. So let us make sure the system we deploy has the capability of taking advantage of that technology as we develop it.

Mr. President, there is another advantage to actually getting a deadline in the statute. It focuses the planning efforts. It breeds efficiency because it gives the defense planners a specific time line for developing and for doing the research, for doing the testing and then for acquiring, actually bending the metal, as they say, for acquiring the systems and for getting them deployed.

If you do not have a specific deadline, you never have this kind of efficiency, you never have the certainty of the schedule that is required for the researchers and the contractors to get along with the job, let alone the procurement officers in the Department of Defense. So you need a deadline. We have this with every other weapons system that we procure. We have specific dates, specific time lines and we achieve our goal by developing those time lines with a certainty at the end. If you do not have a specific date, you are never going to get there, at least not in any efficient way.

Finally, I argue that specifying a date for development, and selecting the date of 2003, is probably the best way for us to prevent the development and deployment of ballistic missiles by these rogue nations that we fear, nations that cannot ever defeat us militarily, but certainly nations who can thwart our conduct of foreign policy and can do us great harm and do harm to our allies and forces deployed abroad.

If we actually make it clear that we are committed to deploying a system, let us say by the year 2003, then I think that nations that are not very wealthy and that have a hard time acquiring the components or the completed systems will perhaps turn their attention to other methods for trying to throw their weight around. But as long as they know that nobody in the world is committed to deploying a system by any particular time, there is no reason for them not to proceed with their plans to buy the missiles or to develop the missiles and to develop the warheads that go on them, whether they be nuclear, biological, or chemical. And that is why we want to specify this date of 2003.

There has been recently an argument about the cost. And it is too bad that this argument had to come at the time that it did because it is a totally bogus argument, yet I know some of our opponents will use it against us. It is the Congressional Budget Office analysis of the cost of such a system.

But if you read the analysis carefully, rather than just spouting the rhetoric of those who oppose a ballistic missile defense system, if you read the analysis carefully, you realize that CBO did not say that the system would cost somewhere between $40 and $60 billion or $14 and $40 billion or whatever the figures people like to throw around. What the CBO said was, well, it all depends on what you buy. If you buy everything that has ever been talked about, something that nobody is proposing, you could even spend up to $60 billion. My guess is you could spend more than that if you really wanted to buy everything that anybody had ever talked about.

But the cold war is over. We are not talking about that anymore. I read you the Missile Defense Act. We are not suggesting a space shield, so we are not talking about the system that could cost that kind of money.

Instead, what the CBO said with respect to what we are really talking about is this. I want to quote from the CBO analysis. We are talking about an initial defense. I will quote.

> This initial defense would cost $14 billion, about $8.5 billion for the ground-based system and $5 billion for the SMTS space-based sensors. The ground-based system could cost roughly $4 billion less if the Air Force's proposal for a Minuteman-based system was adopted.

They should have said ''were adopted.'' Then they go on to discuss other kinds of options.

The point is, that it all depends which house you choose to buy, as the majority leader analogized here. Do you want to buy the $40,000 house, the $80,000 house, the $150,000 house? Do you want to buy five houses at $4 million each?

What the CBO said was, well, if you bought everybody's idea of a neat house, it would cost a lot of money, might cost $60 billion. We are not talking about that. Let us not have any rhetoric from the opponents of this bill that it could cost up to $60 billion. CBO itself says what we are talking about would cost $14 billion. Mr. President, actually the administration has said that it would be less than that. The Secretary of Defense has said the system that they like would cost $5 billion.

I do not know whether it is $5 billion or $14 billion or something in between. In fact, they note it actually could be $4 billion less if the Minuteman-based system was adopted. That would be $10 billion. I do not know which of these figures is correct. But we are talking about deploying a system over the next 8 years or so.

If you divide $10 billion into 8 years, that is a little over $1 billion a year. That is hardly something that we cannot afford in the $265 billion defense budget when we are talking about protecting the lives of Americans and conducting our foreign policy without being blackmailed by these tinhorn dictators around the world.

So I think with respect to cost we should understand that we are talking about a system that is probably in the neighborhood of $5 to $10 billion, maybe $14 billion, maybe $20 billion at the most to do it the right way, but $14 billion according to the CBO's suggestion of an initial deployment.

I also note that CBO, in its estimates, apparently included O&M costs, operations and maintenance costs for a period of 10 years in some of their estimates. That is not ordinarily used to calculate the cost of acquiring any weapon systems. You understand both the acquisition cost and you understand the cost of acquiring it and operating it for 10 years; but ordinarily you do not describe as the acquisition cost the additional costs of O&M for another 10 years, which is what apparently CBO did. So one better be very careful about throwing these numbers of the CBO estimate around, Mr. President. They do not support the argument that this is too expensive.

Anybody that wants to make that argument is going to have to answer to the American people the first time that Americans are killed because somebody has launched a missile against them, and answer the question what price their lives were worth.

As a matter of fact, let us just stop and think for a moment, Mr. President. It was only 5 years ago that 28 Americans were killed by a ballistic missile launched by Saddam Hussein during the Persian Gulf war. The largest number of Americans killed in a single attack, 28 Americans died because we could not defend against a ballistic missile.

That was in a theater that was far away. That was in a war that we were fighting. But let us move it just a little bit further out. We could not protect our own military. We could not protect the people of Israel who took scud hit after scud hit because the Patriots could not knock them down. In the future we are not going to protect the people in Rome or London or Paris or Moscow or Anchorage or Honolulu or in South Korea or Japan or any number of places around the world that we will want to defend and will not have the capability of defending. Now, what price are those lives worth?

Let me proceed just a little bit more with respect to the cost item, since I am informed Senator NUNN will be here in about 15 minutes and he will have some comments to make on this act. I will proceed to discuss some of the arguments that have been raised against it that I was going to refer to later.

One of the arguments is that the language in the bill that discusses the ABM Treaty is really tantamount to an anticipatory breach of the treaty. This concerns some people greatly because they also believe if we proceed to defend ourselves, people in Russia will begin acting very irresponsibly with respect to START I and START II, and they may not even ratify START II. It has been predicted they will begin violating the START I treaty that both countries are already bound by.

Mr. President, I have two basic things to say about this. First, this kind of argument is reminiscent of the cold war. It was the argument between those who wanted appeasement on the one hand and those who believed in peace through strength on the other hand. Appeasement was no stranger at the time of the cold war, but I thought everyone learned the lesson of Munich. Neville Chamberlain, who believed in his heart he had won peace in our time after he came back from Munich, we now know that the concessions that were made by the allies at that time to Adolf Hitler, the appeasement of Hitler was what created the appetite for him to take even more and finally go beyond the point that the allies could endure. That is how World War II began.

There were then those in the cold war era who felt if we just gave the Soviets what they wanted, if we appeased them, everything would be right. What we found, every act of appeasement led to another act of aggression, and it was only when we began to confront aggression with strength, with resolve, with courage, with willpower, with defense, that the aggressor said, ''OK, we did not really want that after all.''

Finally, through the development of our defense forces in the early 1980's, the focus on developing a defense against ballistic missiles, the resolve demonstrated through President Reagan's famous peace through strength, our adversary realized it could not defeat us militarily. President Gorbachev, to his credit, knew he could not defeat us economically, that the political system they developed, combined with the economics of that system, were insufficient to sustain the kind of effort that would be needed to bury us, as Khrushchev said.

That is why the Soviet Union fell. Appeasement never worked. Strength did. The argument that if we do not do what the Russians want, everything will be bad, goes back to that old idea, that old philosophy of appeasement. It has been said if we even talk about amending the ABM Treaty, the Russians will violate START I, they will not destroy all the missiles they promised to destroy, that the Russian Duma will not ratify START II.

We will take each of those things. First of all, the United States has already suggested the possibility of amending the ABM Treaty to the Russians, and we had conversations with them about it. They did not walk away and say, ''This is absolutely nuts. We will never do that.'' This was done during the Bush administration.

Second, there are ongoing discussions today about changes to the meaning of the ABM Treaty as circumstances have changed. In fact, there are ongoing discussions in Geneva and elsewhere about the exact definition of strategic missiles that can be defended against under the ABM Treaty. It is not as if this thing was written in stone, never to be changed or even considered for modification. The cold war is over. Circumstances have changed. It is going to have to be changed, if not scrapped altogether, as threats and circumstances change. That is only right. Only those who do not understand the cold war is over would argue the ABM Treaty should never be changed.

The next point, that the Russians actually will violate the START I Treaty if we talk about changing the ABM Treaty, Mr. President, the Russians have, in fact, already violated several treaties. They do not need us to talk about amending the ABM Treaty to do that. I think we need to separate the two. There is no direct linkage, and there should not be.

The point is, the Russians will do what they think is in their best interest. If the United States makes it clear to the Russians it is in their best interest to continue to comply with START I and to talk to us about making changes in the ABM Treaty, they will do that. As a responsible country, I believe that Russia will be responsible in pursuing that course of action with us. If the Russians decide not to ratify the START II Treaty because they do not think it is in their national interest, there is nothing we can do to stop them from that.

I do not think by stopping any discussion of defending ourselves against ballistic missile attack it will make one bit of difference. I could quote numerous Russians who made the statement the reason that the Duma would not proceed to ratify START II does not have anything to do with the START II Treaty but has to do with what they perceive the costs to be and what they perceive their national interests to be. Therefore, I think it is

foolish for us to believe we have that much control over what the Russian Duma does, that if we begin talking about changing the ABM Treaty, it will cause them to change their plans. I do not think that is correct. In any event, if it were, what that would argue for is the United States could never do anything in our national interest to protect our citizens because it might cause some irresponsible Russians to act in a way inimical both to their interests and ours. I do not think that is logical.

In addition to this, Mr. President, it is not as if we are breaching the ABM Treaty. As I noted, the ABM Treaty allows for amendment. It is like the Constitution. We all say we should be very careful about amending the Constitution. It is a pretty sacred document, true. But we have amended it because it has within it the means of amending it. Our Founding Fathers knew it was not a perfect document for all time, that we might want to make changes to it. Who were the first group to make changes? Our Founding Fathers. They adopted the Bill of Rights.

The ABM Treaty, which has existed now for over 20 years, I daresay is not as sacrosanct as the U.S. Constitution. It could be amended, and therefore it provides within its terms for amendment as time goes on.

Many would argue that actually the treaty no longer exists because the country with whom it was negotiated no longer exists; namely, the Union of Soviet Socialist Republics, the U.S.S.R., no longer is. Some say Russia acceded to interests. That may or may not be under international law. But it is a change, an amendment, to reflect changed circumstances. You cannot deny that.

In addition to that, in addition to allowing for amendment, the treaty allows for withdrawal if it is in the United States' interest. All we have to do under the treaty is give notice that 6 months later we will withdraw, and we can walk away from the treaty. That is what the treaty itself provides for.

Why would people be critical of the Defend America Act, which specifically says, in order not to cause a violation of the ABM Treaty, we should begin discussion with the Russians now, telling them of our desire to develop a ballistic missile defense, of the fact that there may be circumstances under which it would run counter to the terms of the ABM Treaty, and therefore suggesting we sit down and talk with the Russians about ways to modify the treaty to accommodate the kind of defenses both of our countries are going to need in the future. What is wrong with that? That is not an anticipatory breach. That is not saying we will violate the law sometime in the future and have a cause of action against us today. That is a real, genuine effort on our part to be totally upfront and say we will have to make some changes sooner or later, probably, so will you not sit down with us and talk about what the changes might be.

If, for some reason, the Russians absolutely will not talk to us, the act says that the President still has a year—not 6 months, as the treaty provides, but an entire year—within which to seek these negotiations and withdraw at the end of that year if the Russians have not been willing to talk to us, that withdrawal being based upon the provisions of the treaty itself, allowing withdrawal in the national interests of the United States.

The President of the United States, Bill Clinton, has already declared a national emergency based upon the ballistic missile threat. If there is a national emergency, then certainly the conditions exist under which we could withdraw from the treaty if we desire to. No one is suggesting that at this point. My point is, simply, that it is not an anticipatory breach for us to pass this law. Anyone who argues to the contrary, really seriously, Mr. President, has not read the language of the Defend America Act. It does not call for anticipatory breach.

I have already dealt with the argument that this is just a straw horse from the Reagan era of the star wars system. That is not what we are talking about. I had to read the language of the act to make the point. I do not doubt there will be some who have not bothered to read it and who will come here and talk of star wars and space shield and the rest. Remember what I said, Mr. President, they are simply setting up a straw man to knock down. It is not what we are talking about here.

There has been some question about the threat and when the threat will actually evolve. There is much that could be said about this, some of which I will reserve for a little bit later on. I do not think that anyone would credibly deny that by the year 2003, there is a significant probability that threats will exist beyond the acknowledged threat that exists today from either Russia or China.

Now, there is a question about when the North Koreans will actually be able to reach the continental United States and whether ''continental'' means the lower 48, or Alaska, or Hawaii. I really do not think it matters much. Clearly, by about the year 2003, the North Koreans will have a missile that is able to reach South Korea, Japan, the Philippines and, possibly, Alaska and Hawaii. That ought to be enough, Mr. President. For those who say, ''Well, let us wait until the threat is there to develop the system,'' I say, at that point it will be a little too late. Until you can develop and deploy a system, you are susceptible to the blackmail that a regime like that could visit upon you.

I do not doubt that if the same leaders who control North Korea today are in power at that point, it could create great mischief if we did not have a means of defending ourselves.

With respect to that threat, many things can be said. I have to begin by saying that the year 2003 being 7 years down the road is certainly a point at which we ought to be prepared to defend against a threat from countries like North Korea, even if we are not concerned about a threat from Russia or China today—particularly an accidental launch from one of those countries. The national intelligence estimate, which is touted by some, suggesting that the threat will not occur for 10 or 15 years does not support that proposition. It only supports the proposition that if a country started today and began to indigenously develop a weapon, that it might take that long before they could do it. As we know, that is not the way most nations acquire the weapons. They buy them, for instance, from Russia, China, or North Korea. If they cannot buy a complete system, they buy components from whomever, and they put them together. The Iraqi scuds were done like that. So if you calculate the time it takes a country to buy a space-launch capability, which is just as effective as a ballistic missile war fighting capability, or components of a system to put it together, it is clear that numerous nations do not mean us any good in the world, and they could develop the systems before the year 2003.

I also make the point that the United States has a history—an unfortunate history—of turning a blind eye to reality and the facts because we are a peace-loving Nation. We do not like to assume others would do us harm, at least in a sneaky fashion. But Pearl Harbor is the best example of where intelligence pointed the way directly and specifically to a threat. If we had been more suspicious or cynical of the Japanese at that time, we would have probably understood that that was a very real threat and would have been better prepared to deal with it. But we were not. It was our own fault, in many respects.

That same thing could be said about the situation today. It will be our own fault if some nation decides to be very sneaky about the way it develops a weapon and deploys that weapon against us. Iraq, we know, was much more capable than we ever had any reason to expect 5 years ago. We now know that. We know that other countries are seeking to acquire this technology, such as North Korea, the Iranians, and so on. Yet, somehow we just try to delude ourselves into thinking that maybe everything will be all right, that we really will not have to worry about it, so let us not bother to worry about it until we are sure the threat is there.

Well, Mr. President, at that point it is too late; the horse is out of the barn. The unfortunate thing about that analogy is that it does not begin to describe the horrors that could be visited upon people if we wait until it is literally too late. I would rather be a year too early and maybe spend a little bit more money than we had to, and maybe lock in technology a little bit earlier, than

I would be to be a year too late because, frankly, at that point, no one knows what the harm would be, whether it would be an actual attack, or whether it would be simply thwarting important foreign policy goals of the Western alliance because we did not have the weapons to stop a ballistic missile attack.

As I said, Mr. President, I will defer discussion of this threat because I really do not think that reasonable opponents to the Defend America Act will argue that there is no potential threat there. They may argue that it may not be as serious by the year 2003 as I think it might be, but I do not think anybody could credibly argue that the threat is not there. We can quote the former CIA Directors. Jim Woolsey made the point very clear. I will note, Mr. President, that as recently as May 31, the Washington Times carried two stories that I thought were, frankly, very distressing. The lower story said, ''Woolsey Disputes Clinton Missile Threat Assessment.'' He was President Clinton's first Director of the Central Intelligence Agency. This article from the Associated Press points out in numerous ways the areas in which former CIA Director Jim Woolsey believes that the Clinton administration is underestimating this missile threat in an effort not to go forward with the Ballistic Missile Defense Act.

The other headline is, ''White House Misled Joint Chiefs on ABM Treaty Talks.'' I understand there was a letter written around May 1 by one or more of the Joint Chiefs that says, ''We really do not need this Defend America Act.'' Mr. President, I ask unanimous consent that this newspaper article be printed in the RECORD at the conclusion of my remarks.

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

(See exhibit 1.)

Mr. KYL. Mr. President, this makes the point that the Joint Chiefs were misled. They were basically told that the administration was not going to go forward with certain plans, that there were not changes being contemplated to the ABM Treaty that, in fact, were being contemplated, that there were not limitations being placed upon certain of our systems. And as a result, they could clearly have been lulled into the belief that we did not need the kind of Missile Defense Act we are talking about now. I suggest that if all of the information is known to all of the people concerned, we will be much more serious about going forward with a missile defense plan.

Finally with respect to this point, I note that the President himself has recently begun to talk about the need for missile defense. Some say that this is a political reaction to BOB DOLE's leadership on the issue. It may be. But I will acknowledge that the President, as well as the rest of us, is interested in defending the American people. Whichever is the case, the President has acknowledged the threat. So we are only arguing about exactly when the threat will materialize. The President's position is that we might be able to wait a little longer and deploy a system a little after 2003 and still get by. He may be right. But my point is, is it worth the risk?

When we have the technology, we have spent the money and—as a matter of fact, if we talk about a sea-based system, we have the aegis cruisers, and they have the radars, and they already have the satellites in space which can detect a launch, and we have basically half of the standard missile on these ships. We simply have to put the second part of the missile on with the components on the tip of it to enable us to hone in and guide the missile to be intercepted. That is all we are talking about developing with respect to that system. We have proceeded significantly along with the development of the THAAD program.

No, Mr. President, the problem is that if there is a problem with deploying these systems, it is, as Senator THURMOND said earlier, that the administration, year after year after year—all 4 years—has submitted budgets where the administration has sought to reduce the amount of expenditure for missile defense, and specifically for the national missile defense. They have been willing to go forward with the tactical missile defense, to a degree, but not to the degree called for in the legislation we have passed and the President has signed. He does not want to go forward with a national missile defense.

That is perplexing. I do not understand how it is all right to help our friends, like the Israelis, defend themselves—and there has been money there in the last several years to help the Israelis build the Arrow Missile Defense System to protect their homeland and people. So I do not understand why U.S. tax dollars should be spent on that system and not on a similar system to protect the United States. I am all for the development of the Arrow. I have been to Israel and have seen the threat they live under from their neighbors that would do them harm. They understand the need for a missile defense, and we have been willing to support their national missile defense system.

Why is the President of the United States willing to spend money so that the people of Israel will not be killed in a missile attack, and he is not willing to spend money so that the people of the United States are free from missile attack? I do not understand that.

Mr. President, as I said, reasonable people can differ about whether the threat will occur in the year 2003, 2007, or in the year 2000. But you cannot argue about the fact that the threat will be there, and, in some respects, it already is.

So if we are willing to spend that money and to make that commitment to defend the people of other countries, why are we not willing to make that commitment to defend the people of the United States?

Let me make this point. When pollsters ask Americans around the country how we would defend ourselves against a missile attack, Americans answer with a variety of very innovative responses. ''Well, we will shoot them down.'' How? ''Well, we have airplanes with missiles that will shoot them down. Well, we will shoot them down with our own missiles. Well, we have lasers in space. I am not sure how, but we will shoot them down.''

The fact is that we do not have any way of shooting them down. We are totally vulnerable to an attack.

Do you know what about 80 percent of the Americans who respond to these surveys say? They say that is absolutely irresponsible and we have to do something about it today to turn this situation around—today. They are shocked to know that we are vulnerable to missile attack.

I guess it is our own fault for not making the point to people that we do not have a defense. It is particularly shocking, I guess, for not correcting this deficiency given the fact that the Persian Gulf war was 5 years ago and we have let 5 years go by without making very much progress toward the development and deployment of these defenses. I would have thought that after 28 Americans were killed in one Scud attack and after Israel was attacked by Iraq that the United States would finally have committed itself to building missile defenses to protect the United States and the people of the United States. We kind of frittered away our money and time. Now we have other nations in addition to Iraq that are very aggressively and very actively developing these weapons. Yet, we do not seem to be any further down the road toward making a commitment to develop and deploy the system.

As I said, if you look at every other weapons system that we bought, let us say the F–15, or the F–16, or the carrier, the Trident submarine, you name it, the only way we have of being able to get it done is say we want to buy this weapon, we want to have it done by x date, therefore, we are going to appropriate the money necessary to achieve deployment by that date, and we ask the administration to come forward with a plan which lays out the specific deadlines for a specific timetable by which the tests are going to be conducted, and eventually we will get to the point of deployment. Usually it takes a little longer than we predicted, but we try to set those dates up so that we actually achieve the objective.

That is what we are asking for in this legislation by setting a specific date. We are saying, we know we will never get there if we keep moving the goalposts and if we never set an actual date for deployment, so let us set the day and let us get on with it. If we do not do that, we will never get there. That is why I say it really is a bogus argument to talk about the threat, because everyone acknowledges there is a threat. They simply argue about when

it will really surface. I submit that it is not worth playing around with that question, particularly since we know that 5 years have elapsed since Americans have been killed by a ballistic missile.

There is another subargument here that I really want to deal with very briefly, and since Senator NUNN is not here I am going to go forward. This is the argument that deterrence is sufficient and we already have the ability to retaliate against someone who launches a missile, and that ought to be enough to deter them from ever doing so.

I ask the question again. Given the fact that the United States pulled out of Iraq and did not use any kind of weapon of mass destruction against Saddam Hussein, did not even destroy his palace guard at the conclusion of that war, and given the fact that President Bush himself made the point on several occasions that we mean no harm to the Iraqi people, we only wish that the regime of Saddam Hussein would not act irresponsibly and that we would try to defeat it—given those facts, is it credible to assume that the United States in the future will use a nuclear weapon or a chemical or biological weapon on the people of a country whose leaders attack us, or who threaten to attack us, or who threaten to attack, say, the French, the British, the Israelis, or the Russians? Is that a credible deterrent? Are we going to deter Mu'ammar Qadhafi, or the leaders of Korea, or some other country? I do not think so.

I think that deterrence argument, if it did work in the cold war—there is some dispute about it—is not the kind of argument that is going to work today against countries that frankly do not think we will use the deterrent and do not care, in any event. The risk of failure on relying on deterrence is simply too great to rely on that doctrine today. It will not work against the kind of nations that mean us harm today. It is not credible.

I note the fact that Secretary Perry himself, in the Nuclear Posture Review on September 20, 1994, made the following comment, with which I totally agree.

> We now have an opportunity to create a new relationship, based not on MAD, not on Mutual Assured Destruction, but rather on another acronym, MAS, or Mutual Assured Safety.

What he was talking about was the ability to deter aggressor nations based upon the fact that we can defend ourselves, and, therefore, there was no point in their developing the means to attack us, or initiating such an attack; that because we had the ability to defend ourselves, it would make it impossible for them to succeed, and, therefore, there would be no point in their expending the funds to do so. That is the theory of defensive deterrence, and it really is the only kind of defense that will exist against the kind of threat that we face today. When we were arrayed against the Soviet Union, it might have been a different matter, though that is questionable. But it is certainly not the case today.

I had indicated when we talked about the START II Treaty that there were some people I would quote. Let me do that since I have the time, because this is the final argument, and that is, we are kind of playing with fire. We do not want to do anything that would disturb the Russians, and it could be that they would take actions that we would be sorry for if we did anything to anger them.

Clearly, at this point in time, only 3 weeks or so away from the Russian elections, our eyes are turned toward Russia because we understand that some very irresponsible people could be elected and lead the Russian State. That would be a real shame. None of us want to do that. All of us are hoping for the election of very responsible people to lead the Russian nation, people with whom we can work in the future and continue to work on defense matters together, because we mean no harm to them. They should know that. We wish them well, and we hope they share that feeling and, therefore, engage with us in those kind of agreements that demonstrate the desire for peaceful nations to proceed along the path of peace and eliminate the kind of weapons of mass destruction that populate the world today.

That is why we hope very much that they continue to abide by treaties like the START I Treaty and that they would ratify the START II Treaty to further bring down the number of dangerous weapons in the world. But here is what some of the Russians themselves have said with respect to the probability of their actions with respect to the ABM Treaty.

Alexi Arbatov, Deputy Chair of the Russian State Duma Defense Committee, complained that the loss of MIRV'd missile capability resulting from START II was a critical reason for them to be concerned with the START II Treaty. He stated that the Russians ''cannot economically fill the gap with single warheads; it's too costly.'' He proposed developing a protocol that lowered START II warhead ceilings to relieve their economic difficulties with the treaty.

In other words, what he was saying was that ''it is going to be awfully expensive for us to bring down our warheads to the level called for in the START II Treaty. You all may be able to afford it in the United States. We can't. So let us not bring them down quite so far.''

Well, it may be that they will have a hard time doing that, but if they do not adopt the START II Treaty, it will be for reasons of economics, as he pointed out, not because the United States has suggested the need to look at an outmoded ABM Treaty which previous Russian Governments have been willing to look at themselves.

U.S. Ambassador Brooks predicted the Russians will be forced to go well below START I levels with or without START II for economic reasons. He was actually proposing a slightly different argument related to economics. He was saying the Russians are going to have to proceed with START I and maybe even START II limits in the long run because it is so expensive to maintain them, and while in the short run our thought may have been correct, Ambassador Brooks is probably correct with respect to the long run.

It is in both of our interests in the long run to save money by not having to maintain these expensive stockpiles. It costs money to dismantle them initially. That is why people like Senator NUNN and others have been responsible for proposing U.S. assistance to enable the Russians to bring down their stockpiles. It is for economic reasons that the Russians will find it impossible to continue to maintain this high level of stockpile. It does not have anything to do with the ABM Treaty.

Neither the United States nor Russia will have the capacity to enter into another arms race, I suspect, whether or not we made modifications to the ABM Treaty.

Clearly, with respect to other nations like China, the START I and START II Treaties do not even apply here. So though some say we should not even begin to change the ABM Treaty because of the Russian response, I would counter by saying: What about the Chinese? What about other countries that are not even involved in the START I or START II Treaty?

Clearly, deploying this, or beginning to talk about amending the ABM Treaty so we deploy an effective defense system is in the national defense interest of the United States and we should not be deterred from proceeding with that step simply because there may be some who contend that the Russians will be unhappy and therefore there would be a reaction against us.

Mr. President, since I have other time, let me proceed with one final point, and then I would be happy to yield to anybody else who would like to speak.

What we are talking about here, for those who might not have been with us at the very beginning, is a very modest—very modest—first step. It is called the Defend America Act. It was brought to the Senate floor by Majority Leader BOB DOLE. It is true that he has made a political issue of this but only because the American people have been shocked to find out that the United States is undefended against a ballistic missile attack.

That is why Senate Majority Leader BOB DOLE, the Republican Presidential nominee, has said it is important for us to get on with the job of ultimately developing and deploying a system that could defend the United States, at least in a modest way, against certain kinds of limited attack. So the Defend America Act that we have before us is a very modest first step toward that end.

It is not the space shield that some people would like to talk about. It is

not a hugely expensive kind of project that CBO has said we could develop. Yes, we could, but that is not what this is. It is really a very modest attempt, and it is important for the Senate, I think, to begin this debate and, hopefully, to have a vote on this act in the relatively near future.

The House of Representatives was scheduled to take this up just before the Memorial Day recess and did not do so at that time, passing the budget instead. But I am hopeful, too, that the House of Representatives will take up the Defend America Act very soon. The important thing for the American people to know is that the Senate will not be able to vote on this act unless 60 Members of the Senate agree, because of a procedure that we have here which says that anybody can object to bringing up a bill and, if they do, it takes 60 Senators then to have a vote on it—60 Senators have to agree. That is called invoking cloture. Tomorrow afternoon at 2:15, we are going to have a vote to invoke cloture, that is to say, to stop this debate that has been going on and to have a vote on proceeding with a vote on the bill. There will still be an opportunity to further debate the bill after that, but then we would have a vote before the end of the week on the Defend America Act.

This will be the last chance that Majority Leader BOB DOLE has to bring this act up during his time in the Senate. I think it is important even for those people who do not necessarily agree with the Defend America Act, who for some reason want to support the President of the United States in his opposition to it. Maybe for political reasons they want to vote against it because it would hurt BOB DOLE and help Bill Clinton. I can understand all of those things even though I think it would be irrational to vote against it for purely political reasons. But whatever reasons my colleagues might have for ultimately voting against it, I find it hard to understand why any of them would oppose having a vote on it.

What are they afraid of? Mr. President, what are they afraid of? Why would Members of this body—and specifically now I am talking about Democrats, since I believe all the Republicans will support the cloture vote, will support taking a vote on the Defend America Act. Not all Republicans probably will vote for it in the end, although most will. But why would Democrats almost to a person oppose even taking a vote on this bill? Why? I can think of only one reason, and it is not a pleasant thought. That one reason is politics.

I read the Defend America Act. There is nothing in there that every one of us does not believe, with the possible exception of the actual deployment by the year 2003. I have discussed the reasons why I think 2003 is a good date. Now, others may disagree. They have the right to express that disagreement by voting against the bill. Even though they may agree with everything else in it, they might not like that, so they want to vote against it. They have the right to vote against it. We would still be debating for another day or day and a half after we invoke cloture, so by the end of this week we could have a vote on this bill.

Now, why would colleagues not even let us vote on the bill? Why would they say: No; BOB DOLE, you cannot have a vote? Is it because they do not want Americans to be free from ballistic missile attack? I do not think so. I do not think there is a person here who believes that.

I can only think of one reason, Mr. President, and that is to deny BOB DOLE the right to have a vote on his bill. Now, I urge my colleagues, Republicans and Democrats alike, who have stood in this Chamber and who have stood in receptions and dinners and other fora to laud BOB DOLE and pay tribute to him for the long service that he has given to our country, most recently in the Senate, but before that in the House and, of course, serving in our military, I appeal to all of my colleagues who have genuinely expressed their appreciation for BOB DOLE's service, Democrats and Republicans alike, recognizing that whether he is to be the President of the United States or not, he is to be respected as a strong national leader who for years has done a lot of good things for this country—and nobody believes more strongly in the defense of the United States than BOB DOLE—I would urge those colleagues of mine, Democrats and Republicans alike, to just stop and think and see if it is not within their heart to at least give him a vote on his bill. They can then vote against it, and he will understand those who have legitimate reasons for voting against it. But I think what he would find very hard to believe is that his colleagues would not even let him have a vote on this important matter that, after all, is not that important to him personally or politically but is very important to the American people. BOB DOLE knows how important it is that we provide for our national defense.

I will just conclude with this point. I have mentioned the Persian Gulf war many times, Mr. President. But after that Persian Gulf war was over and Dick Cheney and President Bush and Colin Powell and Norm Schwarzkopf were all given great kudos for winning the Persian Gulf war, what did they say? Well, most of them said it was not us that did it, obviously; it was the men and women we had trained so well that did the job. Of course, they were right. But Dick Cheney said one additional thing, and I will never forget it because he is a very reflective person. He said that it was not me, it was not us that won this war. It was the people 10 and 15 years ago who made the decision then to invest in the kind of weaponry and training that enabled our people to win today. They could not have foreseen the uses to which these weapons would be put. They had to fight those who said that they were a waste of money at the time, that they cost too much, that they might not work, that they were not necessary, that there was no threat. They had to stand up in the face of all of those arguments and have the courage of their conviction that someday, somewhere the United States might need that kind of weaponry to defend itself and its interests and it would be important for the men and women that we ask to go in harm's way that we give them the very best to protect themselves. Dick Cheney said we really owe this victory of the Persian Gulf war to the people who were in the Congress and who were in the administrations at that time, who made the tough decisions to make the investment to build these things so that when we needed them they would be there, even though no one could predict when or where or under what circumstances that would be.

Mr. President, I am saying the same thing today. We will hear all of the arguments: Well, it may not work. Well, we do not know even who it is going to be used against. Well, we are not sure that the threat is here yet or even when there is going to be a threat. Well, we know there will be a threat, but it probably will not be for a while yet. We can take a chance.

We have to stand up today just like those people did 10 and 15 years before Dick Cheney was Secretary of Defense and be courageous enough to make the investment to protect not only the American people but also our forces deployed abroad and our allies, but most specifically the American people. That is what the Defend America Act is all about, so that 10 or 15 years from now, or 7 or 8 or 9 years from now when we have been able to thwart some kind of attack by an aggressor and people are patting everyone on the back saying job well done, those people will look back on the Congress of today and say, well, actually, they were the ones, those people back in 1996 who had the courage to go forward with the system, they were the ones to whom we owe our appreciation and perhaps our lives.

Do we have the courage to make that kind of commitment today, at a very small, relative, expense, $1 or $2 billion a year out of a $265 billion defense budget, for maybe 10 years? That is not too high a price to pay for the lives of American people.

So I ask my colleagues when we have this cloture vote tomorrow at 2:15, think about your children or grandchildren and your lives and the lives of those we will put in harm's way 10 or 15 years from now. Think about the legacy we want to leave. Think about the people we want to protect, about the interests that we want to project in the world. Think about what that takes.

Also, think about the unfairness of not even allowing this bill to come to a vote, and think about the final tribute that you can pay to a great man, whether you agree with him politically or not, BOB DOLE, who, after all, has

asked nothing more than to be allowed to have a vote on this piece of legislation.

For those reasons, I hope my colleagues will join us in voting for cloture so we can have a vote on the Missile Defense Act sometime this week.

EXHIBIT 1

[From the Washington Times, May 31, 1996]

WHITE HOUSE MISLED JOINT CHIEFS ON ABM TREATY TALKS

(By Bill Gertz)

Clinton administration officials misled the Joint Chiefs of Staff about efforts to reach an agreement with Russia at last month's summit on the complex issue of clarifying the Anti-Ballastic Missile (ABM) Treaty, Pentagon officials said.

To prevent details from being disclosed to the press, the military service chiefs were not told in advance of the Moscow summit about a White House plan to hold detailed talks between the two presidents aimed at reaching a partial agreement on what short-range anti-missile defense systems are legal under the 1972 ABM Treaty, according to officials who spoke on the condition of anonymity.

Several days before the April 22 summit in Moscow, a Pentagon briefer, explaining the White House summit agenda for defense issues, told a meeting of the Joint Chiefs of Staff that the issue of ABM theater missile defense (TMD) demarcation would not be brought up at meetings between President Clinton and Russian President Boris Yeltsin, or other defense officials, they said.

''At the [Joint Chiefs] meeting, the chiefs were told ABM-TMD demarcation will not be discussed at the summit,'' one official said. ''In fact that briefing was part of a deliberate deception plan on the part of the White House.''

The postsummit realization that some officials acted dishonestly with the military chiefs upset many in the Pentagon, particularly officials charged with developing missile defenses.

''Everybody was outraged,'' one official said. ''The only conclusion we could come to was that the White House negotiated with the Russians against its own military.''

A second official said a senior general who took part in the briefing, held in the secure Pentagon room known as ''the tank,'' specifically asked the briefer to clarify whether the issue would be raised. The general, concerned over Russian backtracking at earlier arms talks, was told missile defense would not be discussed at all, the official said.

''That conversation did occur, and that answer was received,'' a spokesman for the general said, asking that his name and service not be identified.

The briefer, an aide to Gen. John Shalikashvili, chairman of the Joint Chiefs of Staff, explained that the only defense topics to be discussed at the summit would be the Conventional Forces in Europe Treaty, efforts to reach a nuclear test ban treaty, and chemical and biological weapons.

Presidents Clinton and Yeltsin said during a postsummit news conference on April 22 that they had discussed the ABM issue extensively.

Mr. Clinton told reporters ''real progress'' was made on the ABM–TMD issue during five hours of talks. ''I'm convinced that if we do this in an open way that has a lot of integrity, I think we'll all be just fine on this and I think it will work out very well,'' Mr. Clinton said.

A new round of ABM talks with Moscow on missile demarcation began May 20 at the Standing Consultative Commission (SCC) in Geneva. The White House official said the Russians presented proposals at the session with ''wrinkles''—positions—opposed by U.S. negotiators.

An earlier round of SCC talks broke off after they were deadlocked over Russian insistence on reversing agreements reached earlier by U.S. and Russian officials outside the formal talks.

Russia announced in the earlier meeting that any Pentagon work on higher-speed regional missile defenses would be regarded by Moscow as illegal under the ABM Treaty until a second agreement is reached, a classified State Department cable said.

Pentagon officials said a political agreement reached by U.S. and Russian officials at the summit will limit U.S. use of space-based sensors with advanced missile defenses, such as the Navy's wide-area system known as Upper Tier. It also would bar work on the Air Force's airborne laser gun, which will be capable of knocking down missiles shortly after takeoff.

WOOLSEY DISPUTES CLINTON, MISSILE-THREAT ASSESSMENT

President Clinton's former CIA director yesterday accused the administration of playing down the threat of missile attack from Russia, China or elsewhere.

R. James Woolsey, who headed the nation's spy apparatus during the first two years of the Clinton administration, told a House committee that the administration has understated the missile threat on multiple fronts.

In particular, Mr. Woolsey criticized a frequently quoted National Intelligence Estimate that found little threat of a missile attack on the contiguous 48 states until well into the next century.

''I believe that the 'contiguous 48' reference . . . can lead to a badly distorted and minimized perception of the serious threats we face from ballistic missiles now and in the very near future—threats to our friends, our allies, our overseas bases and military forces, our overseas territories and some of the 50 states,'' Mr. Woolsey told the House Government Reform and Oversight Committee.

A White House official, who spoke on the condition of anonymity, said the United States has theater missile defenses that could be rushed into place to protect Alaska and Hawaii should a threat arise.

He said the administration was ''absolutely in agreement'' that the threat of terrorism must be met, but said Mr. Clinton opposes rushing a system into place when a slower pace might result in a better defense.

In his testimony, Mr. Woolsey said the chances of missile terrorism increase as potentially hostile states improve their technology.

''It is quite reasonable to believe that within a few years [Iraqi leader] Saddam Hussein or the Chinese rulers will be able to threaten something far more troubling than firings of relatively inaccurate ballistic missiles,'' Mr. Woolsey said. ''They may quite plausibly be able to threaten to destroy, say, the Knesset [Israel's parliament], or threaten to create, in effect, an international Chernobyl incident at a Taiwanese nuclear power plant.''

Mr. Woolsey, now practicing law in Washington, has been embraced by Republicans seeking funding to deploy a national missile-defense system by 2003: Mr. Woolsey said after the hearing that he supports legislation sponsored by Senate Majority Leader Bob Dole, the presumptive Republican presidential nominee, and House Speaker Newt Gingrich to deploy the missile-defense system.

In an apparent endorsement of current administration priorities, Mr. Woolsey said the Pentagon should place ''primary importance'' on developing theater missile defenses while pursuing ''a sound program to move toward some type of national defense.'' But Mr. Woolsey criticized several aspects of administration policy. Specifically, Mr. Woolsey:

Criticized the administration for trimming funding for some theater-defense systems.

Questioned the administration decision to make highly accurate global-positioning-system technology available commercially, a move that enemies could use to make their missiles even more accurate.

Disputed Mr. Clinton's assertion that U.S. intelligence does not foresee an emerging ballistic-missile threat in the coming decade.

Mr. KEMPTHORNE. Mr. President, I am pleased to rise today in support of the Defend America Act of 1996 currently before the Senate which establishes, by the year 2003, a national missile-defense [NMD] system to protect the United States against limited, unauthorized or accidental missile attacks. The deployment of an NMD system as articulated by the author of the bill—Senator DOLE—will not only defend, it will deter—by reducing the incentive of rogue regimes to acquire ballistic missiles and weapons of mass destruction.

I am deeply concerned, as are other Members of Congress, about increased interest by several countries hostile to this great Nation to acquire ballistic missiles capable of reaching the United States. As recently as last month, Clinton administration officials, to include the former Director of Central Intelligence [DCI]—R. James Woolsey—testified before Congress that the National Intelligence Estimate [NIE] used by the President to veto earlier proposals to deploy a NMD system was flawed. Mr. Woolsey challenged the conclusion made by the NIE report that no long-range missiles will threaten the 48 contiguous States for at least 15 years. Former DCI Woolsey further stated that limiting the estimate's focus on the missile threat to the 48 States ''can lead to a badly distorted and minimized perception of very serious threats we face from ballistic missiles now and in the very near future.''

The Intelligence Community [IC] of the United States has confirmed that North Korea is developing an intercontinental ballistic missile that will be capable of reaching Alaska or beyond once deployed. In April, Kim Myong Chol—a North Korean reported by the Washington Post to have close contacts to the government in Pyongyang—stated that North Korean leader Kim Jong-il has ordered the development and deployment of strategic long-range ballistic missiles tipped with a super-powerful warhead. The purpose of this missile, according to Chol, is to provide North Korea with the capability to destroy major metropolitan centers. This system is likely to be deployed in less than 10 years and be part operational intercontinental ballistic missile force capable of hitting the American mainland.

Additionally, the threat posed to the United States by the proliferation of

ballistic missiles is growing at an ever faster pace. Other rogue nations such as Iran, Iraq and Libya are also pursuing the development of longer range missiles to include those with an intercontinental capability. According to the CIA, Iran is seeking to supplement its existing ballistic missile inventories with the purchase from North Korea of the 1,000–1,300 kilometer (No Dong) ballistic missile. Iran—with help from China and North Korea—is seeking to develop and produce its own ballistic missiles with the objective of producing a medium-range ballistic missile to threaten targets to a distance of 3,000 kilometers. Foreshadowing future successes, Iranian President Rafsanjani said as recently as August 1995 that: ''An incredible thing has happened in defense so that we [Iranians] are making everything from rockets to the smallest military equipment. We are also exporters and could export to countries which we wish. You should know that we are one of the main centers for construction of defense equipment. Of course we cannot advertise much in this sector and we do not wish to advertise because it is a defense sphere, but we are getting on with the job.''

It should be mentioned that Iran is also aggressively pursuing a nuclear weapons capability and, if significant foreign assistance were provided (e.g., from China or Russia), could produce a nuclear device as early as the end of the decade. Moreover, Iranian leaders have in the past and continue to make numerous statements before cheering crowds along the lines of ''The United States still remains the Great Satan'' and ''Mankind should not think the White House will remain forever. No, it will be destroyed.''

I would like to stress that the Defend America Act emphasizes that the goal of defending Americans against ballistic missile attack must be accomplished in an affordable manner. Senator DOLE's bill focuses on a $14 billion limited national missile defense [NMD] system. The Defend America Act calls for the use of programs currently in development to serve as the building blocks for a system that will meet the missile threat as it emerges and has the flexibility to adapt to new development in ballistic missile technology by rogue states. In contrast, the Congressional Budget Office [CBO] highly inflated estimate of $31–$60 billion reflects the cost of a more robust defense that includes every option that might be done and could be done in the next 20 years in order to protect the United States from an unrealistic attack of up to 200 warheads accompanied by sophisticated countermeasures.

It must be made clear and in very specific terms that the United States is firmly committed to a National Missile Defense system. And, therefore I urge Senators to support the Defend America Act of 1996. This measure will ensure that future generations of Americans remain secure from long-range ballistic missile attack.

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

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

The bill clerk proceeded to call the roll.

Mr. NUNN. 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. NUNN. Mr. President, last year the subject of national missile defense proved to be one of the most difficult issues we faced during the consideration of the defense authorization bill for fiscal year 1996. This year, we may face similar challenges as a result of provisions in S. 1635, the proposed Defend America Act, which was introduced by Senator DOLE and others on March 21, 1996, as well as certain provisions in S. 1745, the Defense Authorization Act reported by the Armed Services Committee.

In my judgment, it would be relatively easy to develop a consensus in the Congress as to what measures we should authorize in fiscal year 1997 to address the requirements of a sound national missile defense program. Difficulties arise, however, when we focus on decisions which do not need to be resolved at this time, but which assume a great symbolic importance to a number of Senators and a number of commentators.

Today, I would like to review last year's actions on missile defense, discuss the proposals that have been introduced to date, and set forth at least my own views as to how the Nation should proceed in both the short term and long term on the subject of missile defenses.

Last year's bill, as reported by the Armed Services Committee, proposed to legislate a requirement that the United States deploy by the year 1999 a prototype national missile defense system which, because of the compressed time, would have necessarily had a very limited capability. The bill further required the United States to deploy a multiple-site ABM system with an initial operational capability by the year 2003.

The bill also proposed the system would be augmented to provide a layered defense against a larger and more sophisticated type attack. In addition, the proposed language would have established in permanent law a specific demarcation between what we call theater missile defense and strategic missile defense or national missile defense, as the term is used in this debate. It also prohibited negotiations, or other executive branch actions concerning clarification or interpretation of the ABM Treaty and the line between theater and strategic defenses.

In my judgment, and that of many other Senators and of the administration, the language in last year's bill was unacceptable. The requirement for a multiple-site system was clearly inconsistent with the ABM Treaty which limits parties to a single site. The mandate for a layered system, which would require deployment of space-based systems, also was inconsistent with the treaty. The statutory demarcation between theater and national missile defense systems, and the prohibition on negotiations by the administration, also raised difficult constitutional questions about the authority of the Congress to impinge on the President's negotiating authority, as well as his role as Commander in Chief.

When it became clear during the debate that there was insufficient support for the bill as passed by the committee to also pass the Senate, the majority leader, Senator DOLE, and the minority leader, Senator DASCHLE, designated Senators WARNER, COHEN, LEVIN, and myself—two Democrats, two Republicans—to attempt to develop a bipartisan substitute, and that we did. The result was a bipartisan amendment which provided extensive guidance to ensure that the United States would develop a more focused Missile Defense Program than the administration's then-current National Missile Defense Program.

Mr. President, if any of our colleagues would like to look at a sound proposal that was negotiated—every word of it was negotiated—they will do well to review that in reviewing this debate before we vote on these matters.

The bipartisan amendment stated that it, ''is the policy of the United States to develop for deployment a multiple-site national missile defense system that: First, is affordable and operationally effective against limited, accidental, and unauthorized ballistic missile attacks on the territory of the United States, and second, can be augmented over time as the threat changes to provide a layered defense against limited, accidental, or unauthorized ballistic missile threats.''

The bipartisan amendment required the Secretary of Defense to: ''develop an affordable and operationally effective national missile defense system to counter a limited, accidental, or unauthorized ballistic missile attack, and which is capable of attaining initial operational capability [IOC] by the end of 2003.''

The bipartisan amendment also set forth the understanding of the Senate as to the demarcation between theater and ballistic missile defense systems, and established a prohibition against the use of funds: ''to implement an agreement with any of the independent states of the former Soviet Union entered into after January 1, 1995. that would establish a demarcation between theater missile defense systems and antiballistic missile systems for purposes of the ABM Treaty or that would restrict the performance, operation, or deployment of United States theater missile defense systems except: First, to the extent provided in an act enacted subsequent to this act; second, to implement that portion of any such agreement that implements the criteria in subsection (b)(1); or third, to

implement any such agreement that is entered into pursuant to the treaty making power of the President under the Constitution.''

That amendment, developed by two Democrats and two Republicans, was approved overwhelmingly in the Senate by a vote of 85 to 13 and, interestingly enough, only one Republican voted against the amendment. Most of the votes against the amendment were on the Democratic side by people who felt the amendment went too far toward a national missile defense. Only one Republican, as I recall, voted against it.

Despite this overwhelming approval, the bipartisan amendment was abandoned in conference, which was puzzling to me at the time and remains puzzling, to say the least, since it would clearly define our national missile defense goals and give renewed bipartisan emphasis to the importance of national missile defenses.

The bipartisan amendment also had the added advantage that it would have been signed into law by President Clinton, not an insignificant step if your motive is to get something done. Instead, the majority conferees decided to mandate a specific requirement to deploy a national missile defense system by the year 2003. There is a difference here between ''develop for development'' and ''deploy.''

''Develop for deployment,'' which was in the bipartisan agreement that passed the Senate, is a different term than ''deploy,'' because ''develop for deployment'' indicates a further decision has to be made after the development has taken place before you decide to deploy, whereas ''deploy,'' as used then and as used in the act before us—that will perhaps be before us that is now the subject of debate—''deploy'' means deploy. It means you are making a decision now to deploy a system that will be developed over a period of time and be, hopefully, ready in 2003.

The Clinton administration expressed strong opposition to the conference report, particularly in terms of its impact on Russian consideration of the START II Treaty, which has not been ratified in Russia, which is designed to produce a second major reduction in United States and Russian nuclear weapons, including, I might state, Mr. President, getting rid of MIRV'd weapons which has been the goal, to get rid of multiple warhead missiles aimed at the United States which has been the goal of Democratic and Republican Presidents for many years.

The administration also expressed concern that the language could lead the Russians to abandon other arms control agreements if they conclude that it is United States policy to take unilateral action to abandon the ABM Treaty. And reading the act as it was proposed last year, I find it inescapable that that is what the Russians would conclude.

In a letter to Senator DASCHLE dated December 15, Secretary of Defense Bill Perry stated, and I quote from that letter:

> [B]y directing the NMD [National Missile Defense] be ''operationally effective'' in defending all 50 States (including Hawaii and Alaska), the bill would likely require a multiple-site NMD architecture that cannot be accommodated within the terms of the ABM Treaty as now written. By setting U.S. policy on a collision course with the ABM Treaty, the bill puts at risk continued implementation of the START I Treaty and ratification of the START II, two treaties which together will reduce the number of U.S. and Russian strategic warheads by two-thirds from Cold War levels, significantly lowering the threat to U.S. national security.

Ending the quote from Secretary Perry.

As a result of those concerns, and other considerations, the President vetoed the bill. That was the main defense authorization bill that was vetoed.

When the conferees reconvened, the majority decided to drop all language dealing with missile defense. Again, from my perspective, a very curious position, because we had already shown overwhelming bipartisan support, including every Republican, but one, in the U.S. Senate for what I would call the Nunn-Levin-Cohen-Warner amendment which passed the Senate. So why we did not go back to that as a substitute after the vetoed bill is still puzzling to me.

If the motive was to accelerate national missile defense, why would the majority not choose to insert the bipartisan amendment passed overwhelmingly in the Senate and agreed to by the President? I still have that question today. We could have passed that. We would be 1 year further along with a national consensus on where we go with national missile defense. But here we are, again, fighting over this issue. It seems to me some would rather fight over the issue than resolve it. Nevertheless, that is from my perspective.

The Dole-Gingrich bill let me just address briefly.

On March 21, 1996, Senator DOLE introduced S. 1635, entitled Defend America Act of 1996, on behalf of himself and 19 other Senators. I might stipulate at the beginning that I agree in defending America and I think my record indicates that over the years. So the title of the bill is not my problem.

Speaker GINGRICH and others introduced an identical version in the House. The Dole-Gingrich bill would mandate deployment of a national missile defense system by 2003 and selection of a particular architecture for that system a few months from now. I believe the date is March of next year. It gives the President 1 year from its enactment in which to negotiate modifications to the ABM Treaty to permit the chosen architecture to be developed and deployed.

So this is a very compressed timeframe, based on all technical assessments from the program managers, as to where we are now, particularly the items of selecting the architecture and in terms of negotiating an ABM Treaty amendment, which is not going to be a quick, easy matter, as everyone who has ever negotiated with the Russians knows.

A critique of the Dole-Gingrich bill is set forth in a recent speech by Robert Bell, the Senior Director of Defense Policy and Arms Control on the National Security Council. Mr. Bell takes the Dole-Gingrich proposal to task on several particular points.

First, he notes that the Dole-Gingrich bill requires a deployment decision today well before we have a system to deploy.

Second, he suggests that the Dole-Gingrich bill appears to be a ''stalking-horse'' for the resurrection of the old SDI program intended to defend against much larger scale attacks than a limited national defense could cope with.

Incidentally, the threat has changed immensely since those days because of START I and START II, at least the prospect of START II, in reducing the number of warheads, if these amendments go through, reducing them very substantially from what existed in the 1980's when President Reagan proposed the original so-called star wars program, which was an accelerated program of larger scope than we had in existence in terms of research and development.

Third, Mr. Bell indicates that the Dole-Gingrich bill would constitute an ''anticipatory breach'' of the ABM Treaty.

Finally, Mr. Bell suggests strong Russian opposition to the 1-year deadline in the Dole-Gingrich bill for negotiating changes in the ABM Treaty acceptable to the United States.

Mr. President, I agree with many of Mr. Bell's criticisms of the Dole-Gingrich bill. I ask unanimous consent that a copy of that speech be printed in the RECORD following my remarks.

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

(See exhibit 1.)

Mr. NUNN. Mr. President, the nonpartisan Congressional Budget Office was asked to estimate the acquisition cost for the NMD system required by the Dole-Gingrich bill. On May 17, 1996, the Congressional Budget Office provided the Armed Services Committee with that cost estimate. CBO estimates that the total acquisition cost for the Dole-Gingrich bill through the year 2010 would range from $31 billion to as much as $60 billion.

As the CBO report notes:

> The wide range in the estimate reflects uncertainty about two factors—the type and capability of a defensive system that would satisfy the terms of the bill, and the cost of each component of that system.

Mr. President, CBO is right. There is a huge range because no one knows the system that we in this bill, if we pass this bill, would be by law saying had to be deployed. So if we pass this bill as is, we would be making a deployment

decision on a system that is not developed, that will cost, according to CBO, anywhere from $30 to $60 billion. In a period of time where we are trying to get our budget under control, to pass into law something that mandates the deployment of a system that could range in cost from $30 to $60 billion is, to say the least, puzzling for a Senate that has talked about fiscal prudence. Just a little $30 billion swing there in terms of what we are talking about.

In its present form, Mr. President, I believe there is no question that the Dole-Gingrich bill, if and when passed by the Congress and sent to the President, will be vetoed just under the speed of light on both cost and arms control grounds.

I emphasize, however—and I think certainly this is important, from my perspective—that I support a number of the concepts underlying the Dole-Gingrich bill, concepts that I believe are imperfectly presented in its text, in other words, flawed.

Like the sponsors of that bill, I do not believe we can assume that no ballistic missile threat for the United States will emerge over the next 15 years.

Like the sponsors, I believe there is some preemptive and deterrent value to deploying a national missile defense system to defend against limited—I emphasize ''limited''—missile attacks even before the threat, certainly the rogue nation threat, has fully emerged.

To understand the unwarranted cost of delay in deploying a limited national missile defense system, I think we need only look at the difficult situation today in the theater missile defense area. Our theater missile defense systems arrived well after the short-range missile threat in the Middle East had emerged. When the Persian Gulf war began, Iraq had hundreds of short-range ballistic missiles at its disposal, while we had a very limited antimissile capability essentially grafted onto the Patriot air defense system. We were grateful for what we had. The results from Patriot defenses are still in some dispute—and certainly psychologically there was a big plus in having that system, and also militarily—but it is clear that the Patriot's performance did not resemble the ''astrodome'' defense that many missile defense enthusiasts envision. We are still playing catchup ball in the theater missile defense area, and we continue to do so today.

Mr. President, there are three parts to the threat that encourage us, from my perspective, to move forward on a prudent basis on a national missile defense system.

First, there is a potential at some future time for deliberate, long-range missile attacks from rogue nations. You can debate whether that is going to be in 5 years, 10 years, 2 years, 4 years. We all know that if certain powers in the world decided they wanted a rogue nation to have a missile and a nuclear warhead, it could happen overnight. I do not think that is likely because I do not think it is to Russia's benefit or China's benefit, or anyone else that is a nuclear power, to deliver a missile delivery system or a nuclear warhead to a rogue nation.

The second threat is the threat of accidental launch from existing nuclear powers. That accidental is exactly what we are talking about here. We are not talking about deliberate in the second threat, but accidental.

There is a threat of unauthorized launch from existing nuclear powers.

Since the threat of accidental and unauthorized launches of long-range missiles from both China and Russia exist today, I have no qualms about advocating the development and deployment of an accelerated but sensible—and I underscore both words, ''accelerated but sensible''—basis of a limited national defense capability.

The cost of that deployment can be viewed as a very reasonable insurance premium, if it is a prudent program against the catastrophic damage, the unimaginable loss of life that would result from even a single accidental or unauthorized nuclear missile aimed at an American city. I must add, however, the caution that everyone contemplating an insurance policy has to weigh the cost of the insurance premium against the risk of loss. Then you have to decide whether the risk warrants the premium. That is the way you have to decide a number of things, both in everyday life as well as in the defense arena.

Today, as the CBO report makes plain, the cost of the Dole-Gingrich bill's insurance premium for national missile defense is quite high. Therefore, these have to be weighed carefully, each, in my view, separately but also collectively.

For all of these reasons, Mr. President, I have some sympathy for some of the underlying concepts of the Dole-Gingrich bill. Unfortunately, as drafted, the demerits of the Dole-Gingrich bill far outweigh its good features.

Once again, as with last year's abortive national missile defense provisions, the Dole-Gingrich bill contains a series of egregious provisions that have nothing to do with getting on with the deployment of this national defense system to defend America from limited attacks and much to do with the implied hopes of a few in this body that the entire thrust of arms control and cooperation with the Russian federation can be reversed.

I certainly do not attribute that to everyone who supports this bill. But I think there are some who believe we would be better off—and they believe this sincerely—if we tossed out START I, tossed out START II and simply went all out to provide defenses that would certainly have to be much more comprehensive, because the threat would grow greatly in comparison to what would happen if we do carry out these arms control agreements that are underway.

Mr. President, I do not understand the logic that finds any advantage accrued to the United States from our acting to destroy the START II Treaty well before it enters into force and take down with it the ABM Treaty and probably the START I Treaty as well. I do not understand that logic.

Before START, the former Soviet Union had over 13,000 strategic nuclear warheads aimed at us; once START II enters into force, that total will be reduced to only 3,000 to 3,500 warheads.

Mr. President, as I have already mentioned, the threat that we are talking about has three prongs. One is, rogue nation. That is the debating point about where that will develop. The other two prongs are already here—accidental and unauthorized launch.

Does it not stand to reason there is much less chance of having an accidental or unauthorized launch if the Russians have moved down from 13,000 warheads to 3,000 or to 3,500, even with a military that is demoralized to some extent? Managing 3,000 to 3,500 warheads, if START II goes into effect and is implemented, is certainly a much more manageable situation than managing 13,000 and greatly reduces the threat that this national missile defense is aimed to prevent.

There is a direct connection between the START agreements being implemented and the reduction of threat that the National Missile Defense Act is aimed at. If we can get a major reduction in threat by carrying out arms control agreements, why would we want to disrupt that pattern? These agreements were negotiated and signed not by President Clinton or by President Carter but by President Reagan and by President Bush.

Mr. President, does the Senate believe our defense budget will be smaller if START II fails? Does the Senate believe a U.S. national missile defense system sized to defend against START I force levels—which will be the levels if we disrupt the reduction; that will be what we will be left with—do we believe missile defense systems sized to defend against the force levels will be paid for by the Congress and the American people? If so, it will be far bigger than any $30 to $60 billion. That is for a limited system. That is for a limited system.

If we go back to START I levels or START II levels you can take that figure and you can put a multiple on it. Does the Senate think the way to deploy limited missile defense capability is to pass, on a party-line vote, a bill that is certain to be vetoed? Is that somebody's idea of how you sustain a long-term program that will cost $30 to $60 billion? In my opinion, that is not the way you proceed. Primarily, what we will do if we pass this bill and it is vetoed, we will be in a posture where a number of people can issue press releases, while yet another legislative year passes. How many ballistic missiles can press releases defend against? Not many.

Even if all the egregious language were removed from the Dole-Gingrich

bill, we would still be left with another fundamental problem. The Dole-Gingrich bill violates most precepts of sound acquisition policy. The Dole-Gingrich bill says we are going to decide today to deploy ''something'' that can perhaps shoot down enemy long-range ballistic missiles that might be launched at U.S. territory by the year 2003. The preferred NMD system is not even defined in the Dole-Gingrich bill. No prototype hardware exists. There is no test data to support a cost and effectiveness analysis. We have, at best, back-of-the-envelope cost and ''schedule'' estimates provided by NMD developers to the ballistic missile defense organization. These developers' cost estimates are much lower than those provided by the nonpartisan Congressional Budget Office. I have seen a lot of weapons procured, and I have never seen a weapons developer overestimate the cost of the weapon. Just the reverse. I have seen almost every developer underestimate what it will cost. Of course that is their incentive.

Let me ask my colleagues, would we rely on defense contractors to tell us the cost of a new aircraft program, a new submarine program, or a new armored vehicle program? Would we rely on contractors, unchecked, solely, to tell us how soon the system would be operational? Would we legislate procurement of aircraft, ships, or armored vehicles, without knowing the outcome of research, development, testing, and evaluation? Would we commit to deployment without independent review of the testing done by the developer? Of course not. Of course we use the information a developer gives us, but we do enough testing and evaluation so we get an independent analysis.

That is the only sound, prudent way to buy any system, let alone a system that has this kind of revolutionary technology. Yet many of our colleagues appear ready to buy the Dole-Gingrich bill's proverbial pig in a poke, based on the back-of-the-envelope calculations, with no test data on any aspect of the system in hand today.

Mr. President, it would be a sad day for this body if we abandon our commitment to fly before we buy. Why would the Senate abandon its requirement that it will commit major funding to deploy complex major weapon systems only after adequate test and evaluation has been conducted? I do not understand how anyone can argue that the deployment mandate in the Dole—Gingrich bill constitutes responsible oversight and stewardship of the taxpayer dollars.

Mr. President, I also would like to address the administration's NMD Program which may be offered as a substitute to the Dole-Gingrich bill. Despite all the sound and fury that will accompany the debate over the Dole-Gingrich bill, the fact is that the end points of it and the administration's ''3-plus-3'' —3 years of development followed by 3 years of deployment—these programs are really quite similar. Both support extensive R&D on national missile defenses. Both provide the prospect of a deployed national missile defense system by the end of the year 2003. The main differences are that the administration plans to carry out the development and testing of the components of an NMD system for 3 more years while complying with the ABM Treaty and then consider whether or not to deploy that system, while the Dole-Gingrich bill commits us by law to a deployment decision on a noncompliant system today. By ''noncompliant'' I mean with existing treaty obligations of the countries.

While I am in agreement with much of the administration's program, I find that there are several omissions that, were they included, would materially strengthen the proposal. My major concern with the administration's proposal is the absence of any real criteria for evaluating 3 years hence whether or not the time has come to end development and start deployment. Significant among the considerations of that point should be, it seems to me, whether the threat—and by this, I mean one-third of the threat, the rogue nation threat—has matured as rapidly as we expected it would. Certainly we will know more as the years unfold. We recognize additional time spent in development usually leads to improved system performance, but it can also lead in many cases to much cheaper ways of achieving the desired objectives. For example, the administration's program also does not portray how much more effective or how much cheaper an NMD system might be if we were to defer deployment for an additional finite period, say 3 more years, if they were to conclude that the severity of the threat—in my view, the rogue nation threat, although the administration, which is where I differ significantly, they define the threat as only the rogue nation threat; I define that as one of the threats, the other two being accidental and unauthorized, and that threat is already here—if they were to conclude the severity of the rogue nation threat does not require an immediate deployment.

Mr. President, we have to consider all of these threats in assessing whether the risk is worth the premium or whether there are other ways we could spend the premium money to enhance our security more than will enhance it with this type system. That is the balance that is missing in this bill.

Mr. President, earlier I used the analogy of buying insurance in discussing the threat to the United States from attack by nuclear weapons delivered by long-range missiles. I noted that one must consider the cost of the insurance premium and the risk of loss. Many view the creation of nuclear weapons a half-century ago as the event that cracked open Pandora's box, allowing evils to escape, namely nuclear weapons. Increasingly, however, we are recognizing that the end of the cold war has ripped the lid off the box.

We have seen an attempt to use chemical weapons during the World Trade Center bombing, we have seen actual use of sarin gas in the Tokyo subway. In our subcommittee, Senator ROTH and I had a substantial number of hearings on that subject. We have seen the ugly face of domestic terrorism in the bombing of the Alfred P. Murrah Federal Building in Oklahoma City and the tragedy that ensued from that, the Chechen rebels in Russia conceal deadly radiological sources in a Moscow park, in effect, making a very clear and visible threat of using radiological weapons. That is, nuclear weapon materials being dispersed without an explosion. We have seen a sharply growing number of arrests of shady characters bringing fissionable materials out of Russia and other member States of the former Soviet Union.

In summary, Mr. President, America's citizens today face an array of potential and actual threats from many kinds of weapons of mass destruction, not simply being delivered by ballistic missile. Some of these threats can emerge at home, others can come from abroad, by a variety of means and in many guises. This Nation, today, is singularly unprepared for any sort of terrorist threat employing chemical, biological or radiological weapons of mass destruction. We have all sorts of vulnerabilities that we are just beginning to pay some attention to.

Mr. President, this raises, again, the question of what risks America can afford to pay to insure against, and how much America can afford to pay for insurance of all kinds. What are the priorities we should attach to improving our capabilities to defend against each of these threats, including but not limited to the threat of long-range missiles armed with nuclear weapons? Are we providing funding to deal with each of these different threats in accordance with our level of preparedness and the imminence of the threats, or are we overfunding some of the threats while starving and completely ignoring others? Does the Dole bill represent the equivalent of an expensive life insurance policy that only ensures against death from shark attacks and lightning strikes, but does not provide coverage against more fundamental problems, such as heart attack and cancer?

Since we are spending so little and are so unprepared for terrorist attacks on our cities, using chemical, biological, or radiological weapons, should we not be checking out the costs of a more comprehensive and less expensive insurance policy than the Dole-Gingrich bill?

In fact, Mr. President, Senator LUGAR, Senator DOMENICI, and I have spent a great deal of time in recent months and years, and we plan to introduce an amendment on the fiscal year 1997 defense authorization bill when it is brought up on the floor later this month to address many of these areas of America's unpreparedness in a

comprehensive way, dealing particularly with the domestic threat of chemical and biological weapons being used against our cities and against our citizens.

Mr. President, also—and this is a separate matter that Senator LUGAR and Senator DOMENICI are not involved in, and I want to make that clear—I intend to offer a substitute during this debate if the Dole-Gingrich bill is considered by the Senate. My substitute will include a number of modifications and omissions I have previously noted in this presentation today, including—and this is just the highlights or the fundamental parts of this substitute—No. 1, the specification of a treaty-compliant national missile defense system to be developed for deployment at Grand Forks, consistent with an additional operation capacity in 2003.

Again, the words ''developed for deployment'' is different from deployment, and that is a fundamental difference. It means develop so we can be prepared, with logical reasoning, to decide whether and when to deploy—after we know whether it will work, after we know how much it is going to cost.

By the way, that would be, as I said, a treaty-compliant system because, under the ABM Treaty, we are allowed to have a missile defense system at Grand Forks, and, of course, the Russians have had one around Moscow for some time.

No. 2, a statement of the criteria to be considered in any future deployment decision, including the threat, the cost and effectiveness of the deployed system against that threat based on demonstrated test results, the cost differential and gain and effectiveness of the deployed system, if it were to continue to be developed an additional period of 1 to 3 years. In other words, can we make quantum leaps in effectiveness and in reducing costs if we take another year or two to develop it? That has to be measured against a threat at the appropriate time. We cannot make that judgment now.

Also, the effect on deployment of reducing the threat against the United States through arms control measures: Should we not consider the effect on START I and START II? Should we think about that? And also including our relative preparedness for other contingencies involving the threat and use of weapons of mass destruction, including, as I mentioned, chemical and biological attacks against American cities.

The third part of this substitute will be an inclusion of a provision establishing a procedure to permit a vote by both Houses of the 106th Congress on the deployment of the treaty-compliant national missile defense system described in my proposal, with that vote constructed as a privileged motion under expedited procedures. Mr. President, this would say that at a time certain we will vote, we will decide, but we will do it on a time scale where we have the information before we make the decision, not after we make the decision.

No. 4, a provision urging that the President seek, cooperatively with Russia, to rescind the 1974 protocol to the ABM Treaty and make modest conforming changes to allow both sides 2 national defense sites and up to 200 interceptors. Mr. President, that was the original ABM Treaty, and the protocol cut 2 sites and 200 interceptors to 1 site and 100 interceptors. This would be saying to those who believe that the ABM Treaty and everything about it is sacred—and I do not—we will go back to the original ABM Treaty, which permitted 2 sites and 200 interceptors. This would greatly improve the effectiveness of the United States and Russia against limited attacks by long-range ballistic missiles, without threatening either side's deterrent capabilities or either side's perception of having deterrence to a first-strike by the other side.

Mr. President, the fifth provision is a provision urging continued cooperation with Russia and other States on the full spectrum of threats involving weapons of mass destruction. Mr. President, we have just received word that the last nuclear warhead has been taken out of the Ukraine and moved to Russia. This is the best example of reducing the threat against the United States by means other than military hardware. We are using the so-called unn-Lugar money to reduce the threat. If anybody thinks it is easier to deal with four nuclear States, four different hands on the nuclear trigger, four different command and controls, four different sets of officers, all aiming missiles at the United States or at other allies in the world, then I think they need to rethink their position.

What we have been able to do in the last 2 or 3 years, with stalwart work by Secretary Perry and others in the Department of Defense, we have been able to get three of the former parts of the Soviet Union that ended up with nuclear weapons—Belarus, Kazakhstan, and Ukraine—to give up all their nuclear weapons. The Ukraine's last warhead has just moved out. I think that demonstrates the comprehensive kind of approach that we have to have in dealing with this problem.

Finally, Mr. President, a sixth component, and a very important part of this overall substitute, would be calling for greater United States-Russian cooperation in such areas as sharing improved missile detection and warning data. If successful, this cooperation, particularly joined with the amendments to the ABM Treaty, which should be mutually agreed on—we always have the right to basically serve notice that we are getting out from under the treaties if Russia will not negotiate in good faith—but, if successful, the combination of having the ability to go back to the original ABM Treaty and have two sites, and also joint development programs for advanced theater missile defense systems, since we and Russia face similar theater missile defense threats—Russia probably greater than we face that kind of threat—that kind of combination could put us on the road to a different kind of relationship with Russia. Obviously, the extent of such cooperation may well be dependent upon the outcome of the Russian elections and the future direction of the Russian Government. At this point, that is unknown.

Mr. President, in summary, I believe my amendment, when it is introduced, can provide the basis for a strong, bipartisan bill, allowing us to move forward with the national missile defense capability against limited attack. I have no doubt that some in this body will not support this approach because it does not have enough of a flavor of immediate deployment before we know cost affordability, technical systems, and how they work. So some people will not favor it because of that and also because it does not lead to necessarily abandoning the ABM Treaty. Others will dismiss, from the other point of view, all threats of missile attack on the United States, and they will oppose it because this substitute is too forward leaning. We could end up, on this substitute, with only one vote, and that might be mine. It may be one of those classic squeezes where everybody is opposed to it for different reasons.

I hope that is not accurate. I hope that many in the coalition that supported last year's bipartisan amendment, by a vote of 85 to 13, will be able to support this amendment, which I think can provide us the right road to reduce the overall threat against the United States, to provide for an orderly and logical sequence of decisionmaking in the national missile defense area, and also provide for a method of retaining the constructive parts of the ABM Treaty, by having modest amendments to that treaty in a cooperative way, and also providing for increased cooperation between the United States and Russia, in recognizing that we both, to some extent, face the same kind of threat. It would behoove both of us to work together in protecting our people and our citizens.

Mr. President, for a long time to come, the Russians, even if we get START I and START II, are still going to have enough capacity, in 30 minutes to an hour's time, to destroy most of the United States.

I think in considering that equation—and that is even if we pass the Dole-Gingrich bill, and even if everything works out and it is affordable, even if it is technically feasible and even if we begin deploying it in 2003, we are going to have a period of many years while we remain vulnerable to an attack by the Russians against the United States.

For that reason I think everybody better pay careful attention to the way we go about reducing this overall threat of rogue nations and accidental

unauthorized launch. The way we go about it can produce a much safer America. But it can also, if we go about it in the wrong way, cause a great deal of increased risk to our citizens because of the continuing threat of existing nuclear powers, and, even if we have arms control and if it works perfectly, that threat is going to remain for a long time to come.

Mr. President, many people do not realize it. But, if we were to agree right now with the Russians, the Chinese, the French, the British, and everybody else in the world to abolish all nuclear weapons from the face of the Earth, it would take years and years and years to be able to negotiate something that would be verifiable. And then it would take years and years to reduce the number of warheads and missiles. It would take a long, long time.

So we are going to be living with this nuclear equation for a long number of years to come, even under the best of circumstances. And I think it is in our interest to proceed in a very logical and a very prudent fashion as to how we go about protecting America's national security and protecting the land that we love.

[EXHIBIT 1]

DEFENDING AMERICA AGAINST WMD

(By Robert G. Bell, Senior Director, NSC)

It is always a pleasure for me to come back to the Hill, and a special pleasure to be here only a week or so before ''Defend America Week'' in the House and Senate. The Administration is delighted that both Houses are going to take time out of their busy schedules to focus on the state of our Nation's defenses. But I want to make it clear that for the Administration, defending America is not something we concentrate on one week out of the year. Defending America is what we're about day in and day out.

This morning I would like to address one important aspect of our strategy for defending America, and that is defense against the growing danger of weapons of mass destruction (WMD). On April 25th the Secretary of Defense addressed this topic in a comprehensive fashion in a speech at George Washington University, and I recommend that speech to you. As he noted, the Administration has erected three lines of defense against weapons of mass destruction. I agree with the point Senator Cochran makes in his Post op-ed today that there should not be an ''either/or'' choice between these three lines of defense: we need all three.

The first line of defense is prevention—or what Secretary Perry has called ''defense by other means.'' This line of defense includes ratifying and entering into force START I and START II, which together will remove from active inventories two-thirds of the strategic nuclear weapons that threatened us at the height of the Cold War.

It includes ratifying the Chemical Weapons Convention, which we look forward to seeing on the Senate floor in the near future now that it has been overwhelmingly approved by the Foreign Relations Committee.

It includes achieving the indefinite and unconditional extension of the Non-Proliferation Treaty, strengthening the IAEA and MTCR, negotiating the nuclear framework accord with North Korea, and signing two nuclear-free zone treaties which, together with the Antarctica and South American agreements, now mean that over half the land area of the earth is denuclearized.

These agreements, in tandem with the ''true-zero'' Comprehensive Test Ban treaty we intend to have ready for signature by September, establish strict restrictions on the further proliferation of nuclear weapons.

It includes the US/Russian detargeting agreement the President reached with President Yeltsin, which ensures that if—God forbid—a nuclear missile should ever be launched accidentally, it would cause no harm. And it includes the invaluable Nunn-Lugar program for directly removing nuclear capabilities.

As Michael Krepon has underscored in testimony and in his published writings, it is unfortunate that while Congress is increasing budget accounts for missile defense by hundreds of millions, many on the Hill have restricted or even cut funding for these preventive programs, and some have staunchly opposed the arms control treaties I mentioned.

The second line of defense against weapons of mass destruction is deterrence, both at the conventional and nuclear level. Any rogue nation foolish enough to contemplate using nuclear, chemical or biological weapons against the United States, its Armed Forces or our allies must not be confused about how we would respond. As Secretary Perry stated, it would be ''devastating'' and ''absolutely overwhelming.''

The President has made clear in three successive annual National Security Strategy Reports the plain fact that this Administration believes, fundamentally, in maintaining a robust and credible nuclear deterrent. Not because we believe Russia is going to attack us today, tomorrow, next week, next month, next year. But because we face an uncertain future and an uncertain world, and keeping our nuclear forces strong is a prudent hedge. That is why we decided to maintain the triad. That is why we decided to backfit the D–5 SLBM into our Trident submarines. And that is why the President recently decided that we are not going to go below START I levels until Russia ratifies the START II treaty.

The third line of defense is compromised by our theater and national missile defense programs, on which the Defense Department is spending $3 billion a year. As Secretary Perry stated, our ballistic missile defense program starts with a sober and clear-eyed look at the missile threat. What is that threat?

First, there is the short-range missile threat, which is here and now. That threat includes SCUDs and other missiles with ranges below 1000 kilometers. To defend against such attacks we have deployed upgraded Patriots in various theaters around the world and are poised to deploy in the next few years more advanced PAC–3 and Navy Lower Tier TMDs.

Second is the emerging threat of more advanced, longer-range theater ballistic missiles. To counter these expected threats we are developing the Army THAAD and the Navy Upper Tier TMDs, with deployment planned after the end of the decade and, in the case of THAAD, a contingency deployment of 40 prototype interceptors available as soon as two years from now.

As this audience well knows, Congress and the Administration have disagreed over the pace of these two programs and our approach to the arms control dimension of both systems. Congress wants to go faster; we say we have the time to get it right. We say we should not build so much concurrency into the programs that we increase technical risk inordinately. On the arms control front, we are trying, in a cooperative fashion with Russia, to make clear that the ABM Treaty does not restrict TMD systems that have a hypothetical capability under certain scenarios to intercept certain strategic ballistic missiles. In this regard, we were encouraged by the understandings on ABM/TMD demarcation reached at last month's summit in Moscow. But as Secretary Perry emphasized, ''our bottom line is that we will not give up the right to defend our troops from attack by theater ballistic missiles.''

The third threat is the prospect that a rogue state will obtain a strategic ballistic missile that could threaten our homeland. When do we expect that could occur? This brings us to the recent National Intelligence Estimate—the now-famous NIE. That NIE says, as has been stated in open testimony, that the intelligence community does not believe it is likely that we will face an ICBM or SLBM threat from a rogue nation to the continental United States (CONUS) within the next 15 years. In the special case of Alaska and Hawaii—which we obviously recognize as full partners in this union of fifty states—the CIA has said, in a public letter to Senators Levin and Bumpers, that the intelligence community does not think that the North Korean Taepo Dong II, which might have the range to reach western Hawaii or parts of Alaska, will be operational within the next 5 years. Let me take each of those cases in turn.

First, why ''15 years'' in terms of a threat to CONUS? It is important to understand that this was not a case of building the threat from the bottom up, of starting now and going out in time year by year to see how far you could go before everyone agreed a threat was likely to emerge. Rather, the analysts decided that the 15 year mark was the most relevant point in time in terms of being useful to the policy and acquisition communities. They could have picked the 10 year mark, but since weapons systems have a 12–15 year acquisition period, that would have been too soon. And they could have picked 20 or 25 years, but that would have been too speculative. So they decided to ask themselves what they thought the situation would look like in 15 years.

Did the NIE ignore possible short-cuts that a country might pursue as an alternative to an indigenous, bottom-up ICBM or SLBM development, test and acquisition process? No. It looked at such alternatives as a rogue state buying, stealing or otherwise getting possession of a complete missile. They did not say it could not happen; that it was impossible. But they did judge that possibility to be remote or very low.

Did the Administration take comfort from the 15 year estimate and conclude we did not need to do anything before then? No. We are developing an NMD deployment option that could be fielded by 2003, eight years—I repeat, eight years, in advance of the estimate. I will have more to say about our program in a minute.

Did the NIE ignore the Alaska/Hawaii threats? No. That analysis is in there. In this case, the picture is less clear. But both the Air Force and the Army have on their own initiative put together quick response, treaty-complaint, relatively low cost deployment options that could defend Alaska and Hawaii against an attack involving just a few warheads. These options would be uniquely effective, and I would say exclusively effective, against just this kind of scenario: a North Korea that acquires a handful of missiles sooner than expected.

Finally, was the NIE ''politicized'', as has been charged? I will tell you categorically that the answer to that is ''no.'' I say that for two reasons. First, the first I knew that there was an NIE coming out on this issue was when I came to work one morning and found it in my in-box. Anyone who thinks that someone at the White House could call up the CIA and order them to produce a

''helpful'' NIE without the NSC knowing about it knows nothing about how the Executive Branch works. The second reason is that the 15 year estimate was a unanimous judgment among the various elements of the intelligence community. This was not a case of a ''footnoted'' estimate, where some organizations said one thing and others said another and the Administration decided to pick the most favorable view. Rather, all organizations that participated in the NIE were in agreement, and it was not a close call.

So, that it is our plan and our program. But our critics are supporting another approach, embodied now in the bill introduced by the Majority Leader and the Speaker, and we are about to engage in a great debate on this issue.

I want to be clear about the critical differences between the Dole-Gingrich bill and the substitute that Mr. Spratt offered that lost narrowly in committee and will be voted on again on the floor, and the substitute bill that I understand Senator Nunn is preparing for introduction in the Senate.

The first critical difference, as Secretary Perry emphasized in his speech at GW, is a question of timing. The Dole-Gingrich bill says choose the NMD architecture now and deploy it independent of what happens with the threat. Our plan is to develop a deployment option, assess the threat in three years, and examine the deployment requirement on a year-by-year basis starting in 2000. Either approach would allow a system to be fielded by 2003. But ours offers the prospect, if the threat does not materialize sooner than we expect, of saving the large sums now and across the Future Years Defense Plan (FYDP) that would be required to build and deploy a national missile defense.

How much would we save? Frankly, it is hard to say. Senator Dole said he did not know how much his plan would cost. That is because the Dole-Gingrich bill embraces such a wide range of possible architectures that it is impossible to estimate what the bill would cost. But if you take the most conservative option—that is, a two-site land-based ABM defense—that would cost on the order of $20 billion in acquisition and operating and support costs. That is $20 billion that is not in the FYDP or the Military Services' outyear budgets. That is $20 billion that would compete with Service procurement requirements that we and the Chiefs agree have a higher priority. That is why the Chairman of the Joint Chiefs of Staff and the Chiefs oppose any significant increase in spending on ballistic missile defenses and have recommended that current levels be maintained.

I think it is interesting that some Members have held up copies of leaked memos from General Shali and read from those portions in which he and the Chiefs made recommendations with regard to procurement levels, but then have not gone on to read those portions in which the Chairman and the Chiefs recommend against spending more on missile defenses.

The second critical difference, quite frankly, is that, at least for some of its backers the Dole-Gingrich bill is a stalking horse for a return to a Reagan-era SDI, and our program is not. Let me illustrate that with five points.

Point One: The bill specifically embraces much of the Reagan-era ''Star Wars'' scheme.

The bill would direct the Secretary of Defense to deploy a national missile defense (NMD) by 2003 that includes one or more of four ABM interceptor options, three of which involve putting ABM weapons or sensors in space in violation of the ABM Treaty:

The bill recommends that the Secretary consider an NMD based on space-based laser (SBLs). To ''defend America'' with SBLs would require, at a minimum, a constellation of 17 orbiting weapons platforms, at a cost of tens of billions of dollars that is not in the FYDP. In addition, there is at present no launcher in the U.S. inventory capable of placing a platform of this size and weight in orbit, thus billions more would be required to develop and produce such rockets. Although the SASC plussed up the SBL line in its version of the FY 1997 defense authorization act by $101 million, BMDO believes that even if money were unlimited, the SBL technology is currently so immature that we could not expect to be ready to carry out the first test of a full-scale prototype for a decade. Yet the Dole-Gingrich bill suggests we would conduct a first ''integrated systems test'' of the entire system in two years and complete the deployment of the whole constellation in seven.

A second option the bill recommends to the Secretary is space-based kinetic-kill interceptors. To ''defend America'' with such orbiting rocket launchers would require resurrection of the SDI-era ''Brilliant Pebbles'' program, which was terminated several years ago. As with SBLs, an NMD that provided nationwide coverage from Hawaii to Maine would require deployment of a large constellation of orbiting weapons platforms that would cost tens of billions of dollars. If the ''Brilliant Pebbles'' program was reactivated today, BMDO believes the first interceptors would not be tested for three years and deployment would take much longer, yet the bill suggests there is a viable option to have a complete space-based kinetic kill NMD defense in place by 2003.

Sea-based ABMs: This third option would also violate the ABM Treaty. The bill recommends the Secretary deploy such a defense by 2003, yet we do not even have such an NMD program in R&D. Navy Upper Tier is a TMD, and upgrading it is an ABM would require development and deployment of space-based ABM battle management satellites that could replace the radars on the Aegis-clear ships. Such ABM ''components''—which were a central element of Reagan-era SDI architectures—would violate the ABM Treaty.

Point Two: Ignoring the space-based options in the bill requires a willing suspension of disbelief.

The only one of the four options recommended to the Secretary for deployment by 2003 that is allowed under the ABM Treaty and coincides with current DoD NMD development programs is ground-based interceptors. Deployment of 100 such interceptors at a single site is permitted. But if a ground-based ABM is what the sponsors of the bill want the Secretary to develop, why doesn't the bill just say so? Why does it also endorse the other three options? The answer is that there are influential defense experts backing this bill who fervently believe that land-based ABMs would be a mistake and that putting weapons in space is the only way to go. For these experts, the original Reagan plan was right, and everything that has happened since, including President Bush's downgrading of SDI to a limited-defense oriented ''GPALS'' has been a mistake.

Point Three: The bill requires that the initial NMD deployment ''will be augmented over time to provide a layered defense against larger and more sophisticated ballistic missile threats''.

The reference to a ''layered'' defense against ''larger'' threats is code for a return to the original Reagan-era ''astrodome'' SDI concept for stopping even an all-out Russian nuclear strike.

Point Four: The bill would state that ''it is the policy of the United States to seek a cooperative transition to a regime that does not feature an offense-only form of deterrence as the basis for strategic stability.''

This text restates vintage Reagan-era SDI ideology: the idea, often articulated by the former President, that Mutual Assured Destruction (MAD) is ''immoral'' and that we should replace it with an impenetrable missile shield that would allow us to dramatically reduce strategic offensive arms. In its most extreme form, we would ''give'' SDI to the Russians so we could both erect such shields in space and eliminate all our nuclear weapons.

Point Five: The bill concedes that the NMD that it requires be deployed by 2003 requires amendment of the ABM Treaty, but it mandates that if Russia does not agree to such amendments ''within one year'' we consider withdrawing from the Treaty:

The bill requires a ''highly effective'' defense that ''optimizes'' protection of CONUS, Alaska and Hawaii against limited missile attacks, including accidental or unauthorized launches. Acknowledging that these criteria cannot be satisfied within the Treaty as now constituted, the bill directs the President to obtain amendments that would allow an NMD of this level of effectiveness to be deployed.

The one-year deadline in the bill to achieve these amendments is not arbitrary, since, as noted, the bill requires a full-up systems integration test in two years of the NMD system that is to be deployed by 2003, and such tests could only take place after we had entered the development phase of the acquisition process. Any development or test of a space-based laser, space-based kinetic kill interceptor, sea-based ABM or multiple-site ground-based ABM system would violate the Treaty. Thus the time-lines established in the bill could, in the case of at least three of the NMD options it recommends the Secretary consider, only be met if the U.S. obtained the necessary treaty relief within a year.

In light of clear Russia opposition to any such amendments, the bill would be seen by Russia as tantamount to an ''anticipatory breach'' of the Treaty, thereby putting at immediate risk Russia reductions of strategic offensive arms under START I and START II. By holding a gun to the Russians' heads and demanding amendments within a year, the bill reflects an antipathy to the ABM Treaty reminiscent of Reagan-era ''Star Wars'' thinking. But in so doing, we stand to forfeit what otherwise would be a two-thirds reduction in Russia's strategic nuclear arsenal.

In conclusion, let me say that I spent eighteen years on the Hill: six at CRS working for both parties, four on the Senate Foreign Relations Committee working for a Republican majority, and eight on the Senate Armed Services Committee working first for a Democratic minority and then a Democratic majority. And the hallmark of those years was a spirit of bipartisanship and compromise when it came to important issues affecting our national security. I know that that spirit was still alive on the Hill as recently as last August, when Senator Nunn and Senator Warner, joined by Senator Levin and Senator Cohen, worked out a bipartisan compromise on missile defense policy that was supported by the Administration. That compromise passed the Senate with 86 Senator voting ''aye.''

As we begin Defend America week, I hope we will not be debating a bumper sticker slogan. Rather I hope we will have an honest and objective debate on missile defense policy and that a spirit of bipartisanship and compromise will again be evident.

Thank you.

Mr. KYL addressed the Chair.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. KYL. Mr. President, I appreciate the comments by the Senator from Georgia, and will not attempt to discuss them this evening since the hour is late except to note one thing; that is, that while reasonable people can differ about some of the elements of the bill, as I noted in my remarks and the Senator from Georgia noted to the point that maybe some people are more interested in a press release or the issue than actually getting it passed, I just ask our colleagues tomorrow when the cloture vote comes to put us to the test and allow us to at least have a vote on the bill. We would like to get it passed. I would much rather move forward with the bill, get it to the President so he can sign it, or veto it as the case may be, but at least to try to move forward with the issue. If the cloture vote is supported, and if the bill is defeated, then at least the body will have worked its way. But at least I would like to have people take yes for an answer, and yes in this case meaning that we are serious about moving forward and we would like to try to get something passed.

So again I urge my colleagues to support the cloture motion tomorrow.

Mr. NUNN. Will my friend yield briefly?

Mr. KYL. Absolutely. I am happy to.

Mr. NUNN. I hope the Senator from Arizona will not exclude the possibility of continuing to have a dialog in this area to see if we can reach something that can be signed by the President this year. That is my goal. I think that is possible. But it is not likely the way we are going at this point in time.

I also add that, as the Senator may know, there has been an offer at least from some of us on this side. I will be careful how I word this. I am not sure who has signed off on it. That is at the leadership level now—an offer to have a vote on this bill so we do as the Senator indicated and come to some conclusion even if it goes to the White House and is later vetoed; but also to get a similar agreement on the chemical weapons treaty which has come out of the Foreign Relations Committee by a bipartisan vote. I think there are substantial numbers of Republican Senators who support that treaty. It is of enormous importance to a number of people in this body.

I think myself it will enhance our ability to deal with the growing threat of chemical weapons. And there is certainly a willingness by many people on this side of the aisle—certainly I speak for myself—to make sure that we get a vote on both of these bills this year; that is, the missile defense and the chemical weapons treaties.

I might add though that if there is no movement on the chemical weapons treaty and getting some time certain to deal with that, I think it is unlikely that there is going to be much movement by a number of our colleagues to have a vote on the National Missile Defense Act and substitutes thereto. I would like to get it up myself because I would like to debate the substitute as I have outlined here today. There may be another substitute that is pretty much identical to the administration's proposal. My substitute will differ in certain respects from the administration's preposition.

So it is my hope that we can get both of these matters—both the National Missile Defense Act, as well as the chemical weapons treaty, up. I hope the Senator will work toward that end also.

Mr. KYL. In response, I hope the Senator from Georgia is not suggesting that the National Missile Defense Act is being held hostage to bringing up the chemical weapons treaty because the two are not linked, and there are a lot of us who believe that whether or not we could pass the chemical weapons treaty this year—and there is still more work to be done to that in the Judiciary Committee on which I sit which has not held hearings yet, given the fact we do not have a lot of legislative time in this session, that there is more to be done on that bill—I hope the Senator from Georgia is not suggesting that until we act on that we cannot act on this important matter of national missile defense.

Mr. NUNN. The Senator from Georgia is suggesting that there are a number of people in this body—and I am sure, whether it is 36, or 40, or 25, or 15—who want to make sure that we pass the chemical weapons treaty, or at least vote on it. It requires a two-thirds vote. If there is a one-third part against it, it will not pass anyway. And I say there are a number of people who would indeed tie those two together since both are deemed by a number of people with different reasons and different perspectives as important to national security.

Mr. KYL. It would be unfortunate if the two were required to be tied together and we could not act on the National Missile Defense Act, in my view anyway.

MORNING BUSINESS

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.)

MESSAGES FROM THE HOUSE

At 1:32 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. 3322. An act to authorize appropriations for fiscal year 1997 for civilian science activities of the Federal Government, and for other purposes.

H.R. 3517. An act making appropriations for military construction, family housing, and base realignment and closure for the Department of Defense for the fiscal year ending September 30, 1997, and for other purposes.

The message also announced that the House disagrees to the amendment of the Senate to the concurrent resolution (H. Con. Res. 178) establishing the congressional budget for the U.S. Government for fiscal year 1997 and setting forth appropriate budgetary levels for fiscal years 1998, 1999, 2000, 2001, 2002, and agree to the conference asked by the Senate on the disagreeing votes of the two Houses thereon; and appoints Mr. KASICH, Mr. HOBSON, Mr. WALKER, Mr. KOLBE, Mr. SHAYS, Mr. HERGER, Mr. SABO, Mr. STENHOLM, Ms. SLAUGHTER, and Mr. COYNE as the managers of the conference on the part of the House.

MEASURES REFERRED

The following bills were read the first and second times by unanimous consent and referred as indicated:

H.R. 3322. An act to authorize appropriations for fiscal year 1997 for civilian science activities of the Federal Government, and for other purposes; to the Committee on Commerce, Science and Transportation.

H.R. 3517. An act making appropriations for military construction, family housing, and base realignment and closure for the Department of Defense for the fiscal year ending September 30, 1997, and for other purposes; to the Committee on Appropriations.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, which were referred as indicated:

EC–2728. A communication from the Administrator of the Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a final rule relative to the end of the regulatory period for onions grown in South Texas under Marketing Order 959 from June 15 to June 4 of each year, received on May 20, 1996; to the Committee on Agriculture, Nutrition, and Forestry.

EC–2729. A communication from the Congressional Review Coordinator of Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a final rule concerning the amended regulations to provide for the payment of indemnity for cervids destroyed because of tuberculosis, and to provide for the payment of indemnity for cattle, bison, and cervids found to have been exposed to tuberculosis by reason of association with any tuberculosis livestock, received on May 21, 1996; to the Committee on Agriculture, Nutrition, and Forestry.

EC–2730. A communication from the Administrator of Food and Consumer Service,

Department of Agriculture, transmitting, pursuant to law, the report of a final rule relative to the amending of the regulations governing the collection of social security numbers and household income information on the application for free meals under the Summer Food Service Program, and for free and reduced price meals under the Child and Adult Care Food Program (RIN 0584–AB17), received on May 20, 1996; to the Committee on Agriculture, Nutrition, and Forestry.

EC–2731. A communication from the Acting Administrator of the Farm Service Agency, Department of Agriculture, transmitting, pursuant to law, the report of a final rule relative to the removing of obsolete regulations pertaining to Wetlands Reserve Program (RIN 0560–AE83), received on May 22, 1996; to the Committee on Agriculture, Nutrition, and Forestry.

EC–2732. A communication from the Administrator of the Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a final rule relative to the revising of the Regulations Governing Inspection and Certification of Processed Fruits and Vegetables by increasing the fees charged for the inspection of processed fruits and vegetables and certain other products, received on May 22, 1996; to the Committee on Agriculture, Nutrition, and Forestry.

EC–2733. A communication from the Administrator of the Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a final rule relative to the modifying of the time periods when imported onions are regulated based on the grade, size, quality, and maturity requirements of the South Texas onion and Idaho-Eastern Oregon onion marketing orders, received on May 22, 1996; to the Committee on Agriculture, Nutrition, and Forestry.

EC–2734. A communication from the Administrator of the Cooperative State Research, Education, and Extension Service, Department of Agriculture, transmitting, pursuant to law, the report of a final rule relative to the amending of its regulations relating to the administration of the Small Business Innovation Research Grants Program, which prescribe the procedures to be followed annually in the solicitation of research grant proposals, the evaluation of such proposals, and the award of competitive research grants under this program (RIN 0524–AA08), received on May 13, 1996; to the Committee on Agriculture, Nutrition, and Forestry.

EC–2735. A communication from the Administrator of the Rural Utilities Service, Department of Agriculture, transmitting, pursuant to law, the report of a final rule relative to the amending of its regulations on Telecommunications Standards and Specifications for Materials, Equipment and Construction, by codifying the RUS Specification for Aerial Service Wires, received on May 16, 1996; to the Committee on Agriculture, Nutrition, and Forestry.

EC–2736. A communication from the Congressional Review Coordinator of the Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a final rule relative to the amending of user fees for certain import- and export-related services for live animals and birds, animal products, organisms and vectors, and germ plasm and veterinary diagnostic services (RIN 0579–AA67), received on May 15, 1996; to the Committee on Agriculture, Nutrition, and Forestry.

EC–2737. A communication from the Administrator and Executive Vice President of the Commodity Credit Corporation, Farm Service Agency, Department of Agriculture, transmitting, pursuant to law, the report of a final rule relative to the amending of the regulation by setting forth 1995-crop loan rates to be used in administering the Sugar Price-Support Program (RIN 0560–AE44), received on May 13, 1996; to the Committee on Agriculture, Nutrition, and Forestry.

EC–2738. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, relative to the Medicare prospective payment system; to the Committee on Finance.

EC–2739. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Criteria for a Rural Hospital to be Designated as an Essential Access Community Hospital,'' received on May 16, 1996; to the Committee on Finance.

EC–2740. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Conditions of Coverage for Organ Procurement Organization; Medicare and Medicaid Programs,'' received on May 13, 1996; to the Committee on Finance.

EC–2741. A communication from the Regulatory Policy Officer of the Bureau of Alcohol, Tobacco and Firearms, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Materials and Processes Authorized For the Production of Wine and For the Treatment of Juice, Wine and Distilling Material,'' (RIN 1512–AB26) received May 16, 1996; to the Committee on Finance.

EC–2742. A communication from the Executive Director of the Physician Payment Review Commission, transmitting, pursuant to law, the report of a revised letter on volume performance standards; to the Committee on Finance.

EC–2743. A communication from the Chief of the Regulations Branch, U.S. Customs Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Removal of Customs Regulations Relating to the Steel Voluntary Restraint Arrangement Program,'' (RIN 1515–AB04) received on May 13, 1996; to the Committee on Finance.

EC–2744. A communication from the Chief of the Regulations Branch, U.S. Customs Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Prohibited/Restricted Merchandise; Enforcement of Foreign Assets Control Regulations,'' (RIN 1515–AB91) received on May 13, 1996; to the Committee on Finance.

EC–2745. A communication from the Chief of the Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of Notice 96–31 relative to the Protocol Amending the Convention With Respect to Taxes on Income and Capital, received on May 13, 1996; to the Committee on Finance.

EC–2746. A communication from the Chief of the Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of Revenue Ruling 96–27 entitled ''Determination of Issue Price in the Case of Certain Debt Instruments Issued for Property'', received on May 21, 1996; to the Committee on Finance.

EC–2747. A communication from the Chief of the Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of Revenue Ruling 96–28 entitled ''Determination of Interest Rate'', received on May 22, 1996; to the Committee on Finance.

EC–2748. A communication from the Chief of the Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of Revenue Ruling 96–29 entitled ''Definitions Relating to Corporate Reorganizations'', received on May 22, 1996; to the Committee on Finance.

EC–2749. A communication from the Chief of the Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of Revenue Ruling 96–30 entitled ''Distribution of Stock and Securities of a Controlled Corporation'', received on May 22, 1996; to the Committee on Finance.

EC–2750. A communication from the Chief of the Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of Notice 96–34 entitled ''Administrative, Procedural, and Miscellaneous Tax Relief for Those Affected by Operation Joint Endeavor'' received on May 23, 1996; to the Committee on Finance.

EC–2751. A communication from the Chief of the Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of final regulations on taxpayer identifying numbers received on May 23, 1996; to the Committee on Finance.

EC–2752. A communication from the Director of the Trade and Development Agency, transmitting, a draft of proposed legislation to authorize appropriations for activities of the Trade and Development Agency for fiscal years 1997 and 1998; to the Committee on Finance.

EC–2753. A communication from the Chief Counsel of the Office of Foreign Assets Control, Department of the Treasury, transmitting, pursuant to law, the report of a rule amending the Federal Republic of Yugoslavia (Serbia and Montenegro) and Bosnian Serb-Controlled Areas of the Republic of Bosnia and Herzegovina Sanctions Regulations, received on May 10, 1996; to the Committee on Foreign Relations.

EC–2754. A communication from the Acting Assistant Secretary of State (Legislative Affairs), transmitting, pursuant to law, the notice of an intention relative to Peacekeeping Operations; to the Committee on Foreign Relations.

EC–2755. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, the report of the texts of international agreements, other than treaties, and background statements; to the Committee on Foreign Relations.

EC–2756. A communication from the Administrator and Executive Vice President, Commodity Credit Corporation, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Dairy Indemnity Payment Program,'' (RIN 0560–AE57) received on May 13, 1996; to the Committee on Agriculture, Nutrition, and Forestry.

EC–2757. A communication from the Under Secretary of Agriculture (Rural Development), transmitting, pursuant to law, the report of a rule entitled ''Business and Industrial Loan Program,'' (RIN 0570–AA11) received on May 23, 1996; to the Committee on Agriculture, Nutrition, and Forestry.

EC–2758. A communication from the Director of the Office of Management and Budget, Executive Office of the President, transmitting, pursuant to law, the cumulative report on rescissions and deferrals dated April 1, 1996; referred jointly, pursuant to the order of January 30, 1975, as modified by the order of April 11, 1986, to the Committee on Appropriations, to the Committee on the Budget, to the Committee on Agriculture, Nutrition, and Forestry, to the Committee on Armed Services, to the Committee on Finance, to the Committee on Foreign Relations, and to the Committee on Governmental Affairs.

EC–2759. A communication from the Under Secretary of Defense (Acquisition and Technology), transmitting, pursuant to law, the Selected Acquisition Reports for the period January 1 through March 31, 1995; to the Committee on Armed Services.

EC–2760. A communication from the Secretary of Defense, transmitting, pursuant to law, a report relative to the Cooperative Threat Reduction funding; to the Committee on Armed Services.

EC–2761. A communication from the Director of Defense Procurement (Acquisition and Technology), Office of the Under Secretary of Defense, transmitting, pursuant to law, the report of an interim rule under the Defense Federal Acquisition Regulation Supplement Case 96–D305 received on May 22, 1996; to the Committee on Armed Services.

EC–2762. A communication from the Director of Defense Procurement (Acquisition and Technology), Office of the Under Secretary of Defense, transmitting, pursuant to law, the report of a final rule under the Defense Federal Acquisition Regulation Supplement Case 96–D007 received on May 22, 1996; to the Committee on Armed Services.

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. SIMPSON (for himself and Mr. THOMAS):

S. 1824. A bill to require the Secretary of the Interior to conduct a study concerning grazing use of certain land within and adjacent to Grand Teton National Park, Wyoming, and temporarily extend a grazing permit, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. LOTT:

S. 1825. A bill to authorize the Secretary of Transportation to issue a certificate of documentation with appropriate endorsement for employment in the coastwise trade for the vessel *Halcyon*; to the Committee on Commerce, Science, and Transportation.

S. 1826. A bill to authorize the Secretary of Transportation to issue a certificate of documentation with appropriate endorsement for employment in the coastwise trade for the vessel *Courier Service;* to the Committee on Commerce, Science, and Transportation.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. SIMPSON: (for himself and Mr. THOMAS)

S. 1824. A bill to require the Secretary of the Interior to conduct a study concerning grazing use of certain land within and adjacent to Grand Teton National Park, Wyoming, and temporarily extend a grazing permit, and for other purposes; to the Committee on Energy and Natural Resources.

GRAZING STUDY OF TETON PARK AND OTHER AREAS LEGISLATION

• Mr. SIMPSON. Mr. President, on behalf of my good friend and colleague, CRAIG THOMAS, I introduce today a bill that will establish a very narrowly focused study of the effects of cattle grazing on certain lands in and near Teton National Park in Teton County, WY.

Mr. President, this study is necessary as a means of avoiding the one thing that all sides of this issue are determined to avoid: the further development of lands associated with that spectacular national wonder. The language of this bill should be noncontroversial and little—if any—expense would be entailed.

I also wish to commend the efforts of our House colleague, BARBARA CUBIN, on this bill and I urge its unanimous support. •

ADDITIONAL COSPONSORS

S. 149

At the request of Mr. GRAMM, the name of the Senator from Arizona [Mr. KYL] was added as a cosponsor of S. 149, a bill to require a balanced Federal budget by fiscal year 2002 and each year thereafter, to protect Social Security, to provide for zero-based budgeting and decennial sunsetting, to impose spending caps on the growth of entitlements during fiscal years 1996 through 2002, and to enforce those requirements through a budget process involving the President and Congress and sequestration.

S. 507

At the request of Mr. PRESSLER, the name of the Senator from South Carolina [Mr. THURMOND] was added as a cosponsor of S. 507, a bill to amend title 18 of the United States Code regarding false identification documents, and for other purposes.

S. 878

At the request of Mr. COCHRAN, the name of the Senator from Tennessee [Mr. FRIST] was added as a cosponsor of S. 878, a bill to amend the Internal Revenue Code of 1986 to reduce mandatory premiums to the United Mine Workers of America Combined Benefit Fund by certain surplus amounts in the Fund, and for other purposes.

S. 953

At the request of Mr. CHAFEE, the name of the Senator from Delaware [Mr. BIDEN] was added as a cosponsor of S. 953, a bill to require the Secretary of the Treasury to mint coins in commemoration of black revolutionary war patriots.

S. 1107

At the request of Mr. DASCHLE, the name of the Senator from North Dakota [Mr. DORGAN] was added as a cosponsor of S. 1107, a bill to extend COBRA continuation coverage to retirees and their dependents, and for other purposes.

S. 1139

At the request of Mr. LOTT, the name of the Senator from Maine [Mr. COHEN] was added as a cosponsor of S. 1139, a bill to amend the Merchant Marine Act, 1936, and for other purposes.

S. 1400

At the request of Mrs. KASSEBAUM, the name of the Senator from Vermont [Mr. LEAHY] was added as a cosponsor of S. 1400, a bill to require the Secretary of Labor to issue guidance as to the application of the Employee Retirement Income Security Act of 1974 to insurance company general accounts.

S. 1563

At the request of Mr. ROCKEFELLER, the name of the Senator from North Dakota [Mr. CONRAD] was added as a cosponsor of S. 1563, a bill to amend title 38, United States Code, to revise and improve eligibility for medical care and services under that title, and for other purposes.

S. 1610

At the request of Mr. BOND, the name of the Senator from Michigan [Mr. ABRAHAM] was added as a cosponsor of S. 1610, a bill to amend the Internal Revenue Code of 1986 to clarify the standards used for determining whether individuals are not employees.

S. 1632

At the request of Mr. LAUTENBERG, the names of the Senator from Massachusetts [Mr. KENNEDY], the Senator from Washington [Mrs. MURRAY], and the Senator from Wisconsin [Mr. KOHL] were added as cosponsors of S. 1632, a bill to prohibit persons convicted of a crime involving domestic violence from owning or possessing firearms, and for other purposes.

S. 1669

At the request of Mr. LOTT, the names of the Senator from Nevada [Mr. REID], the Senator from Vermont [Mr. JEFFORDS], the Senator from Oregon [Mr. HATFIELD], the Senator from Hawaii [Mr. INOUYE], and the Senator from Georgia [Mr. NUNN] were added as cosponsors of S. 1669, a bill to name the Department of Veterans Affairs medical center in Jackson, Mississippi, as the ''G.V. (Sonny) Montgomery Department of Veterans Affairs Medical Center''.

S. 1701

At the request of Mr. PELL, the name of the Senator from Massachusetts [Mr. KENNEDY] was added as a cosponsor of S. 1701, a bill to end the use of steel jaw leghold traps on animals in the United States, and for other purposes.

S. 1729

At the request of Mrs. HUTCHISON, the names of the Senator from Idaho [Mr. KEMPTHORNE], the Senator from North Carolina [Mr. HELMS], and the Senator from Iowa [Mr. HARKIN] were added as cosponsors of S. 1729, a bill to amend title 18, United States Code, with respect to stalking.

S. 1799

At the request of Ms. SNOWE, the names of the Senator from California [Mrs. BOXER], and the Senator from New Jersey [Mr. BRADLEY] were added as cosponsors of S. 1799, a bill to promote greater equity in the delivery of health care services to American women through expanded research on women's health issues and through improved access to health care services, including preventive health services.

S. 1811

At the request of Mr. BRADLEY, the name of the Senator from Massachusetts [Mr. KENNEDY] was added as a cosponsor of S. 1811, a bill to amend the Act entitled ''An Act authorizing Federal participation in the cost of protecting the shores of publicly owned

property'' to confirm and clarify the authority and responsibility of the Secretary of the Army, acting through the Chief of Engineers, to promote and carry out shore protection projects, including beach nourishment projects, and for other purposes.

SENATE RESOLUTION 202

At the request of Mr. ABRAHAM, the name of the Senator from Connecticut [Mr. DODD] was added as a cosponsor of Senate Resolution 202, A resolution concerning the ban on the use of United States passports for travel to Lebanon.

NOTICES OF HEARINGS

SPECIAL COMMITTEE ON AGING

Mr. COHEN. Mr. President, I wish to announce that the Special Committee on Aging will hold a hearing on Wednesday, June 5, 1996, at 9 a.m., in room 562 of the Dirksen Senate Office Building. The hearing will discuss encouraging return to work in the SSI and DI programs.

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Mr. LUGAR. Mr. President, I would like to announce that the Senate Committee on Agriculture, Nutrition, and Forestry will meet on Wednesday, June 12, 1996 at 9:30 a.m. in SR–328A to consider the Food Quality Protection Act, S. 1166.

ADDITIONAL STATEMENTS

THE WARRIOR TRADITION CONTINUES

• Mr. KEMPTHORNE. Mr. President, I rise today to recognize the accomplishments of a group of young men from my home State of Idaho. Lewis-Clark State College's baseball team won a record ninth National Association of Intercollegiate Athletics World Series title last Friday, beating St. Ambrose University of Iowa in the championship game, 9–0.

The ninth title in the past 13 years continues a tradition at Lewis-Clark State under head coach Ed Cheff. Under Coach Cheff, the Warriors have won more NAIA World Series games and played in more national championships than any other school. They won six straight titles between 1987 and 1992.

Cheff's latest team finished the 1996 season with an outstanding record of 53 wins and only 11 losses, and they were a perfect 5–0 in the double-elimination tournament. In the title game, played appropriately enough at Lewis and Clark Park in Sioux City, IO, Freshman Matt Randel pitched a 4-hitter while striking out 10 and not walking a batter. Such a performance fit his season, as he finished the year with an 8–0 pitching mark. Pitching was the key to the Warriors' title, as the staff set a record for the lowest earned run average in tournament history, allowing less than a run a game.

The Warrior bats came alive in the title game, as LCSC banged out 18 hits, including 3 each by Jose Rijo-Berger, Art Baeza, and Troy Silva. Trent Lies hit a solo home run.

The Warriors started the season ranked No. 1 in the NAIA, and finished with a season-high 15-game winning streak, including the 5 games in the tournament. In its 17 appearances in the national championships, Lewis-Clark State has won an incredible 72 games, while losing only 20.

This season, Coach Cheff posted his 1,000th win at LCSC, making him only the third NAIA coach to ever reach that milestone. He has been named national coach of the year four times and was honored as NAIA Coach of the Decade for the 1980's. The record on the field speaks volumes about Ed Cheff. But off the field his accomplishments are just as remarkable.

LCSC has produced 8 NAIA Academic All-Americans and has placed 34 players on All-American teams. And Ed Cheff and his Warriors have, over the years, become a rallying point for the community of Lewiston. Thousands of fans have attended games at Harris Field, and they have established a network of community support unrivaled at any level.

Mr. President, I know the U.S. Senate joins me and all of Idaho in congratulating Ed Cheff and the baseball players at Lewis-Clark State College for continuing their outstanding winning tradition with this year's NAIA World Series title.•

TRIBUTE TO WILLIAM BRUCE JOHNSON

• Mr. BUMPERS. Mr. President, I rise today to pay tribute to a fellow Arkansan, William Bruce Johnson. Bruce is the president of White River Hardwoods and Woodworks, Inc., in Fayetteville, AR. Because of his outstanding contribution to the business community, Bruce has been selected by the U.S. Small Business Administration as the 1996 Arkansas Small Business Person of the Year. I am convinced that this is an honor richly deserved.

Bruce Johnson and his wife Joan have pioneered new and innovative approaches to their business, and in the process, propelled White River Hardwoods into a nationally known company. In 1979, Bruce's company mainly sold premium hardwood lumber, but with an entrepreneurial spirit, Bruce entered the finishing market with a full line of architectural moldings and interior hardwood products. He and his wife proudly built a business that has become synonymous with superior quality and customer satisfaction. Incidentally, their children play a very active role as well, making White River Hardwoods truly a family-owned small business.

Mr. President, I have said many times that small business is the backbone of this country, and White River is the perfect example of that statement. As many of you here know, owning your own business gives new meaning to full-time employment. That kind of dedication is precisely the reason why I think SBA is such a vital program to this country. Bruce got his first SBA loan in 1983 and then his second in 1992. Because of the availability of those SBA loans, White River Hardwoods expanded warehouse space, purchased equipment, hired new employees, and bettered the small business community—not only for Arkansas, but for the whole country. Outside of their Fayetteville base, White River operates a combination showroom and warehouse in Springfield, MO. They are partnered with 28 independent manufacturing representatives across the United States, and each day they effect a network of 32 stocking distributors and 314 dealers. The company's sales in 1995 reached nearly $5.5 million, which is no insignificant contribution to our economy.

We need more people like Bruce and Joan Johnson in this country. Together they work hard every day along side their children to ensure the futures of their employees and the community around them. Mr. President, I hope you will join me in congratulating William Bruce Johnson as the 1996 Arkansas Small Business Person of the Year.•

ORDERS FOR TUESDAY, JUNE 4, 1996

Mr. KYL. Mr. President, on behalf of the majority leader, I ask unanimous consent that when the Senate completes its business today it stand in adjournment until 9:30 a.m. on Tuesday, June 4; further, that immediately following the prayer the Journal of proceedings be deemed approved to date, no resolutions come over under the rule, the call of the calendar be dispensed with, the morning hour be deemed to have expired, and the time for the two leaders be reserved for their use later in the day, and then there be a period for morning business until the hour of 10:30 a.m. with Senators to speak for up to 5 minutes each with the following exceptions: Senator HATCH for 20 minutes, Senator LEAHY for 15 minutes, Senator DEWINE for 20 minutes, and Senator GRASSLEY for 5 minutes.

I further ask that at 10:30 the Senate resume the motion to proceed to S. 1635 and the time between 10:30 and 12:30 be equally divided in the usual form for debate on the motion to invoke cloture on the motion to proceed to S. 1635, the Defend America Act; and further that the Senate recess between the hours of 12:30 and 2:15 for the weekly policy conferences to meet.

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

PROGRAM

Mr. KYL. For the information of all Senators, under a previous order, there

will be a cloture vote tomorrow at 2:15 on the motion to proceed to the Defend America Act. Senators will be able to debate that motion to proceed between the hours of 10:30 and 12:30 on Tuesday. If cloture is invoked, it is hoped that the Senate will be able to debate S. 1635 and hopefully complete action on that bill. If cloture is not invoked, the Senate may consider any other legislative items that can be cleared.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. KYL. Mr. President, if there is no further business to come before the Senate, I now ask that the Senate stand in adjournment under the previous order.

There being no objection, the Senate at 6:08 p.m., adjourned until Tuesday, June 4, 1996, at 9:30 a.m.

NOMINATIONS

Executive nominations received by the Senate June 3, 1996:

DEPARTMENT OF STATE

JEFFREY DAVIDOW, OF VIRGINIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AN ASSISTANT SECRETARY OF STATE, VICE ALEXANDER FLETCHER WATSON, RESIGNED.

TENNESSEE VALLEY AUTHORITY

JOHNNY H. HAYES, OF TENNESSEE, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE TENNESSEE VALLEY AUTHORITY FOR A TERM EXPIRING MAY 18, 2005 (REAPPOINTMENT), TO WHICH POSITION HE WAS APPOINTED DURING THE LAST RECESS OF THE SENATE.

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

DORIS B. HOLLEB, OF ILLINOIS, TO BE A MEMBER OF THE NATIONAL COUNCIL ON THE HUMANITIES FOR A TERM EXPIRING JANUARY 26, 2002, VICE KENNY JACKSON WILLIAMS, TERM EXPIRED.

PANAMA CANAL COMMISSION

ALBERTO ALEMAN ZUBIETA, A CITIZEN OF THE REPUBLIC OF PANAMA, TO BE ADMINISTRATOR OF THE PANAMA CANAL COMMISSION, VICE GILBERTO GUARDIA FABREGA, RESIGNED.

IN THE ARMY

THE FOLLOWING-NAMED OFFICER FOR APPOINTMENT TO THE GRADE OF LIEUTENANT GENERAL IN THE U.S. ARMY WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, UNITED STATES CODE, SECTION 601(A):

To be lieutenant general

MAJ. GEN. DAVID L. BENTON, 000–00–0000

THE FOLLOWING-NAMED ARMY MEDICAL SERVICE CORPS COMPETITIVE CATEGORY OFFICER FOR APPOINTMENT IN THE REGULAR ARMY OF THE UNITED STATES TO THE GRADE OF BRIGADIER GENERAL UNDER THE PROVISIONS OF TITLE 10, UNITED STATES CODE, SECTIONS 611(A) AND 624(C):

To be brigadier general

COL. MACK C. HILL, 000–00–0000, U.S. ARMY

THE FOLLOWING-NAMED ARMY MEDICAL CORPS COMPETITIVE CATEGORY OFFICERS FOR APPOINTMENT IN THE REGULAR ARMY OF THE UNITED STATES TO THE GRADE OF BRIGADIER GENERAL UNDER THE PROVISIONS OF TITLE 10, UNITED STATES CODE, SECTIONS 611(A) AND 624(C):

To be brigadier general

COL. RALPH O. DEWITT, JR., 000–00–0000, U.S. ARMY
COL. KEVIN C. KILEY, 000–00–0000, U.S. ARMY
COL. MICHAEL J. KUSSMAN, 000–00–0000, U.S. ARMY
COL. DARREL R. PORR, 000–00–0000, U.S. ARMY

IN THE MARINE CORPS

THE FOLLOWING-NAMED OFFICER FOR APPOINTMENT TO THE GRADE OF LIEUTENANT GENERAL IN THE U.S. MARINE CORPS WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER THE PROVISIONS OF SECTION 601(A), TITLE 10, UNITED STATES CODE:

To be lieutenant general

MAJ. GEN. CARLTON W. FULFORD, JR., 000–00–0000

IN THE NAVY

THE FOLLOWING-NAMED OFFICERS FOR PROMOTION IN THE LINE IN THE NAVY OF THE UNITED STATES TO THE GRADE INDICATED UNDER TITLE 10, UNITED STATES CODE, SECTION 624:

UNRESTRICTED LINE OFFICER

To be rear admiral (lower half)

CAPT. HARRY M. HIGHFILL, 000–00–0000
CAPT. RICHARD J. NAUGHTON, 000–00–0000
CAPT. WILLIAM G. SUTTON, 000–00–0000

IN THE AIR FORCE

THE FOLLOWING-NAMED OFFICERS FOR PROMOTION IN THE U.S. AIR FORCE, UNDER THE APPROPRIATE PROVISIONS OF SECTION 624, TITLE 10, UNITED STATES CODE, AS AMENDED, WITH DATES OF RANK TO BE DETERMINED BY THE SECRETARY OF THE AIR FORCE.

MEDICAL SERVICE CORPS

To be lieutenant colonel

GREGORY O. ALLEN, 000–00–0000
ROBERT C. BROOKES II, 000–00–0000
DONALD L. BROWN, 000–00–0000
DAVID A. COSTA, 000–00–0000
JAMES P. COUNSMAN, 000–00–0000
STUART R. COWLES, 000–00–0000
CRAIG A. CYR, 000–00–0000
JEANETTE ERICKSON, 000–00–0000
ROGER S. GOETZ, 000–00–0000
BERNARD J. KERR, JR., 000–00–0000
EDWARD H. KLINE, JR., 000–00–0000
MARK A. LAZARUS, 000–00–0000
ROBERT C. MALDONADO, 000–00–0000
NANCY D. MOORE, 000–00–0000
RONALD S. MURPHY, 000–00–0000
JOANNE S. PARKES, 000–00–0000
MICHAEL L. PERRY, 000–00–0000
FRED W. PETERS, JR., 000–00–0000
JAMES C. PUSTAY, 000–00–0000
CHARLES M. QUINNELLY, 000–00–0000
YOLANDA REAVIS, 000–00–0000
MARC M. SAGER, 000–00–0000
JACK R. SIMPSON, 000–00–0000
MARY L. STROBEL, 000–00–0000
MARYANN SWIGART, 000–00–0000
LARRY D. THEIS, 000–00–0000
ARTHUR D. VILLANI, 000–00–0000
EDWARD Y. WALKER III, 000–00–0000
MARK S. WEINSTEIN, 000–00–0000
KENNETH R. WELTZ, 000–00–0000
STEPHEN M. WOLFE, 000–00–0000

IN THE NAVY

THE FOLLOWING-NAMED OFFICERS, ON THE ACTIVE DUTY LIST, FOR PROMOTION TO THE GRADE INDICATED IN THE U.S. NAVY IN ACCORDANCE WITH SECTION 624 OF TITLE 10, UNITED STATES CODE:

MEDICAL CORPS OFFICERS

To be captain

WILLIAM S. ADSIT, 000–00–0000
GEORGE M. AKOB, 000–00–0000
FANANCY L. ANZALONE, 000–00–0000
RAMON E. BAEZ, JR., 000–00–0000
MICHAEL J. BAILEY, 000–00–0000
LAURIE M. BALAGURCHIK, 000–00–0000
JOHN T. BESTOSO, 000–00–0000
KAREN M. BOWDEN, 000–00–0000
CHARLES E. BRADY, JR., 000–00–0000
JEFFREY F. BROOKMAN, 000–00–0000
JAMES L. BUCK, 000–00–0000
PATRICIA L. BUSS, 000–00–0000
PEGGY J. CHANDLER, 000–00–0000
DANA C. COVEY, 000–00–0000
VINCENCE F. DILLION, 000–00–0000
GENE L. DOWELL, 000–00–0000
DAVID W. FERGUSON, 000–00–0000
JAMES N. FRAME, 000–00–0000
NEIL F. GIBBS, 000–00–0000
GREGORY C. GRAY, 000–00–0000
THOMAS W. GROSSMAN, JR., 000–00–0000
FRANK W. HALL, 000–00–0000
KENDELL G. GANSEN, 000–00–0000
DAVID M. HARLAN, 000–00–0000
KONRAD E. HAYASHI, 000–00–0000
DONALD S. HERIP, 000–00–0000
EILEEN HORNER, 000–00–0000
THOMAS K. HUISMAN, 000–00–0000
WILLIAM A. KELLEY, 000–00–0000
PETER D. KENT, 000–00–0000
MUNGKORN KIETHANOM, 000–00–0000
LORENZ F. LASSEN, 000–00–0000
DAVID LEIVERS, 000–00–0000
KENNETH E. LEONARD, 000–00–0000
DONALD R. MASON, 000–00–0000
THOMAS E. MCGUE, 000–00–0000
RICHARD L. MORRISSEY, 000–00–0000
STEVEN L. NICHOLS, 000–00–0000
DOMINICK PAPARELLA, 000–00–0000
STEVEN W. REMMENGA, 000–00–0000
CARLOS A. ROSENDE, 000–00–0000
DAVID M. SACK, 000–00–0000
ROBERT T. SPIRO, 000–00–0000
DAVID S. WADE, 000–00–0000
MARK R. WALLACE, 000–00–0000
LAWRENCE A. WOOD, 000–00–0000

SUPPLY CORPS OFFICERS

To be captain

DENNIS V. BELT, 000–00–0000
CARL T. BRIGHT, 000–00–0000
WAYNE G. CHESLEY, 000–00–0000
SHAW H. COHE, 000–00–0000
DAVID N. DOYLE, 000–00–0000
EDWARD N. HERING, 000–00–0000
ROBERT K. KEARNEY, 000–00–0000
JOSEPH W. KENNEY, 000–00–0000
WILLIAM A. KOWBA, 000–00–0000
ROBERT E. LEE, 000–00–0000
ROBERT J. MUNDELL, 000–00–0000
ROBERT M. NOONAN, 000–00–0000
PHILIP M. PFEIL, 000–00–0000
JAMES P. POE, 000–00–0000
JOHN S. PROCTOR, 000–00–0000
JACK PRPICH, 000–00–0000
JOHN G. RIPPERTON, 000–00–0000
MICHAEL S. ROESNER, 000–00–0000
DAVID G. SHANAHAN, 000–00–0000
ALAN S. THOMPSON, 000–00–0000
CHARLES T. VICKERS, 000–00–0000

CHAPLAIN CORPS OFFICERS

To be captain

THOMAS R. ATKINS, 000–00–0000
RALPH S. EPPERSON, 000–00–0000
LOUIS V. IASIELLO, 000–00–0000
ALAN N. KEIRAN, 000–00–0000
JAMES B. MAGNESS, 000–00–0000
STANLEY H. MCCREARY, 000–00–0000
ALBERT I. SLOMOVITZ, 000–00–0000
EDWIN D. STANFIELD, 000–00–0000
GEORGE L. TUMLIN, JR., 000–00–0000
RAE O. WEIMER, 000–00–0000
CAROLYN C. WIGGINS, 000–00–0000
BERNARD R. WILSON, 000–00–0000

CIVIL ENGINEER CORPS OFFICERS

To be captain

JAMES M. BARRETT III, 000–00–0000
FRED H. BECKMANN, 000–00–0000
DENNIS BIDDICK, 000–00–0000
WILLIAM F. BOUDRA, 000–00–0000
ROBERT P. BUCHHOLZ, 000–00–0000
PHILIP H. DALBY, 000–00–0000
MICHAEL D. DONNELLY, 000–00–0000
THOMAS F. DREYER, 000–00–0000
JAMES W. HOLLRITH, 000–00–0000
RICHARD B. HUNTER, JR., 000–00–0000
DAVID A. JONES, 000–00–0000
LOUIS V. MARCHETTE, 000–00–0000
THOMAS D. MCMURRAY, 000–00–0000
JENNIFER L. MUSTAIN, 000–00–0000
ROGER L. ORNDORFF, 000–00–0000
JAMES E. OWENS, 000–00–0000
JOHN M. SHREWSBURY, 000–00–0000
JOHN E. SURASH, 000–00–0000
JEFFREY TUBELLO, 000–00–0000

JUDGE ADVOCATE GENERAL'S CORPS OFFICERS

To be captain

TERRY G. BAKER, 000–00–0000
STEPHEN J. COYLE, 000–00–0000
THOMAS W. GREENE, JR., 000–00–0000
DAVID L. GRIMORD, 000–00–0000
GINGER C. PAAD, 000–00–0000
DAVID P. PRICE, 000–00–0000
MARK E. ROSEN, 000–00–0000
FRANCIS V. RUSSO, JR., 000–00–0000
RICHARD A. STEVENS, 000–00–0000
JANICE L. WALLI, 000–00–0000
ROBERT W. WEDAN, JR., 000–00–0000
DAVID M. WHITE, 000–00–0000

DENTAL CORPS OFFICERS

To be captain

JACK A. BOWERS, 000–00–0000
ALEX D. EHRLICH, 000–00–0000
DEIDRA B. FLANARY, 000–00–0000
RICHARD C. HAHN, 000–00–0000
CURTIS L. HAYDEN, 000–00–0000
DONNA R. HUGGINS, 000–00–0000
JAY W. JOHNSON, 000–00–0000
JONATHAN D. KARAMAN, 000–00–0000
DAVID W. KIDD, 000–00–0000
EUGENE V. NOLFI, JR., 000–00–0000
MARK R. PEREZ, 000–00–0000
WILLIAM C. RODDY, 000–00–0000
ROD M. ROGGE, 000–00–0000
PETER G. SEDER, 000–00–0000
WILLIAM SWITTS, 000–00–0000
KENNETH R. WRIGHT, 000–00–0000

MEDICAL SERVICE CORPS OFFICERS

To be captain

JAMES R. BEDDARD, JR., 000–00–0000
JAMES R. CAMPBELL, 000–00–0000
JACK D. CHAPMAN II, 000–00–0000
CLARENCE R. CLINE, 000–00–0000
JOHN T. COYNE, 000–00–0000
WILLIAM H. CRAIG, JR., 000–00–0000
MICHAEL S. CROSS, 000–00–0000
WILLIAM P. FRANK, 000–00–0000
GEORGE D. KRAMER, 000–00–0000
GEORGE C. MASSEY, 000–00–0000
THOMAS R. MCCOY, 000–00–0000
ROBERT J. MILLER, JR., 000–00–0000
MICHAEL H. MITTELMAN, 000–00–0000
VICENT W. MUSASHE, 000–00–0000
SIDNEY D. RODGERS, 000–00–0000
MICHAEL T. TAMBURELLO, 000–00–0000
JERALD L. ULMER, 000–00–0000
STEPHEN E. WALZ, 000–00–0000

FAYTHE M. WEBER, 000–00–0000
FRED R. WHITE, 000–00–0000
MARK T. WOOSTER, 000–00–0000
EDWARD P. WYATT, 000–00–0000
GARY W. ZUCKERMAN, 000–00–0000

NURSE CORPS OFFICERS

To be captain

MARGARET M. ALLARD, 000–00–0000
MAURICIO APARICIO III, 000–00–0000
CHRISTINE M. BRUZEKKOHLER, 000–00–0000
MARGARET L. BURNS, 000–00–0000
KATHRYN A. CADWELL, 000–00–0000
JO A. CLANTON, 000–00–0000
DENNIS L. ELLIS, 000–00–0000
MARYLOUISE K. FELHOFER, 000–00–0000
RODNEY L. FIEREK, 000–00–0000
MELISSA A. GEORGE, 000–00–0000
DEBORAH B. GRAY, 000–00–0000
LISA D. HILES, 000–00–0000
LISSA M. KOHLER, 000–00–0000
ELLEN R. LAHMAN, 000–00–0000
PATRICIA H. NETZER, 000–00–0000
KAREN M. OTT, 000–00–0000
ALBERT J. SHIMKUS, JR., 000–00–0000
HELEN L. SMITH, 000–00–0000
THERESE A. WHITE, 000–00–0000
SUSAN A. WIDHALM, 000–00–0000

LIMITED DUTY OFFICERS (STAFF)

To be captain

CRISPIN A. TOLEDO, 000–00–0000

THE FOLLOWING-NAMED OFFICERS, IN THE RESERVE, FOR PROMOTION TO THE GRADE INDICATED IN THE U.S. NAVY IN ACCORDANCE WITH SECTION 5912 OF TITLE 10, UNITED STATES CODE:

UNRESTRICTED LINE OFFICERS

To be captain

JOHNNY P. ALBUS, 000–00–0000
STEPHEN R. ALLEN, 000–00–0000
JAMES D. ANDERSON, 000–00–0000
SCOTT P. ANDERSON, 000–00–0000
GEORGE B. AUSTIN, 000–00–0000
EDWARD L. AVIS, 000–00–0000
DOUGLAS A. BADER, 000–00–0000
JAMES A. BARNETT, JR., 000–00–0000
PAUL R. BAZEMORE, JR., 000–00–0000
JAMES E. BEEBE, 000–00–0000
FRED W. BERGMAN, 000–00–0000
GARRY J. BONELLI, 000–00–0000
MITCHELL C. BOSWELL, 000–00–0000
STEVEN G. BOWERS, 000–00–0000
THOMAS E. BOYD, 000–00–0000
ROBERT C. BRACKETT, 000–00–0000
ROBERT A. BRODY, 000–00–0000
CHRISTOPHER M. BROWN, 000–00–0000
RODRIC F. BRUNNGRABER, 000–00–0000
LESLIE E. BRYAN, 000–00–0000
STEPHEN A. BUESCHER, 000–00–0000
BRIAN P. BURGHGRAVE, 000–00–0000
GEORGE K. BUSSE, 000–00–0000
STEPHEN C. BUTLER, 000–00–0000
WILLIAM D. CADY, 000–00–0000
GREGORY T. CANDY, 000–00–0000
RICHARD P. CAREY, 000–00–0000
THOMAS A. CARLSON, 000–00–0000
JOHN F. CATES, JR., 000–00–0000
ALANSON T. CHENAULT IV, 000–00–0000
WAYNE E. CLIBURN, 000–00–0000
DWIGHT W. COLBURN, 000–00–0000
JOE T. COLEMAN, JR., 000–00–0000
DAVID E. CRISALLI, 000–00–0000
DAVID J. CRONK, 000–00–0000
JOHN C. CUNLIFFE, 000–00–0000
BRIAN F. DELANEY, 000–00–0000
JAMES E. DESPAIN, 000–00–0000
DAVID M. DRAKE, 000–00–0000
FRANK R. DUNAWAY III, 000–00–0000
RAYMOND L. ECKENRODE, 000–00–0000
CHARLES R. EISENMANN, 000–00–0000
STEPHEN L. ELLIS, 000–00–0000
FRANKLIN A. ERVIN, 000–00–0000
RICHARD L. FARRELL, JR., 000–00–0000
JAMES E. FAY, 000–00–0000
PAUL S. FISCHBECK, 000–00–0000
WALTER N. FLIPPIN III, 000–00–0000
DAVID E. FROST, 000–00–0000
JAMES E. GARRISON, 000–00–0000
ANTHONY D. GIANCATARINO, 000–00–0000
JAMES A. GIBSON, 000–00–0000
JAMES T. GISSENDANNER, 000–00–0000
WILLIAM O. GLASS, JR., 000–00–0000
WILLIAM G. GLENNEY IV, 000–00–0000
CHRISTOPHER P. GRAZEL, 000–00–0000
GEORGE A. GREENLEAF, 000–00–0000
CARL H. GRUENLER, 000–00–0000
GARY N. HALL, 000–00–0000
KEVIN D. HAMMAR, 000–00–0000
KURT F. HANSEN, 000–00–0000
PAUL W. HARAR, 000–00–0000
PETER W. HARRIS, 000–00–0000
EDWARD P. HERMANN, 000–00–0000
STUART C. HINRICHS, 000–00–0000
STEVEN HOLIBONICH, 000–00–0000
FREDERICK R. HOLLINGER, 000–00–0000
WILLIAM S. HOWSE, 000–00–0000
MICHAEL J. HUDGINS, 000–00–0000
GARY C. INGOLD, 000–00–0000
WAYNE M. JAKUBOWSKI, 000–00–0000
ROBERT E. JENKINS, 000–00–0000
ROGER J. JONES, 000–00–0000
WILLIAM H. KNELLER, 000–00–0000
DANIEL J. KOENIG, 000–00–0000
WAYNE K. KRUGER, 000–00–0000
STEPHEN J. KUHAR, 000–00–0000
SCOTT R. LAIDLAW, 000–00–0000
HAROLD M. LAMB, JR., 000–00–0000
ROBERT H. LANG, JR., 000–00–0000
FRANK M. LANGLEY, 000–00–0000
BRIAN S. LEACH, 000–00–0000
JOHN W. LICHTSINN, 000–00–0000
JAMES J. LIND, 000–00–0000
JAMES L. LITTRELL, 000–00–0000
CURTIS A. LOGE, 000–00–0000
JULIUS L. LONGSHORE, 000–00–0000
JAMES M. LOVE, 000–00–0000
SCOTT C. MACLEOD, 000–00–0000
CHRISTOPHER H. MADIGAN, 000–00–0000
WALTER S. MCCABE, 000–00–0000
MARY B. B. MCGEE, 000–00–0000
JOSEPH C. MCGOWAN III, 000–00–0000
PETER D. MCLOUGHLIN, 000–00–0000
JEFFRY L. MCNAIR, 000–00–0000
STEVEN L. MILLER, 000–00–0000
FRANK A. MINICH, 000–00–0000
RANDOLPH H. MIOTA, 000–00–0000
MICHAEL P. MITCHELL, 000–00–0000
ROBERT S. MIZE, 000–00–0000
CHRISTOPHER MOSCHELLA, 000–00–0000
RONALD MUELLER, 000–00–0000
JAMES S. MURPHY, 000–00–0000
TONY M. MUSCHARA, 000–00–0000
SAMUEL M. NAGLE, 000–00–0000
JAMES A. NATTER, 000–00–0000
TIMOTHY J. NAVILLE, 000–00–0000
RANDY E. NEES, 000–00–0000
GREGORY F. NELSON, 000–00–0000
KIP W. NICELY, 000–00–0000
STEPHEN A. O'BRIEN, 000–00–0000
STEVEN M. O'BRIEN, 000–00–0000
GARY S. O'CONNOR, 000–00–0000
JOHN C. OLDFIELD, 000–00–0000
DAVID L. OLNEY, 000–00–0000
JOHN C. ORR, 000–00–0000
ALLEN C. PAINTER, 000–00–0000
MICHAEL F. PALES, 000–00–0000
CARLTON D. PARKER, 000–00–0000
WILLIAM H. PAYNE, 000–00–0000
JAMES A. PETERSEN, 000–00–0000
LOUIS W. POLLOCK, 000–00–0000
BRADLEY PORLIER, 000–00–0000
CYRIL H. PRIKAZSKY, 000–00–0000
ORVILLE PRINS, 000–00–0000
CHARLES L. RADER, 000–00–0000
DOUGLAS N. REECE, 000–00–0000
FRANK F. RENNIE IV, 000–00–0000
ERNEST J. RICE, 000–00–0000
FRANCIS R. H. RIGGS, 000–00–0000
CHARLES R. ROBIE, 000–00–0000
PHILIP D. SALADEN, 000–00–0000
MARK J. SALMEN, 000–00–0000
RICHARD J. SALMON, 000–00–0000
JOHN D. SAMPLE, 000–00–0000
CRAIG A. SCHEMEL, 000–00–0000
DOUGLAS C. SCHLAEFER, 000–00–0000
JOHN D. SCHUMACHER, 000–00–0000
GEORGE R. SEFTAS, 000–00–0000
RONALD D. SEIZERT, 000–00–0000
PHILIP D. SIMS, 000–00–0000
DONALD R. SKOTTY, 000–00–0000
GARY M. SKURA, 000–00–0000
STEPHEN I. SLIGHT, 000–00–0000
PETER G. SMITH, 000–00–0000
MICHAEL L. SOARES, 000–00–0000
BRIAN H. SOLOMON, 000–00–0000
THOMAS L. SPRAGUE, 000–00–0000
GEORGE D. STEEL, 000–00–0000
DENNIS D. STONE, 000–00–0000
KEVIN F. STONE, 000–00–0000
RICHARD E. STRUTNER, 000–00–0000
DON W. SWAILES, 000–00–0000
ERNEST E. TABB, 000–00–0000
EUGENE P. THEUS, 000–00–0000
BURT D. THORP, 000–00–0000
JOHN J. TOMASELLI, 000–00–0000
LAWRENCE G.J. TRAYNOR, 000–00–0000
ROBERT G. TREITZ, 000–00–0000
JOHN S. TURNER, 000–00–0000
THOMAS W. UHL, 000–00–0000
ROBERT D. VONBERNUTH, 000–00–0000
RICHARD S. WAGNER, 000–00–0000
KIM C. WALDEN, 000–00–0000
LEONARD P. WALES, 000–00–0000
RODERICK A. WELLS, 000–00–0000
KIRK D. WESSEL, 000–00–0000
RONALD W. WETMORE, 000–00–0000
DAVID E. WHIPPLE, 000–00–0000
LONNIE O. WILKERSON III, 000–00–0000
CARL J. WILLIS, 000–00–0000
LUCY B. YOUNG, 000–00–0000
DAVID Y. YUMEN, 000–00–0000

UNRESTRICTED LINE OFFICERS (TAR)

To be captain

PAUL A. ANDERSON, 000–00–0000
RICHARD A. ANDERSON, 000–00–0000
THOMAS G. BAUER, 000–00–0000
SCOTT A. BEATON, 000–00–0000
CHRIS J. CLUSTER, 000–00–0000
JEROME A. DABROWSKI, 000–00–0000
RALPH J. DEAN, 000–00–0000
WILLIAM L. GARRETT, 000–00–0000
CRAIG C. GROOM, 000–00–0000
JON M. HAAS, 000–00–0000
STANLEY F. HALTER, 000–00–0000
JOHN E. HUIE, JR., 000–00–0000
DAVID J. JACOBSON, 000–00–0000
PATRICK J. KING, 000–00–0000
JOSEPH F. LUDWIKOWSKI, 000–00–0000
BILLY R. MALONE, 000–00–0000
WILLIAM S. MARLOWE, JR., 000–00–0000
CRAIG O. MCDONALD, 000–00–0000
BARRY L. MORGAN, 000–00–0000
EDWIN D. OVERSTREET, 000–00–0000
HARLEY H. PETERSON, 000–00–0000
BYRON V. SMITH III, 000–00–0000
RICHARD L. SMITH, 000–00–0000
RICHARD E. SOUTHWORTH, 000–00–0000
JOHN W. WATT, 000–00–0000
EDWARD B. WEISS, 000–00–0000
JOHN M. WERNER, 000–00–0000
STEVEN L. WETZEL, 000–00–0000
PATTI A. YOUNG, 000–00–0000

ENGINEERING DUTY OFFICERS

To be captain

BRUCE A. BEEMER, 000–00–0000
LORAINE M. BEYER, 000–00–0000
GEORGE L. CAVA, 000–00–0000
GERALD L. GRIFFIN, JR., 000–00–0000
JOHN C. KLEIN IV, 000–00–0000
MARINO J. NICCOLAI, 000–00–0000
MICHAEL A. O'NEAL, 000–00–0000
GREGORY R. POHL, 000–00–0000
JAMES F. RUBINO, 000–00–0000
MARC L. SORENSEN, 000–00–0000

AEROSPACE ENGINEERING DUTY OFFICERS (ENGINEERING)

To be captain

JACK R. BATES, 000–00–0000
KEITH A. BOARDMAN, 000–00–0000
THOMAS A.I. CAVANAUGH, 000–00–0000
BARRY L. DOUGHERTY, 000–00–0000
HARRY L. TREDENNICK, 000–00–0000

AEROSPACE ENGINEERING DUTY OFFICERS (MAINTENANCE)

To be captain

STEPHEN P. CLARKE, 000–00–0000
KEITH V. KELLY, JR., 000–00–0000
RONALD J. KRIEL, 000–00–0000
DANTE J. PETRO, 000–00–0000
DONALD J. SHUTT, 000–00–0000

SPECIAL DUTY OFFICERS (MERCHANT MARINE)

To be captain

CHARLES T. ECKER III, 000–00–0000
MARK R. ESHER, 000–00–0000
DAVID B. FISHER, 000–00–0000
BRUCE KEENER IV, 000–00–0000
CHRISTOPHER G. LARKIN, 000–00–0000
REGINALD E. MCKAMIE, 000–00–0000
LAWRENCE J. MURPHY, 000–00–0000
RICHARD D. STEWART, 000–00–0000
ARTHUR H. SULZER IV, 000–00–0000

SPECIAL DUTY OFFICERS (CRYPTOLOGY)

To be captain

MICHAEL D. FRANCIS, 000–00–0000
WILLIAM R. MATHEWS III, 000–00–0000
CHARLES H. TILTON, 000–00–0000
WILLIAM H. VANDYKE, 000–00–0000

SPECIAL DUTY OFFICERS (INTELLIGENCE)

To be captain

ROBERT W. BARTON, 000–00–0000
MICHAEL W. BROADWAY, 000–00–0000
DOUGLAS T. CARDINAL, 000–00–0000
COLIN M. CLARK, 000–00–0000
ROBERT K. DRIVER, 000–00–0000
SHERYLL L. ELSTON, 000–00–0000
ALAN J. FINK, 000–00–0000
STEVEN L. HULL, 000–00–0000
BRADLEY M. INMAN, 000–00–0000
RAYMOND G. KALLMAN, 000–00–0000
LYNN M. KALLUS, 000–00–0000
STEPHEN E. LEPKOWSKI, 000–00–0000
JAMES M. LEVESON, 000–00–0000
MICHAEL A. MALDOVAN, 000–00–0000
RICHARD V. MAUGHAN, 000–00–0000
ROBERT A. MCDONALD, 000–00–0000
DAVID C. MCGOWAN, 000–00–0000
MARK E. MILLER, 000–00–0000
WILLIAM H. MINNECI, 000–00–0000
MARK M. PETZINGER, 000–00–0000
DONALD R. RHOADS, 000–00–0000
GEORGE J. ROARK, III, 000–00–0000
JAMES B. ROBERTS, III, 000–00–0000
CECIL J. ROWE, 000–00–0000
MARYBETH K. RUPERT, 000–00–0000
ANNA M. STEINBERGER, 000–00–0000
THOMAS O. SWIFT, 000–00–0000
ROBERT W. TODD, 000–00–0000
ANDRES, VAART 000–00–0000
DOUGLAS L. WILLS, 000–00–0000

SPECIAL DUTY OFFICERS (INTELLIGENCE) (TAR)

To be captain

STEPHEN M. SAIA, 000–00–0000

SPECIAL DUTY OFFICERS (PUBLIC AFFAIRS)

To be captain

WILLIAM G. ARMSTRONG, JR., 000–00–0000
JONATHAN W. BUCHANAN, 000–00–0000
BARBARA J. BURNS, 000–00–0000

WILLIAM H. HICKMAN, 000–00–0000
STEPHEN H. HORWITZ, 000–00–0000
NATHAN E. JONES, 000–00–0000
ANNE C. LEON, 000–00–0000
STEVIE PRESSLEY, 000–00–0000
JEAN E. ROBERTS, 000–00–0000
MICHAEL P. SMITH, 000–00–0000

SPECIAL DUTY OFFICERS (FLEET SUPPORT)

To be captain

HARRY W. BARRICK, III, 000–00–0000
ROGER T. BARTH, 000–00–0000
GAYLA J. BERGREN, 000–00–0000
DONALD B. BURKE, 000–00–0000
WILLIAM J. BUSHAW, 000–00–0000
POLLY M. CAPANSKY, 000–00–0000
CYNTHIA D. CORMAN, 000–00–0000
KAREN T. DANIS, 000–00–0000
FRANCIS E. DEBONS, 000–00–0000
JACK W. FLETT, 000–00–0000
JOHN E. FLYNN, 000–00–0000
NANCY P. ISE, 000–00–0000
DONALD J. KISSINGER, JR., 000–00–0000
JEAN. M. LIBUTTI, 000–00–0000
KERRIE S. MOSER, 000–00–0000
MARY C. RHEDIN, 000–00–0000
GREGORY W. RICHARDS, 000–00–0000
GARY A. SIMONSEN, 000–00–0000
LINDA K. TUCKER, 000–00–0000
JUDITH M. WALKER, 000–00–0000
LINDA E. WARGO, 000–00–0000
DANIEL R. WARMAN, 000–00–0000
TERRANCE J. WEAR, 000–00–0000
JUDITH A. YANDOH, 000–00–0000

SPECIAL DUTY OFFICERS (FLEET SUPPORT) (TAR)

To be captain

VIRGINIA D. JOOSTEN, 000–00–0000
LESLIE J. P. LANG, 000–00–0000

SPECIAL DUTY OFFICERS (OCEANOGRAPHY)

To be captain

JOHN W. RABY, 000–00–0000
MARK E. SCHULTZ, 000–00–0000

IN THE AIR FORCE

THE FOLLOWING-NAMED OFFICERS FOR PROMOTION IN THE U.S. AIR FORCE, UNDER THE APPROPRIATE PROVISIONS OF SECTION 624, TITLE 10, UNITED STATES CODE, AS AMENDED, WITH DATES OF RANK TO BE DETERMINED BY THE SECRETARY OF THE AIR FORCE:

CHAPLAIN CORPS

To be lieutenant colonel

DERRICK K. ANDERSON, 000–00–0000
CARL M. ANDREWS, 000–00–0000
BRUCE A. ARNOLD, 000–00–0000
JAMES P. BARLOW, 000–00–0000
RICHARD L. BLANTON, 000–00–0000
ROBERT E. CRUTHIRDS, 000–00–0000
EDWARD P. FEDOR, 000–00–0000
MARION T. HARNED, 000–00–0000
JOE F. JOHNSTON, 000–00–0000
WAYNE R. KNUTSON, JR., 000–00–0000
BENNIE R. LIGGINS, 000–00–0000
JOSEPH E. MC CLANAHAN, 000–00–0000
MACK R. PAINTER, JR., 000–00–0000
JOEL G. RAYFIELD, 000–00–0000
CHARLES R. ROWLAND III, 000–00–0000
FROILAN A. SALUTA, 000–00–0000
JAMES P. THOMAS, 000–00–0000
MILLARD G. TIMMONS, 000–00–0000
JOSEPH R. WALLROTH, 000–00–0000
ROGER S. WINBURG, 000–00–0000

THE FOLLOWING-NAMED OFFICERS FOR PROMOTION IN THE U.S. AIR FORCE, UNDER THE APPROPRIATE PROVISIONS OF SECTION 624, TITLE 10, UNITED STATES CODE, AS AMENDED, WITH DATES OF RANK TO BE DETERMINED BY THE SECRETARY OF THE AIR FORCE, AND THOSE OFFICERS IDENTIFIED BY AN ASTERISK FOR APPOINTMENT IN THE REGULAR AIR FORCE UNDER THE PROVISIONS OF SECTION 531, TITLE 10, U.S.C., PROVIDED THAT IN NO CASE SHALL THE FOLLOWING OFFICERS BE APPOINTED IN A GRADE HIGHER THAN INDICATED:

LINE

To be major

ALAN A. ABANGAN, 000–00–0000
FREDERICK H. ABBOTT III, 000–00–0000
THOMAS G. ABBOTT, 000–00–0000
JOHN T. ACKERMAN, 000–00–0000
MITCHELL D. ACKERMAN, 000–00–0000
KEITH A. ACREE, 000–00–0000
TIMOTHY J. ADAM, 000–00–0000
MARCELLA F. ADAMS, 000–00–0000
JAMES S. ADAMSKI, 000–00–0000
EDWARD J. ADELMAN, 000–00–0000
MERRILL E. ADKISON, 000–00–0000
SIMON A. ADMORE, 000–00–0000
MARK A. AICHER, 000–00–0000
KERIM A. AKEL, 000–00–0000
JAMES J. ALBRECHT, 000–00–0000
STEFAN E. ALEKSEVITCH, 000–00–0000
ANGELA R. ALEXANDER, 000–00–0000
CHERYL D. ALLEN, 000–00–0000
DANNY P. ALLEN, 000–00–0000
HERBERT L. ALLEN, JR., 000–00–0000
STEPHEN L. ALLEN, 000–00–0000
ALEXANDER A. ALLER, 000–00–0000
MICHAEL J. ALLSHOUSE, 000–00–0000
MARK A. ALTOBELLI, 000–00–0000
THOMAS S. AMICK, 000–00–0000
TRACY A. AMOS, 000–00–0000
GREGORY M. ANDERS, 000–00–0000
BRIAN K. ANDERSON, 000–00–0000
CHRISTOPHER P. ANDERSON, 000–00–0000
DAVID J. ANDERSON, 000–00–0000
DOUGLAS P. ANDERSON, 000–00–0000
LYNDON S. ANDERSON, 000–00–0000
MICHAEL G. ANDERSON, 000–00–0000
RICHARD D. ANDERSON, 000–00–0000
MICHAEL E. ANDRESS, 000–00–0000
EMILY B. ANDREW 000–00–0000
WESLEY R. ANDRUES, 000–00–0000
*JOHN J. ANDUAGAARIAS, 000–00–0000
DAVID W. ANGLE, 000–00–0000
JOHANN J. ANTLFINGER, 000–00–0000
ANDREW J. ANTON, 000–00–0000
TIMOTHY G. APEL, 000–00–0000
DAVID M. APPEL, 000–00–0000
JAMES H. APPLEYARD, JR., 000–00–0000
*ANDREW L. ARACE, 000–00–0000
*LORENZO C. ARAGON, 000–00–0000
LEE J. ARCHAMBAULT, 000–00–0000
STUART K. ARCHER, 000–00–0000
GARY A. ARDES, 000–00–0000
MARK R. ARLINGHAUS, 000–00–0000
*JEFFERY W. ARMANTROUT, 000–00–0000
DENNIS M. ARMSTRONG, 000–00–0000
TERRY W. ARMSTRONG, 000–00–0000
*DEAN M. ARNDORFER, 000–00–0000
KEITH J. ARNEY, 000–00–0000
SUZANNE G. ARNOLD, 000–00–0000
STEVEN J. ARQUIETTE, 000–00–0000
MATTHEW J. ARTH, 000–00–0000
BLAINE A. ASATO, 000–00–0000
DUSTIN G. ASHTON, 000–00–0000
WILLIAM J. ASTORE, 000–00–0000
JOHN H. ATTEBURY, 000–00–0000
JAMES B. AYERS, 000–00–0000
SCOTT D. AYERS, 000–00–0000
CHRISTOPHER B. AYRES, 000–00–0000
BLAN R. AYYAR, 000–00–0000
*LANELL J. BABB, 000–00–0000
ADAM C. BABCOCK, 000–00–0000
STEVEN L. BABCOCK, 000–00–0000
RONALD J. BABSKI, JR., 000–00–0000
TYLER J. BACH, 000–00–0000
JONATHAN E. BACHMAN, 000–00–0000
STEVEN E. BACHMANN, 000–00–0000
DONALD J. BACON, 000–00–0000
BERNARD BADAMI, 000–00–0000
DANIEL S.V. BADER, 000–00–0000
ROBERT S. BAERST, 000–00–0000
BRENT G. BAILEY, 000–00–0000
CHRISTOPHER J. BAIN, 000–00–0000
WILLIAM S. BAIR, 000–00–0000
*ANDREW B. BAKER, 000–00–0000
LONNY P. BAKER, 000–00–0000
ROBERT K. BAKER, 000–00–0000
SCOTT A. BAKER, 000–00–0000
WESLEY D. BAKER, 000–00–0000
VINCENT R. BAKKE, 000–00–0000
ROBERT E. BAMBERG, 000–00–0000
MARK D. BANCZAK, 000–00–0000
JON P. BANKS, 000–00–0000
ROBERT E. BANKS, 000–00–0000
ARTHUR M. BANNER, 000–00–0000
EDWARD L. BARBOUR, 000–00–0000
RANDOLPH K. BARKER, 000–00–0000
DONALD J. BARNES, 000–00–0000
GLENN D. BARNES, 000–00–0000
SHAWN J. BARNES, 000–00–0000
JERRY L. BARNETT, JR., 000–00–0000
PATRICK A. BARNETT, 000–00–0000
GLENN R. BARNEY, 000–00–0000
JAMES M. BARON, 000–00–0000
HERBERT B. BARR, 000–00–0000
DIANNE M. BARRETT, 000–00–0000
*LESTER C. BARRETT, 000–00–0000
LARRY D. BARTLETT, 000–00–0000
MATTHEW R. BARTLETT, 000–00–0000
JULES A. BARTOW, 000–00–0000
ROGER W. BASL, 000–00–0000
JEFFREY S. BATEMAN, 000–00–0000
LAWRENCE J. BATES, 000–00–0000
JAMES C. BATTE, 000–00–0000
ERIC J. BATWAY, 000–00–0000
KAREN M. BAUGH, 000–00–0000
CHARLES R. BAUMGARDNER, 000–00–0000
JAY A. BAUMGARTNER, 000–00–0000
ALEX L. BAYS, 000–00–0000
KERRY L. BEAGHAN, 000–00–0000
JAMES R. BEAMON, 000–00–0000
WILLIAM D. BEATTY, 000–00–0000
MARK E. BEAUCHEMIN, 000–00–0000
PHILLIP J. BEAUDOIN, 000–00–0000
ROBERT D. BECKEL, JR., 000–00–0000
TISH D. BECKEL, 000–00–0000
JOHN A. BEECY, 000–00–0000
WILLIAM RAY, BEEN, 000–00–0000
ERIC A. BEENE, 000–00–0000
*GREGORY P. BEERS, 000–00–0000
NIKOLAUS W. BEHNER, 000–00–0000
*THOMAS M. BEIRNE, 000–00–0000
ARTHUR T. BEISNER, II, 000–00–0000
BRIAN C. BELLACICCO, 000–00–0000
PAUL J. BELLAIRE, JR., 000–00–0000
PETER L. BELMONTE, 000–00–0000
HOWARD D. BELOTE, 000–00–0000
LISA M. BELUE, 000–00–0000
CHRISTOPHER J. BENCE, 000–00–0000
ROBERT P. BENDER, JR., 000–00–0000
GARY A. BENITZ, 000–00–0000
GARLAND J. BENNETT, JR., 000–00–0000
RALPH D. BENNETT, 000–00–0000
WALTER R. BENNETT, JR., 000–00–0000
JANET BENT, 000–00–0000
DENNIS L. BENTLEY, 000–00–0000
ROBIN N. BENTON, 000–00–0000
CHRISTOPHER A. BERES, 000–00–0000
*CHRISTOPHER J. BERGER, 000–00–0000
SCOTT D. BERGER, 000–00–0000
*JAMES W. BERGSTROM, JR., 000–00–0000
CRAIG A. BERLETTE, 000–00–0000
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SAM H. MONTGOMERY, JR., 000–00–0000
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JAY H. MONTROSS, 000–00–0000
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*TODD M. POST, 000–00–0000
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*EDWIN R. WOODWARD, 000–00–0000
TYRONE M. WOODYARD, 000–00–0000
DANIEL B. WOOLDRIDGE, 000–00–0000
RICHARD A. WOOLEY, 000–00–0000
KEVIN B. WOOTON, 000–00–0000
*GUY T. WORTHINGTON, 000–00–0000
STANLEY S. WORTHINGTON, 000–00–0000
LORI A. WORTMAN, 000–00–0000
BROOKS D. WRIGHT, 000–00–0000
JOHN D. WRIGHT, 000–00–0000
RICHARD N. WRIGHT, 000–00–0000
VICTORIA L. WUCHNICK, 000–00–0000
ERIC J. WYDRA, 000–00–0000
ROBERT T. WYNN, 000–00–0000
THOMAS B. WYNN, 000–00–0000
*LAINE R. WYRICK, 000–00–0000
KAREN A. YACKIEL, 000–00–0000
*DAVID L. YANG, 000–00–0000
EDWARD K. YANKSON, 000–00–0000
KENNETH L. YAPHE, 000–00–0000
KIMBERLY L. YODER, 000–00–0000
DARRELL E. YOST, 000–00–0000
DOUGLAS E. YOUNG, 000–00–0000
MARK R. YOUNG, 000–00–0000
SAMUEL D. YOUNG, 000–00–0000
MICHAEL V. YUILL, 000–00–0000
*RONALD YURCHISHIN, 000–00–0000
PAUL J. ZABBO, 000–00–0000
DANIEL R. ZAHIRNIAK, 000–00–0000
ROBERT J. ZALESKE, 000–00–0000
ANDREW ZAPRZALA, 000–00–0000
*JOHN L. ZAWASKY, 000–00–0000
MICHAEL K. ZECH, 000–00–0000
EDWARD C. ZICK, 000–00–0000
JOHN J. ZIEGLER, III 000–00–0000
DONALD M. ZIMMERMAN, 000–00–0000
GARY R. ZIMMERMAN, 000–00–0000
DANIEL C. ZOOK, 000–00–0000
KIMBERLEE B. ZORICH, 000–00–0000
LOUIS V. ZUCCARELLO, 000–00–0000
THOMAS M. ZUCCARO, 000–00–0000

I NOMINATE THE FOLLOWING-NAMED OFFICERS FOR PROMOTION IN THE UNITED STATES AIR FORCE, UNDER THE APPROPRIATE PROVISIONS OF SECTION 624, TITLE 10, U.S.C., AS AMENDED, WITH DATES OF RANK TO BE DETERMINED BY THE SECRETARY OF THE AIR FORCE, AND THOSE OFFICERS IDENTIFIED BY AN ASTERISK FOR APPOINTMENT IN THE REGULAR AIR FORCE UNDER THE PROVISIONS OF SECTION 531, TITLE 10, U.S.C., WITH A VIEW TO DESIGNATION UNDER THE PROVISIONS OF SECTION 8067, TITLE 10, U.S.C., TO PERFORM DUTIES INDICATED PROVIDED THAT IN NO CASE SHALL THE FOLLOWING OFFICERS BE APPOINTED IN A GRADE HIGHER THAN INDICATED.

NURSE CORPS

To be major

MICHELLE D. ADAMS, 000–00–0000
*JUSTINIANO J. ALBINO, 000–00–0000
BRIAN D. ANDERSON, 000–00–0000
LORENE R. ANDERSON, 000–00–0000
TAMY D. ARCHAMBAULT, 000–00–0000
ERICA J. AUERBACH, 000–00–0000
WILHELMA J. BADGER, 000–00–0000
MICHAEL E. BAGWELL, 000–00–0000
KEVIN D. BALLARD, 000–00–0000
ELLEN W. BARGER, 000–00–0000
DENISE M. BARLOW, 000–00–0000
JILL E. BARNES, 000–00–0000
LISA K. BARNETT, 000–00–0000
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LISTA M. BENSON, 000–00–0000
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JOYCE K. BORGFELD, 000–00–0000
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*MARLA D. BUCKLES, 000–00–0000
RALPH T. BUDDEMEYER JR., 000–00–0000
SUSAN J. BURNETT, 000–00–0000
ELAINA L. CAMPBELL, 000–00–0000
ERIN P. CARLISLE, 000–00–0000
COLLEEN A. CARMODY, 000–00–0000
WARD R. CASSELS, 000–00–0000
TERESA G. CHANEY, 000–00–0000
DEBBIE J. COBB, 000–00–0000
*RAYMOND D. CODDINGTON, 000–00–0000
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JANET M. CREELMAN, 000–00–0000
CAROLYN A. CUMMINGS, 000–00–0000
*LARRY R. CURTIS, 000–00–0000
GRETCHEN A. CUSACK, 000–00–0000
JUDITH M. DALY, 000–00–0000
*GEORGINE DANKBERG, 000–00–0000
JO A. DANOWSKI, 000–00–0000
DEAN F. DEGNER, 000–00–0000
MARY C. DELUCIA, 000–00–0000
TRACY A. DEWOODY, 000–00–0000
*DIANE L. DEYAK, 000–00–0000
DOROTHY E. DIZMANG, 000–00–0000
EDNA E. DOMINO, 000–00–0000
KATHRY L. DOTY, 000–00–0000
LESLIE K. DROEGE, 000–00–0000
MARVIN E. EARLY, 000–00–0000
RICHARD H. EAVES, 000–00–0000
DEBORAH L. ECHANIS, 000–00–0000
JANET L. EGAN, 000–00–0000
ARDYTHE K. ELLISON, 000–00–0000
CHRISTINE R. ELMENDORF, 000–00–0000
ROBERT E. EMERSON, 000–00–0000
HARRIETT ERICKSON, 000–00–0000
GLENN R. ERMER, 000–00–0000

*PHILIP F. ERNST IV, 000–00–0000
JOSE A. ESTELA, JR., 000–00–0000
PAULA M. EVANS, 000–00–0000
*THOMAS J. EVANS, 000–00–0000
*BETH A. EWING, 000–00–0000
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DEBORAH K. FLAGG, 000–00–0000
JEANETTE A. FORTUNA, 000–00–0000
JAIME B. GAPASIN, 000–00–0000
RENE GARCIA, 000–00–0000
GARY J. GARDNER, 000–00–0000
LINDA S. GHANEM, 000–00–0000
TOMMI L. GILL, 000–00–0000
*KIMBERLY D. GLENN, 000–00–0000
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VIVIAN C. HARRIS, 000–00–0000
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*DONNA M. HEITER, 000–00–0000
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MARY M. HIGGINS, 000–00–0000
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MARY T. JACO, 000–00–0000
CARLEIGH JEANNE JACOBS, 000–00–0000
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MAUREEN A. KOCH, 000–00–0000
*BARBARA L. KUHN, 000–00–0000
MOLLY J. KUSIK, 000–00–0000
BRIDGET L. LAREW, 000–00–0000
BETH S. LECKEY, 000–00–0000
RICHARD LEDESMA, 000–00–0000
MARYBETH S. LENZ, 000–00–0000
CHRISTINE A. LIDDLE, 000–00–0000
BARBARA J. LIPPARD, 000–00–0000
NANCY J. MAGNUSSON, 000–00–0000
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MARIATHERESA G. MARTINEZ, 000–00–0000
BARBARA M. MASON, 000–00–0000
CATHERINE F. MATTIE, 000–00–0000
STEPHEN J. MAZER, 000–00–0000
EUGENE A. MC ADOO, 000–00–0000
*KELLEY A. MC CARTHY, 000–00–0000
CAROL L. MC CASKILL, 000–00–0000
*VIVIAN P. MC CORMICK, 000–00–0000
IRMA L. MC NAMEE, 000–00–0000
RICHARD T. MELCHIOR, 000–00–0000
VICKI LYNN MEYSENBURG, 000–00–0000
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BEATRIX L. MOTE, 000–00–0000
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IVONNE Q. MUEHLENWEG, 000–00–0000
CAROLE M. MURRAY, 000–00–0000
JOHN Z. NAGY, 000–00–0000
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*ALVIN J. NEWCOMER, 000–00–0000
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*DAVID T. SAYLE, 000–00–0000
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*REBECCA SCHLICK, 000–00–0000
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*ELIZABETH A. STONE, 000–00–0000
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ROSEANNE C. WARNER, 000–00–0000
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DAVID M. WEISS, 000–00–0000
ELEANOR T. WEST, 000–00–0000
MARIAN A. WHITE, 000–00–0000
THOMAS E. WILLIAMS, 000–00–0000
MARY A. WILLIAMSGRANT, 000–00–0000
CATHY S. WINTERBOTHAM, 000–00–0000
DIANE B. WOJCIESZAK, 000–00–0000
PAULINE L. WRUBEL, 000–00–0000
KERRI L. WYBLE, 000–00–0000
JONI E. YOUNG, 000–00–0000

EXTENSIONS OF REMARKS

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Tuesday, June 4, 1996, may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

JUNE 5

9:00 a.m.
Special on Aging
To hold hearings to examine how the Supplemental Security Income and the Disability Income programs can be reformed to encourage more people to enter into productive employment.
SD–562

9:30 a.m.
Agriculture, Nutrition, and Forestry
To hold hearings to examine proposals to reform the Commodity Exchange Act.
SR–328A

Governmental Affairs
Permanent Subcommittee on Investigations
To resume hearings to examine the security status of American informations systems.
SD–342

Labor and Human Resources
Business meeting, to mark up S. 1221, to authorize funds for fiscal years 1996 through 2000 for the Legal Services Corporation.
SD–430

10:00 a.m.
Appropriations
Defense Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1997 for the Department of Defense, focusing on medical programs.
SD–192

Appropriations
Foreign Operations Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1997 for foreign assistance programs, focusing on peacekeeping and international organizations and programs.
SD–138

Foreign Relations
East Asian and Pacific Affairs Subcommittee
To hold hearings to examine the foreign policy implications of China most-favored nation status.
SD–419

Small Business
To hold oversight hearings on the implementation of the small business agenda.
SR–428A

2:00 p.m.
Banking, Housing, and Urban Affairs
To hold hearings on S. 1815, to provide for improved regulation of the securities markets, eliminate excess securities fees, and reduce the costs of investing.
SD–538

JUNE 6

9:00 a.m.
Finance
To hold hearings to examine the most-favored-nation (MFN) status of China, focusing on consequences to American interests if MFN is revoked.
SD–215

9:30 a.m.
Commerce, Science, and Transportation
Business meeting, to consider pending calendar business.
SR–253

10:00 a.m.
Foreign Relations
Near Eastern and South Asian Affairs Subcommittee
To hold hearings to examine prospects for peace in Afghanistan.
SD–419

Governmental Affairs
To hold oversight hearings on Internal Revenue Service financial management.
SD–342

1:30 p.m.
Banking, Housing, and Urban Affairs
To hold hearings on S. 1317, to repeal the Public Utility Holding Company Act of 1935 and transfer certain regulatory functions from the Securities and Exchange Commission to the Federal Energy Regulatory Commission and the Public Service Commissions of various States.
SD–538

2:00 p.m.
Appropriations
Labor, Health and Human Services, and Education Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1997 for the Department of Health and Human Services.
SD–192

Energy and Natural Resources
Parks, Historic Preservation and Recreation Subcommittee
To hold hearings on S. 1703, to revitalize and expand the scope of operations of the National Park Foundation to assist in the preservation of America's national parks.
SD–366

Foreign Relations
To hold hearings to examine the consequences of most-favored-nation renewal for China.
SD–419

JUNE 7

9:30 a.m.
Joint Economic
To hold hearings to examine the employment-unemployment situation for May.
SD–562

JUNE 11

9:30 a.m.
Indian Affairs
To hold oversight hearings on the implementation of the Indian Trust Fund Management Reform Act of 1994, and on Indian trust funds management by the Department of the Interior.
SR–485

2:00 p.m.
Judiciary
Constitution, Federalism, and Property Rights Subcommittee
Business meeting, to consider pending legislation.
SD–226

JUNE 12

9:30 a.m.
Agriculture, Nutrition, and Forestry
To hold hearings on S. 1166, to improve the registration of pesticides, to provide minor use crop protection, and to improve pesticide tolerances to safeguard infants and children.
SR–328A

Energy and Natural Resources
Business meeting, to consider pending calendar business.
SD–366

JUNE 13

2:00 p.m.
Appropriations
Treasury, Postal Service, and General Government Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1997 for the White House Office of National Drug Control Policy.
SD–192

JUNE 14

10:00 a.m.
Appropriations
Legislative Branch Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1997 for the General Accounting Office, and the Architect of the Capitol.
S–128, Capitol

JUNE 18

9:00 a.m.
Rules and Administration
To hold hearings on public access to government information in the 21st century, focusing on the Government Printing Office depository library program.
SR–301

9:30 a.m.
Agriculture, Nutrition, and Forestry
Research, Nutrition, and General Legislation Subcommittee
To hold hearings to review a report to the Department of Agriculture by the Advisory Committee on Agricultural Concentration, and to examine other livestock industry issues.
SR–328A

10:00 a.m.
Judiciary
To hold hearings to examine oversight of the Department of Justice witness security program.
SD–226

JUNE 21

10:00 a.m.
Appropriations
Legislative Branch Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1997 for the Secretary of the Senate, the Sergeant At Arms, and the Government Printing Office.
S–128, Capitol

JUNE 25

9:30 a.m.
Energy and Natural Resources
To hold hearings on S. 1804, to make technical and other changes to the laws dealing with the territories and freely associated States of the United States, on a proposed amendment relating to Bikini and Enewetak medical care, and to hold oversight hearings on the law enforcement initiative in the Commonwealth of the Northern Mariana Islands.
SD–366

10:00 a.m.
Appropriations
Legislative Branch Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1997 for the Library of Congress.
S–128, Capitol

JUNE 26

9:30 a.m.
Indian Affairs
To hold hearings on proposals to reform the Indian Child Welfare Act.
SR–485

SEPTEMBER 17

9:30 a.m.
Veterans' Affairs
To hold joint hearings with the House Committee on Veterans' Affairs to review the legislative recommendations of the American Legion.
334 Cannon Building

Daily Digest

HIGHLIGHTS

See Résumé of Congressional Activity.

Senate

Chamber Action

Routine Proceedings, pages S5657–S5703

Measures Introduced: Three bills were introduced, as follows: S. 1824–1826. **Page S5692**

Defend America Act: Senate resumed consideration of a motion to proceed to the consideration of S. 1635, to establish a United States policy for the deployment of a national missile defense system. **Pages S5672–90**

Senate will continue consideration of the motion to proceed to consideration of the bill on Tuesday, June 4, 1996, with a cloture vote to occur thereon at 2:15 p.m. **Pages S5693–94**

Nominations Received: Senate received the following nominations:

Jeffrey Davidow, of Virginia, to be an Assistant Secretary of State.

Johnny H. Hayes, of Tennessee, to be a Member of the Board of Directors of the Tennessee Valley Authority for a term expiring May 18, 2005.

Doris B. Holleb, of Illinois, to be a Member of the National Council on the Humanities for a term expiring January 26, 2002.

Alberto Aleman Zubieta, a citizen of the Republic of Panama, to be Administrator of the Panama Canal Commission.

6 Army nominations in the rank of general.

1 Marine Corps nomination in the rank of general.

3 Navy nominations in the rank of admiral.

Routine lists in the Air Force and Navy. **Pages S5694–S5703**

Messages From the House: **Page S5690**

Measures Referred: **Page S5690**

Communications: **Pages S5690–92**

Statements on Introduced Bills: **Page S5692**

Additional Cosponsors: **Pages S5692–93**

Notices of Hearings: **Page S5693**

Additional Statements: **Page S5693**

Adjournment: Senate convened at 1:30 p.m. and adjourned at 6:08 p.m., until 9:30 a.m., on Tuesday, June 4, 1996. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on pages S5693–94.)

Committee Meetings

No committee meetings were held.

House of Representatives

Chamber Action

The House was not in session today. The House will next meet at 12:30 p.m., on Tuesday, June 4.

Committee Meetings

No committee meetings were held.

COMMITTEE MEETINGS FOR TUESDAY, JUNE 4, 1996

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Appropriations, Subcommittee on Defense, to hold hearings on proposed budget estimates for fiscal year for the Department of Defense, focusing on the chemical demilitarization program, 9:30 a.m., SD–138.

Committee on Environment and Public Works, to hold hearings on S. 1730, to revise the Oil Pollution Act of 1990 to prevent oilspills and to improve the response to the environmental and economic injuries from oilspills that do occur, 9:30 a.m., SD–406.

Committee on Finance, Subcommittee on International Trade, to hold hearings on the permanent extension of most-favored-nation (MFN) trade status to Romania, 2 p.m., SD–215.

Committee on Foreign Relations, to hold hearings on United Nations world conferences, 10 a.m., SD–419.

Committee on the Judiciary, to hold hearings on S. 1237, to revise certain provisions of law relating to child pornography, 10 a.m., SD–226.

NOTICE

For a Listing of Senate Committee Meetings scheduled ahead, see pages E977–78 in today's Record.

House

Committee on Science, Subcommittee on Technology, hearing on the increasing importance of International Standards to the U.S. Industrial Community and the Impact of ISO 14000, 1:30 p.m., 2318 Rayburn.

Committee on Ways and Means, Subcommittee on Oversight, hearing on Employment Classification Issues, 9:30 a.m., 1100 Longworth.

Subcommittee on Social Security, hearing on the use of Social Security Trust Fund money to finance union activities at the SSA, 2 p.m., B–318 Rayburn.

Joint Meetings

Conferees, on H. Con. Res. 178, establishing the congressional budget for the United States Government for fiscal year 1997 and setting forth appropriate budgetary levels for fiscal years 1998, 1999, 2000, 2001, and 2002, 3 p.m., 210 Cannon Building.

Résumé of Congressional Activity

SECOND 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 3 through May 31, 1996

	Senate	*House*	*Total*
Days in session	71	66	..
Time in session	488 hrs., 10′	467 hrs., 17′	..
Congressional Record:			
Pages of proceedings	5,655	5,757	..
Extensions of Remarks	..	975	..
Public bills enacted into law	9	52	..
Private bills enacted into law	..	..	..
Bills in conference	6	6	..
Measures passed, total	119	185	..
Senate bills	18	6	..
House bills	36	76	..
Senate joint resolutions	2	2	..
House joint resolutions	7	9	..
Senate concurrent resolutions	12	6	..
House concurrent resolutions	9	15	..
Simple resolutions	35	71	..
Measures reported, total	*90	*144	..
Senate bills	66	0	..
House bills	17	87	..
Senate joint resolutions	1	0	..
House joint resolutions	0	1	..
Senate concurrent resolutions	3	0	..
House concurrent resolutions	0	4	..
Simple resolutions	3	52	..
Special reports	7	3	..
Conference reports	1	11	..
Measures pending on calendar	250	66	..
Measures introduced, total	396	936	..
Bills	310	721	..
Joint resolutions	10	42	..
Concurrent resolutions	26	52	..
Simple resolutions	50	121	..
Quorum calls	1	1	..
Yea-and-nay votes	156	103	..
Recorded votes	..	105	..
Bills vetoed	0	4	..
Vetoes overridden	0	0	..

* These figures include all measures reported, even if there was no accompanying report. A total of 73 reports has been filed in the Senate; a total of 158 reports has been filed in the House.

DISPOSITION OF EXECUTIVE NOMINATIONS

January 3 through May 31, 1996

Civilian nominations, totaling 261 (including 119 nominations carried over from the first session), disposed of as follows:	
Confirmed	20
Unconfirmed	232
Withdrawn	9
Civilian nominations (FS, PHS, CG, NOAA), totaling 1,209 (including 320 nominations carried over from the first session), disposed of as follows:	
Confirmed	605
Unconfirmed	604
Air Force nominations, totaling 6,461 (including 4,952 nominations carried over from the first session), disposed of as follows:	
Confirmed	6,300
Unconfirmed	161
Army nominations, totaling 8,506 (including 2,304 nominations carried over from the first session), disposed of as follows:	
Confirmed	6,762
Unconfirmed	1,744
Navy nominations, totaling 2,429 (including 21 nominations carried over from the first session), disposed of as follows:	
Confirmed	1,983
Unconfirmed	446
Marine Corps nominations, totaling 1,437 (including 8 nominations carried over from the first session), disposed of as follows:	
Confirmed	1,370
Unconfirmed	67

Summary

Total nominations carried over from the first session	7,724
Total nominations received this session	12,579
Total confirmed	17,040
Total unconfirmed	3,254
Total withdrawn	9

Next Meeting of the SENATE

9:30 a.m., Tuesday, June 4

Senate Chamber

Program for Tuesday: After the recognition of four Senators for speeches and the transaction of any morning business (not to extend beyond 10:30 a.m.), Senate will resume consideration of a motion to proceed to consideration of S. 1635, Defend America Act, with a cloture vote to occur thereon at 2:15 p.m.

(Senate will recess from 12:30 p.m. until 2:15 p.m. for respective party conferences.)

Next Meeting of the HOUSE OF REPRESENTATIVES

12:30 p.m., Tuesday, June 4

House Chamber

Program for Tuesday: Consideration of the following 8 Suspensions:

1. H.R. 3376, VA Major Construction Authorization and Major Medical Leases;
2. H.R. 2297, to Codify Without Substantive Change Laws Related to Transportation and to Improve the United States Code;
3. H.R. 2511, Anticounterfeiting Consumer Protection Act of 1995;
4. H.R. 1861, Copyright Clarification Act of 1996;
5. H.R. 234, Boating and Aviation Operation Safety Act of 1995;
6. H.R. 2977, Administrative Dispute Resolution Act of 1996;
7. H.R. 3235, Office of Government Ethics Authorization of 1996; and
8. H.R. 2650, Mandatory Federal Prison Drug Treatment Act of 1995.

Recorded votes if ordered on Suspensions will be postponed until Wednesday, June 5.

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