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Senate

The Senate met at 9:30 a.m., and was called to order by the President pro tempore [Mr. THURMOND].

The PRESIDENT pro tempore. Today, the prayer will be offered by the Honorable CHARLES E. GRASSLEY, a Senator from the State of Iowa.

PRAYER

CHARLES E. GRASSLEY, a Senator from the State of Iowa, offered the following prayer:

Let us pray:

Almighty Father, as Members of the Senate gather here this morning to conduct their legislative business we implore Your blessings upon them, their families, and their staffs. We beseech You to instill in them a faith that is unerring, a hope that is certain, a patience that is boundless, a courage that is unwavering, a love that is perfect, and a sensitivity and a knowledge that they may accomplish Your holy and true command. Amen.

RESERVATION OF LEADER TIME

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

The PRESIDING OFFICER. The Chair recognizes the Senator from New Mexico.

SCHEDULE

Mr. DOMENICI. Mr. President, in behalf of the leader, I make the following statement.

This morning the Senate will immediately resume consideration of the energy and water appropriations bill.

Under the agreement reached on Friday there are a limited number of first-degree amendments which can be offered during today's session.

No rollcall votes will occur today. However, any votes ordered will be stacked on a case-by-case basis on Tuesday morning beginning at 10 a.m.

There will be a period of morning business today between the hours of 12 and 2 after which we will resume the energy and water bill.

Also, in accordance with the consent agreement, the Senate will begin consideration of the legislative branch appropriations this afternoon at 5 p.m.

Once again, any votes ordered on amendments to that bill will also be stacked to occur tomorrow morning.

Senators should anticipate busy sessions this week with rollcall votes throughout each day and into the evening as we make progress on the appropriations bills.

The majority leader would like to thank all Members in advance for their cooperation this week as we attempt to complete all of the Senate business prior to start of the August recess.

ENERGY AND WATER DEVELOPMENT APPROPRIATIONS ACT, 1997

The PRESIDING OFFICER. Under the previous order, the Senate will now resume consideration of S. 1959 which the clerk will report.

The assistant legislative clerk read as follows:

A bill (S. 1959) making appropriations for energy and water development for the fiscal year ending September 30, 1997, and for other purposes.

The Senate resumed consideration of the bill.

Pending:

McCain amendment No. 5094, to clarify that report language does not have the force of law.

McCain amendment No. 5095, to prohibit the use of funds to carry out the advanced light water reactor program.

Mr. DOMENICI. Mr. President, I know of no Senators who are waiting to offer amendments. Let me remind them that there are a number of Senators listed as having reserved amendments. Many of them merely state ''relevant,'' meaning that we are not totally aware of what the amendments are. But we have from 9:30 to 12 to debate some of them, to get the votes set, and to ask for the yeas and nays. Then those votes will be set for tomorrow.

I yield the floor at this point.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. LEAHY. Mr. President, I notice there seems to be a momentary pause, so I am going to speak on a couple of things.

JOE JAMELE—A TRUE PATRIOT

Mr. LEAHY. Mr. President, in a short while, my longtime press secretary, Joe Jamele, will be retiring. Joe Jamele set probably an all-time record as press secretaries of 15 years in my office. I think this is a great compliment to two Italian-Americans, Joe and myself, that we put up with each other for 15 years. We were good friends when we began our association; we are even better friends as it comes to an end.

Joe Jamele is one of those very special people who is a true Vermonter. I remember when I grew up, we always had the debate of what it took to be a Vermonter. Usually, the debate centered around whether your great-great-grandparents were born and raised in Vermont or whether your great-great-great-grandparents were born and raised in Vermont.

Joe Jamele established it in the best of ways. He earned his right to be a

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

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Vermonter through his sense of hard work, honesty and loyalty, loyalty to his family, loyalty to his community, and loyalty to those who were fortunate enough to have him serve in their office, whether it was the Governor of the State of Vermont, Governor Salmon, or whether it was myself.

Having Joe Jamele as a member of your office comes with a price. I would often come in feeling that I just made some brilliant coup, either in the media or on the floor or back home. Joe would lean back and say, ''Well, you know, PATRICK, the way I heard it was,'' and then he would give it to me from the eyes of the vast majority of Vermonters. And I would say, ''Yeah, I guess I didn't do quite as good as I might have,'' and he would bring it back to Earth. But he also did it in a way that was in the best interest of Vermont.

He would say oftentimes, ''Let's talk about what really is on people's minds back there.'' That is something he knew because he had such a farflung group of people, and still does, around Vermont, people he could call and talk with, people who are the true opinionmakers, not those who thought they were the true opinionmakers, but the people who really were the true opinionmakers and those who understood it.

Joe had, and has, this sense of history in Vermont. We sometimes have members of the press who come there, have been there a very short time and don't know who had gone before them. He was a very distinguished member of the press and has a sense of history that has probably only been seen, in my recollection, in Mavis Doyle, a former, and now deceased, reporter for the Rutland Herald. Joe knew who the players were. He knew those who spoke just for a sound bite as compared to those who spoke to do what they thought was best for the State or our country.

He had a professor's true heart, because over this decade and a half, we had so many young people who came into our office who found their real mentor was Joe Jamele, and they could go to Joe with everything from a professional to a personal concern and get the best of advice.

So, Mr. President, I was very pleased when Sam Hemingway of the Burlington Free Press wrote in May a column about Joe, and I ask unanimous consent that it be printed in the RECORD.

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

[From the Burlington Free Press, May 31, 1996]

(By Sam Hemingway)

WASHINGTON BIDS FAREWELL TO JAMELE

To his last day on the job—today—Joseph Jamele Jr., 65, was remaining true to form: part curmudgeon, part romantic and full-time Vermont political junkie.

''It's terrible,'' he muttered on the phone from Washington, D.C., where he's worked as press secretary for U.S. Sen. Patrick Leahy, D-Vt., for 15 years, an eon in a profession famous for short life spans.

''Winding down is terrible,'' he went on. ''I don't like this going-away stuff. I'd rather say goodbye on a one-to-one basis than have those cheery testimonials. I've been to a lot of them and every one's been a disaster.''

And then, a minute later, he was talking fondly about working for peanuts as a reporter in the 1950s. About managing the gubernatorial victory of Democrat Tom Salmon in 1972, one of the great upsets in Vermont political history. About the changes in Vermont he can't bear to watch.

''There's some parts I can barely visit because they've changed so much,'' he said. ''Like the outskirts of Burlington. I can remember driving through Colchester at night and not see a light on. Or up around Lake Seymour. It used to be you could go for miles and not see anyone. Now it's ringed with cottages.''

The two sports are important to Jamele. Lake Seymour, close by Morgan in the Northeast Kingdom, was where he was sent to summer camp by his family in New Jersey all through the Depression and World War II. Burlington is where he got his first job while still a college student, bundling freshly printed Free Presses on the midnight shift.

A reporting job soon followed, with Jamele honoring the advice of a plaque on the wall in the office of his University of Vermont mentor, Andrew Nuquist, that read: ''Never give them two bad ones in a row.''

He didn't. Jamele's news writing career covered the mundane—taking sports briefs over the phone—to the dramatic: a story about the abused dog who crawled home to die. He once interviewed a blind man who had wandered lost in a forest for three days. He talked with a sobbing Gov. Phil Hoff the day President Kennedy was assassinated.

By the early 1970s, his love for politics and weariness with low-paying journalism jobs got the best of him. In 1972, he had begun working for the GOP gubernatorial campaign of then-Attorney General James Jeffords when Salmon called and coaxed him to not only switch horses, but political affiliations as well.

The move paid off, Jeffords eventually lost his party's primary to Luther Hackett; Salmon went on to victory in November.

''The night Tom won, the first returns that came in came from Granby, which voted 26–0 for Hackett,'' Jamele said. ''Tom's daughter began to cry on the couch, and Tom consoled her by reminding her about Hackett's pledge to visit every town. 'I think he spent too much time in Granby,' he told her.''

Jamele remains convinced that had Salmon run for retiring U.S. Sen. George Aiken's seat in 1974, he would have won. ''I think Aiken really wanted Tom to succeed him,'' Jamele said.

But Salmon passed on the chance, and the door was opened for Leahy. Jamele worked for Salmon for four years, then for Massachusetts Gov. Michael Dukakis. He joined Leahy's staff in 1981, a move he's never regretted.

And will not now sentimentalize as he heads for the exits. He leaves, critical of the way federal workers have become scapegoats for those who blame government for what's wrong in the country, angry about the dominance of polls and television ads in political campaigns.

Passionate and skeptical to the end.

Mr. LEAHY. Mr. President, I will say that my career in the Senate has been greatly enhanced because Joe has been willing to give so much of himself to this office, to the State of Vermont, to the U.S. Senate, and to our country. He is, indeed, a true patriot.

KELLOGG-HUBBARD LIBRARY AND MRS. JEAN HOLBROOK

Mr. LEAHY. Mr. President, the Kellogg-Hubbard Library in Montpelier recently celebrated its 100th anniversary. The Kellogg-Hubbard Library holds a very special place in my heart, because I had my first library card there. I used to go almost every day. I would be reading a book at school or a book at home and sometimes a book in the library in the evening.

Mrs. Jean Holbrook, who was the librarian, was one of those people who truly helped form my life and my educational accomplishments as a child. It was she who told me when I got bored with the curriculum in the third grade that I could also be spending my time reading Dickens and Robert Louis Stevenson, and I did with great enjoyment. It was she who told me that when I read just about everything in the children's library, that she would go with me to get a card in the upstairs library, the grownups' library. I guess I was probably the youngest grownup at the time, but this helped me, and it has helped me immeasurably throughout my life.

Even today, when I give graduation addresses in high schools and even sometimes grade schools in Vermont, I tell the graduates they have already learned the most important thing in their life—they have learned to read. On top of learning to read, they have developed a love for reading, and every door in life will be open to them because their love of reading will allow them to expand their imagination and their love of life in a way they could not otherwise, but also help them learn to be whatever they want to be.

Mr. President, I ask unanimous consent that an article I wrote for the Times Argus in Vermont about the Hubbard Library titled ''Montpelier Boy Realizes Miss Holbrook Was Right'' be printed in the RECORD.

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

[From the Times Argus, June 13, 1996]

MONTPELIER BOY REALIZES MISS HOLBROOK WAS RIGHT

(By Patrick Leahy)

The 100th anniversary of the Kellogg-Hubbard Library triggers memories for all of us who have lived in Montpelier. And they are great memories.

While I was growing up, Montpelier did not have television. We children did not have the advantage of cable TV with 10 channels giving us the opportunity to buy things we didn't need and would never use or another 10 offering blessings or redemptions for an adequate contribution.

Depirved as we were, we made do with the Lone Ranger and Inner Sanctum on the radio and Saturday's serials at the Strand Theater on Main Street. For a few minutes on Saturday afternoon, we could watch Hopalong Cassidy, Tarzan, Flash Gordon, Jungle Jim or Batman face death-defying predicaments that would guarantee you would be back the next Saturday, 14 cents in hand, to see how they survived (and I recall they always did).

Having exhausted radio, Saturday matinees, the latest comic books (I had a favorite) and childhood games and chores, we were left to our own imagination.

That was the best part.

We were a generation who let the genies of our imagination out of the bottle be reading. Then, as now, reading was one of my great pleasures.

My parents had owned the Waterbury Record Weekly newspaper and then started the Leahy Press in Montpelier, which they ran until selling it at their retirement. The Leahy family was at home with the printed word and I learned to read early in life.

At 5 years old I went down the stairs on the Kellog-Hubbard Children's Library, and the years that followed provided some of the most important experiences of my life.

In the '40s and '50s, the Kellogg-Hubbard was blessed with a whitehaired children's librarian named Miss Holbrook. Her vocation in life had to be to help children read and to make reading enjoyable. She succeeded more than even she might have dreamed.

She had the key to unlocking our imagination.

With my parents' encouragement, the Kellogg-Hubbard was a regular stop every afternoon as I left school. On any day I had two or three books checked out. My sister Mary, brother John and I read constantly.

In my years as U.S. senator, it seems I never traveled so far or experienced so much as I did as a child in Montpelier with daily visits to the library. With Miss Holbrook's encouragement I had read most of Dickens and Robert Louis Stevenson in the early part of grade school.

To this day, I remember sitting in our home at 136 State St. reading Treasure Island on a Saturday afternoon filled with summer storms. I knew I heard the tap, tap, tap of the blind man's stick coming down State Street and I remember the great relief of seeing my mother and father returning from visiting my grandparents in South Ryegate.

Miss Holbrook was right. A good book and an active imagination creates its own reality.

In my profession, I read computer messages, briefing papers, constituent letters, legislation and briefings, the Congressional Record—and an occasional book for pleasure—in all, the equivalent of a full-length book each day.

Interesting as all this is, and owing much of my life to those earlier experiences at the library, the truest reading pleasure was then. I worry that so many children today miss what our libraries offer.

During the past few years I have had many of my photographs published. DC Comics and Warner Brothers have also asked me to write for Batman or do voice-overs on their TV series. In each case, I have asked them to send my payment to the Kellogg-Hubbard Library to buy books for the Children's Library.

It is my way of saying: ''Thank you, Miss Holbrook.''

Mr. LEAHY. Mr. President, I see my good friend from Washington State on the floor. If he is not going to seek recognition, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

TERRORISM IN THE UNITED STATES

Mr. LEAHY. Mr. President, over the weekend, much has been said about the two terrorist acts this country has faced. I assume that the crash of the TWA flight was caused by an act of terrorism. Obviously, the bomb in Atlanta was an act of terrorism. I assume the two are not connected and the motivation for either may be entirely different. But I hope that the American people will not allow themselves to be held hostage by these terrorists, because if we do, the terrorists win.

This is a great country. We sent armies to fight nazism and fascism around the world. This is a great nation that mobilized in World War II and did not allow the armies of Hitler to defeat us or the cowardly attack on Pearl Harbor to destroy us. If we did not allow those forces, that eventually numbered in the millions, to defeat us, we should not allow a few crazed people, no matter what their motivation, to do the same.

I also hope that we will have a careful and studied response of what is the best way to go after them. I feel strongly that better intelligence—and we have probably the best in world—that better and more intelligence is very important. Our law enforcement, State, local, and Federal, have worked with the greatest cooperation I have ever seen. We should admire Jim Kallstrom, the FBI agent in charge of the investigation into the TWA crash. And certainly, when we watch the Georgia authorities and the Federal authorities come together in Atlanta, for those of us who once served in law enforcement, we can only marvel at this level of cooperation.

But we should realize we are going to face more, not less but more, terrorist attempts in our country. We are the most powerful nation on Earth. Nobody can send an army marching against us or an air force flying against us or navy sailing against us. We are far too powerful.

But like any great democracy, we have one vulnerability. That is not a million-person army marching against us, but a half dozen well-dedicated, well-trained, strongly motivated terrorists. Their motivation may be to go to Heaven, their motivation may be some twisted psychotic sense that they are doing right. But they are the ones in a democracy who can strike the most, especially against a technologically advanced democracy like ours.

I heard some over the weekend say, ''Boy, we'll get them. We'll just increase the penalties.'' I remind everybody that in Georgia, what happened carries a potential death penalty under Georgia law, to say nothing of the potential death penalty under Federal law. I remind my colleagues, in most criminal matters, penalties are rarely a deterrence because the person does not expect to get caught.

The example I use are two warehouses side by side. One has virtually no lock on it, another has a state-of-the-art security system. The penalty for breaking into these warehouses is the same. But a burglar, of course, would take the unguarded one because he assumes he will not be caught.

We have to realize that you stop terrorism not by the easy feel-good things like simply passing legislation, saying we will be tough because we will increase all the penalties or whatever, because these acts carry the death penalty. But, rather, we take the very hard and difficult steps of making sure that our law enforcement is properly funded, equipped, and trained, that they have the tools necessary, within a democratic society, the investigative tools necessary to do this, and that we realize as a nation that while we watch terrorist activity in Great Britain, Germany, in France, in the Middle East, Israel, several of the Arab nations, the terrorism can strike at us. It can be from outside our borders, as the World Trade Tower bombs were, or home-grown, as Oklahoma City now appears to be. Either way, we are not immune. That is the bad side.

The plus side is that we are a resilient nation of 260 million people of diverse backgrounds, diverse philosophies and faiths, nationalities coming together to make one very great, vibrant nation, the most powerful democracy that history has ever known. And it is. We are so powerful, we are so vibrant because we have opened ourselves to all kinds of ideas, have encouraged all kinds of ideas.

We should not allow the terrorists to stop us from having this exchange of ideas and this openness of views. Virtually all Americans will join together in wanting these people caught. But virtually all Americans want to make sure we retain the constitutional freedoms that made us so great.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mrs. KASSEBAUM. Mr. President, I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered. The Senator may proceed.

WHY AFRICA MATTERS: EMERGING DISEASES

Mrs. KASSEBAUM. Mr. President, when I became chairman of the Subcommittee on African Affairs in 1981, I was asked what I knew about Africa. I responded, ''Not much.'' But since that time, either as chairman or ranking member, I have spent considerable time working on African issues and have developed a deep affinity for the continent.

It is a region that is beset with many difficulties, but it also holds great

promise and possibilities. I am not going to speak today, Mr. President, about current tragedies in Burundi or Rwanda or other places on the continent. But I have been questioned more and more, as I get ready to retire and will leave this chairmanship of the African subcommittee, why should we care about Africa? In this era of budget difficulties and domestic challenges, why devote resources and diplomatic energies to a region of great needs, unfamiliar cultures, and limited strategic value to the United States?

Mr. President, I, for one, believe that Africa does matter to Americans, and perhaps in ways that we do not necessarily think about when we see the current headlines that emerge regarding Africa.

The United States does have significant national interests on the continent. The events in Africa directly affect American citizens. In this age of instant communications, international travel, and world trade, we simply cannot afford to ignore a continent of over 660 million people and 54 countries.

From infectious disease to environmental destruction, narcotics trafficking to terrorism, we live in a world where boundaries have less and less meaning. As a world leader, the United States has a responsibility—and a self-interest—in promoting peace, stability, and development in Africa.

Mr. President, over the next few weeks, I will deliver a series of statements on United States interests in Africa. As I travel around the country I find a great amount of skepticism among the American public regarding foreign policy and international engagement. Those of us who believe that events on the African Continent affect United States interests must begin to make the case for why Africa matters.

Today, I will begin with an issue of particular concern to me—emerging infectious diseases. Last year, I chaired a hearing of the Senate Labor Committee on Emerging Infections: A Threat to the Health of a Nation. The focus of the hearing was on domestic vulnerability to disease, but international issues—especially those involving Africa—surfaced again and again.

It is impossible to isolate the domestic epidemiological situation from a larger global context. Microbes simply do not observe political boundaries.

Mr. President, the sheer volume of human contact at the approaching turn of the century creates a situation in which no country or class is immune from the threat of disease. In 1993, over 27 million people traveled from the United States and Canada to developing countries. The incubation period of most epidemic diseases far exceeds the duration of most international flights. No state can test all entering persons for every known disease. Even secure borders cannot stop contaminated water, food, or animal vectors from transmitting microbes across boundaries.

For example, international trade was the mechanism by which a strain of the Ebola virus, previously confined to central Africa, surfaced in Reston, VA, in 1989, and in Texas in 1996. The devestating effects of Ebola's hemorrhagic fever, and the mysteries surrounding its transmission, have created a sense of fear and insecurity around the world since the 1995 outbreak in Zaire. Yet Ebola represents only one of a number of new diseases which present a threat to all of mankind—at least 30 new infectious diseases have emerged in the last 20 years.

Even more familiar diseases like malaria present a cause for concern, as poor medical practices in Africa result in new, antibiotic-resistant strains of previously treatable infections. Consider this: each year, over 1,000 Americans return to the United States with malaria after spending time abroad. The mosquito that transmits malaria is still present on both coasts of the United States. Moreover, precisely because malaria has not been endemic in our country or in Europe in the late 20th century, it will be far more lethal in those regions than it is in Africa today should it be reintroduced.

Our national interest in Africa's emerging and reemerging diseases extends beyond the most immediate and urgent concern of international transmission.

AIDS in Africa exemplifies the economically draining impact of disease. It primarily affects young adults, the most productive segment of society, leading some experts to estimate that AIDS could cause a 2- to 3-percent reduction in the growth rates of developing countries' economies over the next 20 years. In turn, diminished purchasing power in developing country will result in diminished trade revenues and economic opportunities here at home.

Traditionally, U.S. interest in tropical infectious disease has varied according to the extent of our political and military involvement overseas. It seems clear that today's heightened volume of civilian human contact makes this an obsolete strategy. We should all be conscious of the risks that are presented to us.

Yet in 1989, a meeting of the American Society of Tropical Medicine and Hygiene revealed that neither American agencies nor the World Health Organization were adequately prepared for an epidemic emergency. Prepackaged disease hospitals and overseas high-security laboratories do not exist, nor does a clear chain of command in such an emergency. In the 1990's, a review of CDC surveillance systems determined them to be woefully inadequate within the United States, and so haphazard as to be nonexistent abroad.

Yet, information is one of the most critical elements of our epidemiological security, and surveillance and monitoring mechanisms on the African Continent are crucial to American interests.

Mr. President, at the Labor Committee hearing last year, Dr. David Satcher, Director of the Centers for Disease Control and Prevention, indicated that CDC received the first report of the 1994 Ebola outbreak in Zaire in May of that year, but the first case probably occurred in January.

Early warning systems simply did not exist. Likewise, the National Science and Technology Council reported that African doctors saw ''slim disease,'' probably a herald of the AIDS epidemic, as early as 1962, but the dearth of technical and financial resources, as well as an absence of engaged, international cooperation, prevented the disease from being identified before the AIDS epidemic in the United States was well underway.

For all of these reasons, the emergence and proliferation of disease on the African Continent should concern Americans. Population shifts, urban overcrowding, eroding health and sanitation infrastructures, inadequate public education initiatives, and environmental mismanagement all contribute to disease proliferation in Africa, and in turn, that proliferation affects the United States

Mr. President, in this post-cold-war era, many in the policy and academic community are reassessing American vulnerabilities and global priorities. For example, I have strongly believed that nuclear, chemical, and biological weapons proliferation presented a clear threat to our Nation and have supported efforts to combat those dangers.

But traditional perceptions of national security do not encompass many of the new threats facing our nation. As I have argued, emerging infectious diseases in Africa are one such threat—presenting serious dangers to United States citizens abroad and at home.

American engagement, both explicitly through international disease prevention and control initiatives, and indirectly through encouragement of stability, social service reforms, and environmental responsibility, helps fight these emerging diseases, keeping both Africans and Americans strong, healthy, and secure as we prepare to enter the 21st century.

This is just one reason, Mr. President, why Africa does matter to us. I suggest it is a security threat, as well as a personal threat, and one that we should care about with interest and compassion, as we look to our own budgets, and as we look to our own strategists.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

ENERGY AND WATER DEVELOPMENT APPROPRIATIONS ACT, 1997

The Senate continued with the consideration of the bill.

Mr. GORTON. Mr. President, together with the distinguished chairman of the Energy and Water Appropriations Subcommittee, I came to the floor today to help deal with any proposals or amendments that might come up during the course of today's activities. In fact, I was in the President's chair last Friday when the majority leader asked for a unanimous-consent agreement listing almost an entire column in the CONGRESSIONAL RECORD of amendments that might be proposed to this bill. A handful were debated on Friday afternoon. All of the rest must be offered between now and noon, or between 2 and 5 this afternoon.

Obviously, we have not dealt with a lot of business at this point. It seemed to me appropriate to speak about this bill and about its importance in general terms and, perhaps, to ask for some comments from the chairman, my friend from New Mexico, who knows so much about it, to whom it is so vital, both for his own State of New Mexico and for the entire country, and for our national defense and for our infrastructure.

Mr. DOMENICI. Will the Senator yield?

Mr. GORTON. I am happy to.

Mr. DOMENICI. Mr. President, I want to state one more time for Senators that we did receive 46 amendments. The Senator was alluding to them. The unanimous-consent agreement recognized these amendments as the only amendments that can be offered in the first degree, and many, many of them are to the water resources portion of this bill—we are beginning to ascertain, that is—the Bureau of Reclamation or the Corps of Engineers. We very much want to attempt to work out some of these amendments.

I just say to Senators who have amendments that the time is going to run out, and I know come 4 o'clock this afternoon, or even tomorrow, there are going to be Senators who will be somewhat upset. But we have now, through the good graces of the leader in this unanimous-consent request, had time since 9:30 this morning until 12. There are 2 hours, 1 hour on each side, on some additional matters, unrelated to this. We will come back at 2 on this bill, and we will have 3 more hours. At 5 o'clock, we are off this bill. So anybody who has not offered their first-degree amendments will have no opportunity. The Senate has just agreed that they are out.

Now, I know there are four or five amendments that address issues that are not water resource issues. I think I know what all of those amendments are, although I have not seen them. I ask, especially, that the Senators who have these serious amendments, let us see them as soon as possible. So if Senators have amendments that are not water resource amendments that they are going to offer, we ask that the Senators' staffs and their offices attempt to get us those amendments so that we have an opportunity to work with the Senators on them, or to adequately make our presentations.

I thank the Senator for yielding the floor. I am delighted that he wants to talk about the importance of this bill in many, many aspects of our future life in this country.

(Mr. COCHRAN assumed the chair.)

Mr. GORTON. I thank my friend from New Mexico. Mr. President, each of these appropriations bills with which we deal is long and very much detailed. Sometimes it is difficult even for Members, much less the general public, to have a true understanding of what is contained in them.

For this reason, I have asked my staff to prepare a series of charts or graphs on the appropriations for those subcommittees of the appropriations bills on which I serve.

Unfortunately, I only have a page-size one here for energy and water. It is for the bill for the current year, 1996. Due to the efforts of the Senator from New Mexico, we now have an allocation for 1997 that is roughly equivalent of that for 1996. So the distribution of the money for the current year is, I think, relevant to what we are dealing with.

Mr. President, I am sure your eyes may not be quite good enough to see anything on this chart other than the colors. But the red and pink portion of the chart show that the lion's share of this bill goes to the Department of Energy, which is not surprising. This is the energy and water appropriations bill. What, perhaps, is not visible to you is the fact that only about a quarter of it appears on the top of the chart, and that goes to the civilian activities of the Department of Energy for energy supply research and development—obviously important to our future—and for general science research and development. The Federal Government, through the Department of Energy, is one of the most important single sources of research for both energy purposes and for some other purposes as well.

All of the rest, close to three-quarters of this red and pink line, goes to defense activities, because it is the Department of Energy that is in charge of our nuclear defense. Curiously enough, of that defense activity, Mr. President, half really goes to the past. Half is continuing to pay for the triumph of the United States of America in World War II and in the cold war against the Soviet Union, because we built so rapidly our nuclear capacity, our nuclear defense capacity, that we did not learn at the time the dangers that nuclear waste would impose on this country. And we have stored most of our nuclear waste in a way that clearly is not permanent in nature and, clearly, threatens the environment—very particularly, in my own State of Washington, where at Hanford, the great majority of this nuclear waste is located, and all across many other nuclear facilities in the rest of the country as well.

So a good portion—maybe a third of this entire appropriation—really looks to the past, to taking care of the nuclear waste that we have already created, and that which will be created in the future. That is a very important part of this appropriation. It is a payment for past triumphs of this country, and it is a payment which is obviously due to those who are concerned with the environment of the United States and to those locations in which it is found. I spoke at greater length on Friday on the subject of Hanford and the beginning of a very real success on the part of the engineers and the others who work there at doing something about this waste.

Once again, Mr. President, this Department of Energy portion here is maybe a quarter for research into the future for the energy needs of the country, almost three-quarters for defense work, of which roughly half is really a payment for the past, rather than for our present security. This much shorter green line, Mr. President, is the Army Corps of Engineers. I believe I can say that every single Member of this body will have some interest in the work of the Army Corps of Engineers, as it works on all of our river systems, most notably in the State of the present occupant of the chair, my State, and all other States as well, in projects to control floods, to conserve water, to use it for agricultural purposes and the like.

Yet, this entire green line here includes not only the operations and maintenance activities of the Corps of Engineers, but a very small portion for our future. The top tiny little green line here is Mississippi flood control, Mr. President. But look at that in comparison with all of the other activities of this appropriations bill—an an extremely modest investment in a vitally important activity. But some of it, a portion that all of us are interested in, is for the construction of future projects on the part of the Corps of Engineers to make our ports deeper and safer; to create new areas in which we can conserve water for various public purposes, and the like.

Finally, the tiny orange line over here, insofar as the Department of the Interior and the Bureau of Reclamation for a similar project; and, lastly, a handful of independent agencies like the Appalachian Regional Commission, the Delaware River Commission, the Interstate Commission on the Potomac, the Nuclear Regulatory Commission, and the like.

Yet, we tend to think of all of these things in the sense of equivalents. They are not equivalents with respect to the amount of money that we put into it. A very, very large portion, probably close to half, of this entire appropriations bill is for defense activities both past and future, and much of it is for research.

As a consequence, it is important. It is a matter of interest to all of the Members of this body. It is probably the reason, as the chairman pointed out, that we have some 46 theoretically pending amendments to the bill even though the chairman has been very careful to listen to messages and requests from Members on behalf of their constituents. A significant number of projects, both in the research area and in the Corps of Engineers' operating area, are designed to build the infrastructure of this country, and, Mr. President, at a time in which we are properly and justifiably concerned with bringing our budget into balance, a duty that we owe to our children and to our grandchildren, a moral duty to pay today for the kinds of services and projects we want in government.

As significant as that is, as significant as the views of this chairman are to that purpose, as he is, after all, the chairman of the Senate Budget Committee, it is important that we continue to invest in the infrastructure of this country, whether it is a physical infrastructure from the point of view of energy and water projects or a research infrastructure in better and more efficient and more effective ways in which to use all of the energy resources that we have in the United States of America—one or the other. These investments in infrastructure are vitally important.

So this is a really significant bill, Mr. President.

I see the chairman returning to the floor at this point. I wonder if he would explain, for the Members who are still considering whether or not to come to the floor to offer their amendments but even more significantly for the people of the country as a whole, something of the dynamics of this bill.

I say to the chairman of the committee, I believe that, due to his efforts, there is somewhat more money in this bill than there is in the bill passed by the House of Representatives. I also believe that this bill stays within the allocations which his subcommittee has been given, which in turn are a part of a set of allocations which could lead us to a balanced budget by the year 2002, if, but only if, we also show the courage and have the support from the President of the United States to deal with the overwhelmingly expensive entitlement programs of this country.

So, if the chairman could tell us a little bit about how he made his choices in connection with this bill and emphasize the fact that it is a part of bringing the budget into balance and say what he thinks the differences between us and the House of Representatives are and how we propose to settle those differences, I would appreciate it. I think both our other Members and the country at large would appreciate having that knowledge as well.

Mr. DOMENICI addressed the Chair.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Mr. President, let me first say to my friend from Washington that I thank him very much for the efforts he puts forth in every appropriations bill that he works on, but in particular I thank him for his knowledge and his effort in this one.

The Department of Energy, obviously, is very misunderstood. I am not here defending mismanagement or any of the things we read about that we do not think would be in the best interests of maintaining this Department and maintaining a Cabinet position.

But, first, in that regard with reference to the management of the Washington headquarters and the top-end governance of that Department, we have cut it 15.9—round numbers 16—percent. We believe, coupled with last year's reduction, that we are sending a very strong signal that the Department of Energy has too many people at the top end and, as a result, has an awful lot of regulations that are forthcoming with reference to the efforts out in the field that are duplicative, that are unnecessary.

In fact, one of the major studies with reference to the laboratories that are owned by the Department of Energy and run under different management schemes—some run by the universities such as Livermore and Los Alamos, some run by management teams of the private sector such as Lockheed Martin, which runs Oak Ridge and Sandia—but one of the major reports was issued by the former chief executive officer of Motorola, Mr. ''Bob'' Robert Galvin. In that report the indication was that the laboratories are having a great deal of difficulty being efficient because there are too many rules and regulations.

We are looking forward to the Department of Energy, which continues to say they are working at that, we are looking forward to their quantifying at some point and saying that laboratories can run without this enormous labyrinth of rules built one on top of the other.

But in the end, what people must understand about the Department of Energy that I think is of utmost importance is that a very large piece of the Department of Energy is defense activities. There are some in this body, some in the other body, and some within the Department of Defense, and some former Cabinet people within the Department of Defense who frequently make the case that the Department of Energy does not do its defense work as well as some of them would like.

Nonetheless, I must remind everyone that one of the things we can be most proud of by way of government doing a good job is how well we have succeeded throughout the confrontation with the Soviet Union in keeping the world from having a nuclear holocaust. What has happened is we created a stalemate, and we created such a vast array of information in these laboratories, the three that are the big ones that are determined to be in that business, along with Oak Ridge as a fourth one, we were always a step ahead. But all of the nuclear defense activities have been in the Department of Energy, or its predecessor, the civilian department, throughout the entire episode of the conflict with the Soviet Union. They have not been in the Department of Defense. They have been in the Department of Energy, or ERDA, its predecessor, or even the predecessor to that.

In this bill for weapons activities and other defense activities—there is $3.46 billion, more or less, for weapons activities in the budget request of the President, and we have funded that at $3.9 billion, about $500 million higher than the President's request.

Frankly, we believe that in funding that at about $500 million higher than the President, we have attempted to make sure that the goals and objectives of this President and his Department of Energy and his Defense Department, the goals and objectives with reference to a totally new way to handle our nuclear weapons is appropriately funded.

Now, those who are critical of the Department of Energy should know that there is a very large portion of this budget that is Defense Department oriented. And is it an important function? This Senator assumes—and I think my friend from Washington supported this—that when we provided in the big budget $12 billion additional money for the Defense Department—and we did that, and we are willing to take the heat from that. That is an ongoing debate. We prevailed here, and we are funding defense overall at a higher level than the President asked for by about $12 billion. We assumed throughout this DOE defense function, which has to do with our nuclear weapons and the maintenance of them, which I will explain in a moment, we should give them a slight increase as we did the rest of DOD's work, so we assumed a comparable 4.3 percent increase in those activities because that is how much we increased the Defense Department. Frankly, I believe every single bit of that is going to be used in an advantageous way with reference to our nuclear stockpile and our nuclear cleanup which I will talk about in a moment.

Mr. GORTON. Will the Senator yield for a question?

Mr. DOMENICI. Yes.

Mr. GORTON. That $12 billion increase in defense as a whole is over how long a period of time?

Mr. DOMENICI. That is fiscal year 1997, 1 year.

Mr. GORTON. So $500 million is in this bill, and the remainder of it is in the bill that has already passed?

Mr. DOMENICI. That is correct. Two bills, military construction, commonly known as MilCon, and the defense appropriations bill. The rest of it is in there. But $500 million of the $12 billion went to DOE defense. And that can include nuclear weapons activities, but it can also include nuclear cleanup, which, incidentally, the Senator has so

described here that everybody should look at.

Mr. GORTON. I thank the Senator.

Mr. DOMENICI. In 1989, this pink portion of the Senator's chart called ''Defense Environmental Restoration and Waste Management'' was $800 million. It is now in excess of $5.5 billion. And actually, everybody understands that we must clean up the leftovers in the Senator's State, in the Savannah River area, in a couple of other areas in the United States, we must clean them up because that is our responsibility, and it is a leftover defense activity. So we pay for it here. So whenever we talk about defense money, unless somebody wants to take that out and say it is no longer a defense function, in which event I assume we would reduce defense spending by that amount and put it in some other civilian funding, that amount is in this appropriations bill and in every other one.

Now, I want to comment on two other things.

When we were involved in the confrontation with the Soviet Union, we had a number of things that we have since decided we would not do. First, we did underground testing. For some—and I am not attaching any quality to this debate—we should have stopped them a long time ago. But for those who have to be accountable for the quality of the weapons, they were very reluctant to give up underground testing. We finally voted that in here in the Senate. It was a Hatfield amendment to stop nuclear testing other than in case of an emergency, subject to the certification of the President, it might start again.

I am not going to talk much about why testing was important to those who make bombs and keep them safe. Let me say those are goals without any serious contention. Almost everybody says that was a benefit in that regard.

Now, this Department, starting about 2½ years ago, is involved in a whole new way to maintain our nuclear weapons. And as I have said before, when we talk about keeping this new inventory of nuclear weapons, it would be wonderful to come to the floor and say we do not need them anymore; we are not going to have any. But we are going to have them for quite a long time, and it is a rather large number—not nearly as large as before. It is coming down dramatically in number.

But a new charge was placed on the laboratories by the Department of Energy and agreed to by DOD. It is called the science-based stockpile stewardship. We are now being asked to maintain a stockpile of a given number of thousands of weapons in a trustworthy, safe, secure, and deliverable mode without any testing underground and without manufacturing any weapons, for we are not making any new nuclear weapons. In this bill, we do not have money to make new nuclear weapons, and all the money for nuclear weapons is in this bill. If it is not here, it is nowhere.

But the stockpile stewardship program based on science will require new facilities, new science techniques to make sure that we know whether, in some of these weapons which are 25 and 30 years old, certain parts have to be replaced. And they are not all nuclear related. There is a huge number of parts that are just related to the mechanics of a good weapon, of a weapon that is appropriately safe and trustworthy. To do that we need more resources, and we need to convert our major laboratories to that work.

We believe it is a real challenge. We believe it is imperative that we give these scientists the same kind of recognition that we give to our defense people. When we say we need the best defense people, we need to pay our military men and women the best, we need to give them the best opportunity to serve us well, we have to, in my opinion, say the laboratories that are preserving this healthy situation are akin to our military people.

They are not military people. And I think many say, thank God, they have not been, for we have never since Harry Truman's time wanted to put the maintenance of a nuclear weapons compound and all that goes into it in the Defense Department. We said you give us the criteria; we will deliver them; you make sure that in fact they are what we say they are but let civilians do that. So we chose in this bill to put more money in various functions of the stockpile stewardship program.

Mr. President, none of us are thrilled with the efficiency of the nuclear cleanup activities. The distinguished Senator from Washington, who has millions of dollars being spent to clean up Hanford, has regularly indicated his great displeasure at how long it is taking and how we are standing in place instead of running. But the point of it is we have to put money in that. We have $200 million more in that overall program than the House did. We will have to defend that in conference. We are going to maybe defend it on the floor. I do not know of an amendment yet, but I can see in that amendment a reduction in the cleanup. There is an amendment offered by Senator BUMPERS which would cut back on the stockpile stewardship in its broadest sense as I understand the amendment.

Now, I want to make one last observation. I said I had two. We have put together in the national laboratory systems of the Department of Energy a huge labyrinth of great equipment to do research projects. And probably it is fair to say that over 40 years there was assembled in the nuclear deterrent laboratories and the others, including Oak Ridge, the biggest science talent in a group in an institution, science and engineering talent of anywhere in the world. And certainly in America with 7,000 or 8,000, 9,000 scientists with all those that support them at some of these institutions, we were always able to get the very best, phenomenal in terms of their research. So there developed within that system research on major deep science and physics issues, and in this budget we have maintained an effort in high-energy physics, nuclear physics, biological and environmental research second to none in the world. It is not a huge portion, as my colleague pointed out, but high-energy physics and nuclear physics are among the premier efforts at finding out the nature of matter, the real nature of atoms and every part of atoms, the atomic structure and everything within it, to find out clearly what is in this universe of ours. We should never stop that research. America is the leader there, and we should continue to be the leader.

We do biological and environmental research. Incidentally, the greatest wellness health research program, one-third of it, is in the Department of Energy. That is the program called genome research, which will map the entire chromosome structure of the human body, map it and hand it to the scientific community so they can then proceed to effect cures over time of the great diseases. That is in here for about one-third of $189 million, whatever that number is, for national programs, about $189 million, and we have a third of it here.

We have geothermal and fusion research. We have solar and renewables. There will be an amendment on the floor to add some money to solar and renewables. That amendment will add about $23 million. The Senator asked what some of the amendments are about. That has been put together, we understand. Senator JEFFORDS has been the leader on that, and we will try to work that out with him.

Obviously, since I spent the last 10 minutes talking about the Department of Energy, then I must spend a few moments on the other aspect of this bill. Because, as the Senator's chart so adequately depicts, this bill also covers the Bureau of Reclamation, the Corps of Engineers, the Appalachian Regional Commission, Defense Nuclear Facilities Safety Board, Tennessee Valley Authority, Nuclear Regulatory Commission, and the Nuclear Waste Technical Review Board. These are nondefense activities that are in this bill that are very important. Almost all of the 47 amendments that I alluded to awhile ago that were at least reserved by Senators, almost all of them had to do with these functions that I just elaborated; in particular, the corps and the Bureau, for the most part. I did not say all of them, but for the most part.

So, when we have to fund this at a freeze for nondefense, it is not possible for us to grant an awful lot of new program startups and the like for the Bureau of Reclamation or the corps. We have done our best in the bill. If we can save some money in some of the amendments that are being offered in that area, we will try to accommodate some of the States' desires, as evidenced by the reserved amendments from Senators who are seeking to continue projects or to take an authorized

project and fund it in this bill. I think that is very important.

Obviously, there are many who wonder about the Federal Government's involvement in flood protection—until there is a flood. Then everybody thinks the Federal Government should be involved. If that is the case, when there is a known flood potential, when there is a situation with a high propensity for floods, why shouldn't we be part of preventing it on some kind of a match basis? We have done that for a long time.

There is not as much money going into flood protection, but there is some, and there is a match required at the State level and a cost-benefit ratio, meaning it must be found to be beneficial and that the risks far exceed the costs that we are going to put into the project. That is what we are trying to do there. So this is an interesting little bill. It is not the biggest appropriation bill, but it is pretty important.

I want to repeat for those who are very concerned about the defense of our country, I am trying my best, the Senator from New Mexico is trying his best, every chance that he can, to explain that there is a major defense activity in this subcommittee. It is not all in that Defense appropriation and MilCon bill. If we want to be certain about how we are handling the nuclear stockpile, we ought to make sure we are adequately funding the stockpile stewardship program. At the same time, we have to maintain some of the facilities that are not part of the stockpile stewardship, but rather part of ''if we have to go back to the old way,'' we have some facilities that are there on a conditional basis, ready to be used. That has been insisted upon by the defense leaders of our country. So that means we cannot abandon the State of Nevada's testing facilities because, in fact, what if we need to use them again?

I note today, as we speak, China is undertaking an underground test, as I read about it. They say it is the last, and they will soon sign a big international treaty. On the other hand, you do not have to believe, when they say that is the last one, that they are going to abandon all their facilities. I do not believe that is the case. Russia is trying to build down, but their facilities are not being abandoned. So there is a little bit of added expense there, but I think it is very important expense.

The last thought has to do with nonproliferation. It is related to what has been going on in our country in terms of the recent bombing and TWA flight 800 that fell out of the skies. The whole issue of nonproliferation is no longer simply a nuclear nonproliferation issue. But, in that regard, this bill espouses a concept. The concept is, if we can spend some money helping Russia make sure that their nuclear devices and the science that goes into them are not shipped around the world but rather are dismantled in an orderly manner and their scientists put to work at something else, it is in our security interests. That is not foreign aid. That is security aid for us.

The Nunn-Lugar-Domenici amendment, which was adopted here in the Senate in the armed services bill and partially funded in this bill, has a lot to do with trying to move ahead with making Russia's dismantlement more secure, more certain, and safer for the world. It has a couple of interesting projects—partnership with laboratories here and business in an effort to keep some of their great scientists from succumbing to the offer of money to move to other countries to become bomb builders.

The Nunn-Lugar-Domenici bill has some civilian defense in it with reference to disasters that might be forthcoming from chemical and biological incidents. There is a new interagency coordination, a new National Security Council position to coordinate responses to terrorism, international crime, and nonproliferation. There is a major effort, some of which is vested in the laboratories of the Department, to come up with the best approach to containing chemical and biological weapons of mass destruction from the very bottom up: Identifying how they are made, identifying ways that they can be prevented in some generic ways. So we are slightly ahead of the curve in getting that started and getting it funded. That took a little of the extra money that is in this bill.

In summary, we have succeeded, in the U.S. Senate, in getting $200 million more in the nondefense parts of this bill than the House has in theirs, and $700 million more in all of the Department of Energy's defense activities from cleanup, which we call defense, to the science-based safeguards new system, and other needs to maintain a dual track with reference to our nuclear weapons.

I thank my colleague very much for raising the issue about the bill and for the discussion that ensued. Since there is no one here to offer an amendment, I assume this was worthwhile.

I yield the floor.

Mr. EXON addressed the Chair.

The PRESIDING OFFICER. The Senator from Nebraska.

Mr. EXON. Mr. President, I would like to take a few moments to comment on the bill which is before us.

First, I salute the Senator from New Mexico and the Senator from Louisiana who are the leaders on this particular measure. I think they have done, by and large, an outstanding job. I hope we can move ahead as quickly as we can to approval of the measure before us, although I am certain some amendments will be in order.

Once again, I emphasize that over the years, as has been alluded to by the Senator from New Mexico in his remarks, his excellent remarks just concluded, the Energy Department has played a much larger role in national defense and national security than is generally recognized.

One of the problems that I have seen in this area, of course, is that generally we refer to the $260 to $270 billion annual appropriations for national defense. To give us a true picture of that, we should add on the billions of dollars included in the Energy Department under the discretion of the appropriators who have, for many years, taken a very close look at the operations of the Department of Energy. I urge them to continue that effort, as we in the Armed Services Committee do.

Generally speaking, there has been excellent cooperation between the authorizers of these funds, the Armed Services Committee, on which I have the honor to serve, and the appropriators, working in close cooperation with the appropriators, especially in the Energy Department, with regard to a whole scope of international relations and international security.

I emphasize, once again, the excellent remarks made by the Senator from New Mexico with regard to the excellent job that is done by two of the national laboratories that are located in his State. Certainly, I agree with him completely that the new challenges that we have placed on the Department of Energy, and especially under the laboratories that they oversee, with regard to the safety and reliability of our nuclear stockpile is very important.

I have been one of the leaders from the very beginning to end, if we possibly can, nuclear testing of any type, but, of course, that remains to be seen as to whether or not we can get the rest of the nuclear communities around the world, other nations, to agree, because certainly, although I have pressed hard for the nuclear test ban treaty, I recognize and realize that we cannot go it alone forever, which brings me to a matter that I call to the attention of the Senate.

Today in Geneva, Switzerland, the world peacekeepers, the negotiators, in an attempt to end the testing of nuclear weapons, are going into a fateful 2 or 3 days. Evidently, although there has not been a great deal of attention paid to this, unfortunately, I think it is one of the most meaningful international negotiations that we have ever seen, and I believe the success or failure of those negotiations, which are reopening today in Geneva, Switzerland, will go a long way to assure, if we can get the nuclear test ban treaty extended and signed, man's humanity for mankind more than anything else that we can do.

I will say that I am very pleased to read in the newspapers this morning that evidently all nations that are considered nuclear states, or possibly nuclear states in the future, have agreed to sign on to a continuation of the nuclear test ban treaty with the exception of India. India, of course, is pursuing a course that is most difficult for most of us who have followed this with great interest to understand: Their continuing to say to the international

community that they will not sign on to any kind of an extension of the nuclear test ban treaty so long as the nations of the world, the five big nations, primarily, and others, agree to dramatically reduce and get on a course to end the stockpile of nuclear inventory.

While that would, of course, be something that might be good for peace, on the other hand, it might not be. The whole drive today is not to eliminate nuclear weapons from those nations that now have it. The whole concept of a nuclear test ban treaty is to put roadblocks in the way for new states, particularly Third World nations coming aboard and being part of the nuclear inventory states.

That can only be very foreboding, as far as the future of peace is concerned, and especially the future of peace on the basis of not having and relying primarily—and I emphasize the word ''primarily''—on nuclear inventories.

Suffice it to say, Mr. President, a lot of very important things are going on today. I happen to feel that, by and large, the measure that has been advanced to the floor of the Senate by the appropriate subcommittee, in this case energy, is a good bill. I think it is an important step in the right direction, with some modifications and lots of compromises.

In closing, I compliment, once again, the two Senators who are managing this bill on the floor for the excellent understanding that they have, the grasp that they have with regard to the whole complex matter of not only national security but international security. I thank them for their attention and thoughtfulness on this particular measure.

I thank the Chair, and I yield the floor.

MORNING BUSINESS

The PRESIDING OFFICER (Mr. GRAMS). There will now be a period for the transaction of morning business not to extend beyond the hour of 2 p.m. with the time between 12 noon and 1 p.m. under the control of the Democratic leader and the time between 1 p.m. and 2 p.m. under the control of the Senator from Georgia [Mr. COVERDELL].

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. ROBB. 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. The Senator is recognized.

NETDAY EAST

Mr. ROBB. Mr. President, I rise today to speak briefly about an exciting new project called NetDay East, which is mobilizing volunteers in several States, including the Commonwealth of Virginia, to wire our public schools for the Internet. It is exciting, Mr. President, because of how the Internet has transformed the way people communicate and expanded access to information worldwide.

Our challenge now is to bring this technology into all of our Nation's schools as quickly as possible so that all students, regardless of their economic status or where they live, have access to the same global library of knowledge and information to compete on a level playing field.

The biggest barrier has been the lack of money and manpower needed to physically wire the schools to the Internet. Laying the necessary cable to link our K–12 classrooms is estimated to cost billions of dollars nationwide.

But a project in California has showed us that we can overcome this obstacle if we mobilize our communities and work together. In 1 day, California wired 3,500 schools at little or no cost to the schools themselves through the outstanding volunteer efforts of parents, teachers, students, businesses, and elected officials.

Because of the vision and commitment reflected in their NetDay, hundreds of thousands of young Californians will be able to experience a new global world of unlimited possibility with the stroke of a key.

As one who cares deeply about education and surfs the Internet from my Senate office, I am delighted to be a part of NetDay East. Modeled after California's project, NetDay East is now organizing to cable schools every weekend in October in Virginia, the District of Columbia, and Maryland. Similar efforts are taking place in Massachusetts, North Carolina, Montana, Connecticut, and Louisiana as well.

Mr. President, an estimated 40 million people from more than 150 countries use the information superhighway. They include Kathleen Butzler at Northampton Middle School who can lead her seventh grade class on a virtual tour of the White House or talk to a Member of Congress without leaving their home in Mochipongo on Virginia's Eastern Shore.

We shouldn't forget that the Internet is a two-way communications tour. Through NetDay East, thousands of Virginia students will be able to create Web pages, like those at the Northampton Middle School, to teach the rest of the world about the treasures of our beautiful and diverse State.

This technology is fascinating and could very well be the spark to ignite the imagination in children who would otherwise be disinterested in school work. Capturing the interest and imagination of our students through this technology can yield enormous future benefits, for students with access will have a distinct advantage over those who do not. We cannot afford to let our schools slip behind those of our international competitors when the technology, technology that we created, is literally right at our fingertips.

There are many ways to participate in NetDay, Mr. President. Businesses can contribute in a variety of ways, including partnering with local schools, purchasing wiring kits, lending technical staff, and encouraging their employees to volunteer.

Individuals can help pull wire in schools, since installing this type of cable requires a great deal of labor but very little technical expertise.

Schools can register to be a part of this project and encourage their parents to volunteer and promote NetDay. This October on a Saturday, my staff and I plan to help cable A.P. Hill Elementary School in Petersburg, VA, as a part of NetDay East. We will also be doing a demonstration project in Northern Virginia right after school starts in September.

There is no question, Mr. President, that when we wire schools for the Internet this October, we will complete just the first step in a much greater effort to help young Virginians and young Americans in other States travel the information superhighway.

It is a first step, but it is certainly an essential one. There will be much to do to finish the job, including arranging for Internet connections, training students and teachers in the effective uses of the Internet and helping to acquire computer donations to the schools. I hope NetDay forms an important and productive alliance between our communities and our schools that can continue well beyond October.

Finally, I fully endorse NetDay East, and I encourage others to join us during the month of October to participate in this modern-day barn raising.

If anyone would like to sponsor, volunteer, endorse, sign up their school or just find out more information, please visit the NetDay East home page at ''www.cgcs.org/netday-east.''

For anyone who does not have access to the Internet, I invite them to contact my office, and we will certainly assist them with registration.

With the help of many caring and committed individuals, Mr. President, we can keep our children off the wayside and ensure they move swiftly and surely forward on the information superhighway.

With that, I thank the Chair, I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. COVERDELL. 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. COVERDELL. Mr. President, I ask unanimous consent to speak as in morning business for 5 minutes.

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

TRAGEDY AT THE CENTENNIAL OLYMPICS

Mr. COVERDELL. Mr. President, I have just returned from the Centennial Olympics in my home city of Atlanta.

I ask unanimous consent for a brief moment of silence for those who died or were wounded in the bombing the other evening.

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

[Moment of silence.]

Mr. COVERDELL. Mr. President, we, of course, extend our grief and condolences to the family of Alice Hawthorne from Albany, GA, and for Melih Uzunyoz, a Turkish national, both of whom lost their lives in a terrorist-related bombing that occurred at approximately 1:20 a.m. the other morning. Also, we extend our concern and prayers to the 110 casualties that occurred during the bombing and to the 17 who remain in the hospital.

Mr. President, we all owe a group of law enforcement officers a deep debt. The officer who spotted this bomb and his colleagues, in the face of grave danger, were heroes, in every sense, of the Centennial Olympics. In the face of danger themselves, they remained on site, and with every avenue available and open to them they tried to evacuate the crowd from the area of danger. I am absolutely convinced that, without their diligence and duty, the casualties would have been far, far greater. So these officers, these men and women, who tried to evacuate the park are due a deep debt of gratitude from all of us.

Further, the volunteers and officers who stayed, not knowing whether there was a series of bombs, to help those wounded receive comfort, aid, and assistance so that they might be appropriately hospitalized, performed admirably, incredibly in the face of grave danger. To all the officers, the men and women, Federal, State, and local, who in the following hours did everything within their power to bring order to the situation, and who were deluged with what I characterize as thrill-seekers reporting bombs in other venues, other high-density areas. With precision and expertise and valor, they proceeded to secure this great world event in our State and in our Nation. So my hat is off to these people. Again, the word ''hero'' comes to mind.

Mr. President, I was first notified of this incident at 3 a.m. in the morning. By 6:30 that morning, I had been in touch with the law enforcement command center, which I visited to try to take stock of the situation. It was a gloomy, dark night, drizzling, and as you might imagine, a sense of great concern and pall fell over all of us. As I was driving back pondering what it was that all of us were confronted with, as I was driving into the city, I looked at the interstate that you have to walk over, which many fans have to walk over in order to get to the grand Olympic stadium, and there was a vision of valor, defiance, courage, and will—the fans. There they were. I could not believe it. I looked up and, by the thousands, they were walking onto the stadium and throughout the city to the other venues.

It will, in my judgment, be a mark of heroism, broad heroism, on a par with the athletes themselves, because this world community gathered up and said, ''No way; we will not be intimidated. We will go on with the games.'' Not only did IOC proclaim the games would go on—that is a statement—but the key was that the world community said, ''The games will go on.'' The families, the children, all alike, everywhere you went, were coming out to say that the Centennial Olympics is bigger than this heinous act against defenseless and helpless citizens.

In many ways, I think it will mark a period of great thought for us in this country. The Presiding Officer, among others, is very much aware that there has been a growing discussion and debate. I think it probably ultimately will call for vaster resources, a better capacity to deal with this kind of era that we approach as we come to the new century. But, for a moment, I had a chance to personally see a broad statement of valor by people from nation after nation. I talked about it all afternoon. One volunteer had been coming in on the rapid transit system that morning, and the car, of course, as you might expect, was crammed from side to side with people of every nation—Dutch, German, American, and the like—and the fans broke out into song singing as they went on to the venues.

So, again, Mr. President, our grief to the families involved, our thanks to those that stood in the face of danger to help, and our acknowledgment of a heroism and a worldwide statement that was made in Atlanta the very next morning as the centennial games continued.

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

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

The bill 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. Without objection, it is so ordered.

Mr. COVERDELL. Mr. President, under the previous order, I am to be recognized during morning business for a period of 60 minutes.

I ask unanimous consent that during this period I be permitted to yield portions of my time to other Members without losing my right to the floor.

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

THE DRUG EPIDEMIC

Mr. COVERDELL. Mr. President, as I have said many times on the floor, we are in the midst of a drug epidemic in the United States of enormous proportions that are not yet, I do not believe, fully comprehended. Drug use among our youth has doubled in the last 36 months, ending 12 years of a continued decline in drug use.

Mr. President, this administration, unfortunately, has to come to terms with this issue because it is pretty clear that its decision to shut down the drug office, to shut down interdiction efforts, to dramatically curtail the war on drugs, and to the change policy regarding rehabilitation has had some very, very uncomfortable consequences.

What does it mean when you say drug use has ''doubled''? Does that mean two more people use it? No. What it means is there are 2 million American families who have fallen victim to the tragic consequences of involving themselves in drugs.

Mr. President, in a moment I am going to yield to the distinguished chairman of the Judiciary Committee, the senior Senator from Utah. But let me say that among the data we are now discovering is the fact that our youth currently do not see drugs as a threat to them. How could that be? How could it be that the vast majority of youngsters no longer see that as a threat to them? Therefore, they are not concerned about it. Therefore, they use it more freely. Therefore, twice the number use it today.

I just have to say that over the last several months, this cavalier attitude from the President's press secretary and others and the revelation about drug use in the White House itself—I mean, everybody understands the White House is a bully pulpit. If that pulpit is sanctioning, or appears to be sanctioning, or appears to be minimizing the serious effects of drug use, it should not be surprising that our young people do not understand the consequences.

I am afraid that what has surfaced over the last several weeks—the word that comes to mind is ''cavalier''—is that it is not really important, that message has created a very, very serious repercussion in our country. It has to be turned around and changed quickly.

Mr. President, with that opening statement, I yield up to 15 minutes to the distinguished Senator from Utah.

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

PRIVILEGE OF THE FLOOR

Mr. HATCH. Mr. President, I ask unanimous consent that Patrick Murphy, a detailee on my staff, be granted floor privileges for the remainder of this Congress.

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

Mr. HATCH. Mr. President, our Federal drug policy is at a crossroads. Unfortunately for Americans, drug control is not a national priority for the Clinton administration. For some time now I have been saying that President

Clinton has been AWOL—absent without leadership—in the war on drugs. Put another way, the Clinton White House has been MIA in the drug war—mired in arrogance. Ineffectual leadership and failed Federal policies have combined with ambiguous cultural messages to generate changing attitudes among our young people and sharp, serious increases in youthful drug use.

This is painfully evidenced by this chart on my right, which shows that after a 12-year steady decline in drug use by high school seniors, from 1980 to 1992, there has been a sharp increase in such drug use during the last 3 years. As you can see, the decline came from 1980 downhill in every one of these categories, and in every one of the categories since 1992 drug use has started to go up sharply.

Even more troubling is that this increase has been uniform as to those who have used drugs in the past month, in the past year, and those children trying drugs for the first time.

No one is more responsible for our current dilemma than President Clinton. For more than 3 years, I have taken to the floor of the Senate to warn my colleagues and the Nation about the threat we face due to President Clinton's abdication of leadership in the war on drugs. What also troubles me is that a defeatist outlook in the drug war appears now to be supplemented by a softer attitude tolerating or excusing drug use.

The Clinton administration has caused serious damage to this country as a direct result of failed policies and absent leadership in the war on drugs. Indeed, as one more manifestation of the administration's arrogance of power, we now know that the White House strong-armed the Secret Service into granting security passes for at least a dozen persons who had engaged in the recent use of, among other illegal drugs, crack cocaine and hallucinogens. In responding to questions concerning this matter, White House spokesman Mike McCurry disdainfully suggested that prior drug use was no big deal. What a terrible message to send to the country, especially to our young people. Where was President Clinton during this episode? Why didn't he admonish his spokesman? When will someone at the White House acknowledge that drug use is a big deal.

To his credit, Mr. McCurry has expressed regret for having been so cavalier; but, it is quite telling that it was the President's spokesman who expressed this attitude of tolerance for drug use. Remember, this is the same President who named the stealth drug czar Lee Brown and Surgeon General Jocelyn Elders, a proponent of legalizing drugs.

Let me be clear. I am not suggesting that people who experimented with drugs in their youth are categorically unfit for public service. But we should not make room at the policy table for those who have used drugs even as students and believe that their drug use was not a serious wrong, unfortunate step in their life. Nor should those who still use drugs or have recently done so be given a public trust especially in the White House. It is this mindset which will result in defeat.

Both President Reagan and President Bush led from the front on this war, confronting our Nation's drug problems head on with positive results. As a Nation, we were committed to winning the war on drugs, and we were making gains. Since President Clinton has assumed office, his administration's campaign against drugs has been in full retreat, and America is now losing the war.

During the Reagan and Bush era, the United States saw dramatic reductions in casual drug use. From 1977 to 1992, casual drug use was more than cut in half. Cocaine use fell by 79 percent, while monthly use fell from 2.9 million users in 1988 to 1.3 million in 1992. Such reductions were achieved not by hollow rhetoric but through sustained, visible use of the bully pulpit, increased quantities, a clear and quantifiable antidrug policy and, most important, strong Presidential leadership. Substantial investment of resources, coupled with the effective use of the bully pulpit, caused a strong reverberation of antidrug sentiment throughout this Nation.

From his very first days in office, President Clinton was derailing the effective approaches of prior administrations. Although he promised to ''reinvent our drug control programs,'' and ''move beyond ideological debates,'' the President announced a new approach to drug policy, deemphasizing law enforcement and cutting interdiction. He called his approach a controlled shift. In hindsight, it has been an approach of reckless abdication. The Clinton administration renounced the proven policies of previous administrations and instead oversaw the following:

Federal illegal drug caseloads were reduced by 10.3 percent from fiscal year 1992 to fiscal year 1995;

The Governmentwide interdiction budget was cut by 39 percent since 1993;

Supply reduction has been put in utter disarray, with a 53 percent drop in our ability to interdict and push back drug shipments in the drug transit zone;

Between 1992 and 1994, cocaine seized by the Customs Service and Coast Guard dropped 70 percent and 71 percent, respectively.

The National Drug Control Policy staff was cut from 147 to 25, but Congress did restore funding for adequate staffing levels this fiscal year, and with the President's approval finally admitted that they were wrong;

The administration's fiscal year 1995 budget proposed to slash 621 drug enforcement positions from the DEA, INS, FBI and Customs Service;

From 1992 to 1995, the Drug Enforcement Administration lost 227 agent positions, more than 6 percent of its agent force;

President Clinton signed legislation repealing mandatory minimums for some drug traffickers and dealers;

And agreed to more than $230 million in cuts to drug education and prevention funds in 1993.

It really is no surprise, therefore, that as the administration has turned a blind eye to this problem, drug dealers have flooded our Nation's streets with more illegal drugs and steadily declining prices.

For example, as this next chart here reflects, the last several years have seen a dramatic drop in heroin prices. Since 1992, it has dramatically dropped. In fact, you can see it dropped very dramatically there, and then the purity, of course, has been going up. So the drop in heroin prices, combined with the dramatic increase in the purity of such heroin on the streets, has been catastrophic.

The conclusion that can be drawn from these facts is clear. Supply is way up on our city streets resulting in more lethal drugs being available to our children at a much cheaper rate. Despite such glaring evidence, the Clinton administration continues to remain silent on addressing this problem.

In short, since 1992, the bully pulpit has gathered dust, liberal soft-headed policies have been implemented, and a mentality of tolerance for drugs has taken root. As a result, almost every available indicator today shows the United States is losing our fight against drugs. Let us just consider some of the evidence.

First, drugs are cheap and more available. Since 1993, the retail price of cocaine has dropped by more than 10 percent. The price of heroin has plummeted from $1,647 a gram in 1992 to $966 a gram in February 1996.

Second, since President Clinton took office, the number of 12- to 17-year-olds using marijuana has almost doubled—2.9 million kids compared with the 1992 level of 1.6 million. According to a most recent University of Michigan study, one in three high school seniors now smokes marijuana, and 48.4 percent of the class of 1995 had tried illegal drugs.

You can see why I got so upset when Mr. McCurry made his comments. Now, to his credit, he has basically apologized for those, and I accept his apology. But it should never have happened to begin with. And it is this tolerance in the White House that is causing these problems. It comes through to these kids and to everybody else, it seems to me.

Third, the number of cocaine and heroin-related emergency room admissions has jumped to historic levels. In the first half of 1995, cocaine-related emergency room cases were 65 percent above the level in the first half of 1991. Heroin admissions soared 120 percent over this same period of time.

Fourth, methamphetamine use has soared with meth-related emergency room admissions in 1995 increasing by

more than 320 percent since 1991. And yet, I might add, someone on the other side of the aisle is blocking consideration of a bipartisan Hatch-Biden methamphetamine bill. I urge the President to call off his guardians of gridlock so we can pass this bill that is critical to this country.

Fifth, LSD use has reached the highest rate since recordkeeping started in 1975. Fully 11.7 percent of the class of 1995 had tried it at least once.

That is mind-boggling.

The widespread increase in illegal drug use is not surprising when the relative ease in which these drugs are now brought across our borders is considered. Recent reports indicate that Mexican drug cartels are no longer interested in merely crossing our southern border to peddle their drugs. Ranchers along the Texas and New Mexico border are now finding themselves being forced to sell their border properties to these armed thugs. They are getting plenty of money for it. Why would they pay these exorbitant rates? But people are afraid not to sell to them for fear they will be killed.

As a result, a virtual superhighway for illegal drug flow into this country is being created—some say has already been created.

We are literally losing ground against drugs. In an effort to call attention to this disturbing development, I will be holding a hearing in the Judiciary Committee this Wednesday on precisely these points: What is happening on our southern border?

Due to President Clinton's failure in the drug war, our children are at greater risk, our law enforcement efforts are strained more than ever, and our borders, it appears, are now being bought up by drug smugglers.

To his credit, President Clinton named Gen. Barry McCaffrey as his new drug czar. General McCaffrey is a committed man. I have respect for him. But it may be too little too late. Such 11th hour tactics do not obviate one absolute truth: For the last 3 years, in the battle to regain our streets from the plague of illegal drugs, this administration has let our country down.

The Nation must have effective moral leadership in this war against drugs. The President has turned back the clock 20 years in the drug war. He has hurt this Nation by his lack of leadership on this issue, and it is time to turn this retreat around.

I again call on our President not just to join, but to lead an attack on illegal drugs and their use in this country.

Mr. President, I ask unanimous consent that a summary and a series of excerpts of relevant reports be printed in the RECORD. They are most informative. I urge my colleagues to read them.

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

SUMMARY

KEY FINDINGS

Losing ground against drugs

1. The number of 12–17 year-olds using marijuana increased from 1.6 million in 1992 to 2.9 million in 1994.

2. The number of individuals prosecuted for federal drug violations dropped from 25,033 in 1992 to 23,114 in 1993, and still lower to 21,905 in 1994—a 12 percent drop in just two years.

3. Street-level heroin is at a record level, even as the price of a pure gram fell from $2,032 to $1,278 per gram between February 1993 and February 1995.

Setting the course: a national drug strategy

1. Attitudes among teenagers about the dangers of drug use are changing—for the worse. After more than a decade of viewing drugs as dangerous, a new generation increasingly sees no harm in using drugs.

2. The President has abandoned the bully pulpit against drugs and radically reduced the staff of the Office of National Drug Control Policy from 147 to 25, rendering it largely ineffectual.

News conference from National Drug Policy Director McCaffrey

1. Heroin's popularity continues to rise and inexperienced dealers are selling dangerous mixtures called heroin ''cocktails'' which have hospitalized more than 120 people in May alone.

2. Methamphetamine, Rohypnol, Ketamine, Quaaludes, and ephedrine are drugs emerging as ''club drugs'' and continue to rise in popularity among young adults.

The Clinton administration's continuing retreat in the war on drugs—Heritage Foundation

1. The Clinton Administration's failure to appoint effective leaders in key positions to articulate and enforce a strong anti-drug message has seriously undercut drug efforts.

2. Former drug-policy Director Lee Brown attributes the ''troubling'' decline in prosecutions to ''the policies of the new U.S. Attorneys who de-emphasized prosecution of small-scale drug offenders.''

Adolescent drug use likely to increase again in '96—Partnership for a Drug-Free America

1. Driven by increasingly lax attitudes about marijuana, America's teenagers are seeing fewer risks and more personal rewards in drug use. They are less likely to consider drug use harmful and risky, more likely to believe that drug use is widespread and tolerated, and feel more pressure to try illegal drugs than teens did just 2 years ago.

Journal of the Clandestine Laboratory Investigating Chemists Association

1. Numerous labs have been seized showing increasing production of methamphetamines. Laboratory operators are taking advantage of the fact that all sales of the pseudoephedrine drug products, regardless of the quantity involved, are completely unregulated.

Drug use rises again in 1995 among American teens—The University of Michigan

1. Annual surveys of some 50,000 students in over 400 public and private secondary schools nationwide reveal that in 1995, marijuana use continued the strong resurgence that began in the early 1990s with increased use at all grade levels. The proportion of eighth-graders taking any illicit drug has almost doubled since 1991, has risen nearly two-thirds among 10th-graders since 1992, and has risen by nearly half among 12th-graders.

Preliminary estimates from the Drug Abuse Warning Network—Substance Abuse and Mental Health Services Administration

1. Comparing the first half of 1995 with the first half of 1994, there was a 10 percent increase in drug-related hospital emergency department episodes. Heroin-related episodes increased by 27 percent, marijuana-related episodes increased by 32 percent, and methamphetamine-related episodes increased by 35 percent.

Women and drugs—Wall Street Journal (June 6, 1996)

1. Unfortunately, the gender gap among drug users is quickly closing as women catch up with men when it comes to smoking, drinking, and doing drugs.

LOSING GROUND AGAINST DRUGS—A REPORT ON INCREASING ILLICIT DRUG USE AND NATIONAL DRUG POLICY

(Prepared by Majority Staff, Senate Committee on the Judiciary, Senator Orrin G. Hatch, Utah, Chairman)

INTRODUCTION

Through the 1980s and into the early 1990s, the United States experienced dramatic and unprecedented reductions in casual drug use.

The number of Americans using illicit drugs plunged from 24.7 million in 1979 to 11.4 million in 1992. The so-called ''casual'' use of cocaine fell by 79 percent between 1985 and 1992, while monthly cocaine use fell 55 percent between 1988 and 1992 alone—from 2.9 million to 1.3 million users.

On the surface, little appears to have changed since 1992. For the nation as a whole, drug use remains relatively flat. The vast majority of Americans still do not use illegal drugs.

Unfortunately, this appearance is dangerously misleading. Drug use has in fact experienced a dramatic resurgence among our youth, a disturbing trend that could quickly return the United States to the epidemic of drug use that characterized the decade of the 1970s.

Recent surveys, described in detail in this report, provide overwhelming evidence of a sharp and growing increase in drug use among young people:

The number of 12–17 year-olds using marijuana increased from 1.6 million in 1992 to 2.9 million in 1994. The category of ''recent marijuana use'' increased a staggering 200 percent among 14–15 year-olds over the same period.

Since 1992, there has been a 52 percent jump in the number of high-school seniors using drugs on a monthly basis, even as worrisome declines are noted in peer disapproval of drug use.

One in three high school seniors now smokes marijuana.

Young people are actually more likely to be aware of the health dangers of cigarettes than of the dangers of marijuana.

Nor have recent increases been confined to marijuana. At least three surveys note increased use of inhalants and other drugs such as cocaine and LSD.

Drug use by young people is alarming by any standard, but especially so since teen drug use is at the root of hard-core drug use by adults. According to surveys by the Center on Addiction and Substance Abuse, 12–17 year-olds who use marijuana are 85 times more likely to graduate to cocaine than those who abstain from marijuana. Fully 60 percent of adolescents who use marijuana before age 15 will later use cocaine. Conversely, those who reach age 21 without ever having used drugs almost never try them later in life.

Described another way, perhaps 820,000 of the new crop of youthful marijuana smokers will eventually try cocaine. Of these 820,000 who try cocaine, some 58,000 may end up as regular users and addicts.

The implications of public policy are clear. If such increases are allowed to continue for

just two more years, America will be at risk of returning to the epidemic drug use of the 1970s. Should that happen, our ability to control health care costs, reform welfare, improve the academic performance of our school-age children, and defuse the projected ''crime bomb'' of youthful super-predator criminals, will all be seriously compromised.

With these thoughts in mind, I am pleased to present ''Losing Ground Against Drugs: A Report on Increasing Illicit Drug Use and National Drug Policy'' prepared at my direction by the majority staff of the United States Senate Committee on the Judiciary. This report examines trends in drug use and the Clinton Administration's sometimes uneven response to them, including the Administration's controversial policy of targeting chronic, hardcore drug users. The report also reviews the state of trends in use and availability. And, finally, it evaluates the performance over the past three years of our nation's criminal justice and interdiction systems.

The report finds Federal law enforcement under severe strain just as the technical sophistication of drug trafficking syndicates is reaching new heights. It finds that the Administration's supply reduction policy is in utter disarray, with a 53 percent drop in our ability to interdict and push back drug shipments in the transit zone. The report also finds increases in the purity of drugs and the number of drug-related emergency room admissions of hard-core users.

Federal drug policy is at a crossroads. Ineffectual leadership and failed federal policies have combined with ambiguous cultural messages to generate changing attitudes among our young people and sharp increases in youthful drug use.

The American people recognize these problems and are increasingly concerned: A Gallup poll released December 12, 1995 shows that 94 percent of Americans view illegal drug use as either a ''crisis'' or a ''very serious problem.'' Their concern, which I share, underscores the danger of compromising our struggle against the drug trade. I look forward to addressing the issues raised in this report in future hearings of the United States Senate Committee on the Judiciary.

OVERVIEW

For its first eight months in office, the Clinton Administration's approach to the drug issue could best be described as benign neglect. Then, in September 1993, the Administration announced a new approach to drug policy, promising to ''reinvent our drug control programs'' and ''move beyond ideological debates.'' The new Administration policy deemphasized law enforcement and shifted away from interdiction, while promising dividends from treating hard-core drug users.

Almost three years into the Administration, however, the results of its early neglect, and subsequent policy ''reinvention,'' are in. Drug use is up—dramatically so among young people. Promised reductions in hard-core use—the centerpiece of the Administration strategy—have failed to materialize. New money to expand the nation's treatment system has coincided with a projected *decrease* in treatment ''slot.''

Law enforcement efforts, mean-while, are not keeping pace with the kingpins who run the drug trade, whose resources and technical sophistication are increasing yearly. Prosecutorial efforts appear to have stumbled as well, with a 12 percent decline in prosecutions over just two years.

Presidentially ordered interdiction cuts appear to have resulted in an increased supply of drugs on American streets. Illicit drugs are now available in greater quantities, at higher purity, and at lower prices than ever before. The Administration's strategy for coping with these problems is predicated on a series of goals that one drug policy expert described as ''merely an unprioritized list [that does little] to direct policy.

Viewed together, these factors paint a disturbing picture of inattention to a serious and growing national threat.

PRELIMINARY ESTIMATES FROM THE DRUG ABUSE WARNING NETWORK, U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES, PUBLIC HEALTH SERVICE

HIGHLIGHTS

The Drug Abuse Warning Network (DAWN) is a national probability survey of hospitals with emergency departments conducted annually by the Substance Abuse and Mental Health Services Administration (SAMHSA). The survey is designed to collect data on emergency department episodes which are directly related to the use of an illegal drug or non-medical use of a legal drug. Analyses in this report focus primarily on recent trends in drug-related episodes. Preliminary estimates for the first half of 1995 are compared with data from the first half of 1994. The major DAWN findings are:

In the first half of 1995, there were 279,100 drug-related hospital emergency department episodes representing an increase of 10 percent from the first half of 1994 (252,600).

An estimated 76,800 cocaine-related episodes were reported in the first half of 1995 compared with 68,400 in the first half of 1994, an increase of 12 percent.

Cocaine-related episodes rose by 21 percent (from 26,100 to 31,500) among persons aged 35 years and older between the first half of 1994 and the first half of 1995. A 17 percent increase was observed among blacks (from 36,200 to 42,500).

The number of heroin-related episodes increased by 27 percent between the first half of 1994 and the first half of 1995 (from 30,000 to 38,100).

Between the first half of 1994 and the first half of 1995, heroin-related episodes increased by 39 percent among whites (from 10,800 to 15,000) and by 32 percent (from 16,100 to 21,100) among persons aged 35 years and older.

Marijuana/hashish-related episodes rose from 19,100 in the first half of 1994 to 25,200 in the first half of 1995, a 32 percent increase. Marijuana episodes usually occur in combination with other substances, particularly alcohol and cocaine.

The number of methamphetamine (speed)-related episodes increased by 35 percent (from 7,800 to 10,600) between the first half of 1994 and the first half of 1995.

INTRODUCTION

This report contains preliminary data for the first 6 months of 1995 and final annual and semi-annual estimates of drug-related emergency department episodes for 1988 through 1994, from the Drug Abuse Warning Network [DAWN], an ongoing national survey of hospital emergency departments.

Since the early 1970's, DAWN has collected information on patients seeking hospital emergency department treatment related to their use of an illegal drug or the nonmedical use of a legal drug. The survey provides data that describe the impact of drug use on hospital emergency departments in the United States. Data are collected by trained reporters—nurses and other hospital personnel—who review medical charts for indications—noted by hospital staff who treated the patients—that drug use was the reason for the emergency department visit. Thus, the accuracy of these reports depends on the careful recording of this information by hospital staff.

To be included in DAWN, the person presenting to the emergency department must be aged 6 years and older and meet all four of the following criteria:

The patient was treated in the hospital's emergency department;

The patient's presenting problem was induced by or related to drug use, regardless of when the drug ingestion occurred;

The case involved the nonmedical use of a legal drug or any use of an illegal drug;

The patient's reason for taking the substance included one of the following: (1) dependence, (2) suicide attempt or gesture, or (3) psychic effects.

Hospitals eligible for DAWN are non-Federal, short-stay general hospitals that have a 24-hour emergency department. Since 1988, the DAWN emergency department data have been collected from a representative sample of these hospitals located throughout the coterminous United States, including 21 oversampled metropolitan areas. The data from this sample are used to generate estimates of the total number of emergency department drug episodes and drug mentions in all such hospitals.

Recently, SAMHSA conducted a thorough review of the computer programs which produces the DAWN estimates. As a result, corrections were made to the 1993 estimates that had been previously released. Estimated presented in the last DAWN release (Advance Report Number 11 ''Preliminary Estimates from the DAWN—1994'') and in Annual Emergency Department Data 1993 [Series 1, Number 13–A, DHHS Pub. No. (SMA) 96–3080] and in this report are based on these corrected programs. Because the impact on national estimates was found to be small for 1992, those estimates were not revised. However, the impact is significant for some metropolitan areas and may be significant for selected drugs. Thus, readers should use caution when comparing 1992 (and earlier) estimates and 1993 (and later) estimates. See Appendix I for details.

Estimates from DAWN are released periodically in reports such as this Advance Report, and are published in Annual Reports which contain more detailed tables and a complete description of the DAWN methodology (reference: Annual Emergency Department Data 1993. Series I, Number 13–A. DHHS Pub l. No. (SMA) 96–3080). 1995 estimates in this report are preliminary because they are based on incomplete data and adjustment factors from the previous year. Final estimates for 1995 will be published later when all hospitals participating in DAWN have submitted their data and when additional ancillary data used in estimation become available. The differences between preliminary and final estimates are due to several factors: final estimates include data from a small number of late-reporting hospitals; additional hospitals are added to the sample and incorporated into the final estimates; and data from the most current listings of all eligible hospitals are used to produce the final weights.

The DAWN system also collects data on drug-related deaths from a nonrandom sample of medical examiners. Data from medical examiners are not included in this report. Medical examiner data are published annually (reference: Annual Medical Examiner Data 1994. Series I, Number 14–B. DDHS Pub. No. (SMA) 96–3078).

SETTING THE COURSE—A NATIONAL DRUG STRATEGY

(By the Task Force on National Drug Policy, and convened by: Majority Leader Bob Dole and Speaker Newt Gingrich)

TASK FORCE ON NATIONAL DRUG POLICY

Senator Charles Grassley, Co-Chair,
Senator Orrin Hatch, Co-Chair,
Senator Spence Abraham,

Senator John Ashcroft,
Senator Paul Coverdell,
Senator Alfonse D'Amato,
Senator Mike DeWine,
Senator Kay Bailey Hutchison,
Senator Olympia Snowe,
Representative Henry Hyde, Co-Chair,
Representative William Zeliff, Co-Chair,
Representative Mike Forbes,
Representative Ben Gilman,
Representative Bill McCollum,
Representative Rob Portman,
Representative Ileana Ros-Lehtinen,
Representative Clay Shaw,
Representative J.C. Watts.

EXECUTIVE SUMMARY

The facts are simple. After more than a decade of decline, teenage drug use is on the rise. Dramatically. Every survey, every study of drug use in America reconfirms this depressing finding.

What is even more disturbing is that attitudes among teenagers about the dangers of drug use are also changing—for the worse. After more than a decade of viewing drugs as dangerous, a new generation increasingly sees no harm in using drugs.

Just such a shift in attitudes engendered the last drug epidemic in this country. The 1960s saw a significant movement among many of the nation's intellectual leaders, media gurus, and even some politicians that glorified drug use. These attitudes influenced the thinking and decision making of many of our young people. We are still living with the consequences of the 1960s and 1970s attitudes in the form of a long-term addict population and thousands of casualties, including a staggering number of drug-addicted newborns and many of our homeless.

The American public recoiled at the social pathologies associated with the illegal drug epidemic then, and recent polls indicate that they are just as concerned today that we are about to repeat history because we failed to learn our lesson. Despite the fact that we made major inroads on reducing drug use in the 1980s, the press and many others have helped to create the idea that nothing works and that our only policy options are the decriminalization or outright legalization of drugs.

The media turned their attention away from the drug issue and have not returned to it in the last three years. The Clinton Administration has downplayed the drug issue, demoting it as a national priority and distancing the President from it. The message that drug use was wrong was de-emphasized, while interdiction and enforcement were downplayed in order to concentrate on treatment. The result has been to replace ''Just Say No'' with ''Just Say Nothing.'' We are suffering the consequences.

On December 13, 1995, Majority Leader Bob Dole and Speaker of the House Newt Gingrich convened a bicameral Task Force on National Drug Policy to break the silence. They asked the Task Force to make recommendations on how Congress might, as it has many times in the past, put drugs back on the national agenda. This report is the result of the Task Force's efforts. It reflects the results of town meetings, discussions with experts, and meetings with leading treatment and prevention organizations. This report represents a beginning of effort not the conclusion.

The Task Force's first and most important recommendation calls for a serious national drug strategy. Recent Administration strategies have been thin and they have arguably failed to meet the clear statutory obligation that specific and measurable objectives be included. Our national strategy is incomplete and has focused efforts in areas that have not worked. We need a more serious effort.

Such a strategy does not have to re-invent the wheel. It does need to do the right things with the right stuff. This means a focus on prevention, law enforcement, and interdiction. It means presidential leadership within the Executive Branch and at large. It involves congressional oversight of programs and support to effective, well-managed efforts. It means a program that adds substance to rhetoric and matches ends to means in a sustainable effort.

A reinvigorated national drug strategy needs to focus on five major elements:

1. We need a sound interdiction strategy that employs our resources in the transit zone, in the source countries of Latin America, and near the borders to stop the flow of illegal drugs. This means renewed efforts at US Customs, DEA, INS, DoD, and the Coast Guard to identify the sources, methods, and individuals involved in trafficking and going after them and their assets.

2. A renewed commitment to the drug effort requires a serious international component that increases international commitment to the full range of counter-drug activities. These must involve efforts to prevent money laundering; to develop common banking practices that prevent safe havens; serious commitments to impose sanctions on countries that fail to meet standards of cooperation; efforts to ensure proper controls over precursor chemicals; and an international convention on organized crime that develops common approaches for targeting the main international criminal organizations, their leaders and assets.

3. US national drug strategy should also take steps to ensure that drug laws are effectively enforced, particularly that there be truth in sentencing for rug trafficking and drug-related violent crimes.

4. Prevention and education are critical elements in a renewed strategy. There needs to be greater coordination and effective oversight of Federal prevention and education programs, which should involve the integration of disparate drug programs in HHS, DoJ, and elsewhere under one authority. This more integrated approach should focus on empowering local communities and families, and must develop more effective evaluation programs to determine which delivery mechanisms are the best.

5. Treatment must remain an important element to any strategy, but more needs to be done to eliminate duplication and waste. A renewed strategy needs to look at establishing more effective evaluation techniques to determine which treatment programs are the most successful. Accountability must be a key element in our programs.

We also need to look at the role of religious institutions in our efforts to combat drug use. America cannot ignore the link between our growing drug problem and the increase in moral poverty in our lives.

The members of the Task Force also note that even the best strategy in the world is worth no more than the effort spent on turning it into reality. Thus, the Administration and Congress have a responsibility to develop and implement sustained and sustainable programs. An effective effort, however, must go beyond what the Executive and Congress can do. A true national effort must involve parents, families, schools, religious institutions, local and state governments, civic groups, and the private sector.

Finally, the Task Force members note that many of our current social pathologies, in addition to drug use, arise from causes directly related to a climate that disparages essential moral and ethical principles of personal behavior. Out of the best of intentions, we have pursued policies that have replaced a sense of personal responsibility with conscienceless self-esteem. In doing so, we have belittled traditional family virtues and encouraged a cheapening of social discourse. Our public places have become threatening to decent people because of misplaced tolerance for aggression and public incivility. Many of our children are now having children, born out of wedlock into lives of meanness and violence.

In calling for a recommitment to sustained, coherent efforts against drugs, the Task Force members recognize that this effort is part of a larger struggle for the soul our young people and our future. We reject the counsels of despair that say that nothing can be done. That our only recourse is to declare surrender and legalize drugs. We recognize that the drug problem is a generational one. Every year the country produces a new platoon of young people who must be guided to responsible adulthood. A continuing, vital anti-drug message sustained by meaningful prevention, law enforcement and interdiction programs is part of the responsibility our generation has to the next. This report is a wake-up call to America to do its duty.

THE UNIVERSITY OF MICHIGAN,
December 11, 1995.

DRUG USE RISES AGAIN IN 1995 AMONG AMERICAN TEENS

ANN ARBOR.—The use of drugs among American secondary school students rose again in 1995, continuing a trend that began in 1991 among eighth-grade students, and in 1992 among 10th- and 12th-graders, according to scientists at the University of Michigan.

The proportion of eighth-graders taking any illicit drug in the 12 months prior to the survey has almost doubled since 1991 (from 11 percent to 21 percent). Since 1992 the proportion using any illicit drugs in the prior 12 months has risen by nearly two-thirds among 10th-graders (from 20 percent to 33 percent) and by nearly half among 12th-graders (from 27 to 39 percent.)

The findings are from the Monitoring the Future Study, a series of annual surveys of some 50,000 students in over 400 public and private secondary schools nationwide. The U–M investigators who have directed the study for the 21 years of its existence are social scientists Lloyd Johnston, Jerald Dachman and Patrick C. Malley—all faculty at the U–M's Survey Research Center. The work is supported by the National Institute on Drug Abuse, one of the National Institutes of Health in the U.S. Department of Health and Human Services.

In 1995, marijuana use, in particular, continued the strong resurgence that began in the early 1990's, with increased use at all three grade levels. Among eighth-graders, annual prevalence (i.e., the proportion reporting any use in the 12 months prior to the survey) has risen to two-and-one-half times its level in 1991, from 6 percent in 1991 to 16 percent in 1995. Among 10th-graders, annual prevalence has nearly doubled from the low point in use in 1992 of 15 percent to 29 percent in 1995; among 12th-graders annual prevalence has increased by more than half, from the low point of 22 percent in 1992 to 35 percent in 1995.

''Of particular concern in the continuing rise in daily marijuana use,'' observes Johnston. Nearly one in 20 (4.6 percent) of today's high school seniors is a current daily marijuana user, and roughly one in every 35 10th-graders (2.8 percent). Fewer than one in a hundred eight-graders use at that level (0.8 percent). These rates have risen sharply as overall marijuana use has increased.

The investigators found that while marijuana use has shown the sharpest increase, the use of a number of other illicit drugs, including LSD, hallucinogens other than LSD, amphetamines, stimulants, and inhalants, has also continued to drift upward.

The use of LSD continued to rise in all three grade levels in 1995, continuing longer-term increases that began at least as far back as 1991. The proportions reporting and LSD use in the 12 months prior to the 1995 survey were 3 percent, 7 percent, and 8 percent for eighth-, 10th-, and 12th-graders, respectively.

Hallucinogens other than LSD, taken as a class, showed smaller increases in 1995 at all three grade levels. The annual prevalence rates for eighth-, 10th-, and 12th-graders are considerably lower than for LSD: 2 percent, 3 percent, and 4 percent, respectively.

The longer-term rise in the use of amphetamine stimulants continued in 1995 at the eighth- and 10th-grade levels, but use leveled among 12th-graders. Annual prevalence rates are 9 percent, 12 percent, and 9 percent for grades eight, 10, and 12, respectively.

The use of cocaine in any form continued a gradual upward climb, though most of the one-year changes do not reach statistical significance. The same is true for crack cocaine. So far, at least, these increases have been very gradual. The annual prevalence rates for use of cocaine in any form are 2.6 percent, 3.5 percent, and 4 percent for grades eight, 10, and 12, respectively, while for crack use they are 1.6 percent, 1.8 percent, and 2.1 percent.

Several other classes of illicit drugs also have been showing very gradual increases since the early 1990s, including tranquilizers and three drug classes reported only for 12th-graders—barbiturates, ice (crystal methamphetamine), and opiates other than heroin.

Questions about heroin use have been in the study from the beginning and have generally shown low (and for many years among 12th-graders, stable) rates of use. However, use began to rise after 1991 among 10th- and 12-graders, and after 1993 among eighth-graders, as well. There was a statistically significant increase in annual heroin prevalence among eighth-graders in 1994, and then among 12-graders in 1995. All three grades showed some increase in both years. While the annual prevalence rates for heroin remain quite low in 1995 compared to most other drugs, they are nevertheless two to three times higher than they had been a few years ago. The annual prevalence rates in 1995 are between 1.1 percent and 1.4 percent at all three grade levels.

The small increase in heroin use in 1994 led the investigators to distinguish in half of the 1995 questionnaires between two different methods for taking heroin: with a needle and without a needle. Their hypothesis was that non-injection forms of use (e.g., snorting or smoking) may be accounting for the rise in overall use. Consistent with this hypothesis, in 1995 a large proportion of those reporting heroin use indicated that at least some of their use involved a non-injection method of administration (63 percent, 75 percent, and 89 percent of the past-year heroin users in grades eight, 10, and 12, respectively) Further, a substantial proportion indicated using heroin only in a non-injectable form (32 percent, 45 percent, and 57 percent of the past-year heroin users for grades eight, 10, and 12, respectively).

''Obviously this is not a runaway epidemic among teens, but it should give rise to some caution,'' Johnston comments. ''Many of these young users may be under the misconception that they cannot become addicted to heroin if they use it in a non-injectable form. The fact is that they can. In Southeast Asia and other parts of the world there are many thousands of opium smokers who are heavily addicted, and heroin is simply a powerful derivative of opium.

''While these levels of illicit drug use are certainly reason for concern,'' observes Johnston, ''it should be noted that they are still well below the peak levels attained in the late 1970s. We are in a relapse phase in the longer-term epidemic, if you will, but it is certainly not something over which society is powerless. Our great progress in the past at lowering the rates of illicit drug use among our young people is proof of that.'' To illustrate, between 1979 and 1992, the proportion of 12th-graders reporting using any illicit drug in the 12 months prior to the survey fell by half, from 54 percent to 27 percent.

Alcohol use among American secondary students generally has remained fairly stable in the past few years, though at rates which most adults would probably consider to be unacceptably high. (This remains true in 1995, although there has been some small increase among 12th-graders over the past two years.) In 1995 the proportions of students having five or more drinks in a row during the two weeks preceding the survey were 15 percent, 24 percent, and 30 percent for the eighth-, 10th-, and 12th-graders, respectively.

[From the Backgrounder, the Heritage Foundation, July 12, 1996]

THE CLINTON ADMINISTRATION'S CONTINUING RETREAT IN THE WAR ON DRUGS

(By John P. Walters and James F.X. O'Gara)

HIGHLIGHTS

The Clinton Administration has a poor record in fighting the war on drugs. Interdiction efforts and prosecution for illegal drugs are down, illegal drug usage and emergency room admissions are up. Part of the problem has been a failure in personnel management: the inability or unwillingness to appoint effective leaders in key positions to articulate and enforce a strong anti-drug message, as well as inappropriate reductions in staff at agencies dedicated to dealing with the problem on the front lines.

The President must exercise leadership on this issue and use his bully pulpit to send an unambiguous anti-drug message. Members of Congress also need to focus federal efforts on law enforcement and interdiction programs that work, and fund only those rehabilitation programs that have a track record of success. One way Congress can do this is to allow funding for drug counseling and drug rehabilitation programs provided by religious organizations.

America's illegal drug problem is complex and presents a special challenge for policymakers in Congress and the White House. But the complexity and the difficulty of the issue are no excuse for ineffective policy and a lack of serious effort.

INTRODUCTION

The Clinton Administration continues to retreat in the war on drugs. After a decade of consistent progress during the Reagan and Bush Administrations, almost every available indicator today shows the United States is losing—some would say surrendering—in the prolonged struggle against illegal drugs. Consider the evidence:

Since President Clinton took office, the number of 12-to-17-years-olds using marijuana has almost doubled—2.9 million compared with the 1992 level of 1.6 million.[1] One in three high school seniors now smokes marijuana, and 48.4 percent of the Class of 1995 had tried drugs by graduation day.[2]

LSD use has reached the highest rate since record-keeping started in 1975. Fully 11.7 percent of the Class of 1995 had tried it at least once.[3]

The number of cocaine-and heroin-related emergency room admissions has jumped to historic levels. In the first half of 1995, cocaine-related emergency room cases were 65 percent above the level in the first half of 1991. Heroin admissions soared 120 percent over the same period.[4]

Methamphetamine use has turned into a major problem, particularly in the Western United States. In the first half of 1995, meth-related emergency room cases were up by 321 percent compared with the first half of 1991.[5]

While there are many different reasons for this deterioration in America's resistance to illegal drugs, part of the explanation is a failure in federal policy. President Clinton and his Administration have demonstrated little leadership on the issue and have failed to send out an unambiguous message of disapproval to young Americans. The President's personnel appointments in this area have ranged from the virtually invisible, as in the case of former ''drug czar'' Lee Brown, to the embarrassing, as in the case of Dr. Joycelyn Elders, former Surgeon General of the United States. Staffing at the Office of National Drug Control Policy was cut by 80 percent—from 147 to 25. Moreover, although the President's election year budget reverses this cut and requests major increases for drug law enforcement, his FY 1995 request would have eliminated 621 drug enforcement positions.

The Clinton Administration's policy initiatives have been similarly ineffectual, especially their focus on hard core drug users at the expense of stronger law enforcement and interdiction. The evidence is in: Federal illegal drug caseloads fell by 10.3 percent from FY 1992 to FY 1995; the government-wide interdiction budget has been cut 39 percent since 1993; the impact of interdiction programs has dropped off sharply; and drug-related hospital emergency room admissions have hit record levels.

Instead of pursuing ineffectual anti-drug policies and giving the impression that curbing drug use is not a priority, the President and Congress should demonstrate leadership in this deadly contest. If the United States is serious about combating the infiltration of illegal drugs across America's borders and into the nation's cities, towns, neighborhoods, and schools, several steps need to be taken:

The President must use the ''bully pulpit'' of his office to send out a clear message that drug use is unacceptable.

American must assist its allies in Latin America and elsewhere in their efforts to take on the drug cartels.

The President must propose budgetary, personnel, and policy initiatives that make it absolutely clear that Washington means business in curbing the flow of drugs into America.

Congress should pass legislation to close loopholes that result in excessively lenient sentences for marijuana smugglers.

Congress should continue to block the United States Sentencing Commission's proposals to lower sentences for crack cocaine dealers.

Washington must get serious about promoting rehabilitation that works, such as religion-based programs, instead of simply funding programs that promise to rehabilitate drug addicts and fail to deliver. Congress should re-evaluate all treatment programs carefully. The basis of federal funding for drug rehabilitation should be a clear track record of success.

America succeeded in reducing the rate of drug use, especially among vulnerable teenagers, in the 1980s because local efforts were reinforced by a serious program of law enforcement, interdiction, and hard-headed demand reduction policies, and because the Reagan and Bush Administrations made it very clear that they were determined to win the war against drugs. Unfortunately, the

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Footnotes at end of article.

Clinton Administration has adopted a very different posture, and America is now losing the war.

THE FAILURE OF LEADERSHIP

The illegal drug problem is admittedly complex, but complexity is no excuse for inaction. President Clinton began derailing the successful approaches of prior administrations from the earliest days of his presidency. After promising to ''reinvent our drug control programs'' and ''move beyond ideological debates,'' the President announced a new approach to drug policy, de-emphasizing law enforcement and effecting a ''controlled shift'' away from interdiction. More important, in a message to Congress, he promised to ''change the focus of drug policy by targeting chronic, hardcore drug users.''[6] This ineffectual policy—the latest manifestation of the liberals' commitment to a ''therapeutic state'' in which government serves as the agent of personal rehabilitation—seems to have been rejected even by the President's new drug czar. General Barry McCaffrey, who has moved to elevate the profile of prevention programs.

Cuts in the interdiction system and the dismantling of other programs with records of success have been accompanied by the increased availability of drugs. Ironically, the Clinton drug policy has been most harmful to its intended beneficiaries—the very hardcore drug addicts who are cycling through emergency rooms at record rates.

The President's lack of visibility on the drug issue has drawn criticism from prominent congressional supporters of drug control programs, including leading Democrats in the House and Senate. Senator Joseph Biden (D-DE) admits he has ''been openly critical of this President's silence.''[7] And Representative Charles Rangel (D-NY) has gone so far as to declare, ''I've been in Congress over two decades, and I have never, never, never found any Administration that been so silent on this great challenge to the American people.''[8]

In fact, since taking office, President Clinton has been significantly engaged in only one aspect of the drug problem—drugs in schools, which arguably is not even the federal government's responsibility. In June 1995, Clinton promised to veto any attempt by the 104th Congress to cut the Safe and Drug-Free Schools and Communities program, which Congress had evaluated and found to be ineffective. Bob Peterson, former Michigan drug czar, described the program as a ''slush fund,'' and even former ONDCP Director Lee Brown acknowledged ''abuses of the program'' in testimony before a House subcommittee.[9]''

The Disturbing Change in the Trends. During the 1980s and early 1990s, the United States experienced dramatic reductions in casual drug use—reductions that were won through increased penalties, strong presidential leadership, and a clear national anti-drug message. Beyond the substantial investment of resources, engaged commanders in chief used the bully pulpit to change attitudes. Because Ronald Reagan and George Bush visibly involved themselves in the effort to combat illegal drugs, they helped rescue much of a generation. Overall, casual drug use was cut by more than half between 1977 and 1992. Casual cocaine use fell by 79 percent, while monthly use fell from 2.9 million users in 1988 to 1.3 million in 1992.[10] Strong presidential leadership had tangible effects.

Against this backdrop of accomplishment, Bill Clinton promised to get even tougher than his predecessors. Indeed, while campaigning for the presidency, then-Governor Clinton appeared to take an even harder line on illegal drugs than Bush, declaring that ''President Bush hasn't fought a real war on crime and drugs . . . [and] I will.'' On the link between drugs and crime, Clinton said, ''We have a national problem on our hands that requires a tough national response.''[11]

Despite the tough rhetoric, however, the President's performance has been disappointing. Perhaps the first solid indication that rhetoric and reality would not fit neatly in the same policy box was the appointment of Dr. Joycelyn Elders of Arkansas as Surgeon General of the United States. Dr. Elders, among other things, offered the taxpayers the tantalizing theory that legalization of drugs might ''markedly reduce our crime rate'' without increasing drug use.[12] As for the President himself, his image of rhetorical toughness was compromised on occasion by remarks that could at best be described as indifferent, at worst as flippant.[13]

DOWNGRADING THE WAR ON DRUGS

The President's ill-considered public words have been accompanied by a reduction in tangible resources and effort. Within weeks of taking office, the Clinton Administration announced that it would slash the Office of National Drug Control Policy staff from 147 to 25. The President made the Director of the Office a member of the Cabinet, but the move was empty symbolism. This became painfully evident when his new Director, former New York City Police Commissioner Lee P. Brown, was observed to be virtually invisible during his two-and-one-half-year tenure. President Bush's Drug Policy Director, William Bennett, told Congress that the Clinton Administration cuts essentially would relegate the new Director to the position of an office clerk.[14]

Cuts in the drug czar's office prefigured much larger cuts in federal enforcement and interdiction agencies. The Administration's fiscal 1995 budget, for example, proposed to slash 621 drug enforcement positions from the Drug Enforcement Administration (DEA), Immigration and Naturalization Service (INS), Customs Service, FBI, and Coast Guard.[15] The DEA, America's only law enforcement agency dedicated exclusively to fighting the drug trade, lost 227 agent positions between September 1992 and September 1995—more than 6 percent of its agent force.

Declining Caseloads. Cuts in law enforcement paralleled reduced drug case filings. The Administrative Office of the U.S. Courts registered a 10.3 percent reduction in federal case filings between FY 1992 and FY 1995, and the total number of defendants indicted in these cases declined by 8.5 percent. The number of federal drug cases refused for prosecution increased by 18.6 percent over the same period as U.S. Attorneys pursued more investigations into health-care fraud and other areas deemed to be of greater priority than combating illegal drugs.

In an April 26, 1995, letter to Senate Judiciary Committee Chairman Orrin G. Hatch (R-UT), then-Drug Policy Director Lee Brown attributed the ''troubling'' decline in prosecutions to ''the policies of the new U.S. Attorneys who de-emphasized prosecution of small-scale drug offenders.'' Director Brown also quoted the Administrative Office of the U.S. Courts to the effect that the change had been ''consistent with DOJ policy''.

Despite the abundance of data confirming the declining trend in illegal drug prosecutions, Clinton Administration officials have cited different figures, compiled by the Executive Office of U.S. Attorneys, to suggest that case filings and defendants prosecuted actually rose 12.9 and 12.1 percent, respectively, between fiscal 1994 and fiscal 1995. But even according to these figures, the number of drug defendants prosecuted dropped for the three years prior to 1995, and remains 5.2 percent below the FY 1992 level.[16]

In a textbook illustration of the laxness of Clinton Administration drug policy, the *Los Angeles Times* revealed on May 12, 1996, that hundreds of marijuana smugglers ''have been allowed to go free after U.S. authorities arrested them with substantial quantities of drugs at ports of entry in California.''[17] Attorney General Janet Reno objected to the article's claims, noting that the individuals in question are ''punished'' by having their border crossing cards confiscated. Ms. Reno added that prosecution may be ''deferred'' only if five mitigating factors are present, a claim that elicited this reaction from Bush Administration Drug Enforcement Administration head Robert C. Bonner:

Reno claims that only Mexican nationals qualify under the leniency policy. This results in two standards of justice. U.S. citizens are prosecuted, but Mexican nationals get a free ride to Mexico.

Another criterion is being caught with under 125 pounds of marijuana. So, if you are smuggling ''only'' 100 pounds, with a wholesale value of over $100,000, you meet one of the criteria.

Now, Reno also says that there must also be ''insufficient evidence'' of knowledge and intent, but, of course, no one should be prosecuted, regardless of citizenship or quantity, if evidence of knowledge and intent are not present.[18]

Dropping the Safeguards. The Clinton Administration began to reduce America's drug interdiction efforts within a year of the inaugural. On November 3, 1993, against the vehement objections of senior Coast Guard officers, the National Security Council issued a classified presidential memorandum dictating a ''controlled shift'' of interdiction assets to other functions. At the same time, flight hours in the so-called ''transit zone'' between the United States and South America were cut by 50 percent, many interdiction aircraft and helicopters were put into mothballs, ship ''steaming days'' were cut by a third, and Department of Defense detection and monitoring budgets were reduced by more than half. Controlling for inflation, the aggregate government-wide drug interdiction budget has been cut 39 percent since the last year of the Bush Administration.[19]

The impact of these cuts was almost immediate: Between 1993 and 1994, U.S. interdiction forces experienced a 47 percent drop in their ability to stop drug shipments from Latin America. Cocaine seizures by the Customs Service and the Coast Guard fell by 70 percent and 71 percent, respectively, during the same period.[20] Overall interdiction effectiveness has dropped by a cumulative 64 percent between 1993 and 1996.[21]

Some, including General McCaffrey, have attempted to argue, against the evidence, that this reduced effectiveness was the result of changing trafficker routes, not vastly diminished levels of national effort. This argument is refuted by an interdiction study commissioned by the Clinton Administration itself. The study, performed for the Office of National Drug Control Policy by the EBR Corporation, using conservative assumptions, showed that restoring $500 million in assets to the transit zone could cause seizures, jettisons, and mission-aborts totaling 130 tons of cocaine per year. In round terms, this means that restoring half the assets cut by the Clinton Administration could result in the seizure or disruption of more than the entire amount of cocaine seized domestically every year.

Stimulating Demand. Cuts in interdiction and law enforcement have had additional consequences that should have been predictable to anyone with even a modicum of understanding of the basic economic laws of supply and demand. Between 1993 and 1994—the first year of the ''controlled shift'' away

from interdiction—the retail price of a gram of cocaine dropped from $123 to $104. Two years later, the price was still a low $107 per gram. Heroin prices have fallen even more sharply, from $1,647 per pure gram in 1992 to $966 per gram in February 1996.[22] The increased availability of such relatively cheap drugs has helped drive hard-core drug use—as reflected in emergency room admissions—to record levels.

While most drugs are produced in inaccessible regions overseas, limiting the impact of U.S.-sponsored eradication programs, the bulk of the marijuana consumed in the United States is produced domestically. Domestic marijuana eradication under the Bush Administration was highly successful—so successful, in fact, that marijuana became more expensive, ounce for ounce, than gold. Hawaiian producers were forced to import marijuana to satisfy local demand for the first time in recent history.

The Clinton Administration, however, has deemphasized marijuana eradication. There has been a 59 percent reduction in cultivated plants destroyed since 1992.[23] The drug budget of the U.S. Park Service has been cut 22 percent from the FY 1992 level,[24] resulting in a 47 percent reduction in plants eradicated by the Park Service. Once again, increases in supply have fueled demand (use by 8th graders has increased 184 percent since 1992) and caused prices to drop (marijuana prices are at the lowest level in eight years).

The ubiquitous availability of illegal drugs—*de facto* legalization—is confirmed by the Administration's own data. According to the latest White House report on drug use,[25] heroin is now so cheap and pure that it has "driven new demand and drawn some former addicts back into use." Meanwhile, the availability of cocaine and crack is described as "high," and marijuana is "plentiful and potent" and "widely available" in all areas of the country except California.

By making drugs more expensive, aggressive interdiction and law enforcement efforts reduce use among particularly vulnerable inner-city populations by forcing addicts to spend their limited disposable income on a smaller quantity of drugs.[26] A cocaine addict named "Joe," interviewed for a book[27] on the impact of cocaine, describes the phenomenon: "What keeps you from dying is you run out of money." Conversely, paring back supply reduction programs hits hardest those who are most heavily addicted and least able to resist drug use.

Rising Emergency Room Cases. This phenomenon is evident in the record number of drug-related emergency room admissions that have followed in the wake of the Clinton Administration's cuts to enforcement and interdiction programs. (It is instructive that these record increases have occurred despite the Clinton strategy's stated concern for hard-core addicts, the primary population captured by the emergency room statistics.) Compared with the first half of 1994 (which was then the high water mark for drug-related emergency room cases), cocaine-related emergencies have increased 12 percent (from 68,400 to 76,800); heroin-related episodes have risen 27 percent (from 30,000 to 38,100); marijuana-related episodes have increased 32 percent (from 19,100 to 25,200); and methamphetamine cases have jumped by a staggering 35 percent (from 7,800 to 10,600)

Hard-core addicts deserve access to treatment, but experience teaches that the typical addict will cycle through the treatment system several times over a period of years before getting off drugs, with many never reaching that goal. A 1994 RAND study found that only 13 percent of heavy cocaine users who receive treatment are either non-users or light users at the end of a year. The study also found that 20 percent of heavy users continue to use drugs while in treatment.[28]

Getting serious about hard-core drug use ultimately requires America to do more to fight youthful drug use: While hard-core users are mostly beyond the reach of drug treatment professionals, today's young people can be dissuaded from going down the road that leads to hard-core addiction. In fact, those who reach age 21 without using drugs almost never try them later in life. Conversely, drug users almost always start young, and almost invariably by smoking marijuana.[29]

An About Face? With U.S. Army General Barry McCaffrey's appointment as the new point man on drugs, the President indicated he was reversing his decision to gut ONDCP and discarding his misguided strategy of targeting hard-core users. The editors of The Washington Post called the change an "about face." President Clinton was able to capitalize on the installation of a tough-minded general; White House aide Rahm Emmanuel was candid enough to say that the changes were "what the President believes will help us improve on our record."[30]

Given the Clinton Administration's previous track record, however, it remains unclear whether Director McCaffrey's appointment means a genuine change in course. His is a managerial position that accords him little line authority, and his policy accomplishments will depend largely on his willingness and ability to take on the various empires of the federal bureaucracy. This in turn will depend on the degree to which he is supported by the President of the United States.

Unfortunately, early indications suggest that Director McCaffrey may be reticent to test the President's commitment to an effective anti-drug strategy. For instance, McCaffrey recently sided with the Department of State in supporting a determination that Mexico had "cooperated fully" with the United States on drug control matters, even though the head of the DEA objected that the government of Mexico had not done enough to warrant that designation. This determination was made even though the Administration could have waived the sanctions that typically accompany decertification.

This decision sounds a disturbing signal about the degree of General McCaffrey's leverage on drug questions. The United States imports 400 tons of cocaine annually, 70 percent of it transshipped through Mexico. Yet Mexico's seizures have slumped to roughly one-twentieth of the amount passing through their country. Arrest figures are down significantly, and the former president's brother, Raul Salinas, has been arrested on suspicion of "drug-related charges." Four Mexican trafficking "confederations," meanwhile, operate with relative impunity. But President Clinton's statement to Congress explained away Mexican inaction on the peso crisis and declared weakly that President Zedillo's administration has "set the stage for action against the major drug cartels in Mexico."[31] For too long, the U.S. has accepted at face value repeated Mexican promises of future aggressive action against the drug trade. It is time for such complacency to end.

McCaffrey also appears to have had little positive impact on recent high-level appointments. For example, on June 12, 1996, Patricia M. McMahon was nominated to serve as his Deputy Director for Demand Reduction, a post that requires Senate confirmation. A former Clinton campaign worker with little substantive background in drug policy, Ms. McMahon's appointment to a lower-level position was criticized by the Washington Post in the early days of the Clinton Administration as "an example of continued political patronage."[32] Her principal contribution to the White House drug office was to serve as the political operative who carried out the slashing of the staff by 80 percent at the start of the Administration.

THE COMPONENTS OF A NEW ANTI-DRUG POLICY

The President and Congress can retake the initiative in the continuing struggle against drug use and the agents of the criminal network that is exporting poison into America's neighborhoods. But this cannot happen without the full leadership of the President and his Administration.

The Administration must take several decisive steps:

Use the bully pulpit. When President George Bush gave the first national primetime address of his presidency, it was on the drug issue. By doing this, he followed the example of visible and emphatic national leadership set by President Reagan and First Lady Nancy Reagan. The national effort against drugs—carried on by parents, young people, local people, local religious leaders, neighbors, local law enforcement, educators, medical personnel, and local government officials—gains immeasurably from strong, visible presidential support. But it is weakened considerably by the perception of presidential indifference.

Do more in Latin America. Fighting drugs at the source makes sense. Federal authorities ought to be going after the beehive, not just the bees. Foreign programs are also cheap and effective.

An example: America's chronically underfunded program in Peru will cost just $16 million to run in FY 1996. But targeting even that meager amount effectively can work. The Peruvians have managed to shoot down or disable 20 trafficker airplanes since March 1, 1995. Unfortunately Peruvian President Fujimori's aggressive line on drugs actually caused President Clinton to bar Peru from receiving radar tracking data. That decision has badly damaged Peruvian-American relations, but Fujimori has continued to work with the United States, and much more can be done at very small cost. The Peruvian air force currently uses obsolete A–37 jet trainers from the 1950s. For $50 million, the United States could equip the Peruvians with new tracker aircraft, improved night-flyer gear, and spare parts. This is an opportunity to save American lives by helping the Peruvians press their attack on traffickers. In addition to helping countries like Peru, the United States should make effective cooperation in fighting drugs one of the most important requirements for Latin nations seeking good diplomatic and economic relations.

Set more sensible budget priorities. The Department of Defense today is allowed to spend only 0.3 percent of its budget on preventing the inflow of drugs. The U.S. military cannot solve the drug problem, but it can make a profound contribution to cutting the flow of drugs through interdiction. The budget needs to reflect this national priority.

Reduce marijuana availability. The federal government urgently needs to restore leadership to the fight against marijuana production, trafficking, and use. Federal marijuana penalties need to be stiffened, partly by eliminating the loophole that allows marijuana smugglers to be treated far more leniently than marijuana growers. Federal eradication efforts need to be reinvigorated.

Block lower crack sentences. Last year, the United States Sentencing Commission proposed steep reductions in sentences for crack dealers. Those changes were blocked by statute. In its 1997 amendments cycle, the Sentencing Commission should be blocked, and the Commission should be barred from proposing changes in criminal penalties

where Congress has established mandatory minimum sentences, except in an advisory format that would require affirmative congressional action before taking effect.

Stop undercutting those drug treatment programs that do work. Taxpayers have heard the stories about waiting lists for drug treatment. Waiting lists are not fiction—they do exist. On the other hand, one program that rarely has waiting lists in Mitch Rosenthal's well-regarded Phoenix House, a tough program where addicts spend 18–24 months literally learning to live new lives. Programs like Phoenix House have a proven track record dating back to 1967. But they are unpopular with addicts because, to quote one analyst, ''a residential program with constricted freedom, rigorous rules, and enforced separation from drugs is the last place most addicts want to find themselves, at least initially.''[33] Nevertheless these approaches work. Yet taxpayers today pay billions of dollars on drug treatment that allows the addicts to decide for themselves how rigorous and how long their treatment will be. Not surprisingly, this arrangement does not work very well.

In addition, while many faith-based treatment programs report remarkable success with the addicted, their religious character usually bars them from receiving government treatment funds. In a break from current policy, Representatives Jim Talent (R–MO) and J.C. Watts (R–OK) have introduced a bill, the American Community Renewal Act of 1996 (HR 3467), which would allow the neighborhood groups, including religious institutions, the same access to federal funds that is enjoyed by other drug treatment and counseling facilities. States also would be able to contract with these drug treatment centers. Discrimination against effective religiously based programs should end. Taxpayer funding for drug treatment should be tied strictly to results, religiously based programs should be eligible for funding, and addicts who seek publicly funded treatment should be required to enter rigorous programs and face real sanctions if they fail to complete them.

CONCLUSION

The Clinton Administration has a poor record in fighting the war on drugs. Interdiction efforts and prosecution for illegal drugs are down, illegal drug usage and emergency room admissions are up, and there has been an absence of credible presidential leadership on this issue. Part of the problem also has been a failure in personnel management: the inability or unwillingness to appoint effective leaders in key positions to articulate and enforce a strong anti-drug message, as well as inappropriate reductions in staff at agencies dedicated to dealing with the problem on the front lines. With the appointment of General Barry McCaffrey as Director of the Office of National Drug Control Policy, this situation may improve, although the McMahon appointment is far from encouraging.

American taxpayers need and deserve presidential leadership on this issue. Members of Congress also need to focus federal efforts on law enforcement and interdiction programs that work, and fund only those rehabilitation programs that have a track record of success. One way Congress can do this is to allow funding for drug counseling and drug rehabilitation programs provided by religious organizations. Congress and the states also should undertake a tough re-evaluation of existing grant recipients to make sure that funding is going to programs that work best in reducing dependency on illegal drugs.

America's illegal drug problem is complex and presents a special challenge for policymakers in Congress and the White House. But the complexity and the difficulty of the issue are no excuse for ineffective policy and a lack of serious effort.

Prepared for the Heritage Foundation by John P. Walters[34] and James F.X. O'Gara.[35]

FOOTNOTES

[1] U.S. Department of Health and Human Services, Preliminary Estimates for the 1994 National Household Survey on Drug Abuse, September 1995.

[2] University of Michigan Institute for Social Research, Monitoring the Future, December 15, 1995.

[3] Ibid.

[4] U.S. Department of Health and Human Services, Preliminary Estimates from the Drug Abuse Warning Network, Advance Report No. 14, May 31, 1996.

[5] Ibid.

[6] President Clinton's message accompanying Office of National Drug Control Policy's National Drug Strategy, February 1994, p. iii.

[7] Hearing before the Senate Caucus on International Narcotics Control, April 25, 1996.

[8] CNN News, January 31, 1994.

[9] Hearing before House Subcommittee on National Security, International Affairs, and Criminal Justice, April 7, 1995.

[10] See note 1, supra.

[11] The New York Times, March 26, 1993, referring to previous Clinton statements. Unfortunately for the President, his most memorable public statement in connection with the drug issue still was ''I didn't inhale.''

[12] Wolfgang Munchau, ''Clinton's Team Split on Drugs,'' The Times (London), December 8, 1993.

[13] In an interview with MTV, for example, when asked whether he would ''inhale'' given the chance to ''do it over again,'' Clinton merely provoked laughter: ''Sure, if I could. I tried before.'' MTV interview, June 12, 1992.

[14] Hearing before the Senate Judiciary Committee, October 20, 1993.

[15] Office of National Drug Control Policy, National Drug Control Strategy: Budget Summary, February 1994.

[16] Prosecution figures are derived from the Executive Office of U.S. Attorneys (EOUSA) as well as the Administrative Office of the U.S. Courts (AO). The AO and EOUSA numbers differ because the two entities practice a different ''leading charge'' system; only the AO includes misdemeanor cases; and the AO includes cases brought by magistrate judges.

[17] H.G. Reza, ''Drug Runners Arrested at Border Often Go Free; Smuggling: Crackdown Leads to More Seizures, but Jail Overcrowding and Clashing Priorities Force Suspects; Release,'' The Los Angeles Times, May 12, 1996, p 1.

[18] Robert C. Bonner, ''Clinton's Flawed Drug-Smuggling Policy,'' San Diego Union-Tribune, June 4, 1996.

[19] In 1989 constant dollars, the interdiction budget declined from $1.73 billion in FY 1992 to $1.05 billion in FY 1996.

[20] Customs cocaine seizures fell from 35.4 metric tons (mt) in FY 1993 to 10.7 mt in FY 1994. Coast Guard cocaine seizures fell from 15.4 mt in FY 1993 to 4.4 mt in FY 1994.

[21] The ''disruption rate'' is the total amount of cocaine and marijuana that is seized, jettisoned, or ''aborted'' (returned to the source country as a result of interdiction or law enforcement presence). Data sheet from Joint Interagency Task Force-East, Key West, Florida, April 26, 1996. The daily disruption rate fell from 435.1 kgs/day in 1993 to 228.7 kgs/day in 1994, and still further to 158.1 kgs/day during the first 15 weeks of 1996.

[22] U.S. Department of Justice, Drug Enforcement Administration, and Abt Associates, Average Price and Purity of Cocaine in the United States, Average Price and Purity of Heroin in the United States, May 28, 1996.

[23] According to the Department of Justice, 3.04 million cultivated plants were eradicated in 1995 compared to 7.49 million eradicated in 1992.

[24] The Park Service drug control budget was cut from $11.1 million in FY 1992 to $8.7 million in FY 1996.

[25] Office of National Drug Control Policy, Pulse Check: National Trends in Drug Abuse, June 1996.

[26] For example, a 43 percent increase in cocaine prices in 1990 (the first such increase in five years) paralleled a 27 percent reduction in cocaine-related emergency room admissions and overdoses (the first such reduction in 12 years).

[27] Eugene Richards, Cocaine True, Cocaine Blue (Aperture).

[28] C. Peter Rydell and Susan S. Everingham, Controlling Cocaine: Supply Versus Demand Programs (Santa Monica, Cal.: RAND, 1994).

[29] According to the Center on Addiction and Substance Abuse at Columbia University, 12- to 17-year-olds who use marijuana are 85 times more likely to graduate to cocaine than those who abstain from marijuana.

[30] Ann Devroy, ''About-Face; Clinton to Restore Staff He Cut from Anti-Drug Office,'' The Washington Post, March 6, 1996, p. A15.

[31] Memorandum from the President of the United States to the Secretary of State, Certification of Major Narcotics Producing and Transit Countries, Statement of Explanation: Mexico, March 1, 1996.

[32] Michael Isikoff, ''Drug Director Urged to Hire Hill Aides; Memo Asked Director to 'Do Something' for Congressman Rangel,'' The Washington Post, August 19, 1993, p. A27.

[33] Sally Satel, ''Yes, Drug Treatment Can Work,'' City Journal, Summer 1995.

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[35] James F.X. O'Gara is Director of Research for the New Citizenship Project. He previously served as drug policy advisor to Senator Orrin G. Hatch (R-UT), Chairman of the Senate Judiciary Committee, and has served as assistant to the Administrator for DEA for foreign policy matters.

Mr. HATCH. I thank the distinguished Senator from Georgia for his leadership in this area, for being willing to get out here and talk about these issues. I have been talking about them for a long time. I am disappointed we have not made more headway, but it certainly has not been for lack of effort on the part of our friend from Georgia.

I want to say in all honesty, we have to fight this war. We have to give it everything we have. We have to have leadership at the top. We do not have it right now but we are going to keep this pressure on until we get it, one way or the other.

I yield the floor.

The PRESIDING OFFICER. The Senator from Georgia.

Mr. COVERDELL. I thank the Senator from Utah for, as he has acknowledged, long and diligent work in this arena. A lot of Americans can be particularly thankful for that work.

Mr. HATCH. I thank my colleague.

Mr. COVERDELL. I appreciate his remarks this morning. At this time I yield up to 10 minutes to the Senator from Arizona.

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

Mr. KYL. Mr. President, I thank the Senator from Georgia for organizing this time to speak about this incredibly important issue. While we do not intend this to be an issue that is partisan in nature, as the Senator from Utah, the distinguished chairman of the Judiciary Committee, has just pointed out, although this is clearly a bipartisan effort, or should be, it is impossible to deal with the issue without, I think, criticizing some of the people who have been unable thus far, or unwilling, to fight this war on drugs, to level that criticism as a way of pointing out what needs to change.

I would not be so willing to do this if President Clinton had not made this a partisan political issue in the first place. That is what angers me so much. We just saw the Senator from Utah, the distinguished chairman of the Judiciary Committee, point out that from

1980 to the end of 1992, during the time of Republican administrations, drug use on all fronts had declined dramatically. In the Presidential campaign of 1992, here is what then-candidate Bill Clinton had to say:

[President Bush] hasn't fought a real war on crime and drugs. I will.

Maybe if he had not said that, maybe if he had not made that promise, I would not be so critical of him today for failing to keep that promise. But as the chart that Senator HATCH just showed us reveals, from the time that President Clinton took office, drug use among young people in all of the categories increased. So you saw during the entire time of the Reagan and Bush administrations drug use going down and then, when President Clinton took office, drug use sharply going up. That is why it angers me to go back and see statements like this during the campaign 4 years ago, when he criticized President Bush for not being tough on drugs, and said he would fight the war on drugs. He has not done it and that is why we are critical here today.

It is not to try to throw barbs at the President, but to try to get him on board on this issue, because this is critical for the future of the United States and for our kids. Specifically, when usage of hard drugs among White House personnel was finally revealed in the media, after having been denied by Presidential spokesmen, we get the kind of reaction that Senator HATCH just pointed out, coming from the White House, that suggested that using drugs is no big deal. It was Leon Panetta 2 years ago who attacked House Speaker NEWT GINGRICH for his comment that the delay in the White House granting clearance to a large group of staffers might be in part due to drug use by some of the staffers.

That was the information people had at the time, but it was not then confirmed. Here is what Leon Panetta said:

We cannot do business here with a Speaker of the House who is going to engage in these kind of unfounded allegations.

The people at the White House at that time knew those were not unfounded allegations. Now, 2 years later, the news accounts report that in fact at least a dozen staffers were taken on board, over the objection of the FBI and Secret Service because of their hard core drug use. Now what do the spin meisters at the White House talk about? Of course they are no longer unfounded accusations. Now it is just the excuse that, well, everyone was doing it. Press Secretary Mike McCurry:

I was a kid in the 1970's. You know, did I smoke a joint from time to time? Of course, I did. And the FBI knows that, and that was in my background file.

The ''of course, I did'' is what bothers so many of us. The White House is the ultimate bully pulpit in the United States. The tone set there permeates our entire culture. Our young people look to the President for his leadership on issues, to set an example, to be a role model. When his chief spokesman tosses off his drug use with a mere cavalier ''of course, I did,'' inferring that everybody did, that suggests it is behavior that is acceptable. It is against the law and it is not acceptable behavior.

So, when the people at the highest levels in the White House treat the issue so cavalierly, is it no wonder the young people in our country, who are obviously susceptible to this kind of language, treat it cavalierly as well? Yet this is the same White House that is blasting Senator Dole for his comments that not necessarily everyone is addicted to tobacco use. It seems to me there is a gross double standard here, at a minimum. But that at maximum, one might say, more important, for the young people in our country this administration has squandered the assets that had been brought to bear in the war on drugs, had squandered the success of the Bush and Reagan administrations when drug use was brought substantially down.

Senator HATCH has pointed out many of the things that have occurred during this administration, like the drug czar's office staff being cut more than 80 percent. After a year of leaving the drug czar's office vacant, finally the President selected Lee Brown, who was only in office for a few months. His major initiative was to have ''Big League Chew'' bubble-gum removed from convenience store chains. It did not do much to fight the war on drugs.

Then he appointed as our Nation's top health official Joycelyn Elders, who said ''[I] do feel we would markedly reduce our crime rate if drugs were legalized.'' In one sense I suppose if you remove all prohibitions on illegal activity, you reduce the illegal drug use rate, at least measured against what it was during the war on drugs, but that is obviously not the way to protect the future of America's children. Particularly since we understand that the use of drugs such as marijuana leads to the use of much harder drugs. That is why the President's reduction in requests for funding from interdiction to law enforcement have not been welcomed by the Congress, and why the Congress has wanted to fund those programs at a higher level.

Just summarizing what Senator HATCH said a moment ago, with the reduction in the officers from FBI, INS, Customs Service and Coast Guard, they would have lost 621 drug enforcement agents had the Congress not put the funding back in. And he mentioned the fact we did not train special agents of the DEA in 1993. But when the Congress has finally insisted on increasing the drug interdiction effort, for example in the bill we just dealt with last week, we get emphasis—indications from the White House that they will support those increases. I hope that is true.

According to the Wall Street Journal, the Attorney General, Janet Reno, ''announced that she wanted to reduce the mandatory minimum sentences for drug trafficking * * *.'' Statistics released by the Administrative Office of the U.S. Courts reveal that, although drug use is going up, the number of individuals prosecuted for Federal drug violations is going down. That is what we have to change. This de facto strategy of the administration in fighting drugs was to deemphasize interdiction, law enforcement and prevention and concentrate on treatment. Yet, as has been pointed out, treatment is not the answer to this problem. It is only one small piece of the puzzle. And a 1994 study by the Rand Corp. found that 27 percent of hardcore drug users continued hardcore use while undergoing treatment. And fully 88 percent of them returned to hardcore drug use after treatment. So the recidivism rate was very, very high.

Let me just hesitate here to make a point. In criticizing the administration's efforts here, again I do not intend to be partisan. There have been a lot of Democrats who have been equally critical. Senator BIDEN, the ranking Democrat on the Senate Judiciary Committee, said:

This President is silent on the matter. He has failed to speak.

Representative Charles Rangel, a Democrat from New York whose district has a very serious problem in this regard said:

I've been in Congress for over two decades and I have never, never, never seen a President who cares less about this issue.

So I am not just speaking from the perspective of a Republican, Mr. President. I am speaking as someone who cares about our future and who has noted it is people on both sides of the aisle who are deeply committed to fighting this war who are also critical of this administration.

The chairman of the Judiciary Committee pointed out that marijuana use is up; that one in three high school seniors now uses marijuana. That is an astounding statistic. Why is it important? Because, as I said a moment ago, according to surveys by the Center on Addiction and Substance Abuse, 12- to 17-year-olds who use marijuana are 85 times more likely to graduate to cocaine than those who don't use marijuana.

So those who argue that marijuana use, so-called ''soft drugs,'' are not important are ignoring scientific evidence that almost all of the people who use those kinds of drugs graduate to harder drugs. That is why it is so important to stop this drug use at that level.

What can we do to recapture the initiative on this war on drugs? First of all, on interdiction, the action we just took last week, we have to see renewed efforts by Federal agencies responsible for fighting drugs to spend greater resources, identifying the sources, methods and individuals involved in trafficking.

Enforcement I mentioned a moment ago. Drug prosecution under this administration has decreased. Those violating our drug laws must be prosecuted, and we have to make sure those who are profiting from the drug trade are severely punished.

Finally, education and prevention. Kids need to learn and be constantly reminded that drugs are harmful, and that is where the President's bully pulpit comes in.

They laughed at President Reagan and his wife when they said that we should ''just say no.'' I think they were making a big mistake. We know the President has to say no.

Mr. President, I ask for 30 seconds more from the Senator from Georgia, since I know my time has expired.

Mr. COVERDELL. I yield another minute to the Senator from Arizona.

Mr. KYL. Mr. President, I appreciate that. That will enable me to make this final point.

We are doing our part in Congress to revitalize this war on drugs. We just passed the Commerce, State, Justice appropriations bill, which will improve our enforcement and interdiction efforts. It increases the funding substantially. I think, however, once we have done this, the President is going to have to help us regain the initiative by demonstrating that the administration is just as concerned about this effort as is the Congress. Of course, another option is to elect a President who really seems to care about this effort. But that is another matter.

Let me say in conclusion, this effort should be bipartisan. It has to be coordinated. The President and the Congress have to join in the effort, and we have to convince the younger people in our country that the trend of drug use that is now going up must be reversed if their future is going to be great and if the future of America is going to be great, because all Americans bear the cost of drug abuse through increased crime and increased taxes to pay for welfare and other social programs and all the other costs to society that can't be measured.

It is time to resume the drug war. America's future is at stake.

I commend the Senator from Georgia for taking this time so we can emphasize the issue and get on with this important effort.

Mr. COVERDELL. Mr. President, I wonder if the Senator from Arizona will stay with us for just a moment.

I would like to read an editorial that appeared in the Boston Globe on Tuesday, July 23. It relates to his remarks. It quotes Speaker GINGRICH in December of 1994. He said on a television show:

> I had a senior law enforcement official tell me that, in his judgment, up to a quarter of the White House staff, when they first came in, had used drugs in the last 4 or 5 years.

He said:

> Now, that's very serious. I'm not making any allegation about any individual person, but it's very clear that they had huge problems.

It goes on. This editorial says:

> Then the sky fell in. ''We cannot do business here with a Speaker of the House who is going to engage in these kinds of unfounded allegations,'' fumed Panetta. He lashed Gingrich for behaving like an out-of-control talk show host, for making an absolutely false accusation, for trafficking in smear and innuendo.
>
> George Stephanopoulos has labeled Gingrich ''irresponsible.'' Hillary Clinton said, ''So unfair.'' Press Secretary Dee Dee Myers called them ''reckless charges.''

McCarthyism was alluded to. That was the beginning of the demonization of the Speaker. Let me ask this question of the Senator from Arizona. Don't you think these people owe him an apology?

Mr. KYL. Mr. President, I am so glad that the Senator from Georgia has asked that question, because now that this has been reported on in the media 2 years after the fact and some people from the White House have, apparently, acknowledged that there is truth to these allegations, I think that every one of the people who smeared House Speaker NEWT GINGRICH not only owe him an apology—and it should be a very direct and specific apology—for the comments that the Senator from Georgia just read, but they owe an apology to the American people, because they, in smearing him, suggested that he was lying, that he was not telling the truth, that the allegations were unfounded, when, in fact, they either knew or should have known what was going on in the White House, why those clearances had not been granted. Therefore, it is they who were misleading the American public by suggesting that what he said was untrue.

So I have been wondering for some time when we would receive an apology, and I think it is as important that the House Speaker receive an apology.

I happened to see the Sunday morning talk show when Speaker GINGRICH said what he said. I saw him say it, and I thought at the time, ''Boy, he was certainly careful how he repeated that allegation because it was all over the news media.''

He was very careful in saying, ''Now, I'm not making allegations, this is what a high-ranking official told me, and if it is true, it's very bad.''

Well, all of the qualifications went out the window when all the White House pack dogs immediately attacked him the next day suggesting he was the one who was some kind of wild accuser here.

That is why I think the Senator from Georgia hits the nail right on the head when he suggests that each one of these people owes the Speaker a very specific apology. And if I can go further and suggest they should apologize for misleading the American people as well.

Mr. COVERDELL. If the Senator will yield.

> On dozens of editorial pages—

I am quoting—

> there were comparisons to the most infamous demon in American history. The Georgia Republican's words, said Newsday, were laced with the kind of innuendo which fueled McCarthy's witch hunt. To Herblock, the Washington Post venerable cartoonist, Gingrich was McCarthy, cruelly blackening reputations with a broad brush.

I think there are a lot of people who owe the Speaker an apology. This attack was very harmful to this gentleman, and you alluded to it. There is no way that all of these people in the White House could not have known about the problems they were having in getting White House clearance. I believe they not only owe him an apology, but they owe him an apology at the same level to which they leveled this attack: a public apology from all of them, not just one of them on their behalf.

Mr. KYL. If the Senator from Georgia will yield for a moment, the point here is not to extract an apology for the sake of an apology, but rather, I think, to make a larger point.

Clearly, when the Speaker of the House is vilified the way he was without good reason, and we know now incorrectly if not with animus, he is owed an apology. But the point of these attacks was to try to distract attention away from the specific charge and the problem that was being alluded to by the Speaker.

That is where I think these people owe an apology to the American public, because they were trying to divert attention away from a condition, a problem, and it is very much like the way the administration has treated this drug war from the very beginning.

It is basically a nonwar, and that is why drug use has gone up during this administration's tenure. They have to focus back on the fact that what they say matters. The way the President acts matters a great deal, especially to the young people in this country.

He is the first really young new-generation President here. As a result, I think young people really look to President Clinton because he is younger than most of the Presidents have been in recent years. When they see him act in a relatively cavalier way, then they are going to pick up on that. That appears to be what is happening, if you look at the statistics.

So again, while it is important to apologize to the Speaker, because what they said about him was extraordinarily unfair and inaccurate, I think it is more important, again, that they get back on track in fighting the war on drugs by apologizing to the country as a whole for trying to distract attention from the problem in the White House, trying to distract attention from what was going on here in their inadequate effort to fight the war on drugs and refocus attention on the very, very difficult nature of this problem.

President Clinton has an extraordinarily great ability to be persuasive, to demonstrate that he cares about things. And if he were to mount the podium with the same sincerity that

Nancy Reagan and Ronald Reagan did and George and Barbara Bush to tell the young people of today why it is so destructive for them to begin this path of doing drugs, I think he could be enormously helpful. He could be so powerful in his appeal and reach to these young people.

So instead of obfuscating the issue and accusing others of making too big a deal out of it, as they did with Speaker GINGRICH, I think they ought to try to focus on what they can do to help. It would be a tremendous benefit if they would do that. I thank the Senator from Georgia.

CULTIVATING THE FUTURE

Mr. GRASSLEY. Mr. President, a wise man once said that what is honored in a society is cultivated there. In other words, what a society believes is important and respects, it will teach its children and demand in its public life. I have been concerned in the last few days by what it seems to me that we are honoring in our society. And I am concerned because of that about what we may be cultivating for the future.

I am concerned about what we have learned in the past few days and weeks about the attitudes the Clinton White House has about security clearances and security procedures in general. I am also concerned about drug use, respect for privacy, and regard for simple facts straightforwardly presented. I am concerned about what attitudes on these issues, coming from the Nation's first household, are communicating to the public. I am particularly troubled about the White House's seemingly cavalier attitude about drug use and about the message that this careless viewpoint is sending.

Based on reporting in the Washington Post, ''The Secret Service in 1993 balked at granting permanent passes to about a dozen people in the Clinton White House because of concerns about recent use of illegal drugs that in some instances included crack cocaine or hallucinogens. . . .'' But this is not all. The problem was evidently so serious as to require the unprecedented step of establishing a special drug-testing program in the White House. We have heard that this involves only a few people. But then we also heard from the same White House that there were only a few unauthorized FBI files. That story had to be revised several times as the numbers grew. Perhaps that will not happen here, but the numbers are not really the issue.

What is of concern is the principle. In the files case, one file improperly obtained, illegally reviewed, and carelessly kept was too many. In any normal operation, the person responsible for this chain of slipshod management would be identified, fired, and, if a crime was committed, prosecuted. In the present case, however, the White House not only does not know who was responsible, they cannot or will not figure out who hired him. Based on this White House's public assertions about hiring practices in the world's most important household, Rosy the Bag Lady could have moved locations from Lafayette Park into the West Wing, gotten a White House pass, and set up shop with no one the wiser.

As in the files case, it is the principle that matters in the White House's attitude about drug use. It is what actions there say publicly about what is honored and what should be cultivated. Perhaps it should come as no surprise that a President who did not inhale should see no problem in hiring known drug users to sit on the world's most visible front porch. But what is of more concern than this peculiar tolerance is the response of the President's spokesman to the issue. Let me quote his remarks. ''I was a kid in the 1970's,'' he said. ''You know, did I smoke a joint from time to time?

Of course, I did.'' Of course? There is a lot of consequence in that ''of course.'' As Mr. Bennett, the country's first drug czar noted, that ''of course'' is very disturbing. Mr. Bennett asks a very important question: ''What exactly did Mr. McCurry mean by 'of course'? That every young person used drugs in the 1970's? Or that it was no big deal?'' In either case, as Mr. Bennett notes, the President's spokesman is wrong. He not only has the facts wrong, he has now put the White House behind the notion that drugs are no big deal.

Mr. McCurry's words are very revealing. They are dismissive of the idea that drug use is of any serious concern. They indicate an indifference to the realities of drug use. And, for a White House whose clearest competency is in message management, it shows a remarkable ignorance of the importance of using the bully pulpit of Presidency to send a clear, antidrug message. We need to remind ourselves that Mr. McCurry did not make these remarks in private. He is no babe in the woods. He did not get trapped. He did not speak out thinking that the microphones were turned off. Mr. McCurry made these remarks to the press as the chief spokesman for the President of the United States. Say what you will, his remarks are now an indelible part of the public record. So too, are the White House's attitudes to drug use revealed here.

I am sure that in the next few days we will have more clarifications about the position. I am sure that these clarifications will include the typical accusations that discussion of the issue at all is just partisan politics. But, what remains is a public demonstration about how this White House thinks about drugs. It reflects a casualness about the drug problem that is communicated to the public. It is a communication that, frankly, concerns me a great deal.

On a number of occasions I have raised my concern on this floor about the dramatic rise in teenage drug abuse. If there are any of my colleagues who have not acquainted themselves with the realities of what is happening with kids and drugs today, I urge them to take a look at the facts. I think that what they will find will disturb them. In brief, by whatever standard you use or reporting system that we currently have to tell us about drug use, teenage use is on the rise.

In the last several years, after more than a decade of decline, we are seeing returning drug use that is wiping out all the gains that we had made. What is just as alarming, teenage attitudes about the dangers of drug use are also changing for the worse. Today's kids see drugs as far less of a problem than did kids just a few years ago. Even worse, drug use today is starting even earlier. We are now seeing the problem affect 11 and 12 year olds. Unless you believe that drug legalization for kids is a realistic option or a responsible policy, then you cannot ignore what is happening under our very noses, in our homes, schools, backyards, and front porches.

In this context, do you think that remarks like the President's or Mr. McCurry's do not matter? Let us not kid ourselves about kids. What the White House says publicly is one of the ways we communicate lessons about what we honor and should cultivate. That the White House understands this is clear from what it has to say on other issues. On this issue, however, the message is anything but clear.

In March of this year, I co-chaired a Senate-House Task Force on National Drug Policy. Bob Dole and NEWT GINGRICH established the task force to take a look at the problem and recommend solutions. The report from that effort documents not only the present trend in drug use among kids, but the policies or lack of policies by the Clinton administration to deal with the problem. I invite all of my colleagues, the press, and the public to take a look at what the task force learned. It is sobering.

One of the essential findings of the report, which is hardly new, was that the bully pulpit for sending messages about what is right and wrong, good and bad, must be central to any drug policy. As the report notes, we must be consistent in our message. We must have words and deeds that are complementary not contradictory.

Democrats and Republicans over the last several years, however, have repeatedly noted that the administration, and particularly the President, have been virtually silent on the drug issue. The only serious pronouncements that anyone here or elsewhere likely remembers about this administration's drug policy was the President's remark that he didn't inhale. That and the repeated public statements by the Surgeon General of the United States calling for consideration of drug legalization. Except for these less than inspiring remarks, the drug issue simply disappeared in the first

3 years of the administration. Like the drug czar's office, it was benched. For this administration, drug policy was not just the least valued player. It was traded to a farm team and hustled out of town under a blanket of silence.

Now, in an election year, when the drug use numbers are bad and getting worse, we have seen a new public posture by the administration on drugs. We have a new drug czar—more power to him—and we have had a few presidential sound bites and backdrops. I am sure that none of these actions have anything to do with politics. But, we have seen also other things that leave a more lasting impression, particularly in young minds. Particularly, what we have seen disseminated to the public is the knowledge that ''of course, I used drugs'' and ''I didn't inhale'' are the hallmarks of this White House. As Mr. Bennett noted, policy follows attitude. It is not hard to understand the administration's policies with attitudes like those coming from the White House.

Recently, a music group with the unlikely name of Smashing Pumpkins lost one of its lead performers to a drug overdose. In recent years, such deaths of celebrities have become a common occurrence, another reminder of the 1960's culture born again. So serious has the problem become that record companies and managers are looking to institute drug programs to help prevent these losses. In the case of Smashing Pumpkins, they fired one of the band members who was involved in drugs along with the young man who died. Evidently, drug use in this case was grounds for dismissal. I wish that this White House understood the message here. That tolerating drug use, even former drug use, sends a dangerous message.

If we learn from the bully pulpit of the Presidency about what we should honor and cultivate in our national life, then I am concerned about what recent events tell us. I am concerned that we seem to have replaced ''Just Say No'' with a muddled message. I am concerned that this garbled text is sending the wrong signals, is reinforcing the wrong attitudes. Perhaps it is no coincidence, then, that calls for legalization of drugs are now more vocal and well-financed than at any time since the 1960's. It is perhaps why, we see initiatives on the ballot in California and Arizona that would legalize marijuana. It is perhaps why one of the largest financiers of drug legalization is a White House confidante. It is perhaps not just coincidence that the drugs-are-good-for-you message is back in movies, music, and on TV. It is perhaps why we see a White House where the Colombian drug lords can number employees as some of their former clients.

I worry about what we seem to be honoring and what we may cultivate as a consequence.

Mr. GORTON. Would the Senator from Georgia yield?

Mr. COVERDELL. I certainly will be more than pleased to yield to the Senator from Washington.

Mr. GORTON. It seems to me, Mr. President—and I ask for the comments of the Senator from Georgia on this—that during the course of this last half-hour or so, there have been perhaps five different, but related, themes. I wonder if my understanding is accurate.

The first, and in a sense the most immediate, is the way in which the White House responds to any kind of criticism, very frequently with nasty personal attack.

The second, which is one step above that and perhaps triggers the first, is the indifference in the administration itself to the question of drugs and of security and the like, you know, by the people who serve the administration.

The third, it seems to me, is the drug policy of the administration. I think the Senator from Georgia has already spoken to that question—less money, fewer people, less attention.

The fourth is as the Senator from Arizona just said, the use or nonuse of the magnificent platform that any President of the United States has to speak to matters which are of deep concern to the American people or which create grave social problems or challenges to the American people. And the question as to whether or not any particular President pays any attention to that subject.

But I think each of those, in my view at least, leads to the final question. And that is, what impact is the plague of drugs imposing on the American people? Is the use of illegal substances rising or falling at any given level? And particularly, is this use rising or falling among young people, first becoming conscious of the world around them? And is that increase in use—quite clearly that is the case at the present time—attributable at least in part to what society, through its leaders, through its President, says or does not say, says or implies by an action or nonaction in connection with this drug use?

I think if you start from No. 1, attacking anyone who attacks them, second, an indifference to personal health, security or drug use, third, the amount of money and attention paid in budgets, fourth, the use or more particularly the nonuse of that bully pulpit in the Presidency, that fifth and most important consequence is almost an inevitable consequence, is it not? Is it not very difficult to make the case that these are unrelated phenomena, with the fact of increased drug use, the fact of a more serious problem in society today? Is it not connected with this indifference in money, in attitude, and the like on the part of the executive leaders of our Nation?

Mr. COVERDELL. First, I commend the Senator from Washington in his usual fashion of framing issues so well. But I think there is no conclusion one could reach but that these five points you allude to are inextricably connected and have resulted in a new drug epidemic in the United States, period.

I say to the Senator from Washington, from my own point of view, I have been surprised that a change in public policy, which occurred when this administration took office, could result in these kinds of changes so quickly. I would have thought these changes might have taken a decade to have the impact. It has been a revelation to me that within months you began to see a trend of less use of drugs turn completely around and now turn into something that is a devastating phenomenon in our country.

I will say one other thing and then go back to the Senator from Washington. On your fourth point, the use of the pulpit, so to speak, I would say that is even more serious than has been characterized. Not only has it not been used, but to the extent it has been used, it is the wrong message.

First of all, there is too much silence. Second, we had an Attorney General arguing for legalization in this administration. Third, we had statements, like press secretary McCurry and the President himself when he said, ''Well, I didn't inhale.'' These are all cavalier tones that suggest a lack of seriousness about the issue. That is why I believe it is not just the trend lines have reversed, but they have dramatically reversed. And the damage is of epidemic proportions. And 12 years have virtually been cashiered because of the link between these five points, but particularly Nos. 4 and 5.

Mr. GORTON. I think the Senator from Georgia makes a good point. I would like to share this reflection with him and hear his views on the subject. I believe sometimes we have these problems by a misuse of terms. And in this connection, a few years back, when drug policy was a higher order of priority, we had what was, I think, misnamed as a ''war on drugs,'' sincerely carried out by men and women who felt that drugs were a plague on our society creating a tremendous amount of crime, social dislocation, wasted lives. But the implication, when they used that term, was that it somehow or other could have been won permanently and decisively.

I believe that we made the same mistake a generation ago when we began a war against poverty with the same implications. Just set up a few programs and you will get rid of the circumstance. Perhaps, it has occurred to me, that this began because we have had truly wars where they have a beginning, middle, and an end, whether it was World War II, at one level, or even a half-a-century-long cold war. It is over. We have had a definitive triumph.

When one Presidential administration starts a war on poverty or, more particularly in this case, a war on drugs, and then the next administration discovers the real truth, that this is a struggle that begins over again in the minds of every young person in the

first, second, third, or eighth grade and, in fact, has never definitively been won in the minds of an individual who may have started on some form of drug and then gotten off but is a life-long process in the lives of every single individual, then that administration tends to lose its sense of focus or even its sense of caring, because each administration wants something else that it can be definitively responsible for.

Do we not have a situation here in which we had a significant degree of success over a period of 4, 8, or 12 years, which one other administration by diligent effort could continue, could lose no ground, maybe by tremendous effort could maybe even make a few gains, but knew it could not win the way you win World War II, so the administration just lost interest in it. There were just a lot of other things it wanted to do.

Have we all not suffered? And this is the most important part of the question, have we not all suffered as a result, because the implication made that we have gotten this far, we do not have to do anything to at least keep it the status quo. But as the Senator from Georgia pointed out, in 4 years you can lose all the ground you gained in 12. Is that not essentially what we have done as a result of this administration's indifference to the problem?

Mr. COVERDELL. The Senator has raised several very, very crucial questions and sort of a constructive criticism which I might need to take to heart. First, we have not lost all the ground; we have just lost a lot of it. If unchecked, we will lose it all.

I do not know that I agree that it was strictly a function of interest level. I believe there are people in our country, and some of them are in this administration, like former Surgeon General Elders, who believes the construction of the struggle was wrong. I believe that they believed rehabilitation is more important that interdiction, so there are some philosophical differences here.

We now have the results of the interdiction law enforcement and education. It cut it in half. The new idea, empirically, has failed, because it has doubled, but we still have people in this administration who do not agree with the war on drugs.

Now, the last point I make, the war on drugs, I think the Senator makes a very valid point that it is not something to ever be won or lost. I have called it a war on drugs, of late, because of the level, separate from usage in the United States.

The fact is, we have come into an era where drug cartels with their enormous capacity of resources and sophistication, in my judgment, have put democracies in the hemisphere at stake. When the President of Mexico turns to me and says, ''The single greatest threat to my public are the drug cartels,'' that raises it to a new level. I think there is a war in the hemisphere to gain control of this circumstance so that it does not threaten fragile and small democracies—some of them rather large. I draw that distinction and separate the two.

The Senator is absolutely correct, this is an issue for which society has always and will always struggle. Maybe it is improper to characterize it as a war. That is a duty. It is a duty of one civilization to those that follow. From time to time, I argue, there are incidents—and we are in one—where there is a configuration where we really are in a very adversarial struggle with a force that is capable of undoing society. I do believe the hemisphere is confronted with that at this point.

Mr. GORTON. I thank the Senator from Georgia for the clarity of his thought and for his dedication to a cause which is of vital importance to the future of our country and society.

Mr. COVERDELL. Thank you very much.

Mr. President, I appreciate very much the thoughts of the Senator from Washington. As always, the Senator brings great clarity and poignancy to issues of importance to our Nation.

Mr. President, I ask unanimous consent to have printed in the RECORD a statement by former drug czar William Bennett.

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

BENNETT CRITICIZES MCCURRY AND WHITE HOUSE DRUG POLICY

WASHINGTON, DC, July 18, 1996.—Today, Empower America co-director and former Bush ''drug czar'' William J. Bennett released the following statement:

Yesterday we learned from interviews with Secret Service agents (released by a House committee) that background investigations on White House employees found that more than 40 had used drugs; a few dozen showed drug usage had been within the last five years; and that among those few dozen people were individuals who had used cocaine, crack cocaine and hallucinogens. We learned, too, that the Secret Service initially rejected White House passes to an unspecified number of White House employees because they were considered a security risk—a recommendation which apparently was unacceptable to the Clinton administration. Instead, the administration opted for a far more lenient policy—a twice-per-year surprise drug test. These are very disturbing revelations—but ones which do not seem to trouble the Clinton administration at all.

I have also read the transcripts of Mike McCurry's July 17th press briefing in which he stated that ''of course'' he used illegal drugs during the 1970s. What exactly did Mr. McCurry mean by ''of course''? That every young person used drugs in the 1970s? Or that it was no big deal? Why didn't Mr. McCurry show any regret for having used illegal drugs? Mr. McCurry is wrong on all counts—and he should admit that he was wrong.

These revelations by Secret Service agents, combined with Mr. McCurry's comments are, I think, emblematic of the Clinton administration's cavalier and indifferent attitude toward illegal drug use. The Clinton administration doesn't seem to care about this issue. They seem unwilling to take a strong and unambiguous stand against drug use. And this nation is now paying a very heavy price for the Clinton administration's indifference, in terms of wrecked and lost lives.

Mr. McCurry's comments are of course not helpful. But neither are they surprising. After all, President Clinton's record on fighting illegal drug use is abysmal. It is worth pointing out that this is not a partisan opinion. Democratic Senator Joe Biden has been a strong critic of the administration's anti-drug efforts. And it was Democratic Congressman Charles Rangel who said this about the Clinton administration: ''I've been in Congress over two decades, and I have never, never, never found any administration that's been so silent on this great challenge [illegal drug use] to the American people.''

Consider the record under Bill Clinton's watch: drug use among high school seniors has risen steadily since he took office. The number of 12- to 17-year-olds using marijuana has almost doubled. Methamphetamine emergency room cases are up over 300 percent. LSD use has reached the highest rate since record-keeping started in 1975. Drug-related emergency room admissions are at record levels. And these trends have occurred after real progress was made against drug use in the mid-1980s and early 1990s.

But there is more involved here than a failure of public policy. The Clinton administration suffers from moral diffidence on this issue. Policy follows attitude. In 1991, when asked about his past drug use, Mr. Clinton declared that he had never ''broken any drug law.'' A year later, he admitted that when he was in England, he had experimented with marijuana but he said, ''I didn't like it. I didn't inhale it, and never tried it again.'' Later, when asked whether he would inhale if he had to do it over again, he answered, to laughter: ''Sure, if I could. I tried before.''

Then there is President Clinton's former Surgeon General Joycelyn Elders, who had been one of this administration's most vocal voices on drugs and who had favorable words about drug legalization. And of course now we have Mr. McCurry's comments.

During the 1980s, Nancy Reagan was ridiculed for her ''Just Say No'' campaign. But it turns out that ''Just Say No'' is far more effective than ''I didn't inhale'' or an attitude of ''of course I used illegal drugs.''

I realize that Mr. McCurry, a skilled press secretary, was simply reflecting the attitude of the President and his administration. But I would be interested in the answer to two questions: first, what does General Barry McCaffrey think about Mr. McCurry's comments and the underlying attitude they expressed? And second, does President Clinton have any objection if a person who has used cocaine, crack cocaine or hallucinogenic drugs during the past five years is working in his administration? Is there any kind of recent (pre-White House) drug use or drug activity that would disqualify somebody from joining the Clinton administration? Perhaps the president could clarify what his policy is on these matters.

On the issue of fighting illegal drugs—like so many other issues of national importance—the American people deserve better from their president.

Mr. COVERDELL. I will take just a minute to read from this statement from William Bennett:

Yesterday we learned from interviews with Secret Service agents that background investigations on White House employees found that more than 40 had used drugs; a few dozen showed drug usage—

I have always wondered what that remark means; what is ''a few dozen''? It sounds an awful lot like 40.

. . . a few dozen showed drug usage has been within the last 5 years; and that among those few dozen people were individuals who

had used cocaine, crack cocaine and hallucinogens.

It goes on: ''These revelations by Secret Service agents, combined with Mr. McCurry's comments,'' which we have all talked about earlier, ''are, I think, emblematic of the Clinton administration's cavalier and indifferent attitude toward illegal drug use. The Clinton administration does not seem to care about this issue. They seem unwilling to take a strong and unambiguous stand against drug use. And this Nation is now paying a very heavy price for the Clinton administration's indifference in terms of wrecked and lost lives.''

This is the point I want to underscore over and over. We are not talking about just reciting numbers of increase, et cetera. We are talking about some kid in your family, somebody that lives next door, somebody you work with, that you know and care about. Every one of these 2 million new families that are experiencing drug use in their family are just like somebody we know, or they may be somebody we know.

It is time for the White House to put the bully pulpit to work, calling on our youth across this land to be knowledgeable and understanding of the fact that drugs will ruin their lives and forever change their futures.

THE VERY BAD DEBT BOXSCORE

Mr. HELMS. Mr. President, it was on Friday, February 23, 1996, that the Federal debt broke the $5 trillion sound barrier for the first time in history. The records show that on that day, at the close of business, the debt stood at $5,017,056,630,040.53.

Twenty years earlier, in 1976, the Federal debt stood at $629 billion, after the first 200 years of America's history, including two world wars. The total 1976 Federal debt, I repeat, stood at $629 billion.

Then the big spenders really went to work and the interest on the Federal debt really began to take off—and, presto, during the past 2 decades the Federal debt has soared into the stratosphere, increasing by more than $4 trillion in 2 decades—from 1976 to 1996.

So, Mr. President, as of the close of business Friday, July 26, the Federal debt stood—down-to-the-penny—at $5,181,675,045,058.46. On a per capita basis, every man, woman, and child in America owes $19,525.25 as his or her share of that debt.

This enormous debt is a festering, escalating burden on all citizens and especially it is jeopardizing the liberty of our children and grandchildren. As Jefferson once warned, ''to preserve [our] independence, we must not let our leaders load us with perpetual debt. We must make our election between economy and liberty, or profusion and servitude.'' Isn't it about time that Congress heeded the wise words of the author of the Declaration of Independence?

JONES ACT WAIVERS

Mr. COVERDELL. Mr. President, I ask unanimous consent that the Committee on Commerce be immediately discharged from further consideration of the following bills: S. 1924 and S. 1933.

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

Mr. COVERDELL. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of these bills, and the following bills on the legislative calendar, en bloc: Calendar Order Nos. 76 through 90, 308 through 328, 478 through 482, and 519 through 538.

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

Mr. COVERDELL. I further ask unanimous consent that the bills be deemed read the third time and passed, and a motion to reconsider all actions be deemed made and laid upon the table en bloc.

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

Mr. COVERDELL. I note at this point these measures are Jones Act Waivers, and they have all been cleared by the Democratic leadership.

CERTIFICATE OF DOCUMENTATION FOR THE VESSEL ''DAMN YANKEE''

The bill (S. 1924) to authorize the Secretary of Transportation to issue a certificate of documentation and coastwise trade endorsement for the vessel *Damn Yankee*, was considered, ordered to be engrossed for a third reading, read the third time, and passed; as follows:

S. 1924

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding sections 12106, 12107, and 12108 of title 46, United States Code, and section 27 of the Merchant Marine Act, 1920 (46 App. U.S.C. 883), as applicable on the date of enactment of this Act, the Secretary of Transportation may issue a certificate of documentation with appropriate endorsements for employment in the coastwise trade for the vessel DAMN YANKEE (vessel number 263611).

CERTIFICATE OF DOCUMENTATION FOR CERTAIN VESSELS

The bill (S. 1933) to authorize a certificate of documentation for certain vessels, and for other purposes, was considered, ordered to be engrossed for a third reading, read the third time, and passed; as follows:

S. 1933

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. CERTIFICATES OF DOCUMENTATION.

Notwithstanding section 27 of the Merchant Marine Act, 1920 (46 U.S.C. App. 883), section 8 of the Act of June 19, 1886 (24 Stat. 81, chapter 421; 46 U.S.C. App. 289), and sections 12106 through 12108 of title 46, United States Code, the Secretary of Transportation may issue a certificate of documentation with appropriate endorsement for employment in the coastwise trade for each of the following vessels:

(1) The vessel RELENTLESS, United States official number 287008.

(2) The vessel TECUMSEH, United States official number 668633.

(3) The vessel POLICY MAKER III, United States official number 569223.

(4) The vessel QUIET SQUAW, United States official number 998717.

CERTIFICATE OF DOCUMENTATION FOR THE VESSEL ''BAGGER''

The bill (S. 84) to authorize the Secretary of Transportation to issue a certificate of documentation and coastwise trade endorsement for the vessel *Bagger*, and for other purposes, was considered, ordered to be engrossed for a third reading, read the third time, and passed; as follows:

S. 84

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. CERTIFICATE OF DOCUMENTATION.

Notwithstanding sections 12106 through 12108 of title 46, United States Code, and section 27 of the Merchant Marine Act, 1920 (46 U.S.C. App. 883), the Secretary of Transportation may issue a certificate of documentation and coastwise trade endorsement for the vessel BAGGER, hull identification number 3121125, and State of Hawaii registration number HA1809E.

CERTIFICATE OF DOCUMENTATION FOR THE VESSEL ''L.R. BEATTIE''

The bill (S. 172) to authorize the Secretary of Transportation to issue a certificate of documentation for the vessel *L.R. Beattie*, was considered, ordered to be engrossed for a third reading, read the third time, and passed; as follows:

S. 172

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. AUTHORIZATION OF CERTIFICATE OF DOCUMENTATION.

Notwithstanding sections 12106, 12107, and 12108 of title 46, United States Code, and section 27 of the Merchant Marine Act, 1920 (46 App. U.S.C. 883), as applicable on the date of enactment of this Act, the Secretary of Transportation may issue a certificate of documentation for the vessel L. R. BEATTIE, United States official number 904161.

CERTIFICATE OF DOCUMENTATION FOR THE VESSEL ''SHAMROCK V''

The bill (S. 212) to authorize the Secretary of Transportation to issue a certificate of documentation with appropriate endorsement for employment in the coastwise trade for the vessel *Shamrock V*, was considered, ordered to be engrossed for a third reading, read the third time, and passed; as follows:

S. 212

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding sections 12106, 12107, and 12108 of title 46, United States Code, and section 27 of the Merchant Marine Act, 1920 (46 App. U.S.C. 883), as applicable on the date of enactment

of this Act, the Secretary of Transportation may issue a certificate of documentation with appropriate endorsement for employment in the coastwise trade for the vessel SHAMROCK V (United States official number 900936).

CERTIFICATE OF DOCUMENTATION FOR THE VESSEL ''ENDEAVOUR''

The bill (S. 213) to authorize the Secretary of Transportation to issue a certificate of documentation with appropriate endorsement for employment in the coastwise trade for the vessel *Endeavour*, was considered, ordered to be engrossed for a third reading, read the third time, and passed; as follows:

S. 213

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding sections 12106, 12107, and 12108 of title 46, United States Code, and section 27 of the Merchant Marine Act, 1920 (46 App. U.S.C. 883), as applicable on the date of enactment of this Act, the Secretary of Transportation may issue a certificate of documentation with appropriate endorsement for employment in the coastwise trade for the vessel ENDEAVOUR (United States official number 947869).

CERTIFICATE OF DOCUMENTATION FOR THE VESSEL ''SERENITY''

The bill (S. 278) to authorize a certificate of documentation for the vessel *Serenity*, was considered, ordered to be engrossed for a third reading, read the third time, and passed; as follows:

S. 278

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding section 12106, 12107, and 12108 of title 46, United States Code, and section 27 of the Merchant Marine Act, 1920 (46 App. U.S.C. 883), as applicable on the date of enactment of this Act, the Secretary of Transportation may issue a certificate of documentation for the vessel SERENITY, United States official number 1021393.

CERTIFICATE OF DOCUMENTATION FOR THE VESSEL ''WHY KNOT''

The bill (S. 279) to authorize a certificate of documentation for the vessel *Why Knot*, was considered, ordered to be engrossed for a third reading, read the third time, and passed; as follows:

S. 279

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding section 12106, 12107, and 12108 of title 46, United States Code, and section 27 of the Merchant Marine Act, 1920 (46 App. U.S.C. 883), as applicable on the date of enactment of this Act, the Secretary of Transportation may issue a certificate of documentation for the vessel WHY KNOT, United States official number 688570.

CERTIFICATE OF DOCUMENTATION FOR THE VESSEL ''LADY HAWK''

The bill (S. 475) to authorize a certificate of documentation for the vessel *Lady Hawk*, was considered, ordered to be engrossed for a third reading, read the third time, and passed; as follows:

S. 475

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding sections 12106, 12107, and 12108 of title 46, United States Code, and section 27 of the Merchant Marine Act, 1920 (46 App. U.S.C. 883), as applicable on the date of enactment of this Act, the Secretary of Transportation may issue a certificate of documentation for the vessel LADY HAWK, United States official number 961095.

CERTIFICATE OF DOCUMENTATION FOR THE VESSEL ''GLEAM''

The bill (S. 480) to authorize the Secretary of Transportation to issue a certificate of documentation with appropriate endorsement for employment in the coastwise trade for the vessel *Gleam* was considered, ordered to be engrossed for a third reading, read the third time, and passed; as follows:

S. 480

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding sections 12106, 12107, and 12108 of title 46, United States Code, and section 27 of the Merchant Marine Act, 1920 (46 App. U.S.C. 883), as applicable on the date of enactment of this Act, the Secretary of Transportation may issue a certificate of documentation with appropriate endorsement for employment in the coastwise trade for the vessel GLEAM, (United States official number 921594).

CERTIFICATE OF DOCUMENTATION FOR THE VESSEL ''EMERALD AYES''

The bill (S. 482) to authorize the Secretary of Transportation to issue a certificate of documentation and coastwise trade endorsement for the vessel *Emerald Ayes* was considered, ordered to be engrossed for a third reading, read the third time, and passed; as follows:

S. 482

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding section 27 of the Merchant Marine Act, 1920 (46 U.S.C. App. 883), the Act of June 19, 1886 (46 U.S.C. App. 289), and sections 12106 and 12107 of title 46, United States Code, the Secretary of Transportation may issue a certificate of documentation with a coastwise endorsement for the vessel EMERALD AYES, United States official number 986099.

CERTIFICATE OF DOCUMENTATION FOR THE VESSEL ''INTREPID''

The bill (S. 492) to authorize the Secretary of Transportation to issue a certificate of documentation for the vessel *Intrepid*, was considered, ordered to be engrossed for a third reading, read the third time, and passed; as follows:

S. 492

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. AUTHORIZATION OF CERTIFICATE OF DOCUMENTATION.

Notwithstanding sections 12106, 12107, and 12108 of title 46, United States Code, and section 27 of the Merchant Marine Act, 1920 (46 App. U.S.C. 883), as applicable on the date of enactment of this Act, the Secretary of Transportation may issue a certificate of documentation for the vessel INTREPID, United States official number 508185.

CERTIFICATE OF DOCUMENTATION FOR THE VESSEL ''CONSORTIUM''

The bill (S. 493) to authorize the Secretary of Transportation to issue a certificate of documentation for the vessel *Consortium*, was considered, ordered to be engrossed for a third reading, read the third time, and passed; as follows:

S.493

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. AUTHORIZATION OF CERTIFICATE OF DOCUMENTATION.

Notwithstanding sections 12106, 12107, and 12108 of title 46, United States Code, and section 27 of the Merchant Marine Act, 1920 (46 App. U.S.C. 883), as applicable on the date of enactment of this Act, the Secretary of Transportation may issue a certificate of documentation for the vessel CONSORTIUM, United States official number 1029192.

CERTIFICATE OF DOCUMENTATION FOR THE VESSEL ''EMPRESS''

The bill (S. 527) to authorize the Secretary of Transportation to issue a certificate of documentation with appropriate endorsement for employment in the coastwise trade for the vessel *Empress* was considered, ordered to be engrossed for a third reading, read the third time, and passed; as follows:

S. 527

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding sections 12106, 12107, and 12108 of title 46, United States Code, and section 27 of the Merchant Marine Act, 1920 (46 App. U.S.C. 883), as applicable on the date of enactment of this Act, the Secretary of Transportation may issue a certificate of documentation with appropriate endorsement for employment in the coastwise trade for the vessel EMPRESS, United States official number 975018.

CERTIFICATE OF DOCUMENTATION FOR THREE VESSELS

The bill (S. 528) to authorize the Secretary of Transportation to issue a certificate of documentation with coastwise trade endorsement for three vessels, was considered, ordered to be engrossed for a third reading, read the third time, and passed; as follows:

S. 528

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. COASTWISE TRADE AUTHORIZATION FOR HOVERCRAFT.

Notwithstanding section 27 of the Merchant Marine Act, 1920 (46 U.S.C. App. 883), the Act of June 19, 1886 (46 U.S.C. App. 289), and sections 12106 and 12107 of title 46, United States Code, the Secretary of Transportation may issue a certificate of documentation with a coastwise endorsement for each of the vessels IDUN VIKING (Danish Registration

number A433), LIV VIKING (Danish Registration number A394), and FREJA VIKING (Danish Registration number A395) if—

(1) all repair and alteration work on the vessels necessary to their operation under this section is performed in the United States;

(2) a binding contract for the construction in the United States of at least 3 similar vessels for the coastwise trade is executed by the owner of the vessels within 6 months after the date of enactment of this Act; and

(3) the vessels constructed under the contract entered into under paragraph (1) are to be delivered within 3 years after the date of entering into that contract.

CERTIFICATE OF DOCUMENTATION FOR THE VESSELS ''GALLANT LADY''

The bill (S. 535) to authorize the Secretary of Transportation to issue certificates of documentation with appropriate endorsement for employment in coastwise trade for each of two vessels named *Gallant Lady*, subject to certain conditions, and for other purposes, was considered, ordered to be engrossed for a third reading, read the third time, and passed; as follows:

S. 535

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. VESSEL DOCUMENTATION.

(a) AUTHORITY TO DOCUMENT VESSELS.—

(1) IN GENERAL.—Notwithstanding section 27 of the Merchant Marine Act, 1920 (46 App. U.S.C. 883), section 8 of the Act of June 19, 1886 (24 Stat. 81, chapter 421; 46 App. U.S.C. 289), and section 12106 of title 46, United States Code, and subject to paragraph (2), the Secretary of Transportation may issue a certificate of documentation with an appropriate endorsement for employment in coastwise trade for each of the following vessels:

(A) GALLANT LADY (Feadship hull number 645, approximately 130 feet in length).

(B) GALLANT LADY (Feadship hull number 651, approximately 172 feet in length).

(2) LIMITATION OF OPERATION.—Coastwise trade authorized under a certificate of documentation issued for a vessel under this section shall be limited to the carriage of passengers in association with contributions to charitable organizations no portion of which is received, directly or indirectly, by the owner of the vessel.

(3) CONDITION.—The Secretary may not issue a certificate of documentation for a vessel under paragraph (1) unless, not later than 90 days after the date of enactment of this Act, the owner of the vessel referred to in paragraph (1)(B) submits to the Secretary a letter expressing the intent of the owner to, before April 1, 1997, enter into a contract for the construction in the United States of a passenger vessel of at least 130 feet in length.

(4) EFFECTIVE DATE OF CERTIFICATES.—A certificate of documentation issued under paragraph (1) shall take effect—

(A) for the vessel referred to in paragraph (1)(A), on the date of the issuance of the certificate; and

(B) for the vessel referred to in paragraph (1)(B), on the date of delivery of the vessel to the owner.

(b) TERMINATION OF EFFECTIVENESS OF CERTIFICATES.—A certificate of documentation issued for a vessel under subsection (a)(1) shall expire—

(1) on the date of the sale of the vessel by the owner;

(2) on April 1, 1997, if the owner of the vessel referred to in subsection (a)(1)(B) has not entered into a contract for construction of a vessel in accordance with the letter of intent submitted to the Secretary under subsection (a)(3); or

(3) on such date as a contract referred to in paragraph (2) is breached, rescinded, or terminated (other than for completion of performance of the contract) by the owner of the vessel referred to in subsection (a)(1)(B).

CERTIFICATE OF DOCUMENTATION FOR THE VESSEL ''ISABELLE''

The bill (S. 561) to authorize the Secretary of Transportation to issue a certificate of documentation with appropriate endorsement for employment in the coastwise trade for the vessel *Isabelle*, and for other purposes, was considered, ordered to be engrossed for a third reading, read the third time, and passed; as follows:

S. 561

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. VESSEL DOCUMENTATION.

Notwithstanding section 27 of the Merchant Marine Act, 1920 (46 App. U.S.C. 883), section 8 of the Act of June 19, 1886 (24 Stat. 81, chapter 421; 46 App. U.S.C. 289), and section 12106 of title 46, United States Code, the Secretary of Transportation may issue a certificate of documentation with appropriate endorsement for employment in the coastwise trade for the vessel ISABELLE, United States official number 600655.

CERTIFICATE OF DOCUMENTATION FOR THE VESSELS ''RESOLUTION'' AND ''PERSERVERANCE''

The bill (S. 583) to authorize the Secretary of Transportation to issue a certificate of documentation and coastwise trade endorsement for two vessels; was considered, ordered to be engrossed for a third reading, read the third time, and passed; as follows:

S. 583

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding sections 12106, 12107, and 12108 of title 46, United States Code, and section 27 of the Merchant Marine Act, 1920 (46 App. U.S.C. 883), as applicable on the date of enactment of this Act, the Secretary of Transportation may issue a certificate of documentation with a coastwise endorsement for each of the vessels RESOLUTION (Serial Number 77NS8701) and PERSEVERANCE (Serial Number 77NS8901).

CERTIFICATE OF DOCUMENTATION FOR THE VESSEL ''AURA''

The bill (S. 653) to authorize the Secretary of Transportation to issue a certificate of documentation with appropriate endorsement for employment in the coastwise trade for the vessel *Aura*, was considered, ordered to be engrossed for a third reading, read the third time, and passed; as follows:

S. 653

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding sections 12106, 12107, and 12108 of title 46, United States Code, and section 27 of the Merchant Marine Act, 1920 (46 App. U.S.C. 883), as applicable on the date of enactment of this Act, the Secretary of Transportation may issue a certificate of documentation with appropriate endorsement for employment in the coastwise trade for the vessel AURA (United States official number 1027807).

CERTIFICATE OF DOCUMENTATION FOR THE VESSEL ''SUNRISE''

The bill (S. 654) to authorize the Secretary of Transportation to issue a certificate of documentation with appropriate endorsement for employment in the coastwise trade for the vessel *''Sunrise''*, was considered, ordered to be engrossed for a third reading, read the third time, and passed; as follows:

S. 654

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding sections 12106, 12107, and 12108 of title 46, United States Code, and section 27 of the Merchant Marine Act, 1920 (46 App. U.S.C. 883), as applicable on the date of enactment of this Act, the Secretary of Transportation may issue a certificate of documentation with the appropriate endorsement for employment in the coastwise trade for the vessel SUNRISE (United States official number 950381).

CERTIFICATE OF DOCUMENTATION FOR THE VESSEL ''MARANTHA''

The bill (S. 655) to authorize the Secretary of Transportation to issue a certificate of documentation with appropriate endorsement for employment in the coastwise trade for the vessel *Marantha*, was considered, ordered to be engrossed for a third reading, read the third time, and passed; as follows:

S. 655

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding sections 12106, 12107, and 12108 of title 46, United States Code, and section 27 of the Merchant Marine Act, 1920 (46 App. U.S.C. 883), as applicable on the date of enactment of this Act, the Secretary of Transportation may issue a certificate of documentation with the appropriate endorsement for employment in the coastwise trade for the vessel MARANTHA (United States official number 638787).

CERTIFICATE OF DOCUMENTATION FOR THE VESSEL ''QUIETLY''

The bill (S. 656) to authorize the Secretary of Transportation to issue a certificate of documentation with appropriate endorsement for employment in the coastwise trade for the vessel *Quietly*, was considered, ordered to be engrossed for a third reading, read the third time, and passed; as follows:

S.656

Be it enacted by the Senate and house of Representatives of the United States of America in Congress assembled, That notwithstanding sections 12106, 12107, and 12108 of title 46, United States Code, and section 27 of the Merchant Marine Act, 1920 (46 App. U.S.C.

883), as applicable on the date of enactment of this Act, the Secretary of Transportation may issue a certificate of documentation with appropriate endorsement for employment in the coastwise trade for the vessel QUIETLY (United States official number 658315).

CERTIFICATE OF DOCUMENTATION FOR THE VESSEL ''YES DEAR''

The bill (S. 680) to authorize the Secretary of Transportation to issue a certificate of documentation and coastwise trade endorsement for the vessel *Yes Dear*, was considered, ordered to be engrossed for a third reading, read the third time, and passed; as follows:

S. 680

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding section 27 of the Merchant Marine Act, 1920 (46 U.S.C. App. 883), the Act of June 19, 1886 (46 U.S.C. App. 289), and sections 12106, 12107, and 12108 of title 46, United States Code, the Secretary of Transportation may issue a certificate of documentation with a coastwise endorsement for the vessel YES DEAR, United States official number 578550.

CERTIFICATE OF DOCUMENTATION FOR THE VESSEL ''SISU''

The bill (S. 739) to authorize the Secretary of Transportation to issue a certificate of documentation with appropriate endorsement for employment in the coastwise trade for the vessel *Sisu*, and for the other purposes, was considered, ordered to be engrossed for a third reading, read the third time, and passed; as follows:

S. 739

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. VESSEL DOCUMENTATION.

Notwithstanding sections 12106, through 12108 of title 46, United States Code, and section 27 of the Merchant Marine Act, 1920 (46 App. U.S.C. 8830), as applicable on the date of enactment of this Act, the Secretary of Transportation may issue a certificate of documentation with appropriate endorsement for employment in the coastwise trade for the vessel SISU, United States official number 293648.

CERTIFICATE OF DOCUMENTATION FOR THE VESSEL ''EVENING STAR''

The bill (S. 763) to authorize the Secretary of Transportation to issue a certificate of documentation and coastwise trade endorsement for the vessel *Evening Star*, and for other purposes, was considered, ordered to be engrossed for a third reading, read the third time, and passed; as follows:

S. 763

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. CERTIFICATE OF DOCUMENTATION.

Notwithstanding sections 12106 through 12108 of title 46, United States Code, and section 27 of the Merchant Marine Act, 1920 (46 U.S.C. App. 883), the Secretary of Transportation may issue a certificate of documentation and coastwise trade endorsement for the vessel EVENING STAR, hull identification number HA2833700774, and State of Hawaii registration number HA8337D.

CERTIFICATE OF DOCUMENTATION FOR THE VESSEL ''ROYAL AFFAIRE''

The bill (S. 802) to authorize the Secretary of Transportation to issue a certificate of documentation and coastwise trade endorsement for the vessel *Royal Affaire*, was considered, ordered to be engrossed for a third reading, read the third time, and passed; as follows:

S. 802

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding section 27 of the Merchant Marine Act, 1920 (46 U.S.C. App. 883), the Act of June 19, 1886 (46 U.S.C. App. 289), and section 12106, 12107, and 12108 of title 46, United States Code, the Secretary of Transportation may issue a certificate of documentation with a coastwise endorsement for the vessel ROYAL AFFAIR, United States official number 649292.

EXTENDING CONVERSION DEADLINE FOR THE VESSEL ''M/V TWIN DRILL''

The bill (S. 808) to extend the deadline for the conversion of the vessel *M/V Twin Drill*, and for other purposes, was considered, ordered to be engrossed for a third reading, read the third time, and passed; as follows:

S. 808

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. EXTENSION OF DEADLINE FOR CONVERSION.

Section 601(d) of the Coast Guard Authorization Act of 1993 (Public Law 103–206, 107 Stat. 2445) is amended—

(1) in paragraph (3), by striking ''June 30, 1995'' and inserting ''June 30, 1996''; and

(2) in paragraph (4), by striking ''12 months'' and inserting ''24 months''.

CERTIFICATE OF DOCUMENTATION FOR THE VESSEL ''PRIME TIME''

The bill (S. 826) to authorize the Secretary of Transportation to issue a certificate of documentation with appropriate endorsement for employment in the coastwise trade for the vessel *Prime Time* and for other purposes, was considered, ordered to be engrossed for a third reading, read the third time, and passed; as follows:

S. 826

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. CERTIFICATE OF DOCUMENTATION.

Notwithstanding section 27 of the Merchant Marine Act, 1920 (46 U.S.C. App. 883), section 8 of the Act of June 19, 1886 (24 Stat. 81, chapter 421; 46 U.S.C. App. 289), and section 12106 of title 46, United States Code, the Secretary of Transportation may issue a certificate of documentation with appropriate endorsement for employment in the coastwise trade for the vessel PRIME TIME, United States official number 660944.

CERTIFICATE OF DOCUMENTATION FOR THE VESSEL ''DRAGONESSA''

The bill (S. 869) to authorize the Secretary of Transportation to issue a certificate of documentation with appropriate endorsement for employment in the coastwise trade for the vessel *Dragonessa* and for other purposes, was considered, ordered to be engrossed for a third reading, read the third time, and passed; as follows:

S. 869

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. VESSEL DOCUMENTATION.

Notwithstanding section 27 of the Merchant Marine Act, 1920 (46 U.S.C. App. 883), section 8 of the Act of June 19, 1886 (24 Stat. 81, chapter 421; 46 U.S.C. App. 289), and section 12106 of title 46, United States Code, the Secretary of Transportation may issue a certificate of documentation with appropriate endorsement for employment in the coastwise trade for the vessel DRAGONESSA, United States official number 646512.

CERTIFICATE OF DOCUMENTATION FOR THE VESSEL ''WOLF GANG II''

The bill (S. 889) to authorize the Secretary of Transportation to issue a certificate of documentation with appropriate endorsement for employment in the coastwise trade for the vessel *Wolf Gang II*, and for other purposes, was considered, ordered to be engrossed for a third reading, read the third time, and passed; as follows:

S. 889

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. CERTIFICATE OF DOCUMENTATION.

Notwithstanding section 27 of the Merchant Marine Act, 1920 (46 U.S.C. App. 883), section 8 of the Act of June 19, 1886 (24 Stat. 81, chapter 421; 46 U.S.C. App. 289), and section 12106 of title 46, United States Code, the Secretary of Transportation may issue a certificate of documentation with appropriate endorsement for employment in the coastwise trade for the vessel WOLF GANG II, United States official number 984934.

CERTIFICATE OF DOCUMENTATION FOR THE VESSEL ''SEA MISTRESS''

The bill (S. 911) to authorize the Secretary of Transportation to issue a certificate of documentation with appropriate endorsement for employment in the coastwise trade for the vessel *Sea Mistress*, was considered, ordered to be engrossed for a third reading, read the third time, and passed; as follows:

S. 911

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding section 27 of the Merchant Marine Act, 1920 (46 App. U.S.C. 883), the Act of June 19, 1886 (46 App. U.S.C. 289), and section 12106 of title 46, United States Code, the Secretary of Transportation may issue a certificate of

documentation with appropriate endorsement for employment in the coastwise trade of the United States for the vessel SEA MISTRESS (United States official number 696806).

CERTIFICATE OF DOCUMENTATION FOR THE VESSEL ''JAJO''

The bill (S. 975) to authorize the Secretary of Transportation to issue a certificate of documentation with appropriate endorsement for employment in the coastwise trade for the vessel *Jajo*, and for other purposes, was considered, ordered to be engrossed for a third reading, read the third time, and passed; as follows:

S. 975

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. VESSEL DOCUMENTATION.

Notwithstanding section 27 of the Merchant Marine Act, 1920 (46 U.S.C. App. 883), section 8 of the Act of June 19, 1886 (24 Stat. 81, chapter 421; 46 U.S.C. App. 289), and section 12106 of title 46, United States Code, the Secretary of Transportation may issue a certificate of documentation with appropriate endorsement for employment in the coastwise trade for the vessel JAJO, hull identification number R1Z200207H280, and State of Rhode Island registration number 388133.

CERTIFICATE OF DOCUMENTATION FOR THE VESSEL ''MAGIC CARPET''

The bill (S. 1016) to authorize the Secretary of Transportation to issue a certificate of documentation with appropriate endorsement for employment in the coastwise trade for the vessel *Magic Carpet*, was considered, ordered to be engrossed for a third reading, read the third time, and passed; as follows:

S. 1016

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding sections 12106, 12107, and 12108 of title 46, United States Code, and section 27 of the Merchant Marine Act, 1920 (46 App. U.S.C. 883), as applicable on the date of enactment of this Act, the Secretary of Transportation may issue a certificate of documentation with appropriate endorsement for employment in the coastwise trade for the vessel MAGIC CARPET (United States official number 278971).

CERTIFICATE OF DOCUMENTATION FOR THE VESSEL ''CHRISSY''

The bill (S. 1017) to authorize the Secretary of Transportation to issue a certificate of documentation with appropriate endorsement for employment in the coastwise trade for the vessel *Chrissy*, was considered, ordered to be engrossed for a third reading, read the third time, and passed; as follows:

S. 1017

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding section 27 of the Merchant Marine Act, 1920 (46 App. U.S.C. 883), the Act of June 19, 1986 (46 App. U.S.C. 289), and section 12106 of title 46, United States Code, the Secretary of Transportation may issue a certificate of documentation with appropriate endorsement for employment in the coastwise trade for the vessel CHRISSY (State of Maine registration number 4778B).

CERTIFICATE OF DOCUMENTATION FOR THE VESSEL ''ONRUST''

The bill (S. 1040) to authorize the Secretary of Transportation to issue a certificate of documentation with appropriate endorsement for employment in the coastwise trade for the vessel *Onrust*, was considered to be engrossed for a third reading, read the third time, and passed; as follows:

S. 1040

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding sections 12106, 12107, and 12108 of title 46, United States Code, and section 27 of the Merchant Marine Act, 1920 (46 App. U.S.C. 883), as applicable on the date of enactment of this Act, the Secretary of Transportation may issue a certificate of documentation with appropriate endorsement for employment in the coastwise trade for the vessel ONRUST (United States official number 515058).

CERTIFICATE OF DOCUMENTATION FOR THE VESSEL ''EXPLORER''

The bill (S. 1041) to authorize the Secretary of Transportation to issue a certificate of documentation with appropriate endorsement for employment in the coastwise trade for the vessel *Explorer*, was considered, ordered to be engrossed for a third reading, read the third time, and passed; as follows:

S. 1041

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding sections 12106, 12107, and 12108 of title 46, United States Code, and section 27 of the Merchant Marine Act, 1920 (46 App. U.S.C. 883), as applicable on the date of enactment of this Act, the Secretary of Transportation may issue a certificate of documentation with appropriate endorsement for employment in the coastwise trade for the vessel EXPLORER, (United States official number 918080).

CERTIFICATE OF DOCUMENTATION FOR FOURTEEN FORMER UNITED STATES ARMY HOVERCRAFT

The bill (S. 1046) to authorize the Secretary of Transportation to issue a certificate of documentation with appropriate endorsement for employment in the coastwise trade for fourteen former United States Army hovercraft, was considered, ordered to be engrossed for a third reading, read the third time, and passed; as follows:

S. 1046

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding sections 12106, 12107, and 12108 of title 46, United States Code, and section 27 of the Merchant Marine Act, 1920 (46 App. U.S.C. 883), as applicable on the date of enactment of this Act, the Secretary of Transportation may issue certificates of documentation with appropriate endorsements for employment in the coastwise trade of the United States for the fourteen former United States Army hovercraft with serial numbers LACV–30–0–, LACV–30–05, LACV–30–07, LACV–30–09, LACV–30–10, LACV–30–13, LACV–30–14, LACV–30–15, LACV–30–16, LACV–30–22, LACV–30–23, LACV–30–24, LACV–30–25, and LACV–30–26.

CERTIFICATE OF DOCUMENTATION FOR THE VESSELS ''ENCHANTED ISLES'' AND ''ENCHANTED SEAS''

The bill (S. 1047) to authorize the Secretary of Transportation to issue certificates of documentation and coastwise trade endorsements for the vessels *Enchanted Isles* and *Enchanted Seas*, was considered, ordered to be engrossed for a third reading, read the third time, and passed; as follows:

S. 1047

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding section 27 of the Merchant Marine Act, 1920 (46 U.S.C. App. 883), the Act of June 19, 1886 (46 U.S.C. App. 289), section 12106 of title 46, United States Code, section 506 of the Merchant Marine Act, 1936 (46 U.S.C. App. 1156), and any agreement with the United States Government, the Secretary of Transportation may issue certificates of documentation with a coastwise endorsement for the vessels ENCHANTED ISLES (Panamanian official number 14087–84B) and ENCHANTED SEAS (Panamanian official number 14064–84D), except that the vessels may not operate between or among islands in the State of Hawaii.

CERTIFICATE OF DOCUMENTATION FOR THE VESSEL ''HERCO TYME''

The bill (S. 1648) to authorize the Secretary of Transportation to issue certificate of documentation with appropriate endorsement for employment in the coastwise trade for the vessel *Herco Tyme*, was considered, ordered to be engrossed for a third reading, read the third time, and passed; as follows:

S. 1648

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding sections 12106, 12107, and 12108 of title 46, United Stats Code, and section 27 of the Merchant Marine Act, 1920 (46 U.S.C. App. 883), as applicable on the date of enactment of this Act, the Secretary of Transportation may issue a certificate of documentation with appropriate endorsement for employment in the coastwise trade for the vessel HERCO TYME (United States official number 911599).

CERTIFICATE OF DOCUMENTATION FOR THE VESSEL ''LIBERTY''

The bill (S. 1682) to authorize the Secretary of Transportation to issue certificates of documentation with appropriate endorsement for employment in the coastwise trade for the vessel '*Liberty*, and for other purposes, was considered, ordered to be engrossed for a third reading, read the third time, and passed; as follows:

S. 1682

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding sections 12106, 12107, and 12108 of title 46, United States Code, and section 27 of the Merchant Marine Act, 1920 (46 U.S.C. App. 883), as applicable on the date of enactment of this Act, the Secretary of Transportation may issue a certificate of documentation with appropriate endorsement for employment in the coastwise trade for the vessel LIBERTY.

CERTIFICATE OF DOCUMENTATION FOR THE VESSEL ''HALCYON''

The bill (S. 1825) to authorize the Secretary of Transportation to issue certificates of documentation with appropriate endorsement for employment in the coastwise trade for the vessel *Halcyon*, was considered, ordered to be engrossed for a third reading, read the third time, and passed; as follows:

S. 1825

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding sections 12106, 12107, and 12108 of title 46, United States Code, and section 27 of the Merchant Marine Act, 1920 (46 U.S.C. App. 883), as applicable on the date of enactment of this Act, the Secretary of Transportation may issue a certificate of documentation with appropriate endorsement for employment in the coastwise trade for the vessel HALCYON (United States official number 690219).

CERTIFICATE OF DOCUMENTATION FOR THE VESSEL ''COURIER SERVICE''

The bill (S. 1826) to authorize the Secretary of Transportation to issue certificates of documentation with appropriate endorsement for employment in the coastwise trade for the vessel *Courier Service*, was considered, ordered to be engrossed for a third reading, read the third time, and passed; as follows:

S. 1826

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding sections 12106, 12107, and 12108 of title 46, United States Code, and section 27 of the Merchant Marine Act, 1920 (46 U.S.C. App. 883), as applicable on the date of enactment of this Act, the Secretary of Transportation may issue a certificate of documentation with appropriate endorsement for employment in the coastwise trade for the vessel COURIER SERVICE (Vanuatu official number 688).

CERTIFICATE OF DOCUMENTATION FOR THE VESSEL ''TOP GUN''

The bill (S. 1828) to authorize the Secretary of Transportation to issue certificates of documentation with appropriate endorsement for employment in the coastwise trade for the vessel *Top Gun*, and for other purposes, was considered, ordered to be engrossed for a third reading, read the third time, and passed; as follows:

S. 1828

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding sections 12106, 12107, and 12108 of title 46, United States Code, and section 27 of the Merchant Marine Act, 1920 (46 U.S.C. App. 883), as applicable on the date of enactment of this Act, the Secretary of Transportation may issue a certificate of documentation with the appropriate endorsement for employment in the coastwise trade for the vessel TOP GUN (United States official number 623642).

CERTIFICATE OF DOCUMENTATION FOR THE VESSEL ''BABS''

The bill (S. 1149) to authorize the Secretary of Transportation to issue certificates of documentation with appropriate endorsement for employment in the coastwise trade for the vessel *Babs*, and for other purposes, was considered, ordered to be engrossed for a third reading, read the third time, and passed; as follows:

S. 1149

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. CERTIFICATE OF DOCUMENTATION.

Notwithstanding section 27 of the Merchant Marine Act, 1920 (46 U.S.C. App. 883), section 8 of the Act of June 19, 1886 (24 Stat. 81, chapter 421; 46 U.S.C. App. 289), and section 12106 of title 46, United States Code, the Secretary of Transportation may issue a certificate of documentation with appropriate endorsement for employment in the coastwise trade for the vessel BABS, United States official number 1030028.

CERTIFICATE OF DOCUMENTATION FOR THE VESSEL ''BILLY BUCK''

The bill (S. 1272) to authorize the Secretary of Transportation to issue certificates of documentation with appropriate endorsement for employment in the coastwise trade for the vessel *Billy Buck*, was considered, ordered to be engrossed for a third reading, read the third time, and passed; as follows:

S. 1272

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding sections 12106, 12107, and 12108 of title 46, United States Code, and section 27 of the Merchant Marine Act, 1920 (46 App. U.S.C. 883), as applicable on the date of enactment of this Act, the Secretary of Transportation may issue a certificate of documentation with appropriate endorsement for employment in the coastwise trade for the vessel BILLY BUCK (United States official number 939064).

CERTIFICATE OF DOCUMENTATION FOR THE VESSEL ''SARAH-CHRISTEN''

The bill (S. 1281) to authorize the Secretary of Transportation to issue a certificate of documentation with the appropriate endorsement for employment in the coastwise trade for the vessel *Sarah-Christen*, was considered, ordered to be engrossed for a third reading, read the third time, and passed; as follows:

S. 1281

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding sections 12106, 12107, and 12108 of title 46, United States Code, and section 27 of the Merchant Marine Act, 1920 (46 App. U.S.C. 883), as applicable on the date of enactment of this Act, the Secretary of Transportation may issue a certificate of documentation with appropriate endorsement for employment in the coastwise trade for the vessel SARAH-CHRISTEN, (United States official number 542195).

CERTIFICATE OF DOCUMENTATION FOR THE VESSEL ''TRIAD''

The bill (S. 1282) to authorize the Secretary of Transportation to issue a certificate of documentation with the appropriate endorsement for employment in the coastwise trade for the vessel *Triad*, was considered, ordered to be engrossed for a third reading, read the third time, and passed; as follows:

S. 1282

Be to enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding section 12106, 12107, and 12108 of title 46, United States Code, and section 27 of the Merchant Marine Act, 1920 (46 App. U.S.C. 883), as applicable on the date of enactment of this Act, the Secretary of Transportation may issue a certificate of documentation with appropriate endorsement for employment in the coastwise trade for the vessel TRIAD, (United States official number 988602).

CERTIFICATE OF DOCUMENTATION ISSUED FOR THE VESSEL ''TOO MUCH FUN''

The bill (S. 1319) to authorize the Secretary of Transportation to issue a certificate of documentation with the appropriate endorsement for employment in the coastwise trade for the vessel *Too Much Fun*, and for other purposes, was considered, ordered to be engrossed for a third reading, read the third time, and passed; as follows:

S. 1319

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. CERTIFICATE OF DOCUMENTATION.

Notwithstanding section 27 of the Merchant Marine Act, 1920 (46 U.S.C. App. 883), section 8 of the Act of June 19, 1886 (24 Stat. 81, chapter 421; 46 U.S.C. App. 289), and section 12106 of title 46, United States Code, the Secretary of Transportation may issue a certificate of documentation with appropriate endorsement for employment in the coastwise trade for the vessel TOO MUCH FUN, United States official number 936565.

CERTIFICATE OF DOCUMENTATION FOR THE VESSEL ''CAPTAIN DARYL''

The bill (S. 1347) to authorize the Secretary of Transportation to issue a certificate of documentation with the appropriate endorsement for employment in the coastwise trade for the vessel *Captain Daryl*, and for other purposes, was considered, ordered to be engrossed for a third reading, read the third time, and passed; as follows:

S. 1347

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. CERTIFICATE OF DOCUMENTATION.

Notwithstanding section 27 of the Merchant Marine Act, 1920 (46 U.S.C. App. 883), section 8 of the Act of June 19, 1886 (24 Stat. 81, chapter 421; 46 U.S.C. App. 289), and sections 12105 through 12108 of title 46, United States Code, the Secretary of Transportation may issue a certificate of documentation with appropriate endorsement for the vessel CAPTAIN DARYL, United States official number 64320.

CERTIFICATE OF DOCUMENTATION ISSUED FOR THE VESSEL ''ALPHA TANGO''

The bill (S. 1348) to authorize the Secretary of Transportation to issue a certificate of documentation with the appropriate endorsement for employment in the coastwise trade for the vessel *Alpha Tango*, and for other purposes, was considered, ordered to be engrossed for third reading, read the third time, and passed; as follows:

S. 1348

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. CERTIFICATE OF DOCUMENTATION.

Notwithstanding section 27 of the Merchant Marine Act, 1920 (46 U.S.C. App. 883), section 8 of the Act of June 19, 1886 (24 Stat. 81, chapter 421; 46 U.S.C. App. 289), and sections 12106 through 12108 of title 46, United States Code, the Secretary of Transportation may issue a certificate of documentation with appropriate endorsement for the vessel ALPHA TANGO, United States official number 723340.

CERTIFICATE OF DOCUMENTATION ISSUED FOR THE VESSEL ''OLD HAT''

The bill (S. 1349) to authorize the Secretary of Transportation to issue a certificate of documentation with the appropriate endorsement for employment in the coastwise trade for the vessel *Old Hat*, and for other purposes, was considered, ordered to be engrossed for third reading, read the third time, and passed; as follows:

S. 1349

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. CERTIFICATE OF DOCUMENTATION.

Notwithstanding section 27 of the Merchant Marine Act, 1920 (46 U.S.C. App. 883), section 8 of the Act of June 19, 1886 (24 Stat. 81, chapter 421; 46 U.S.C. App. 289), and sections 12106 through 12108 of title 46, United States Code, the Secretary of Transportation may issue a certificate of documentation with appropriate endorsement for the vessel OLD HAT, United States official number 508299.

CERTIFICATE OF DOCUMENTATION ISSUED FOR THE VESSEL ''CAROLYN''

The bill (S. 1358) to authorize the Secretary of Transportation to issue a certificate of documentation with the appropriate endorsement for employment in the coastwise trade for the vessel *Carolyn*, and for other purposes, was considered, ordered to be engrossed for third reading, read the third time, and passed; as follows:

S. 1358

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. CERTIFICATE OF DOCUMENTATION.

Notwithstanding section 27 of the Merchant Marine Act, 1920 (46 U.S.C. App. 883), section 8 of the Act of June 19, 1886 (24 Stat. 81, chapter 421; 46 U.S.C. App. 289), and sections 12106 through 12108 of title 46, United States Code, the Secretary of Transportation may issue a certificate of documentation with appropriate endorsement for employment in the coastwise trade for the vessel CAROLYN, State of Tennessee registration number TN1765C.

CERTIFICATE OF DOCUMENTATION ISSUEDFOR THE VESSEL ''FOCUS''

The bill (S. 1362) to authorize the Secretary of Transportation to issue a certificate of documentation with the appropriate endorsement for employment in the coastwise trade for the vessel *Focus*, was considered, ordered to be engrossed for third reading, read the third time, and passed; as follows:

S. 1362

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding sections 12106, 12107, and 12108 of title 46, United States Code, and section 27 of the Merchant Marine Act, 1920 (46 U.S.C. App. 883), as applicable on the date of enactment of this Act, the Secretary of Transportation may issue a certificate of documentation with appropriate endorsement for employment in the coastwise trade for the vessel FOCUS, (United States official number 909293).

CERTIFICATE OF DOCUMENTATION ISSUED FOR THE VESSEL ''WESTFJORD''

The bill (S. 1383) to authorize the Secretary of Transportation to issue a certificate of documentation and coastwise trade endorsement for the vessel *Westfjord*, was considered, ordered to be engrossed for a third reading, read the third time, and passed; as follows:

S. 1383

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding sections 12106, 12107, and 12108 of title 46, United States Code, and section 27 of the Merchant Marine Act, 1920 (46 App. U.S.C. 883), as applicable on the date of enactment of this Act, the Secretary of Transportation may issue a certificate of documentation with appropriate endorsements for employment in the coastwise trade of the vessel WESTFJORD (Hull number X–53–109).

CERTIFICATE OF DOCUMENTATION ISSUED FOR THE VESSEL ''D'S GRACE II''

The bill (S. 1384) to authorize the Secretary of Transportation to issue a certificate of documentation and coastwise trade endorsement for the vessel *God's Grace II*, was considered, ordered to be engrossed for a third reading, read the third time, and passed; as follows:

S. 1384

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding sections 12106, 12107, and 12108 of title 46, United States Code, and section 27 of the Merchant Marine Act, 1920 (46 App. U.S.C. 883), as applicable on the date of enactment of this Act, the Secretary of Transportation may issue a certificate of documentation with appropriate endorsements for employment in the coastwise trade for the vessel GOD'S GRACE II (Alaska registration number AK5916B).

CERTIFICATE OF DOCUMENTATION ISSUED FOR THE VESSEL ''JOAN MARIE''

The bill (S. 1454) to authorize the Secretary of Transportation to issue a certificates of documentation and coastwise trade endorsement for the vessel *Joan Marie*, and for other purposes, was considered, ordered to be engrossed for a third reading, read the third time, and passed; as follows:

S. 1454

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. CERTIFICATE OF DOCUMENTATION.

Notwithstanding section 27 of the Merchant Marine Act, 1920 (46 U.S.C. App. 883), section 8 of the Act of June 19, 1886 (24 Stat. 81, chapter 421; 46 U.S.C. App. 289), and sections 12106 and 12108 of title 46, United States Code, the Secretary of Transportation may issue a certificate of documentation with appropriate endorsement for employment in the coastwise trade and fisheries for the vessel JOAN MARIE, State of North Carolina official number NC2319AV.

CERTIFICATE OF DOCUMENTATION ISSUED FOR THE VESSEL ''MOVIN ON''

The bill (S. 1455) to authorize the Secretary of Transportation to issue certificates of documentation and coastwise trade endorsement for the vessel *Movin On*, and for other purposes, was considered, ordered to be engrossed for a third reading, read the third time, and passed; as follows:

S. 1455

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. VESSEL DOCUMENTATION.

Notwithstanding section 27 of the Merchant Marine Act, 1920 (46 U.S.C. App. 883), section 8 of the Act of June 19, 1886 (24 Stat. 81, chapter 421; 46 U.S.C. App. 289), and sections 12106 through 12108 of title 46, United States Code, the Secretary of Transportation may issue a certificate of documentation with appropriate endorsement for employment in the coastwise trade for the vessel MOVIN ON, United States official number 585100.

CERTIFICATE OF DOCUMENTATION ISSUED FOR THE VESSEL ''PLAY HARD''

The bill (S. 1456) to authorize the Secretary of Transportation to issue certificates of documentation and coastwise trade endorsement for the vessel ''*Play Hard*, and for other purposes, was considered, ordered to be engrossed for a third reading, read the third time, and passed; as follows:

S. 1456

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. CERTIFICATE OF DOCUMENTATION.

Notwithstanding section 27 of the Merchant Marine Act, 1920 (46 U.S.C. App. 883), section 8 of the Act of June 19, 1886 (24 Stat. 81, chapter 421; 46 U.S.C. App. 289), and sections 12106 through 12108 of title 46, United States Code, the Secretary of Transportation may issue a certificate of documentation with appropriate endorsement for employment in the coastwise trade for the vessel PLAY HARD, State of North Carolina official number NC1083CE.

CERTIFICATE OF DOCUMENTATION FOR THE VESSEL ''SHOGUN''

The bill (S. 1457) to authorize the Secretary of Transportation to issue a certificate of documentation and coastwise trade endorsement for the vessel *Shogun*, and for other purposes, was considered, ordered to be engrossed for a third reading, read the third time, and passed; as follows:

S. 1457

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. VESSEL DOCUMENTATION.

Notwithstanding section 27 of the Merchant Marine Act, 1920 (46 U.S.C. App. 883), section 8 of the Act of June 19, 1886 (24 Stat. 81, chapter 421; 46 U.S.C. App. 289), and sections 12106 through 12108 of title 46, United States Code, the Secretary of Transportation may issue a certificate of documentation with appropriate endorsement for employment in the coastwise trade for the vessel SHOGUN, United States official number 577839.

CERTIFICATE OF DOCUMENTATION FOR THE VESSEL ''MOONRAKER''

The bill (S. 1545) to authorize the Secretary of Transportation to issue a certificate of documentation and coastwise trade endorsement for the vessel *Moonraker*, and for other purposes, was considered, ordered to be engrossed for a third reading, read the third time, and passed; as follows:

S. 1545

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. CERTIFICATE OF DOCUMENTATION.

Notwithstanding section 27 of the Merchant Marine Act, 1920 (46 U.S.C. App. 883), section 8 of the Act of June 19, 1996 (24 Stat. 81, chapter 421; 46 U.S.C. App. 289), and sections 12106 through 12108 of title 46, United States Code, the Secretary of Transportation may issue a certificate of documentation with appropriate endorsement for employment in the coastwise trade for the vessel MOONRAKER, United States official number 645981.

CERTIFICATE OF DOCUMENTATION FOR THE VESSEL ''MARSH GRASS TOO''

The bill (S. 1566) to authorize the Secretary of Transportation to issue a certificate of documentation and coastwise trade endorsement for the vessel *Marsh Grass Too*, was considered, ordered to be engrossed for a third reading, read the third time, and passed; as follows:

S. 1566

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding sections 12106, 12107, and 12108 of title 46, United States Code, and section 27 of the Merchant Marine Act, 1920 (46 U.S.C. App. 883), as applicable on the date of enactment of this Act, the Secretary of Transportation may issue a certificate of documentation with appropriate endorsement for employment in the coastwise trade for the vessel MARSH GRASS TOO, hull identification number AUKEV 51139K690.

CERTIFICATE OF DOCUMENTATION FOR THE VESSEL ''KALYPSO''

The bill (S. 1588) to authorize the Secretary of Transportation to issue a certificate of documentation and coastwise trade endorsement for the vessel *Kalypso*, was considered, ordered to be engrossed for a third reading, read the third time, and passed; as follows:

S. 1588

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding sections 12106, 12107, and 12108 of title 46, United States Code, and section 27 of the Merchant Marine Act, 1920 (46 App. U.S.C. 883), as applicable on the date of enactment of this Act, the Secretary of Transportation may issue a certificate of documentation with appropriate endorsements for employment in the coastwise trade for the vessel KALYPSO (vessel number 566349).

CERTIFICATE OF DOCUMENTATION ISSUED FOR THE VESSEL ''EXTREME''

The bill (S. 1631) to authorize the Secretary of Transportation to issue a certificate of documentation with appropriate endorsement for employment in the coastwise trade for the vessel *Extreme*, and for other purposes, was considered, ordered to be engrossed for a third reading, read the third time, and passed; as follows:

S. 1631

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. CERTIFICATE OF DOCUMENTATION.

Notwithstanding section 27 of the Merchant Marine Act, 1920 (46 U.S.C. App. 883), section 8 of the Act of June 19, 1886 (24 Stat. 81, chapter 421; 46 U.S.C. App. 289), and sections 12106 through 12108 of title 46, United States Code, the Secretary of Transportation may issue a certificate of documentation with appropriate endorsement for employment in the coastwise trade for the vessel EXTREME, United States official number 1022278.

Mrs. BOXER addressed the Chair.

The PRESIDING OFFICER (Mr. GORTON). The Senator from California is recognized.

Mrs. BOXER. I ask the Chair, is it necessary for me to get approval to speak in morning business for up to 7 minutes?

The PRESIDING OFFICER. The Senator should ask unanimous consent.

Mrs. BOXER. I make that unanimous-consent request at this time.

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

USING TIME ON THE SENATE FLOOR TO DEMEAN THE PRESIDENT OF THE UNITED STATES

Mrs. BOXER. Mr. President, I feel compelled to make this statement at this time on the Senate floor. First, I want to express my profound dismay that after an attack of terrorism that occurred at the Olympics, colleagues on the other side of the aisle would use 1 hour of time to degrade and demean the President of the United States. We only have one President at a time, and we may not think that everything he does is perfect. But at such a time when we are trying to unite as one, in the face of an act of terror and, perhaps, an act of terror on TWA flight 800 not long ago, that we would use the Senate floor in such a blatant partisan way is offensive to me.

The junior Senator from Georgia made a few very appropriate remarks in the beginning of his statement. He called for a moment of silence for those who perished, and that was most appropriate. But, after that, we descended into something that I could describe as a blatant attack on this President. It seemed to me as if it was almost scripted, that this is what they had planned to do, and it did not matter what happened over the weekend.

I come to the floor to call on our country to come together in the face of what has occurred, not to find issues that divide us. Does that mean that I am pleased with the progress made on the war against drugs? No, I am not. Does that mean that I do not share my colleagues' view that we must do more? I do agree with that. We must do more. We all applaud the appointment of General McCaffrey to head this war on drugs. We must do more on that. We must do more in curbing alcohol abuse, because these things bring tragedy to families. But, today, I hope that if we are going to discuss the war on drugs, we will keep it elevated at a level that could bring us together and not pull us apart.

To me, it was extraordinary that Senators on the other side of the aisle, over and over again, alluded to individuals who worked for the President who admitted to using marijuana. But they omitted something in their partisan attack. What about the Speaker of the

House, who admitted that he did the same thing? What about the keynote at the Republican National Convention admitting over the weekend that, sure, she did it? But this place is so partisan that you never hear any of that. Look, many individuals in our society have made mistakes, have done things they should not have done. We know more now than we knew then, true. So rather than attack one particular individual, as they did on this floor, or members of one particular party, as they did on this floor, let us get past it and let us work together.

TERRORISM

Mrs. BOXER. Mr. President, now, in the remainder of my remarks, I am going to talk about what I think we should be doing in a constructive way. The first thing I want to do is compliment Senator NUNN from Georgia for leading the fight on this floor to ensure that, in fact, we have a military presence at the Olympics—in plainclothes, but thousands and thousands of personnel are there. This Federal Government is supplying that. There was a fight on this floor, and 20 Senators thought it was wrong. I am glad that, in a bipartisan fashion, we prevailed, because that presence is needed and is important.

Second of all, I want to commend the President for his remarks, for bringing us together, for vowing, along with so many others on the Olympic committee, that the Olympics would continue in the face of this cowardly act, and for calling congressional leaders to the White House to fix the antiterrorism bill that we passed that we could not get support for in certain areas where we should have gotten support:

A provision increasing the statute of limitations for making bombs, sawed-off shotguns, and silencers. That happens to be a provision I authored, was passed in the Senate and dropped by the House. It is not the law of the land. The police sometimes need more time to go after people who make a bomb. We should fix that.

A provision requiring the placement of taggants on black and smokeless powder. We need to get that passed.

A provision prohibiting the dissemination of bombmaking instructions when the instructor knows that the information will be used for criminal purposes. We need to get that passed.

A provision that changed wiretapping authority so criminals cannot use modern technology to evade court-approved wiretaps.

A provision making terrorism an offense for which a wiretap can be authorized on an emergency basis. There is no reason that Republicans and Democrats cannot come together with the President and get that done immediately.

Mr. President, we could be taking more security measures at our airports. I keep focusing on the fact that this Congress gave the military $12 billion more than the military asked for. I think we have to be prepared to fight terrorism. It is a threat against our people. And if we took a small portion of that $12 billion, we could put the most up-to-date scanners at every single airport in this country. If we took a portion of that money that the Pentagon did not want, we could make sure there are bomb-sniffing dogs at every airport where the airport asks for that kind of assistance. These are very effective tools. There is no reason why, in the greatest country in the world, the greatest democracy in the world, the strongest country in the world, we have airports that don't have those tools available to them, and we have a military that says, ''You gave us $12 billion too much.'' We can do it through the military budget—just make sure it is under civilian control. But we should act to do those things.

Mr. President, when I was in the House, I sat as the Chair of a subcommittee that oversaw the FAA, and then we saw problems that haven't been remedied. So there are things that we can do. Now, we know that Vice President GORE is heading a Presidential commission, and in 45 days we are going to have his report. I hope we will pull together. I hope we will not see the kinds of things we saw here on the Senate floor this morning. I hope we will pull together and do what it takes.

We know that the European Union countries have much stronger screening techniques than we have here. There is no reason that our people should not have that sense of confidence. Yes, it may take us 15 or 20 minutes more to get that flight off the ground. I don't know one individual in this U.S. Senate, be he or she a Republican or a Democrat, that would believe another 15 minutes would hurt them. Fifteen minutes is not going to hurt anybody.

In closing, Mr. President, I thank my colleagues for allowing me to address the U.S. Senate over the subject matter of the bill. But I hope we will all be moved to come together in a spirit of bipartisanship and set aside our partisan bickering, that we will work together, that we will send our sympathies as one to Alice Hawthorne's family, 44 years old, killed at the bombing, and to the Turkish cameraman, Melih Uzunyoz, who died from a heart attack while rushing to the scene; and, of course, to every single family member who lost people in the TWA crash.

I hope that we will come together and that we will do what it takes to take every step we can in a democratic society to guard against terrorism, be it terrorism from within our borders or terrorism from outside our borders. These are cowardly acts, and we should put a stop to them to the extent that we can within our democratic framework.

We can take the steps that I mentioned without giving up any of our freedom. We can take the steps that I mentioned without spending too much. We have those resources in this country, and I urge us to work together. Thank you very much, Mr. President.

I yield the floor.

ENERGY AND WATER DEVELOPMENT APPROPRIATIONS ACT, 1977

The PRESIDING OFFICER. Under the previous order, the Senate will now resume consideration of S. 1958, which the clerk will report.

The assistant legislative clerk read as follows:

A bill (S. 1959) making appropriations for energy and water development for the fiscal year ending September 30, 1997, and for other purposes.

The Senate continued with consideration of the bill.

AMENDMENT NO. 5095

Mr. JOHNSTON. Mr. President, I rise in opposition to the McCain amendment, which would cut $22 million from the Advanced Light Water Reactor Program.

Mr. President, there are a number of reasons not to cut this money. The clearest and simplest and most obvious and most unanswerable is this is the fifth year of a 5-year program, a program entered into at the behest of Congress with the Energy Policy Act of 1992 for which contracts have been made and it would cost more to terminate the program, Mr. President, than to continue the program.

This has been certified to by Assistant Secretary Terry Lash, who is Director of the Office of Nuclear Energy Science and Technology, in his letter to Honorable MICHAEL DOYLE of July 24, 1996, which was entered into the CONGRESSIONAL RECORD on July 24, and certifies the fact that termination costs in the program would be considerably more than the continuation of the program.

Moreover, the recoupment of cost by the Federal Government would be precluded, which would result in further lost revenue to the Federal Government of $125 million according to Director Lash's Department of Energy office.

The reason for this is that, for example, with the AP–600, which is a Westinghouse reactor, the agreement requires that, upon the sale of the first reactor, they will have to repay the Department of Energy $25 million, and $4 million for each reactor thereafter sold.

The same thing is true with General Electric, which has already sold two reactors under this program to Taiwan for which there would be a required payment of $3 million for those reactors. That obligation would presumably be canceled.

So, Mr. President, in order to make any nuclear demonstration, the McCain amendment would actually cost the Federal Government money without regard to whether or not you like the program. Whether you are antinuclear, or whatever, the fact of the matter is the Federal Government

would lose money under the McCain amendment. It is the fifth year of a 5-year program, and it is very close to fruition. All of the money that has been spent on this program, most of it private, would be lost if the program is not finished.

Why did the Congress see fit in 1992 to go into this program? Because the American nuclear program, from its inception I think, was not conceived in the way that it should have been in that each reactor which was built in America under this program was a one-of-a-kind reactor designed from the ground up as a separate reactor. Each had to be separately licensed. Each had to meet separate tests to determine whether design was sufficient.

We found, after Three Mile Island, that many of these designs were lacking and had to be redesigned. During the construction of many of these reactors after Three Mile Island in the mid-70's, those were the days of very high interest rates. Interest rates were well over double digits at the time. You had to undo that which was done and start all over again. For that reason, those reactors are very high cost, some running between 5 cents and 10 cents a kilowatt hour, several times the amount for which electricity can be generated today.

In order to remedy that situation, in the Energy Policy Act of 1992, we, first of all, remember, did nuclear licensing to provide for what we call the generic design and the generic licensing of a new reactor, so that you would be able to go in and separate the construction license from the design license and be able to rely upon the fact that your design was a valid and safe design at the time you commissioned your reactor project. We amended the licensing act in order to do that.

Also, as part of that, in tandem with that program, we entered into the Advanced Light Water Reactor Program, which was calculated to design a generic reactor so that each reactor of the time sought to be licensed would be the same reactor. Westinghouse has probably the lead design in this. It is called the AP–600. The AP–600 is unique for American reactors in two respects:

First, it would be, as I say, generically designed and generically licensed so that when you go to buy an AP–600, wherever you are in the world, it would be the same AP–600. It would be largely manufactured at the factory so that you do not have to do everything out at the site, and each one will be the same.

Second, Mr. President, and very importantly, it is what we call a passively safe reactor. It does not depend totally on pumps and sources of electricity and that sort of thing in order to provide coolant. So in case of a catastrophic failure, it is designed to have coolant which would automatically come down into the reactor and render it safe.

Nuclear plants, as the Chair well knows, are designed to have many redundant safety features so that you have power lines coming in from two or three different places and generators on site so that in case one set of power lines goes out, another will be there. In the case of both of those or all three of those going out, then generators are designed to come on automatically.

But the AP–600, the advanced light water reactor, is designed to be passively safe so that even if everything else fails, in effect the coolant water will automatically come down into the reactor vessel and render it safe in case of the most unimaginable catastrophic event.

Now, Mr. President, we are very close to completing this program. The AP–600 was delayed not by the Department of Energy, not by Westinghouse but by the NRC in its licensing program which no one could control but the NRC. It is due to be finished in the next fiscal year, fiscal year 1997, and the money provided in this bill will complete the job.

The argument against this is apparently that no American utility at this point wants to buy one, and so therefore do not complete it and therefore we can be sure that no one is going to be able to buy one.

The fact is it is unlikely that any American utility in the next few years will build a new nuclear plant, and that is because natural gas is relatively cheap. It is because the technology of natural gas turbines has advanced so far so fast that it is now the cheapest way to generate electricity, and I do not expect a big coal plant to be built and I do not expect big solar plants to be built as far as the eye can see. But I do expect additional natural gas plants to be built. And that is in this country.

Mr. President, around the world, the situation is somewhat different. In China, for example, it has already commissioned some 6,000 megawatts of nuclear power. They really wanted American technology, and they have a very long and excellent relationship with Westinghouse, and I believe that the Chinese would purchase the AP–600. It will soon be licensed. It would be licensed in time for them to use the technology. But our Government prevents us from selling nuclear plants to China, this being an outgrowth of the Tiananmen Square incident in 1989. We expect that agreement with respect to nuclear power will be in the not too distant future. At least I hope that we would have an agreement with China for the furnishing of nuclear technology. In fact, the 6,000 megawatts have been ordered from Russia, from France and from Canada, all of which have technology which is inferior to American technology and I think is far inferior to the newest technology, that is, the AP–600.

The Chinese like the size of the AP–600—that is, 600 megawatts, a modular size. The Chinese have lots of dirty coal but virtually no natural gas and a huge population, a huge problem of So2, of global warming, of air pollution, and they believe that nuclear power is a very big part of their future, and that is why they have already commissioned some 6,000 megawatts. They have in future plans an additional, I believe it is, 11,000 megawatts for the first decade of the next century and a clear and strong commitment to nuclear power.

I must say for those in this country who feel strongly about global warming—and I do—I submit that this is the best solution to the problem of global warming, clearly the best solution for the problem of air pollution. If the economics are right, clearly the environment so far as China is concerned, as well as other nations on the Pacific rim, this is an excellent solution. Other countries are moving ahead, particularly in the Pacific, with nuclear power including Japan and Taiwan, South Korea. Of course, North Korea will soon be getting a reactor built and designed principally by the South Koreans adopting the original Westinghouse technology.

Mr. President, the point I am making is not that we are getting ready to sell a lot of these reactors in the United States. We are not. But on the Pacific rim they are moving forward; they have made the decision; they have made the commitments. And the question is, would you rather complete a 5-year program on which private industry has spent almost $500 million to complete and get the good out of it to build the most technologically proficient, the safest reactor in the world which would then be available for sale to these foreign countries or would you rather terminate the program and subject the Government to greater damages than it would cost to spend on the $22 million it takes to complete the program.

No one has answered that overwhelming argument of why you would want to terminate a program that is so close to finishing when it cost more to terminate than it does to complete the program.

One other thought. I believe the Federal Government needs to be true to its word and to its commitments just as individuals need to do that. And the reason is that if people are going to be encouraged and companies are going to be encouraged to do business with the Federal Government, to undertake research, to undertake the expenditure of large amounts of their own money, then they ought to have some assurance that the word of the Federal Government is good because to the extent that we terminate these projects—we terminated the SSC, we have terminated the other projects—then soon the reputation of the Federal Government will be such that no one will want to enter into the doing of business with it.

In the home State of the occupant of the chair, they are now seeking to enter into large contracts with private firms in order to clean up the mess at Hanford, in order to vitrify the waste

there and be able to store it. It is a private undertaking. They are being encouraged to bid and to have a competition and to do business with the Federal Government.

If we would adopt this amendment, it would make that kind of obligation and others like it less and less attractive to the private sector.

I repeat, the most overwhelming and most unanswerable part of this argument is that it costs more to terminate than it does to finish this obligation of the Federal Government, and we ought therefore to do it. In addition to the fact that the Federal Government would lose the profit which it would get from the sale of these reactors in the future as well as those already sold to Taiwan, and that the Federal Government and our country would lose a great opportunity to do business in the future.

I yield the floor.

Mr. DOMENICI addressed the Chair.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. I know that Senator BUMPERS wants to offer an amendment and he is going to be very generous in the agreement on time.

I thank Senator JOHNSTON for his argument, and I wish to indicate very openly and publicly that I support his position. I do not believe we ought to kill this program when it is about finished. We ought to let it complete its remaining 1 year.

A couple things have not been said about the program. Obviously, the word subsidy is bantered around, but everyone should know that the advanced light water reactor program, first, is 90 percent complete.

Second, there is $40 million in this entire appropriations bill to complete this project. When it is completed, that will complete a $713 million advanced light water reactor program, of which $270 million is the DOE and, get this, $440 million is private industry funded. So for those who talk of a subsidy, we have $440 million coming from the private sector, $270 from DOE. This last $40 million will complete the work and wrap the program up and dismantle it. So the subsidy is there, but the ratio is pretty heavily in favor of the private sector putting the money in.

I have looked at this. I understand what some of my colleagues are looking at. We are looking at this budget critically, but I am aware of the fact that we are not going to save any money by closing the program down now, and as a matter of fact we may throw away some real opportunities to have some really significant and new technology applied to nuclear reactors.

Whether we think we want any more nuclear reactors or not is not the whole issue. American companies build nuclear reactors for the world, and we are the world's leader in that. We will continue as the leader and probably sell many of these types of reactors in the world market. To the extent that China chooses to use them, it is a very, very significantly appropriate environmental cleanup method, because if they do not use this, they use dirty coal, which they have in abundance. So, in a real sense we are being very, very irresponsible in closing down a program with 1 year left which has many qualities that will add to America's capability to employ our people and sell our products and at the same time help the world clean up some of the dirtiest environment around in some of the growing industrial areas of the world outside of our own country and Europe and the like.

So, for those who wonder about frugality, I would be for cutting any program of $40 million I could take out of this bill, but this is not the one.

Mr. President, opponents of the ALWR Program have argued with great indignation against continuation of what is called a corporate subsidy. It is only fair to note that U.S. electric utility companies and the ALWR contractors have contributed $3.50 for every $1.00 of DOE funds spent on the program.

Most importantly, Mr. President, the ALWR Program is 90 percent complete. The modest funding contained in this bill is the last piece of Federal funding. It will complete the $713 million ALWR Program, of which almost $270 million is DOE funding the $444 million is private industry funding.

Mr. President, may I assure my colleagues who are critical of the ALWR Program, that I am mindful of their point of view. And I would hope that their close examination of what the committee proposes to do in this bill will lead them to the conclusion which I myself have reached:

That is, the ALWR Program funding in the bill is the best and most effective way to close out the program successfully and with the highest return to the taxpayer for the hundreds of millions of dollars already spent. Conversely, failure to close out the ALWR Program in the way the committee recommends creates a colossal waste of the money already spent.

Mr. President, I believe prudence and thoughtfulness require support for the committee's position.

COMPLETION OF THE ALWR PROGRAM

Starting in 1990—design certification—and in 1993—first of a kind engineering—the ALWR represents a joint commitment by government and industry to develop a new generation of standardized, advanced reactors, coupled with a one step NRC licensing process for such designs.

In fulfilling the plan set out in the Energy Policy Act, both Congress and industry recognized that developing a new generation of reactors involved Government/regulatory risk as well as technological risk. While reactor manufacturers and the utility industry committed funds to develop the technology, the Government/regulatory risk with a new, untried licensing process was sufficiently significant to call on Government to share that risk and cost with the private sector.

The innovative, passively safe systems involved in this new generation of reactors are recognized as a world class development. As an example, 20 nations are involved in the AP600 program and extensive testing programs both in the United States and abroad have demonstrated that the passive safety systems will work as predicted by the design codes.

Congress directed that the program should be cost shared, with payback to the Federal Government from royalties on the sale of plants. To date $713 million has been invested in the program, of which $444 million—62 percent—has come from private industry. In addition, $125 million of the DOE funding will be repaid as royalties on the sale of plants.

The program is 90 percent complete and will be completed with the modest funding provided by the $40 million DOE fiscal year 1997 request. At the end of the design certification and first-of-a-kind engineering programs for the AP600, three new standardized American reactor designs will be ready for the market. This accomplishment will represent the only recent, successful completion of a major new energy design project to meet America's and the world's future energy needs. This could not have been accomplished without the shared commitment of government and the private sector to the Advanced Light Water Reactor Program.

Failure to provide the final year of funding and abandoning DOE's role before completing the final year would result in the complete loss of the $713 million investment to date. The end goal of final design approval and design certification by the NRC would not be realized and the investment and years of effort wasted. Failure to complete would also be a clear signal that the United States no longer seeks to lead the world in developing standardized passively safe reactor designs for world wide application.

I ask unanimous consent some material, a list of seven common myths, and a letter from the chairman of the advanced reactor corp. be printed in the RECORD.

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

INVESTMENTS—THROUGH SEPTEMBER 1996—TOTAL ALWR PROGRAM

Design certification: DOE—$188 million; Industry—$305.7 million.

Foake: DOE—$81.3 million; Industry—$138.4 million.

Total program: DOE—$269.3 million; Industry—$444.1 million.

TOTAL—$713.4 million.

DOE—37.7 percent.

Industry—62.3 percent.

SEVEN COMMON MYTHS REGARDING THE DOE ADVANCED LIGHT WATER REACTOR PROGRAM

(Prepared by the U.S. Department of Energy, July 1996)

Myth 1.—The Program's Authorization under the Energy Policy Act of 1992 ends in FY 1996

Reality: The Energy Policy Act of 1992 (EPACT) limits the First-of-a-Kind Engineering (FOAKE) program to five years, states that no entity shall receive assistance for a period greater than 4 years, and limits total program funding to $100 million. The EPACT became law in fiscal year 1993. Therefore, the five year limit will not be reached until FY 1998 and the four year ''assistance'' limit will not be reached until FY 1997. The Department is full authorized under the EPACT to apply funds to the FOAKE program in FY 1997.

Further, the Department has spent only about $82 million on this program since it began in 1992. There have been significant increases in program cost, but these have been absorbed by industry. In any event, the Department is also fully authorized by the Atomic Energy Act to conduct nuclear energy research and development programs and the EPACT does not limit this authority.

Myth 2.—The FOAKE Program was to end in 1996 because the EPACT mandated that any nuclear designs developed in the program should receive certification in 1996

Reality: In 1992, the Department expected that both of the designs included in the FOAKE program—the Advanced Boiling Water Reactor (ABWR) and the AP600—could be developed on schedules which would have achieved NRC certifications by the end of FY 1996. While the program was designed to lead to certification in FY 1996, the Department had no control over the Nuclear Regulatory Commission's certification process, which involved far more review and testing than the Commission anticipated in 1992 (most of the delays are associated with extra testing required to verify the performance of advanced safety systems). As a result of these delays, the Department expects certification of the ABWR by late FY 1996 and of the AP600 by FY 1998. The EPACT does not limit the Department's authority to conduct the program, but merely guided DOE's selection of technologies to assure that only near-term technologies would be included in the program.

Myth 3.—The EPACT Prohibits the industry from seeking export markets for ALWRs developed in the FOAKE program

Reality: The EPACT places no restrictions on U.S. industry's ability to compete in the international market. Further, the fact that U.S. vendors participating in the program are seeking overseas contracts to build ALWRs does not suggest that ALWRs will not be built in the U.S. In fact, since the market for new nuclear plants in the United States is not expected to materialize for another ten years, it is imperative that U.S. vendors win overseas orders if the U.S. capability to build new plants is to be preserved.

Myth 4.—The ALWR Program is Corporate Welfare

Reality: The Department's program is designed to apply a very limited allocation of federal funds to encourage U.S. industry to pursue R&D that is in the interest of the United States. The preservation of the nuclear energy option is vital to the future of energy diversity in this country. It is clear that the market in the United States for ALWRs will not materialize for at least another ten years. In this environment, U.S. industry could be forced to abandon the nuclear power plant market to heavily subsidized foreign industrial concerns. The future ability of U.S. industry to build new plants in this country could be lost.

To prevent this from occurring, the Department conduct a very modest program—the last commercial nuclear energy program conducted by the federal government—to work with industry to maintain the nuclear option for the next century. Since the ALWR program began in 1986, the Department has conducted $800 million in program activities with a taxpayer investment of only $300 million over ten years.

Moreover, the Department receives reimbursements when technology developed by the FOAKE program is sold. For example, the federal government will receive approximately $3 million from General Electric as a result of its sale of ABWRs to Taiwan (which, unlike the plants GE previously sold to Japan, are based on technology developed by DOE's program).

Myth 5.—There is no U.S. utility interest in building new ALWRs

Reality: The fact that the electric utility industry has provided hundreds of millions of dollars to conduct ALWR activities indicates that utility executives remain interested in the nuclear option. For obvious reason, no utility that is interested in placing ALWR orders in the future would be likely to indicate that interest publicly. However, recent discussions between DOE officials and electric utility chief executives have clearly indicated that U.S. utilities continue to see the nuclear option as viable. While the U.S. market for ALWRs is not expected to materialize for another decade, these utilities seek the Department's program as a critical step to assure that next-generation nuclear plant designs are available if they are needed.

Much has been said in recent months about a Washington International Energy Group survey of utility executives that indicates that 89% of utility CEOs would not consider ordering any new nuclear power plants. It is important to note that this survey received responses from only 397 of nearly 3600 U.S. electric utilities—and it is not clear that the respondents include the 44 utilities that currently own and operate nuclear power plants. The Department does not believe that this survey provides an accurate view of utility interest in new nuclear plants.

Myth 6: DOE is paying Nuclear Regulatory Commission fees that should be paid by industry.

Reality: No taxpayer dollars have been used to pay NRC fees. It is true, however, that NRC's increased review and testing requirements forced the program to perform additional technical work. While most of the extra work was funded by industry, part of the added cost was supported by the DOE ALWR program. The additional technical work represented an expansion in the work scope for the program, but is clearly the type of expenditure anticipated by the EPACT.

Myth 7: General Electric terminated its Simplified Boiling Water Reactor (SBWR) activities because there is no market for small plants. Similarly, there is no market for the Westinghouse-designed AP600.

Reality: While it is true that GE terminated its mid-sized SBWR project, it must be recognized that GE's market strategy is very focused on the east Asian market-particularly Japan. In many of these countries, land is a scarce resource and there is considerable incentive to build large plants with high power capacity. Other potential markets are less concerned with space and more interested in factors such as lower capital cost and lower complexity—attributes natural to mid-sized plants. These attributes are very attractive to U.S. utilities and others as well—currently 22 countries contribute funds and personnel to the AP600 program. The Department believes that this represents a significant international interest in advanced mid-sized nuclear power plants with passive safety systems.

ADVANCED REACTOR CORP.,
June 28, 1996.

Hon. NEIL ABERCROMBIE,
House of Representatives,
Washington, DC.

DEAR REPRESENTATIVE ABERCROMBIE: On behalf of the member utilities of the Advanced Reactor Corporation, we urge you to support $40 million for research and development on Advanced Light Water Reactors (ALWR) in the Energy and Water Development Appropriations bill for fiscal year 1997. The ALWR Program has an excellent record of achievement and is nearing accomplishment of its goal to open the option for future nuclear power electricity generation, as endorsed by the Energy Policy Act of 1992.

The Nuclear Regulatory Commission has granted final design approval for the evolutionary ALWR designs and formal design certifications on both are awaiting formal resolution of NRC regulatory process issues. The first-of-a-kind engineering (FOAKE) portion of the ALWR program for the GE evolutionary advanced boiling water reactor will be essentially completed by certification and FOAKE for the new, midsize, passively-safe, pressurized water ALWR, the Westinghouse AP600.

The ALWR program is a sound investment continuing to build on the energy security and environmental benefits provided by current plants. Risk sharing of the investment and commercial interest are carefully balanced with industry paying about 62 percent of the total costs, coupled with subsequent pay-back provisions. For example, Westinghouse will pay back $25 million of the Energy Department's contribution for design certification as a royalty on the sale of the first AP600. Additionally, all of the funds provided for FOAKE by both the utilities and the Energy Department will be paid back to each as royalties on sales of the AP600 by Westinghouse and by General Electric on sales of its Advanced Boiling Water Reactor.

Our companies entered the government partnership for the FOAKE portion of the ALWR program in February 1992. Later that year, Congress passed the Energy Policy Act of 1992, which reaffirmed the nation's commitment to nuclear power and to cost-shared energy research and development. At that time, Congress recognized the time, costs, and risks associated with the process of developing and certifying new reactor designs. Congress has proceeded with this timely program, sharing those costs and risks so that new reactor designs will be a safe, cost-competitive option for future baseload electricity needs.

Clearly, America has benefited from the nation's investment to date in nuclear energy technologies with about 20 percent of our electricity coming from pollution-free nuclear power plants.

Although there is not an immediate need for new baseload electricity in the United States, energy forecasts predict a 28 percent growth in demand by 2010. To meet this need, our companies believe they must have the option to consider standardized, NRC-approved nuclear plants as a part of a balanced mix of power generation facilities. To obtain that option, ARC member utilities are investing in the industry-government program to develop advanced light water nuclear plants. No other type of nuclear plant for commercial generation of electricity will be available in the U.S. within our planning horizon. With this technology, we will continue to lead the world and set high standards for safe and reliable commercial nuclear power.

We urge congress to continue its commitment for this vital national energy investment by appropriating a supporting government share of $40 million in FY97.

Sincerely,

JAMES J. O'CONNOR,
Chairman, Advanced Reactor Corp.

Mr. DOMENICI. Mr. President, I hope we will not agree with Senator MCCAIN when we vote tomorrow. If the unanimous consent agreement is complied with, it will be the first amendment up tomorrow. So we will remind you that is the first amendment tomorrow.

The PRESIDING OFFICER. The Senator from New Mexico is advised the yeas and nays have not been ordered.

Mr. DOMENICI. I am sorry. They were not ordered because we did not have a sufficient second, but we assured Senator MCCAIN we would cooperate with him getting the requisite yeas and nays.

Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The Senator from Arkansas.

AMENDMENT NO. 5096

(Purpose: To reduce funding for the weapons activities account to the level requested by the Administration)

Mr. BUMPERS. Mr. President, I send an amendment to the desk.

The PRESIDING OFFICER. The two pending amendments will be set aside by unanimous consent. The clerk will report.

The legislative clerk read as follows:

The Senator from Arkansas [Mr. BUMPERS], for himself and Mr. HARKIN, proposes an amendment numbered 5096.

Mr. BUMPERS. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

On page 23, line 8, reduce the amount by $286,600,000.

Mr. BUMPERS. Mr. President, first of all, I ask unanimous consent we limit this amendment to 15 minutes with the time equally divided.

Mr. DOMENICI. I thank the Senator. I wholeheartedly agree.

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

Mr. BUMPERS. Mr. President, this is an amendment which could get terribly complex. It involves a segment of the energy and water bill that is immensely complex. It is called ''Atomic Energy Defense Activities.'' Within that there is an account called ''Weapons Activities.''

This bill contains $3.978 billion, almost $4 billion, for weapons activities. That is too much.

Let me say by digression, there are not two people in the Senate for whom I have a greater respect and admiration and personal friendship than the chairman of the committee and the ranking member, Senators DOMENICI and JOHNSTON. But I feel obligated to raise this issue and get the debate going on how much money we are putting into this weapons activities account. Mr. President, the Senate bill proposes to provide roughly $269 million more than the President's request and $300 million above the House level.

The Senate bill's proposed funding level is actually $531 million above the amount provided in fiscal year 1996, a 14-percent increase. That is just entirely too much.

I had a very good, lengthy letter from Senator DOMENICI pointing out that one of the reasons for this increase is that DOE had some carryover money in prior years that we are spending in 1996. However, that only accounts for a portion of the 14-percent increase. My amendment takes the carryover funds into account and proposes to reduce the weapons activities account by only $269 million, which is the difference between the amount provided in the Senate bill and the administration's request.

The Senator makes what I know he considers to be plausible arguments, and I am not in a very good position to dispute some of the technical arguments made about why it was necessary to put all this extra money into this account. But any time you are offering a 14-percent increase in any kind of a budget in this day and time, with the budget constraints we are under, it ought to get every single Senator's attention.

The OMB Acting Director, Mr. Lew, sent each Member of the Senate a letter outlining the administration's concerns about the Senate bill being $531 million above 1996 spending levels. And well he should be concerned. He is concerned because we are putting another $531 million into weapons activities, and the Department of Energy is suffering mightily from cuts in civilian energy and research programs.

The Appropriations Committee report outlines the add-ons to the weapons activities programs. If you look over those add-ons, I am not sure exactly what they do, but there is one thing I do know. About $90 million is not authorized.

For example, there is an $80 million add-on for stockpile stewardship and $50 million of that is not authorized. What are we doing appropriating money that has not been authorized?

There is an add-on for $40 million for the accelerated strategic computing initiative—a mighty fancy name and I am not sure what all it does. But it is not authorized. The request already proposes $120.6 million for the program—a 43-percent increase from fiscal year 1996.

Mr. President, I only have 7½ minutes on my time. I am not going to pursue this any further. I would just like to make a comment. I was speaking to 400 of the brightest kids in Arkansas at what is called Governor's School Saturday and about 800 parents. Politicians do not get a chance to talk to 1,200 people very often. I was trying to figure out what I could say to those youngsters that my father used to say to me about the nobility of being in politics and public service. Not too many people believe that anymore, including an awful lot of people in this Chamber. They do not think it is such a hot profession anymore, either, including the 15 colleagues that are leaving this body.

But I tried to leave them on an upbeat note. I told them there were no problems in this country that were insurmountable. Indeed, if it weren't for the way we misspend money, I promise you we could have a balanced budget with a $100 billion surplus in 1997.

When I talk about how we misspend our money, you bear in mind that this year, this fall, September 1, we will have for the third consecutive year less food carryover in our grain bins than we have ever had. The third straight year that our foodstuff carryover is going to be down, and in 1995, for the first time in 50 years, yields of foodstuff such as wheat, corn, rice, and so on, did not go up.

So how are we dealing with that? We are putting $1.2 billion into agriculture research this year, 1996; $1.2 billion. What are we giving the Defense Department for research on things that will explode and kill people? Mr. President, $35 billion, almost 35 times more than what we are putting into agriculture research to feed our people and help feed the world, indeed.

Mr. President, $14 billion is going to NASA, $2 billion of which will be for the space station, and nobody has ever explained why we are putting money in the space station.

And $12 billion for medical research, which everybody heartily agrees with. Incidentally, one of my staff members, Tracy Alderson, is leaving my office to pursue a medical degree and hopefully advance the cause of medical research in the future.

When you put it like that, there are very few people in America who would agree with those priorities. So while the $531 million increase in weapons development doesn't mean much around here in a $1.7 trillion budget, it ''ain't'' beanbag either. What it would do in medical research, what it would do in educating people, what it would do in providing more health care—and think about this—think what it would do in reducing the deficit, $531 million.

Mr. President, my amendment does not even propose to eliminate the entire $531 million increase. Rather, I am only trying to get us back to what the President requested, which is a 7-percent increase in this account.

I yield the floor.

Mr. DOMENICI addressed the Chair.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Mr. President, when we took testimony from Mr. Vic Reis, who is the Defense Department liaison with these programs, we established the basic proposition with him in the

record during his testimony, that the entire stockpile stewardship program, with all of the things we would have to add to it, to the previous programs and the maintenance of certain facilities that we hold in a contingency posture, should be about $4 billion.

Having established that, we went through the budget and determined that the executive budget was only $3.7 billion. They were $300 million short of what Mr. Vic Reis, the leading expert in the Department of Energy for the DOD stockpile stewardship program, said.

If one notices, the difference between $3.7 billion and $4 billion is very, very close to the $269 million that my good friend from Arkansas is seeking to take out of this bill. It doesn't quite get to the $4 billion mark with $3.7 billion, but it gets close.

The President's budget request said the following:

> Defense program 5-year budget projections contained in the national security 5-year budget plan for 1996 through 2000 indicate that the stockpile stewardship and management programs will require increased funding for a period of several years after FY 1996. This baseline—

That is starting point—

> has been modified to reflect fiscal year 1997 programs and budget decisions, but the outlook is much the same. Near-term investment must be increased to develop the new and appropriately sized effective complex and to develop the new tools required to maintain confidence in the safety, security and reliability of the stockpile in the absence of underground testing.

From a base of about $3.6 billion in 1996, the annual total may reach $4 billion by the year 1998. In August of 1995, President Clinton announced the United States would pursue a zero yield comprehensive test ban treaty as a condition. The President outlined a series of conditions under which the United States could enter this comprehensive test ban treaty.

The first condition was the implementation of a stockpile stewardship program. In January 1996, the Senate overwhelmingly approved the START II Treaty. The ratification text committed the United States to, one, a robust stockpile stewardship program; two, maintain sufficient production capabilities; three, maintain the national laboratories and the core competencies within them; four, maintain the Nevada test site in case the President determines a case of supreme national interest necessitated an underground test.

Where the increases go: $82.5 million of the $269 million that Senator BUMPERS is referring to for the stockpile stewardship program will be spent on the following: $20 million is for enhanced surveillance to monitor the aging of weapons. That is perilously important. We must develop new techniques to monitor the aging of these weapons, some of which are 30 years old, and they contain hydrogen and nuclear blast capabilities and they must be safe, they must be trustworthy, and they must be maintained.

Of that $82.5 million, $40 million is for advanced scientific computing programs. Incidentally, the distinguished Senator from Arkansas questions that program. Last Friday, the President announced that these funds would be used by IBM to build a computer 300 times faster than existing computers to model the inside of nuclear weapons. The computer will be installed at Lawrence Livermore in California. I am certain that within the confines of the money here for this area of endeavor that there will be some other major advanced scientific computing programs announced.

Mr. President, $10 million is for software for these new supercomputers, and $10 million is for advanced manufacturing techniques.

The second item that he would strike is $171 million from stockpile management, of which $100 million is to upgrade production plants in Texas, South Carolina, and Missouri. This money will ensure the plants will be able to remanufacture weapons as needed. This is also a condition that I understand those in charge of our national defense insist upon if we are going to abide by the ''no additional underground nuclear testing'' position. Fifteen million dollars of that $171 million is to enhance surveillance activities at plants to assess the reliability and safety of the weapons stockpile.

Fifty million dollars is for new tritium sources so that the total amount of $150 million may be provided.

Mr. President, having worked on this bill for a long time, I am concerned that we provide adequate defense money to the Department of Energy so they can do their job, for there are many who would like to accuse it of not doing its job but are not considerate of the money needed for the defense work.

We believe we are moving rapidly in the direction recommended by the President and the Joint Chiefs of Staff with reference to the science-based program for stockpile safety and maintenance. We think these items are absolutely essential to get us there and keep us there for the next few years as we see whether or not we can actually accomplish this without underground testing.

If I have any additional time, I yield it back. I ask Senator JOHNSTON, do you want to speak?

The PRESIDING OFFICER. The Senator from Louisiana.

Mr. DOMENICI. I yield whatever time I have remaining to Senator JOHNSTON.

Mr. JOHNSTON. I simply rise in support of the position of the Senator from New Mexico. I was here several years ago speaking in favor of the continuation of the testing program, because I thought it was important for both reliability and safety.

The Senate saw fit to do away with that testing program. The justification was that there were other ways with this stockpile safety program to achieve the same ends. That is why we have funded the program as we have. That is to achieve those same ends for reliability and safety of our nuclear deterrent. I think it would be a great mistake to cut that funding.

AMENDMENT NO. 5097

(Purpose: To ensure adequate funding for the Biomass Power for Rural Development Program)

Mr. JOHNSTON. Mr. President, I have been requested by the Senator from Minnesota [Mr. WELLSTONE], to offer an amendment on his behalf. I will shortly send that to the desk. Let me state what it does. I am sorry that I will not be able to support the amendment. In fact, I will oppose the amendment. But nevertheless, as a courtesy to my colleague, I will offer it.

What it would do is to take four-tenths of 1 percent of each program in R&D, energy supply, and put that into a program called Biomass Power for Rural Development. The money now available, some $55 million, in biomass fuels in the bill, part of that could be used for the purposes for which the Senator from Minnesota would like it used, that is, the Niagara Mohawk power project, involving short rotation willows, which would be grown and harvested every 3 years, and also another project involving alfalfa stems. The alfalfa stem program would be a total of a $232 million project, where the DOE cost share would be 20 percent of that, or approximately $46 million.

Mr. President, it seems to me we should not get into one of these projects unless it can pass muster against the other programs. These would be available to be funded under the program—Mr. President, I just misspoke. I said $55 million would be available for the program. Actually, only a part, $27 million, would be available for biomass electric program.

All of these projects ought to compete for that $27 million. We should not come in and, in effect, specify by limiting it to the Biomass Power for Rural Development Program, which is a very narrowly defined program. We should have all of these projects compete for the amounts available.

Mr. President, I send the amendment to the desk and ask that it be reported.

The PRESIDING OFFICER. Without objection, the pending amendments are set aside. The clerk will report.

The bill clerk read as follows:

> The Senator from Louisiana [Mr. JOHNSTON] for Mr. WELLSTONE, proposes amendment numbered 5097.

Mr. JOHNSTON. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

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

The amendment is as follows:

> On page 19, line 4, strike ''expended.'' and insert in lieu thereof ''expended; *Provided*, That funds appropriated for energy supply, research and development activities shall be reduced by four-tenths of one percent from each program and that the amount of the reduction shall be available for the biomass power for rural development program.''

AMENDMENT NO. 5096

Mr. JOHNSTON. Mr. President, I ask for the yeas and nays on Senator Bumper's amendment.

The PRESIDING OFFICER. Is there a sufficient second for the yeas and nays on the Bumpers amendment? There is a sufficient second.

The yeas and nays were ordered.

Mr. DOMENICI. I say to the Senator, I might move to table. Let us get that done. I move to table the Bumpers amendment and ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

Mr. DOMENICI. Parliamentary inquiry. Is an amendment in order now?

The PRESIDING OFFICER. An amendment is in order if unanimous consent is granted to set aside the pending amendments.

Mr. DOMENICI. Mr. President, I ask unanimous consent that the pending amendments be set aside so Senator KYL can offer his amendment.

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

AMENDMENT NO. 5098

(Purpose: To reduce by $13,402,300 funding of the Lower Colorado River Basin Development Fund)

Mr. KYL. Mr. President, I send an amendment to the desk.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from Arizona [Mr. KYL] proposes an amendment numbered 5098.

Mr. KYL. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

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

The amendment is as follows:

On page 14, line 1, strike ''$410,499,000'' and insert ''397,096,700''.

On page 14, line 5, strike ''$71,728,000'' and insert ''$58,325,700''.

On page 14, line 14, before the colon insert '': *Provided further*, the amounts allocated by the Committee on Appropriations of each House in accordance with sections 602(a) and 602(b) of the Congressional Budget Act of 1974 and pursuant to the concurrent resolution on the budget for fiscal year 1997 shall be adjusted downward by $13,402,300 and the revised levels of budget authority and outlays shall be submitted to each House by the chairman of the Committee on the Budget of that House and shall be printed in the Congressional Record''.

Mr. KYL. Mr. President, this amendment may sound a little strange at first because it actually reduces funding for an Arizona project, but this is important to do.

Mr. President, I rise to offer an amendment to reduce funding for the central Arizona project (CAP) by $13,402,300. The amendment would bring the bill's fiscal year 1997 appropriation for CAP to $58,325,700. That would represent a cut of about 19 percent in this project, and about a 3.2-percent reduction from the total Bureau of Reclamation construction budget.

Mr. President, I want to begin by commending the chairman of the Subcommittee on Energy and Water Development, Senator PETE DOMENICI, for his work on this bill and for his unwavering support of the CAP, a project that provides central and southern Arizona with its lifeblood—water.

The amendment I am offering today is the result of information received since the subcommittee took action on the energy and water bill a few weeks ago. Had the chairman been aware of the information at that time, I believe the funding levels in the bill would have been adjusted accordingly. In any event, it is appropriate that we adjust the figures now to prevent the unnecessary expenditure of hard-earned tax dollars.

The House of Representatives has already approved a similar amendment, which was offered with the unanimous support of Arizona's House delegation, during floor action in that body on July 24. My amendment differs somewhat from the House measure because of a difference of opinion between the Bureau and staff about how certain funds are accounted for. Although my amendment uses the more conservative numbers provided by the Bureau, the savings could rise depending upon how that dispute is resolved. If more could be saved, I would hope the conference committee would adopt that higher amount of savings.

Mr. President, I want to give credit to the Central Arizona Water Conservation District, the local sponsor of the CAP, for helping to identify savings that could be achieved, and I want to specifically list those savings here:

Hayden-Rhodes Aqueduct: Siphon repairs, $1,616,000;

Hayden-Rhodes Aqueduct: Other repairs, $1,509,000;

Modified Roosevelt Dam: Noncontract costs, $214,000;

Other project costs: Water allocations—noncontract costs, $500,000;

OPC O&M during construction, $350,000;

Curation facilities, $400,000;

Native fish protection, $2,775,000;

Native fish protection—noncontract costs, $332,000;

Environmental Enhancement: Major contracts, $1,100,000

Noncontract costs, $801,300;

New Waddell Dam: New recreation enhancement contracts, $1,550,000; and

Noncontract costs, $2,255,000.

Total reduction in fiscal year 1997 CAP budget—$13,402,300.

Included in these reductions, for example, is $1.5 million that was in the Bureau's budget request for Reach 11 dike repairs. But our information is that the Bureau has already completed such repairs and has no need for more money related to those repairs.

Another $1.6 million relates to repair and replacement of siphons, but the Bureau has refused to complete the remaining siphon repairs.

I want to make clear that nothing in my amendment is intended to hamper work on Indian distribution systems. Funding for work related to this activity is contained in a separate line item within the CAP budget that is left untouched by the amendment. I fully intend that these projects go forward as we have promised. Any effort by the Bureau to reprogram moneys set aside for such contracts would require the approval of the Senate and House Appropriations Subcommittees on Energy and Water Development. Such approval is highly unlikely.

If there are any activities that are adversely affected and proponents can justify why they should legitimately be supported through the CAP budget, I know the Arizona delegation would be glad to revisit the issue next year. Until then, however, I believe it is appropriate for the Senate to accept the savings being proposed today.

Mr. President, we have a unique opportunity today to save taxpayers some money without harming ongoing activities that are vital to the CAP. I urge the adoption of my amendment.

Mr. DOMENICI. Mr. President, I want to first reassure the Senator from Arizona that I have not in any way diminished my support for the project he alluded here today, the great Arizona water project. I am totally in favor of it and have been a part of funding it for as long as I have been here, and, as chairman, I remain committed.

I thank the Senator for reducing the costs this year. He has found a way to save some money. I gather the amount is about $13.4 million that he thinks we can save. The Senator proposes to save that and still keep the project on course. Is that not correct, Senator KYL?

Mr. KYL. That is correct.

Mr. DOMENICI. The Senator, in behalf of the people of his State, is fully aware this project is fully funded in this bill, and he is going to leave it fully funded in the best interests of his State. I give my commitment to keep that going in that manner.

AMENDMENT NO. 5099 TO AMENDMENT NO. 5098

Mr. DOMENICI. Mr. President, having said that, the amendment has a provision in it with reference to what the money can be used for that is saved, and I have a second-degree amendment that I will offer which makes that no longer subject to a point of order, because it directs where the money must be spent. I provide a number of amendments that I have agreed to with other Senators to clean up this bill. These will all be offered as second-degree amendments to the KYL amendment.

I send the amendment to the desk, and I ask for immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from New Mexico [Mr. DOMENICI], for himself and Mr. JOHNSTON, proposes an amendment numbered 5099 to amendment No. 5098.

Mr. DOMENICI. This is offered not only in my behalf, but the distinguished ranking member, Senator JOHNSTON, is a cosponsor of this.

The PRESIDING OFFICER. The Senator has to have unanimous consent for dispensing of the reading.

Mr. DOMENICI. I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

In amendment No. 5098, strike lines 3 through 9 and inset in lieu thereof:

On page 19, line 3, strike ''2,749,043,000,'' and insert in lieu thereof ''2,764,043,000,'' and on page 20, line 9, strike ''220,200,000 and insert in lieu thereof ''205,200,000.''

Insert where appropriate: ''TECHNOLOGY DEVELOPMENT FOR THE DEFENSE ENVIRONMENTAL RESTORATION AND WASTE MANAGEMENT.—Within available funds, up to $2,000,000 is provided for demonstration of stir-melter technology developed by the Department and previously intended to be used at the Savannah River site. In carrying out this demonstration, the Department is directed to seek alternative use of this technology in order to maximize the investment already made in this technology.''

Insert where appropriate: ''MAINTENANCE OF SECURITY AT GASEOUS DIFFUSION PLANTS.—Section 161k. of the Atomic Energy Act of 1954 (42 U.S.C. 2201k.) is amended by striking 'subsection;' and inserting the following: 'subsection. With respect to the Paducah Gaseous Diffusion Plant, Kentucky, and the Portsmouth Gaseous Diffusion Plant, Ohio, the guidelines shall require, at a minimum, the presence of an adequate number of security guards carrying sidearms at all times to ensure maintenance of security at the gaseous diffusion plants;'.''

Insert where appropriate: ''TECHNICAL CORRECTION TO THE USEC PRIVATIZATION ACT.—Section 3110(b) of the USEC Privatization Act (Public Law 104–134, title III, chapter 1, subchapter A) is amended by striking paragraph (3) and inserting the following:

''(3) The Corporation shall pay to the Thrift Savings Fund such employee and agency contributions as are required or authorized by sections 8432 and 8351 of title 5, United States Code, for employees who elect to retain their coverage under CSRS or FERS pursuant to paragraph (1).''

Insert where appropriate: ''*Provided*, That funds made available by this Act for departmental administration may be used by the Secretary of Energy to offer employees voluntary separation incentives to meet staffing and budgetary reductions and restructuring needs through September 30, 1997 consistent with plans approved by the Office of Management and Budget. The amount of each incentive shall be equal to the smaller of the employee's severance pay, or $20,000. Voluntary separation recipients who accept employment with the Federal Government, or enter into a personnel services contract with the Federal Government within 5 years after separation shall repay the entire amount to the Department of Energy.''

On page 2, between lines 24 and 25, insert the following: ''Tahoe Basin Study, Nevada and California, $200,000; Walker River Basin restoration study, Nevada and California, $300,000;''

On page 3, line 20, strike ''construction costs for Montgomery Point Lock and Dam, Arkansas, and''.

On page 13, line 21, after ''expended'' insert '': *Provided further*, That within available funds, $150,000 is for completion of the feasibility study of alternatives for meeting the drinking water needs of Cheyenne River Sioux Reservation and surrounding communities''.

On page 7, line 19, add the following before the period: '': *Provided further*, That the Secretary of the Army is directed to use $600,000 of funding provided herein to perform maintenance dredging of the Cocheco River navigation project, New Hampshire.''

On page 5, after line 2, insert the following: ''Mill Creek, Ohio, $500,000;''.

On page 5, line 8, strike ''$6,000,000'' and insert in lieu thereof: ''8,000,000''.

On page 23, line 22, strike ''$5,615,210,000'' and insert ''$5,605,210,000''; and on page 23, line 8, strike ''$3,978,602,000'' and insert ''$3,988,602,000''.

On page 14, on line 12, after ''amended'' insert ''$12,500,000 shall be available for the Mid-Dakota Rural Water System''.

On page 6, line 24, strike ''$1,700,358,000'' and insert ''$1,688,358,000''.

On page 3, line 15, strike ''$1,024,195,000'' and insert ''$1,049,306,000''.

On page 5, line 25, insert the following before the period: ''*: Provided further*, That the Secretary of the Army, acting through the Chief of Engineers, is authorized and directed to initiate construction on the following projects in the amounts specified:

''Kake Harbor, Alaska, $4,000,000;

''Helena and Vicinity, Arkansas, $150,000;

''San Lorenzo, California, $200,000;

''Panama City Beaches, Florida, $400,000;

''Chicago Shoreline, Illinois, $1,300,000;

''Pond Creek, Jefferson City, Kentucky, $3,000,000;

''Boston Harbor, Massachusetts, $500,000;

''Poplar Island, Maryland, $5,000,000;

''Natchez Bluff, Mississippi, $5,000,000;

''Wood River, Grand Isle, Nebraska, $1,000,000;

''Duck Creek, Cincinnati, Ohio, $466,000;

''Saw Mill River, Pittsburgh, Pennsylvania, $500,000;

''Upper Jordan River, Utah, $1,100,000;

''San Juan Harbor, Puerto Rico, $800,000; and

''Allendale Dam, Rhode Island, $195,000: *Provided further*, That no fully allocated funding policy shall apply to construction of the projects listed above, and the Secretary of the Army is directed to undertake these projects using continuing contracts where sufficient funds to complete the projects are not available from funds provided herein or in prior years.''

On page 14, line 1, strike ''$410,499,000'' and insert ''$398,596,700''.

On page 15, line 13, insert the following before the period: ''*: Provided further*, That $1,500,000 shall be available for construction of McCall Wastewater Treatment, Idaho facility, and $1,000,000 shall be available for Devils Lake Desalination, North Dakota Project''.

On page 29, between lines 5 and 6, insert the following:

''SALARIES AND EXPENSES

''For expenses necessary to carry out the functions of the United States member of the Delaware River Basin Commission, as authorized by law (75 Stat. 716), $342,000.''

On page 33, between lines 7 and 8, insert the following:

''SALARIES AND EXPENSES

''For expenses necessary to carry out the functions of the United States member of the Susquehanna River Basin Commission as authorized by law (84 Stat. 1541), $322,000.''

On page 17, line 19, strike ''$48,971,000'' and insert ''$48,307,000''.

On page 7, line 19, insert the following before the period: ''*: Provided further*, That $750,000 is for the Buford-Trenton Irrigation District, Section 33, erosion control project in North Dakota''.

Mr. DOMENICI. I ask unanimous consent that Senator JOHNSTON be added as a cosponsor.

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

Mr. DOMENICI. I understand the distinguished Senator has a schedule problem. I indicate we ought to adopt the amendment, and then I will brief the Senate on what is in the amendment.

The PRESIDING OFFICER. The amendment sent to the desk by the Senator from New Mexico is not a formal second-degree amendment to the amendment of the Senator from Arizona.

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

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

The bill clerk proceeded to call the roll.

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

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

Mr. DOMENICI. Mr. President, I ask unanimous consent the second-degree amendment be in order.

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

The PRESIDING OFFICER. The question is on agreeing to the second-degree amendment.

The amendment (No. 5099) was agreed to.

Mr. JOHNSTON. I move to reconsider the vote.

Mr. DOMENICI. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. JEFFORDS. Mr. President, I want to thank the managers of this legislation for working with me to protect our country's renewable energy programs. The amendment I offered, along with Senators ROTH, LEAHY, MURKOWSKI, CHAFEE, BUMPERS, DASCHLE, KOHL, and CONRAD, will essentially maintain fiscal year 1996 spending levels for most solar, wind, biomass, and other renewable energy programs. The amendment restores $23 million to these accounts, preserving our nation's main efforts to attain energy independence.

Mr. President, the United States imports in excess of 50 percent of the oil we use to power our homes, automobiles, and workplaces. Our dependence on this foreign oil continues to be a risk to our national security and is running up our trade deficit. Despite this fact, we continue to reduce funding for the few programs which lead us down the path of energy independence. In the legislation we are debating today, funding for solar, wind, biomass, and renewable energy programs is cut by almost 30 percent and a number of important programs are eliminated completely.

I am very aware of the constraints the managers of this legislation have had with this bill and I commend them

for their efforts. However, I feel strongly that this Nation and this congress should continue to support investment in renewable technologies. The cost of wind, photovoltaics, solar thermal, and biomass have dropped more than ten fold over the last 15 years. Wind energy, which has been cut 50 percent from last year's levels in this bill, has developed into the major alternative energy contributor. Over 5,000 megawatts of wind energy electricity has been installed to date—or energy equal to five nuclear power plants.

Due to cost-shared research and development on materials, turbine blade design, and manufacturing, the U.S. wind industry leads the world in the lowest-cost and most efficient wind generators. The combined research and development budget of the European Community equals $130 million. This legislation provides the entire research and development funding for our renewable efforts, which is only while this bill provides only $15 million. Clearly this is inequitable and does not provide a sufficient threshold to continue the basic research and cost-shared applied research necessary to maintain the lead in both the domestic and global markets. The amendment I am offering will provide $31.5 million for wind programs, $1 million lower than fiscal year 1996 levels.

Our Nation should be proud of its lead in developing advanced wind energy systems. My State of Vermont certainly takes pride in its growing wind industry. One of our utilities, Green Mountain Power, has been a national wind energy leader, and is currently constructing a 6 megawatt project that will utilize eleven 550 kilowatt turbines manufactured by Zond Systems of California. The Zond turbine has been participating in cost-shared development with the U.S. Department of Energy and the National Wind Technology Center at NREL. Green Mountain Power's Vice President, Norm Terreri, is now serving as president of the American Wind Energy Association.

Vermont is also home to NRG Systems, of Hinesburg, VT, one of the world's leading high technology manufacturers of wind measuring devices and a company that has made export sales in over 50 countries. Atlantic Orient, of Norwich, VT, has manufactured a 50-kilowatt wind turbine in cooperation with the Department of Energy that has become one of the most popular turbines for wind-diesel hybrid locations for remote locations such as Alaska and the Canadian Arctic. The New World Power Technology Company of Waitsfield, VT, is a leading manufacturer of wind-PV village power systems.

Wind companies around the country, like those in Vermont, look to the Federal Government for support in this new, booming market. We cannot let these companies fall behind their European or Asian competitors as this market expands.

Solar thermal electricity has been on a major growth spurt, with the United States leading the world. In June, the Solar Two project was ribbon-cut in California. At this site, the heat from solar mirror concentrating sunlight atop a tower is stored in nitrate salt which can then create steam-to-electricity day or night, rain or shine. A solar dish/engine manufacturing facility was ribbon-cut in Texas. Both projects came from cost-shared research and development at the Department of Energy. In this bill we are including funding for solar industrial research and development to bring this same technology to industrial process heat, new material creation from photon concentration, and some interagency cost share research on solar detoxification.

Over 70 percent of photovoltaics are exported overseas and over 50 percent of wind, solar thermal, geothermal, and biomass equipment and services are exported primarily to third world countries. To this end, the amendment has included $1.5 million directed explicitly to continue the work of the Federal interagency activity called the Committee on Renewable Energy Commerce and Trade [CORECT] signed into law by President Reagan to ensure that the U.S. Government coordinates its export capabilities. The European Community and Japan provide subsidized export financing to their respective industries and other incentives which equal hundreds of millions of dollars of support. The funding for this program is to make U.S. Federal agencies maximize their efficiency by utilizing existing programs to promote the exportation of renewable energy equipment and services. Nearly 2 billion people on the globe do not have access to electricity and this program has made great strides in rectifying that situation. To that end, three new automated manufacturing facilities in the United States have been recently ribbon-cut to manufacture photovoltaics for this growing overseas market.

This bill also provides support to an effective program at the $1 million level for the Renewal Energy Production Incentive [REPI]. REPI provides support to municipal electric utilities and rural electric cooperatives to utilize solar and renewable energy. This program was established under the Energy Policy Act of 1992 because at that time only private utility subsidiaries could access the solar and geothermal tax credits. REPI allows the rest of the industry an equivalent program to utilize tax credits. The response from the municipal utilities and cooperatives has been enthusiastic and this program has over 18 renewable energy projects underway.

Another voluntary program is also funded at $1 million level for all utilities to integrate renewable energy in an effort to offset emissions that have wrought global climate change. The Utility Climate Challenge Program has been supported by all of the electric utilities as a stellar example of the way Government should work—encouraging innovation rather than command-and-control measures.

The final program funded is the Resource Assessment Program at $1 million. This is a program carried our primarily by the National Renewable Energy Laboratory [NREL] which analyzes satellite and other data for those that want to know the extent of renewable energy in their area, whether that be solar, wind, biomass, or geothermal. This program can only be carried out by national laboratories and would put our industries at a competitive disadvantage if not explicitly funded.

Mr. President, this amendment is an extremely modest investment to preserve U.S. energy options, create U.S. jobs, and protect our environment. I commend the managers of this bill for recognizing the importance of these programs and for supporting this amendment.

Mr. LEAHY. Mr. President, I strongly support the efforts of Senator JEFFORDS and Senator ROTH to maintain level funding for renewable energy programs. I am proud to cosponsor this amendment and join their efforts.

Mr. President, this amendment restores our investment in the future of sustainable energy. Unfortunately, this Congress has cut funding for renewable energy by 38 percent over the last two years. These cuts are shortsighted. To ensure that future generations can enjoy clean energy, we must maintain our commitment to support funding for research and development of solar, wind, and biomass energy.

In particular, I firmly believe that Congress has a responsibility to reaffirm its commitment to wind energy funding. Wind energy is now a $4 billion industry in the United States. Department of Energy funding has been key to this success by developing wind energy projects for commercialization.

In my home State of Vermont, for example, Department of Energy funding for wind energy has helped develop a growing environmentally-friendly industry. With DOE support, Vermont companies have developed state-of-the-art wind turbines and other high technology products at wind energy projects in the Green Mountains of Vermont, in rural villages in Alaska and even on the top of the South Pole. And these DOE-supported projects have become proving grounds for Vermont companies to tap into a growing wind energy export market around the world.

But the wind energy industry in Vermont and across the country is at a critical stage in its development. European and Asian wind industries—which are heavily subsidized by their governments—are emerging as competitive rivals. As a result, we must continue strong DOE funding to maintain America's leadership role in the global wind energy market.

Mr. President, this amendment makes sense for our future and our

children's future. Our children and grandchildren should be able to enjoy sustainable, clean and renewable energy. I urge my colleagues to support this amendment.

The PRESIDING OFFICER. The question is now on agreeing to the amendment.

The amendment (No. 5098) was agreed to.

Mr. JOHNSTON. I move to reconsider the vote.

Mr. DOMENICI. I move to table the motion.

The motion to lay on the table was agreed to.

Mr. DOMENICI. Mr. President, I will go through and make sure the Senators know which of their requests are in this amendment, but I will go through the comprehensive amendment that takes care of many amendments that were pending, not all of which cost money, and some of these have offsets from other provisions in the bill.

An increase in solar and renewable energy by $2,372,000 in behalf of Senator JEFFORDS and others; stir-melter technology, Senator LOTT and others, $2 million; allow guards at enrichment plants to carry sidearms, MCCONNELL and others; technical corrections to the USEC Privatization Act regarding the Thrift Savings Plan, MCCONNELL and others; provide DOE authority to offer voluntary separation incentives, requested by the Secretary; Tahoe Basin study, Senator REID; Walker River Basin study, Senator REID; study of the water needs of the Cheyenne River Sioux, DASCHLE; language that would require 50 percent of the Montgomery Point lock and dam project be derived from the Inland Waterway trust fund, Senator BUMPERS; maintenance of dredging at Cocheco River project, Senator SMITH; Mill Creek project in Ohio, half a million dollars; Virginia Beach erosion control for the State of Virginia; tritium production, additional $10 million requested by the Senator from South Carolina; rural water system development mid-Dakota, for Senators PRESSLER and DASCHLE.

Mr. JOHNSTON. Will the Senator yield?

Mr. DOMENICI. Helena and vicinity, Arkansas.

I am happy to yield.

AMENDMENT NO. 5099, AS MODIFIED

Mr. JOHNSTON. I am advised there was a pending objection by Senator GLENN to part of the first amendment relating to the U.S. Enrichment Corporation.

Therefore, I move to vitiate the action just taken with respect to the following language. In other words, the following language of that first amendment should be deleted.

Insert where appropriate: Technical correction to the USEC Privatization Act—Section 3110(b) of the USEC Privatization Act (Public Law 104–134, title III, chapter 1, subchapter A) is amended by striking paragraph (3) and inserting the following:

(3) The Corporation shall pay the Thrift Savings Fund such employee and agency contributions as are required or authorized by sections 8432 and 8351 of title 5, United States Code, for employees who elect to retain their coverage under CSRS or FERS pursuant to paragraph (1).

I send a modification of amendment No. 5099 to the desk deleting the language I just read.

The PRESIDING OFFICER. The Senator has that right, and the amendment is so modified.

The amendment (No. 5099), as modified, is as follows:

In amendment No. 5098, strike lines 3 through 9 and insert in lieu thereof:

On page 19, line 3, strike ''2,749,043,000,'' and insert in lieu thereof ''2,764,043,000,'' and on page 20, line 9, strike ''220,200,000'' and insert in lieu thereof ''205,200,000.''.

Insert where appropriate: ''TECHNOLOGY DEVELOPMENT FOR THE DEFENSE ENVIRONMENTAL RESTORATION AND WASTE MANAGEMENT.—Within available funds, up to $2,000,000 is provided for demonstration of stir-melter technology developed by the Department and previously intended to be used at the Savannah River site. In carrying out this demonstration, the Department is directed to seek alternative use of this technology in order to maximize the investment already made in this technology.''.

Insert where appropriate: ''MAINTENANCE OF SECURITY AT GASEOUS DIFFUSION PLANTS.—Section 161k. of the Atomic Energy Act of 1954 (42 U.S.C. 2201k.) is amended by striking 'subsection;' and inserting the following: 'subsection. With respect to the Paducah Gaseous Diffusion Plant, Kentucky, and the Portsmouth Gaseous Diffusion Plant, Ohio, the guidelines shall require, at a minimum, the presence of an adequate number of security guards carrying sidearms at all times to ensure maintenance of security at the gaseous diffusion plants;'.''

Insert where appropriate: ''*Provided*, That funds made available by this Act for the departmental administration may be used by the Secretary of Energy to offer employees voluntary separation incentives to meet staffing and budgetary reductions and restructuring needs through September 30, 1997 consistent with plans approved by the Office of Management and Budget. The amount of each incentive shall be equal to the smaller of the employee's severance pay, or $20,000. Voluntary separation recipients who accept employment with the Federal Government, or enter into a personal services contract with the Federal Government within 5 years after separation shall repay the entire amount to the Department of Energy.''.

On page 2, between lines 24 and 25, insert the following: ''Tahoe Basin Study, Nevada and California, $200,000; Walker River Basin restoration study, Nevada and California, $300,000;''

On page 3, line 20, strike ''construction costs for Montgomery Point Lock and Dam, Arkansas, and''

On page 13, line 21, after ''expended'' insert '': *Provided further*, That within available funds, $150,000 is for completion of the feasibility study of alternatives for meeting the drinking water needs of Cheyenne River Sioux Reservation and surrounding communities''.

On page 7, line 19, add the following before the period: ''*Provided further*, That the Secretary of the Army is directed to use $600,000 of funding provided herein to perform maintenance dredging of the Cocheco River navigation project, New Hampshire.''.

On page 5, after line 2, insert the following: ''Mill Creek, Ohio, $500,000;''.

On page 5, line 8, strike ''$6,000,000'' and insert in lieu thereof ''$8,000,000''.

On page 23, line 22, strike ''$5,615,210,000'' and insert ''$5,605,210,000''; and on page 23, line 8, strike ''$3,978,602,000'' and insert ''$3,988,602,000''.

On page 14, on line 12, after ''amended'' insert ''$12,500,000 shall be available for the Mid-Dakota Rural Water System''.

On page 6, line 24, strike ''$1,700,358,000'' and insert ''$1,688,358,000''.

On page 3, line 15, strike ''$1,024,195,000'' and insert ''$1,049,306,000''.

On page 5, line 25, insert the following before the period: ''*: Provided further*, That the Secretary of the Army acting through the Chief of Engineers, is authorized and directed to initiate construction on the following projects in the amounts specified:

''Kake Harbor, Alaska, $4,000,000;

''Helena and Vicinity, Arkansas, $150,000;

''San Lorenzo, California, $200,000;

''Panama City Beaches, Florida, $400,000;

''Chicago Shoreline, Illinois, $1,300,000;

''Pond Creek, Jefferson City, Kentucky, $3,000,000;

''Boston Harbor, Massachusetts, $500,000;

''Poplar Island, Maryland, $5,000,000;

''Natchez Bluff, Mississippi, $5,000,000;

''Wood River, Grand Isle, Nebraska, $1,000,000;

''Duck Creek, Cincinnati, Ohio, $466,000;

''Saw Mill River, Pittsburgh, Pennsylvania, $500,000;

''Upper Jordan River, Utah, $1,100,000;

''San Juan Harbor, Puerto Rico, $800,000; and

''Allendale Dam, Rhode Island, $195,000: *Provided further*, That no fully allocated funding policy shall apply to construction of the projects listed above, and the Secretary of the Army is directed to undertake these projects using continuing contracts where sufficient funds to complete the projects are not available from funds provided herein or in prior years.''

On page 14, line 1, strike ''$410,499,000'' and insert ''$398,596,700''.

On page 15, line 13, insert the following before the period: ''*: Provided further*, That $1,500,000 shall be available for construction of McCall Wastewater Treatment, Idaho facility, and $1,000,000 shall be available for Devils Lake desalination, North Dakota project''.

On page 29, between lines 5 and 6, insert the following:

''SALARIES AND EXPENSES

''For expenses necessary to carry out the functions of the United States member of the Delaware River Basin Commission as authorized by law (75 Stat. 716), $342,000.''

On page 33, between lines 7 and 8, insert the following:

''SALARIES AND EXPENSES

''For expenses necessary to carry out the functions of the United States member of the Susquehana River Basin Commission, as authorized by law (84 Stat. 1541), $322,000.''

On page 17, line 19, strike ''$48,971,000'' and insert ''$48,307,000''.

On page 7, line 19, insert the following before the period: ''*Provided further*, That $750,000 is for the Buford-Trenton Irrigation District, Section 33, erosion control project in North Dakota''.

Mr. DOMENICI. Mr. President, I don't know the extent of the disagreement on that amendment. But I won't object. We will try to work it out. It seems there is a difference of opinion. We will get the staff and Senators together quick and see what we can do.

I will continue to read the list:

San Lorenzo, CA, $200,000; Panama City FL, $400,000; Shoreline in Chicago, $1.3 million; $3 million for Pond Creek in Jefferson City, KY; Boston Harbour, $500,000; Poplar Island, MD, a program

both Senators support and the administration supports, $5 million; Natchez Bluff, MS, $5 million; $1 million for Wood River, NE; and, hence, others not listed here that are clearly stated.

Mr. President, that means we have adopted the underlying amendment and the amendment that Senator JOHNSTON and I offered. We are now ready for additional amendments.

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. GRAMS. 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. GRAMS. Mr. President, may I also ask what the pending business is before the Senate?

The PRESIDING OFFICER. The pending business is the Johnston, for Wellstone, amendment.

Mr. GRAMS. Mr. President, I ask unanimous consent that the current business be set aside so that I may offer an amendment.

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

AMENDMENT NO. 5100

(Purpose: To limit funding for Appalachian Regional Commission at House-passed level and require the Commission to be phased out in 5 years)

Mr. GRAMS. I send an amendment to the desk

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Minnesota [Mr. GRAMS] proposes an amendment numbered 5100.

Mr. GRAMS. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

On page 28, line 16, strike ''$165,000,000'' and insert ''$155,331,000''.

On page 28, line 17, at the end of the sentence, add the following: ''The Commission shall provide the House and Senate Appropriations Committee a specific plan for downsizing.''

Mr. GRAMS. Mr. President, this is a very moderate and a very straightforward amendment. It would simply adopt the funding for the Appalachian Regional Commission at the House-passed level of $10 million less than the Senate level and require that the commission provide a specific plan for future downsizing and elimination.

Mr. President, this is not a new issue. We have debated it many times before, and I offered a very similar amendment last year. The reason I bring it up again is simple. I want to remind the American people that pork-barrel spending is alive and well in Washington, and Congress has demonstrated little courage to phase out or eliminate these costly types of programs.

For a number of years, the Congressional Budget Office has recommended the elimination of the ARC as one of the many options for deficit reduction. Last year, both the Senate and the House passed a budget resolution calling for the elimination of ARC. This year, the House budget resolution has again assumed further savings from a phased-in downsizing of ARC. While the House-passed appropriations bill provides $155 million for the Appalachian Regional Commission and requires continued downsizing, the Senate bill grants $165 million—that is $10 million more than approved by the House—and it does not address the question of downsizing.

There are no persuasive justifications for the Senate funding level. The program should be terminated. Yet there appears to be no congressional will to end any program once it has been authorized. That is why I have sought to sunset Federal programs since I came to Congress.

Mr. President, the Appalachian Regional Commission was created in 1965 as a temporary response to poverty in Appalachia. Let me say that again. In 1965, it was created as a temporary response to poverty in Appalachia. Today, over 30 years later, despite the infusion of more than 7 billion taxpayer dollars into the region, we are still pouring money into the area under the pretext of fighting poverty. If the Appalachia region is still impoverished, we should ask ourselves why we have spent so much money for so many years, and why poverty in this region requires still more Federal dollars than other poverty-stricken areas of our country.

We should also question the real contribution the ARC has made to any long-term economic development of the Appalachia.

A study conducted by scholar Michael Bradshaw in 1992 might help to provide us with some kind of an answer. After analyzing 25 years of Government policy in the region, Mr. Bradshaw concludes:

The great paradox of Appalachian development since 1960 is that although relatively greater sums of money have been invested in central Appalachia, this part of the region has shown the lowest ability to increase its economic and social indicators relative to the rest of the United States.

The region as a whole has made strides over the past 25 years toward improving conditions for attracting new sources of employment, but Mr. Bradshaw goes on to say that ''these changes have had more to do with external economic factors than with the influence of the ARC.''

Now, in the 1980's, there was strong growth in the area which mirrored the economic growth of the country at large. During this time, ARC funding was reduced by 40 percent. Did the region suffer? On the contrary. Taxes were cut and unemployment rates fell by 38 percent.

That is how President Kennedy created jobs back in the 1960's, that is how President Reagan created jobs in the 1980's, and that is how we need to create jobs as we approach the year 2000.

Mr. President, what does not make any sense about this program is that it is one of 62 Federal economic development programs that are under the jurisdiction of 18 different departments and agencies. Yet the ARC is the only major Government agency targeted toward a specific region of the country. Many of the projects funded by the ARC duplicate activities are already funded by other Federal agencies.

For instance, the $104 million Appalachian highway development project provided by the Senate Energy and Water Appropriations bill also falls under the jurisdiction of the Transportation Department's Federal highway program. Other projects of the ARC are funded by agencies such as the Department of Housing and Urban Development.

As one Member of Congress rightly pointed out, ''What the Appalachian Regional Commission does is essentially allow 13 States in this country to double dip into infrastructure money, money to do economic development and money also to do highway and water construction and projects like that.''

While the ARC claims to allocate funds for the poor rural communities of Appalachia, these areas are no worse off than rural communities in Minnesota, in Arizona, or the 35 other States that do not benefit from ARC funding. In fact, in my home State of Minnesota, 12.8 percent of my constituents live below the poverty level, and that is a disturbing statistic. It is higher than many States which benefit from the ARC funding, such as Virginia, which is at 9.4 percent; Maryland, at 11.6; Pennsylvania, at 11.7; and Ohio, at 12.6 percent.

So these States benefit from ARC funding because of poverty levels, yet my home State of Minnesota, which does not, of course, enjoy ARC funding, is at 12.8 percent. But do Minnesotans have a Federal program designed just for them? Of course not, and I am not advocating that we should.

To pay for something like the ARC on a nationwide basis would require billions of dollars, funded either by cutting more from other programs, borrowing money from our children, increasing the deficit, or by raising taxes. The first option is unlikely. The remaining three are completely unacceptable. Already, for every dollar the taxpayers of my State send to the Federal Treasury, they receive only 82 cents of Government services. For every dollar they send to the Federal Treasury, Minnesotans receive only 82 cents worth of the Government's services, but the States which benefit from ARC funding receive on average $1.21 for every tax dollar they contribute.

So for every dollar they send in, they get $1.21 back from Washington, while in my State of Minnesota, for every dollar we send in, we get 82 cents back.

Minnesota has been a good neighbor and has contributed more than its fair share, but when Minnesotans see $750,000 of ARC funds spent on a summer practice stadium for the National Football League's Carolina Panthers, this is a huge slap in the face.

My point, Mr. President, is not that Minnesota and other States with high poverty levels in this country should get more Federal assistance but that there is a compelling reason to reduce the funding for ARC and compelling reasons to continue downsizing a program that has outlived its original mandate. It is ineffective, it is expensive, and it simply does not work.

American taxpayers can no longer afford such extravagant spending. It is time to let this important region of our country benefit from the same myriad of programs that serve other poverty areas. These programs can be improved and streamlined to help stimulate economic development and thereby provide needed Federal assistance to all of the country. Our first priority, however, is to balance our budget, provide tax credits for working Americans, and to create an environment that will stimulate job growth and help to boost all salaries.

So, Mr. President, although I strongly believe that the ARC should be terminated, my amendment does not zero out funding for the ARC, nor does it reduce it significantly, but it simply reduces the level of funding to that already approved by the House, and that is to take the $165 million in the Senate bill and to match it with the $155 million currently in the House bill.

I urge my colleagues to support this moderate amendment. Congress should show the American people at least a little courage by slowing down this Federal spending ''Energizer Bunny,'' or we could say the ''Energizer Piggy,'' which keeps going on and going on and going on.

I also ask unanimous consent to add Senator MCCAIN as an original cosponsor of this amendment.

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

Mr. GRAMS. If there is no further debate, I ask for the yeas and nays on my amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be.

The yeas and nays were ordered.

Mr. GRAMS. I thank the Chair.

Mr. KEMPTHORNE addressed the Chair.

The PRESIDING OFFICER. The Senator from Idaho.

Mr. KEMPTHORNE. Mr. President, I rise in support of the pending appropriations bill, and I thank the manager of the bill, the able Senator from New Mexico, who is currently the Presiding Officer of the Senate, Senator DOMENICI, for his tremendous leadership on these issues dealing with energy and water, and the senior Senator from Louisiana, BENNETT JOHNSTON, noting that this will be the culmination of his service in the Senate. He will be greatly missed because of the expertise and experience and enthusiasm that he brings to today's issues of energy and natural resources. A wealth of knowledge goes with him and with him our best wishes as well.

The fiscal year 1997 energy and water appropriations bill provides funding for some of the highest priority Federal responsibilities. For example, the bill provides a total of $5.6 billion, an increase of $205 million above the budget request for the Department of Energy's defense environmental management program. The DOE defense environmental management program includes the safe handling and the treatment of some of the most toxic materials on this planet Earth such as spent nuclear fuel, high-level liquid waste and surplus weapons grade plutonium—certainly the appropriate use of funds and in fact the addition of these funds.

The budget increase recommended by the Senate Appropriations Committee is consistent with the increase authorized by the defense authorization bill passed by the Senate just a few weeks ago. The pending appropriations bill provides increases for important programs in Idaho including an increase in funding for the Department of Energy's national spent nuclear fuel program.

In testimony earlier this year, Secretary O'Leary acknowledged that the Idaho National Engineering Laboratory had been designated as the DOE lead lab for the spent nuclear fuel program but additional funds to meet these new responsibilities had not been provided.

The bill now before the Senate addresses this shortfall. The pending bill also provides $200 million to move forward with the effort to open a permanent repository for spent nuclear fuel at Yucca Mountain. In light of the ongoing Senate debate regarding the Craig bill, this funding, which represents a 32 percent increase over the fiscal year 1996 level, is certainly appropriate and needed.

The bill also provides almost $4 billion, an increase of $269 million, for the Department of Energy's nuclear weapons program. These funds are essential to ensure that our nuclear stockpile remains safe and reliable.

The pending bill also funds important energy functions of the Department of Energy. The bill provides $20 million for the electrometallurgical demonstration program at Argonne National Lab. This important program to treat DOE spent nuclear fuel for final disposition is reduced by $5 million from the budget request. I will address this reduction with the chairman and the ranking member at the appropriate time.

I want to offer my praise for the funding levels provided in this bill and to the leadership, again, of the two managers of this bill. The funding increase for the defense environmental management program will expedite cleanup and remediation at sites like INEL, Savannah River, and Hanford, and save American taxpayers money in the long run. These funds will show the American people that this Senate will deal with the environmental challenges left over from our victory in the cold war.

I urge adoption of the pending bill and thank the managers again for this time.

Mr. President, I yield the floor.

THE PACIFIC OCEAN DIVISION OFFICE, U.S. ARMY CORPS OF ENGINEERS

Mr. INOUYE. Mr. President, I rise today to thank the managers of this bill for including my language in committee to prohibit the Army Corps of Engineers from obligating funds to close the Pacific Ocean Division [POD] office.

The Pacific Ocean Division has the largest civil works jurisdictional area, covering almost a one-third of the globe. Maintaining the POD office is very important to the United States' ability to deliver critical military and civil works assistance to our allies in the Asia-Pacific region.

The POD has been characterized as a model of efficiency and effectiveness, particularly in military construction. In this age of restructuring to improve efficiency, the Army Corps of Engineers proposal seems to undermine these goals.

I have requested that the Army Corps of Engineers provide me with a detailed cost/benefit analysis justifying closing the POD. I have not been provided with this analysis. Until an analysis is provided that demonstrates that the POD is not a model of efficiency and effectiveness, I will fight to see that the POD remains open.

I request that the chairman and ranking member make every effort to ensure that the Senate position is maintained in conference with the House.

Mrs. MURRAY. Mr. President, I rise in strong support of this bipartisan bill. It contains funding for many programs and projects important to our Nation and my region. I thank Chairman DOMENICI and Senator JOHNSTON—and their very capable staffs—for the superb jobs they have done.

Cleanup and restoration of the Hanford site is one of my top priorities. In this bill, the Department of Energy's Environmental Management program is well funded. While I disagree with the allocation of resources between defense and nondefense programs in the majority's budget, I appreciate that some of that extra defense money goes to worthwhile programs, like environmental management.

One aspect of the EM program that continues to trouble me is the approach the Department has taken to privatization at Hanford. I appreciate the subcommittee's effort to minimize the impact of privatization by suggesting that only $150 million, rather than $185 million, be taken from the tank farm operating budget in order to

make a down payment on the tank waste remediation program. Senators GORTON, DOMENICI, JOHNSTON, and I have sent a letter to the Department asking a number of questions about this approach to privatization. While I am a supporter of privatization, I believe sweeping changes must be well thought out and should not harm ongoing efforts to stabilize the tank farms.

Mr. President, this administration has done a terrific job of moving Hanford cleanup forward. For years, Hanford has been largely a money hole into which enormous Federal dollars were thrown, but little was accomplished. I want to recognize the accomplishments of Secretary O'Leary's Department of Energy and the people at Hanford who have done such an outstanding job of reducing costs and increasing results.

Let me share some of the latest results at Hanford.

There are several specific cleanup programs that have made significant progress recently. One of those is at the Plutonium Uranium Extraction [PUREX] Plant where the criticality system was shut off forever last month. The alarm is not necessary because there is no longer a chance of a nuclear accident at the 40-year-old plant. This shows tremendous progress and is evidence of the dedication of Hanford employees—who reached this goal 16 months ahead of schedule and $47 million under budget.

The K-basin's spent fuel project is also on track. The canister storage building is 15 percent complete and the managers estimate they can begin large-scale spent fuel removal by December 1997. At that time, fuel will be removed from both K-basins to be cleaned, loaded into baskets, placed in multi-canister overpacks, dried in a cold vacuum, and placed in the canister storage building. Already, several hundred spent fuel canisters have been removed and cleaned; and the system is working as planned. Another point of interest is that project acceleration decisions made and implemented in 1995 have saved $350 million and will allow the project to be completed 4 years early. This is great progress.

The Pacific Northwest National Laboratory is in the final stages of construction of the new Environmental Molecular Sciences Laboratory [EMSL]. The lab is a critical component of our efforts to develop the scientific understanding needed to create innovative and cost-effective technologies for environmental remediation. EMSL scientists will research soil and water quality, waste characterization, processing, and health effects. This state-of-the-art facility will complement the Hanford cleanup mission and make a positive contribution to many of our most troubling environmental and pollution problems.

Mr. President, I appreciate the commitment of this body and the administration to the cleanup of former defense production sites, like Hanford. I pledge to work with my colleagues to see that progress continues and that the Federal Government fulfills its responsibility to the people of this Nation who fought and won the cold war.

I would also like to voice my strong support for an amendment offered by Senator JEFFORDS regarding funding for renewable energy. In the last 2 years, funding for wind, solar, and other renewable energy research and development programs has been cut by almost 40 percent. Last year, the Senate restored some of the funding for these important programs, but eventually the renewables program lost ground in conference with the House. I want to lend my voice to many of my colleagues who support renewable energy and see such programs as a critical component of the Federal Government's commitment to future generations and a healthy environment.

Again, I thank Senators DOMENICI and JOHNSTON for their work on this important bill and urge my colleagues to support final passage.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. DORGAN. Mr. President, with the consent of the manager, if no one is here to offer amendments or speak on the bill, I ask unanimous consent to proceed for 10 minutes as in morning business, with the understanding that if someone comes to present an amendment, I will be happy to relinquish the floor.

The PRESIDING OFFICER. Is there objection?

Mr. DOMENICI. I have no objection.

The PRESIDING OFFICER. Without objection, it is so ordered. The Senator is recognized for 10 minutes.

Mr. DORGAN. I appreciate the courtesy of the managers. Again, business on the bill itself takes precedence. I will not continue if someone comes to do business on this bill.

ELECTIONEERING VERSUS DAY-TO-DAY ISSUES

Mr. DORGAN. Mr. President, I came to the floor today, however, because as has been the case on most days, we have had five Republicans come to the floor today to talk about President Clinton and the White House. I understand that and understand it is an even-numbered year, and the Constitution of the United States provides in even-numbered years that we have elections. On even numbered years when we have elections, clearly there is interest for one side or the other to try to gnaw away and chew away the foundation of the base of the others.

I watch from time to time, as organized groups come to the floor and we try to respond to them sometimes, those of us on our side of the aisle, to try to set the record straight as best we can. It is pretty hard to keep up with them, because they come in significant waves.

I want to use the time for a couple of minutes to talk about the difference between what we confront in the electioneering, or the political efforts these days, and what the American people expect us to confront in terms of the issues they face day-to-day.

If one were to view the activities from time to time, especially when we get 1 hour or 2 hours set aside for a couple of my friends from the other side of the aisle who then recruit several others, as was the case today, and have five, six or seven people come and repeat a message to try to get that message out to the country, it is kind of like watching beavers build a dam: They slap their tails, they are out there gnawing, chewing and biting and knocking down trees.

In this case, however, it is interesting. These are, it seems to me, political beavers building a dam where there is no water, which I find interesting. Slapping the water and chewing on dead wood seems hardly productive to me, but it is a way to pass the day for some, I suppose.

Most people sitting at home these days look at this political system of ours and say, ''Why can't you all work together?'' We have an Olympics going on, and in the Olympics, what is interesting is they all wear jerseys, and the jerseys identify one team versus another team.

I particularly have enjoyed watching various sports in the Olympics and, I must confess, I root for all the athletes. I think it is a wonderful thing to see these young men and women, in some cases older men and women, compete, but I, like most others, especially want those people who wear the red, white and blue jerseys to do very well, because they compete with a little logo that says ''USA.'' They are all on the same team.

The American people elect different kinds of men and women to the U.S. House and Senate. My guess is they expect us to all be on the same team. We might all have different techniques, different strengths, and different approaches, but they really do, in the long term, at the end of the day expect us to be working for the same ends.

We can, I suppose, spend most of our energy being critical and chewing away and gnawing away and flailing away, but it hardly seems very productive.

We have been working on a number of things in this Congress which I think are interesting. The Federal deficit: Some say unless you put something in the Constitution, you have not addressed the Federal deficit issue. Yet, the Federal deficit has been coming down, way down, and that is good news.

We have some people who rush to the floor to explain why one person or

someone else should not gain credit for that. But nonetheless, the Federal budget deficit has come down very, very substantially.

We have been working on health care issues, the need for the American people to have Congress address the issue of being able to take your health care from one job to another and not lose coverage because you change jobs or find you can't get health care because your child or your spouse or someone in your family has a preexisting condition. Those are very important issues, and I think we finally made progress. It has taken a long, long while, but I think we are going to have a health care bill that finally gets done and gets signed by the President.

That would be a significant accomplishment. I hope we don't have much foot dragging in the coming weeks with respect to that issue, because that is something the American people want and need.

We have been working on the issue of the minimum wage. Some say there shouldn't even be a minimum wage. If you believe that, why don't you bring a bill to the floor to repeal the minimum wage?

There are some around here who say we do not want a minimum wage, let the market system set the wage; let 12-year-olds work for 12 cents an hour. I heard some people suggest that, by the way, not here on the floor of the Senate. But there are some people in this political debate who believe there should be no minimum wage at all. If you believe that, bring a bill to the floor. Why don't you represent a position that hearkens back to half a century ago and say, in your judgment, there ought not be a minimum wage?

Some of us think that there ought to be a minimum wage. We have had one now for some 60 years. The question is, when should it be adjusted?

The last time the people at the bottom rung of the economic ladder got a raise was 7 years ago, in 1989, when the Congress last enacted legislation adjusting the minimum wage.

There are some who say, ''Well, if you adjust the minimum wage, it is going to cost a lot of lost jobs.'' The interesting thing about that is, I have not heard anyone suggest when the CEO's of major U.S. corporations get a 23-percent increase in their salaries in 1 year—a 23-percent increase in 1 year—I have never heard someone say, ''Gee, that's going to cost lost jobs.'' But take someone at the bottom of the economic ladder working at minimum wage and suggest after 7 years they get a very small increase—not 23 percent in 1 year, but a freeze for 7 years and then a small increase—and all of a sudden the sky is falling.

We have worked on that, and I am pleased to say, finally, that those who were holding that bill hostage have seen the light. We are moving that. I hope maybe by the end of this week we can have a bill passed that addresses that issue.

Let me mention one other thing that is in that piece of legislation. We attached to that piece of legislation something helpful to small business, and I am for that. There are a series of tax changes helpful to small business, but there is a provision—and I bet there are not five Members of the Senate who know it is there—a provision that comes from the House, and here it is:

It is a provision called 956(A) dealing with the Tax Code. That provision says, ''Let's make it easier for companies to invest in jobs overseas.'' The Congress already passed that once, by the way, and the President vetoed that in a larger bill. But let's make it easier for American companies to create jobs overseas as opposed to jobs here.

I am interested to know whether the Senate conferees will accept that provision of the House, which is a terrible provision. I have no idea how anyone thinking clearly could believe that repealing this provision, 956(A), which we did 3 years ago to try to tighten up on the loophole that exists to encourage people to move their jobs overseas, I have no idea how people believe it is in this country's interest to make it more attractive for companies to move their jobs overseas.

That is something we are going to have to watch, because if it comes back to the Senate, some of us are going to be very upset and very aggressive.

Let me, Mr. President, say those are the issues that make sense. I mean, those are the issues we ought to be dealing with—health care, minimum wage, economic growth, the deficit.

There will be economic growth figures out at the end of this week, both unemployment and GDP figures. The interesting thing about our country today is if it shows that the country is growing well and has a robust economic growth figure for the last quarter, if it shows that more people are working, we have fewer unemployed, what is going to happen? Well, if what has happened in the last year will happen again, Wall Street will have an apoplectic seizure and look for windows to jump out of. They will want to find a doorway to the roof, I suppose.

The slightest bit of good economic news creates, on Wall Street, some kind of enormous sense of sadness and sorrow and concern, and all of a sudden, we see stock prices drop, bond prices drop. I do not have any idea why they seem to be out of step with the interests of the rest of the country. I guess they think if we have any kind of good economic news at all, they are worried that over the horizon we will have more inflation. They are wrong about that.

The fact is, wages in this country are going down, not coming up, have been going down consistently for about 20 years. So we do not have the threat of more inflation. What we have is a threat of our economy not producing enough, not growing enough in order to produce the kind of robust opportunity that we want for the American people. But those are the central issues. Those are the issues we ought to be dealing with.

You know, the reason I came over today, after five people have talked about the subject of President Clinton again, is, we have, it seems to me, created in American politics an infection of sorts, an infection that suggests that we always have to be sawing away, always have to be chipping away and sawing away and gnawing away and biting away, or somehow we are not doing the public's work. That is not the public's work at all. That is the newly defined vision of American politics that I think is fundamentally wrong.

There was, a couple of years ago, something put out by this new wave of politicians who took control in the last year or so, last couple of years. There was a primer put out by an organization called GOPAC, and they put out tapes. They had instructional sessions for candidates. They put out a primer: ''Here is how you talk. Here is what you say. Here is how you appeal to people.'' In it, they did something that I basically consider reprehensible. They said, ''When you talk about yourself, you use contrasting words for yourself. Always try to use the words like 'hard work, toughness, flag, family, country.'''' They said, ''When you talk about your opponent, whenever you are talking about your opponent, you need to use the terms 'sick, permissive, pathetic, traitor.'''

This is an organization, incidentally, that has been winning. They won the last election. This organization trained the candidates that won the last election. The training manual says: ''If you're dealing with your opponents, call them sick, pathetic, traitor,'' fundamentally corrupting the American process, I say. That is not what the political process ought to be about.

Calling your opponents traitors, sick, pathetic—what is sick and pathetic is the new style and the new brand of politics that believes this advances the public interest in this country.

What advances the public interest in this country is, if and when both sides in the two major political parties finally come to the same point and are addressing the same central issues, even in different ways—jobs, education, health care, the environment, family farming. When both sides are addressing them, even if they have substantially different views, they are at least addressing the public's business, at least addressing the things that most American families want to see the Congress address.

But when they are off always sawing away at the bottom of the tree, always biting and nibbling, always trying to figure out how you can simply destroy the base somehow, it seems to me you can hardly be called builders, you can hardly be called—in the tradition of those who always believed there would be enough people to make this system

work—hardly be called constructive builders who participate in helping build the political system that the American people want.

My hope is that in the coming weeks—we have just 1 week left before there is an August break, and then about 4 or 5 weeks left before we will adjourn for the election—my hope is that during that time we will see substantially more cooperation, substantially less confrontation, and legislation enacted by the House and the Senate that addresses the central questions of people's concerns. I mentioned a few of them. Are they safe? Can they walk the streets? What about crime? Do they have jobs for themselves and their children? Does the education system work? Are our schools good enough? If not, what will make them better?

Can we fix the health care system to deal with preexisting conditions and portability of health care coverage, and make health care affordable for all people? Can we address the issue of those frozen at the bottom of the economic ladder working for very low wages who have been frozen for 7 years? Can we adjust the minimum wage?

Those are the central kinds of questions that if the Congress does address, will, I think, relate to the concerns of most of the American people.

Mr. President, I will yield the floor. My hope is that, although we are going to run through some appropriations bills this week, my hope is that a number of these other issues coming out of conference will be addressed as well.

SENATOR BENNETT JOHNSTON

Mr. DORGAN. Mr. President, let me make one final observation. The Senator who is on the Democratic side of the aisle working on this bill, Senate BENNETT JOHNSTON, as was mentioned by Senator KEMPTHORNE and others today, is one of, I think, the most admired Senators in this country.

He does it the right way. He addresses public issues in a thoughtful and responsible way. He is going to leave the Congress. I believe Members from both political parties would look at Senator JOHNSTON's public record and, with admiration, say this is someone who has served long and well in public service in this country and someone to whom we owe a debt of thanks and gratitude.

I know this will likely be the last bill that he is involved in managing with the Senator from New Mexico on the floor of the Senate. I did want to take the opportunity to wish him well in whatever new career he chooses. I am sure there are many opportunities ahead of him.

Mr. President, I yield the floor, and I make a point of order that a quorum is not present.

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

The legislative clerk proceeded to call the roll.

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

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

ENERGY AND WATER DEVELOPMENT APPROPRIATIONS ACT, 1997

The Senate continued with consideration of the bill.

LAKE TRAVERSE

Mr. DORGAN. Mr. President, I want to take just a couple of minutes, I will be very brief, to make a point to those managing this legislation.

My understanding is an amendment has been noticed dealing with the issue of Lake Traverse. I want it to be clear that if an amendment is offered on Lake Traverse, I will oppose that amendment.

The issue is a lake in South Dakota. There is some concern about the water level in that lake. The water level and the amount of water held for flood control disadvantages people around Lake Traverse. It is also true, that Lake Traverse is used less for flood control and as the lake water level is lowered, more water would be flushed out of the lake and into the Red River, adversely affecting a good number of communities along the Red River.

We did have a meeting with the St. Paul District, Corps of Engineers folks and the staffs of a number of congressional delegations about what kind of collaborative effort could be developed to make sure the interests of all parties are resolved in an appropriate way.

Legislation introduced here in the Senate, if such an amendment is introduced, would represent a unilateral way to do this. I will not support that.

It seems to me we have a circumstance where a lake project was authorized many, many years ago for the purpose of flood control. I understand some of the controversy about it. If the Congress is going to instruct the Corps to manage that lake in a way that diminishes opportunity for flood control, then the question is, who is going to bear the cost of that?

There will be a number of communities in North Dakota and Minnesota up on the Red River that will bear the cost of it. To the extent this problem is addressed and resolved, it must be resolved in a collaborative way, not through this kind of legislation.

If such an amendment is offered and I understand one has been referenced, I intend to oppose it. I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

AMENDMENT NO. 5101

Mr. JOHNSTON. Mr. President, I am sending to the desk a sense-of-the-Senate resolution on behalf of the distinguished Senator from West Virginia, Mr. ROCKEFELLER, and others regarding the United States-Japan semiconductor trade agreement which is set to expire on July 31 of this year.

His resolution, after recounting the history of this agreement, resolves that: It is the sense of the Senate that, if a new United States-Japan semiconductor agreement is not concluded by July 31 of this year, that, first, it ensures continued calculation of foreign market share in Japan according to the formula set forth in the current agreement, and, second, provides for continuation of current measures to deter renewed dumping of semiconductors in the United States and in third country markets, the President shall do three things: First, direct the Office of the Trade Representative to provide for unilateral United States Government calculation and publication of the foreign share of the Japanese semiconductor market, according to the formula set forth in the current agreement; second, report to the Congress on a quarterly basis regarding the progress, or lack thereof, in increasing foreign market access to the Japanese semiconductor market; and, third, take all necessary and appropriate actions to ensure that all United States trade laws with respect to foreign market access and injurious dumping are expeditiously and vigorously enforced with respect to the United States-Japan semiconductor trade.

I send the amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Louisiana (Mr. JOHNSTON), for Mr. ROCKEFELLER, for himself, Mr. CRAIG, Mr. BYRD, Mr. BINGAMAN, Mr. KEMPTHORNE, and Mr. DOMENICI, proposes an amendment numbered 5101.

Mr. JOHNSTON. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

At the appropriate place, insert:

SECTION 1. FINDINGS.

The U.S.-Japan Semiconductor Trade Agreement is set to expire on July 31, 1996;

The Governments of the United States and Japan are currently engaged in negotiations over the terms of a new U.S.-Japan agreement on semiconductors;

The President of the United States and the Prime Minister of Japan agreed to the G–7 Summit in June that their two governments should conclude a mutually acceptable outcome of the semiconductor dispute by July 31, 1996, and that there should be a continuing role for the two governments in the new agreement;

The current U.S.-Japan Semiconductor Trade Agreement has put in place both government-to-government and industry-to-industry mechanisms which have played a vital role in allowing cooperation in replace conflict in these important high technology sector such as by providing for joint calculation of foreign market share in Japan, deterrence of dumping, and promotion of industrial cooperation in the designing of foreign semiconductor devices;

Despite the increased foreign share of the Japanese semiconductor market since 1986, a gap still remains between the share U.S. and other foreign semiconductor makers are able to capture in the world market outside of Japan through their competitiveness and the sales of these suppliers in the Japanese market, and that gap is consistent across the full range of semiconductor products as well as a full range of end-use applications;

The competitiveness and health of the U.S. semiconductor industry is of critical importance to the United States' overall economic well-being as well as the nation's high technology defense capabilities;

The economic interests of both the United States and Japan are best served by well-functioning, open markets and deterrence of dumping in all sectors, including semiconductors;

The Government of Japan continues to oppose an agreement that (1) ensures continued calculation of foreign market share in Japan according to the formula set forth in the current agreement, and (2) provides for continuation of current measures to deter renewed dumping of semiconductors in the United States and in the third country markets; and

The United States Senate on June 19, 1996, unanimously adopted a sense of the Senate resolution that the President should take all necessary and appropriate actions to ensure the continuation of a government-to-government U.S.-Japan semiconductor trade agreement before the current agreement expires on July 31, 1996:

SEC. 2.

It is the sense of the Senate that if a new U.S.-Japan Semiconductor Agreement is not concluded by July 31, 1996, that (a) ensures continued calculation of foreign market share in Japan according to the formula set forth in the current agreement, and (b) provides for continuation of current measures to deter renewed dumping of semiconductors in the United States and in third country markets, the President shall—

(1) Direct the Office of the United States Trade Representative and the Department of Commerce to establish a system to provide for unilateral U.S. Government calculation and publication of the foreign share of the Japanese semiconductor market, according to the formula set forth in the current agreement;

(2) Report to the Congress on a quarterly basis regarding the progress, or lack thereof, in increasing foreign market access to the Japanese semiconductor market; and

(3) Take all necessary and appropriate actions to ensure that all U.S. trade laws with respect to foreign market access and injurious dumping are expeditiously and vigorously enforced with respect to U.S.-Japan semiconductor trade, as appropriate.

Mr. DOMENICI addressed the Chair.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. I ask unanimous consent that I be added as an original cosponsor.

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

Mr. ROCKEFELLER. Mr. President, I am offering an amendment that is the result of the calendar. I appreciate, therefore, the cooperation from the bill managers in allowing us to use the Energy-Water appropriations bill as a vehicle for drawing attention to an important issue for Americans. Today is July 29, and in 2 days, on July 31, the Semiconductor Agreement between the governments of the United States and Japan expires.

That is why I rise, on behalf of myself, and Senators CRAIG, BYRD, KEMPTHORNE, BINGAMAN, DOMENICI, and BOXER to offer a resolution expressing the sense of the Senate that if our negotiators are unable to reach a compromise on this important issue with the Government of Japan, that we should continue calculating the foreign share of the Japanese semiconductor market—with or without their formal cooperation. We need to do this in order to ensure continued access to the Japanese market, and to prevent illegal dumping into our market.

Since 1986, when the first Semiconductor Agreement was signed, the U.S. share of the Japanese market has grown from 8.5 percent to a little more than 17 percent. The United States share of the world market, excluding Japan, is about 54 percent. Mr. President, each point of the Japanese market is worth about $420 million in sales to the American economy and jobs, which translates into about $46.2 million in increased research and development, and $63 million in new capital investment. With numbers like that, I think it is clear how important it is that we ensure continued American access to the Japanese semiconductor market.

Mr. President, I had hoped that we would start off this week expressing relief that a new agreement between Japan and the United States has been reached. But unfortunately, that has not happened yet. This remains an example of a situation in which American trade negotiators still are unable to succeed in convincing their Japanese counterparts that it is in our mutual interest to resolve a trade-related issue that is about market access and ensuring fair trade.

What surprises me is that industry on both sides of the Pacific, and around the world, have generally applauded the two Semiconductor Agreements. Things have come a long way since 1986, when the first Semiconductor Agreement was reached and the U.S. semiconductor industry was on death's door. Since then, that agreement and the subsequent 1991 agreement, along with initiatives like Sematech, have helped American industry regain its footing and become the world leader that it is today. Markets around the world are expanding, profits are up, and the outlook for the entire industry is good.

But this period of improving market access for the U.S. semiconductor market and injecting more fairness in our trade relationship has also been short enough that we still need another agreement to avoid setbacks or suprises that could otherwise easily confront us and escalate trade-related tension unnecessarily.

Because the stakes are so high, I offer this Sense-of-the-Senate Resolution to call for appropriate action that should be taken if an agreement is not reached. Our resolution says: if an agreement on semiconductors is not reached by July 31—the date when the current agreement expires, and the date that Prime Minister Hashimoto agreed to—then the United States should unilaterally establish a system to monitor the Japanese semiconductor market, and report to Congress on a quarterly basis the progress, or lack thereof, in increasing foreign access to the Japanese semiconductor market.

I have spent many years studying and working on issues involving Japan, especially in the trade area. For that reason, I have watched the semiconductor agreement with keen interest. Many observers think or talk of this particular issue as one that just affects the businesses and communities tied to making this technology. But we are actually talking about a product often called chips that play a key role in the condition and prospects of many other industries. This type of chips, these semiconductors, form the guts of all those things shaped out of the steel that my State of West Virginia produces, along with plastics and practically everything else that makes our trains run on time, inflates the airbags in our cars, makes the elevator stop on our floors, and of course, powers our computers.

My State does not have an Intel or a Motorola that actually makes the chips. But West Virginia and many other states have industries that fall somewhere in what is called the high technology food chain. Semiconductors are the result of companies and workers who make and provide the materials that go into the end-product—sophisticated chips that make the United States one of the world's powerhouses in high-tech, and generate business and profits for many other industries around the country.

Earlier this month, I visited PPG Industries in West Virginia. PPG started more than 100 years ago as the Pittsburgh Plate Glass Co. They are still one of the leading flat glass companies in the world, but they no longer resemble their ancestor of the 19th century, or even the early 20th century. They are a 21st century company that makes high performance thermoplastics that go into the housing for Pentium chips—the most advanced semiconductors in today's personal computers [PC's]. When Japan buys more American made semiconductors and computers, the benefits are reaped all the way down the high technology food chain to companies like PPG.

My hope is that Japan will see how they benefit, in so many ways, from finding common ground with the United States in settling our trade disputes and maintaining the fair and open trade arrangements we seek in the case of semiconductors. The United States and Japan have deep, meaningful ties with one another, from our security relationship which forms the bedrock of security and stability in East Asia to the leading role we both play in the world's economy. We must continue as friends and as major economic players

in the world to try to make bilateral trade another area where we resolve our differences, adhere to the principle of reciprocity and fairness, and play by the same rules. In the case of semiconductors, the United States should not be asked to risk going back to the days, from not very long ago, when we could not reach the Japanese market with products that are the best in the world. I hope Japan will soon agree, but until that happens, I offer this resolution to highlight Americans' stake in the outcome and to propose the steps that should be taken to protect our economic interests.

Mr. DOMENICI. Mr. President, we have no objection to the amendment on our side.

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

The amendment (No. 5101) was agreed to.

Mr. DOMENICI. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. JOHNSTON. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 5099 TO AMENDMENT NO. 5098, AS FURTHER MODIFIED

Mr. JOHNSTON. Mr. President, earlier this afternoon, Senator DOMENICI introduced an amendment on his behalf and on my behalf a second-degree amendment, and later we struck a paragraph of that amendment. I now, Mr. President, would like to further correct our action.

On the first page of amendment No. 5098 to S. 1959, on the first page we should strike the following language—strike the paragraph that begins: ''Insert where appropriate: 'MAINTENANCE OF SECURITY'" et cetera, and ending with the phrase: ''SECURITY AT THE GASEOUS DIFFUSION PLANTS;''.

I would like to vitiate that action with respect to that paragraph.

Mr. DOMENICI. Reserving the right to object, did we not do that?

Mr. JOHNSTON. We took out part of it but not all of it.

Mr. DOMENICI. I understand that there is a McConnell amendment, and we have the right in his behalf of offering it freestanding. Now, as soon as we contact him, we will in short order offer it. This would not preclude us from offering that; is that correct? I ask a parliamentary inquiry.

The PRESIDING OFFICER. That is correct.

Mr. DOMENICI. I have no objection.

The PRESIDING OFFICER. Without objection, the amendment is so modified.

The amendment (No. 5099) to amendment No. 5098, as further modified, is as follows:

In Amendment No. 5098, strike lines 3 through 9 and insert in lieu thereof:

On page 19, line 3, strike ''2,749,043,000,'' and insert in lieu thereof ''2,764,043,000,'' and on page 20, line 9, strike ''220,200,000 and insert in lieu thereof ''205,200,000.''

Insert where appropriate: Within available funds, up to $2,000,000 is provided for demonstration of stir-melter technology developed by the Department and previously intended to be used at the Savannah River site. In carrying out this demonstration, the Department is directed to seek alternative use of this technology in order to maximize the investment already made in this technology.''

Insert where appropriate: ''*Provided*, That, funds made available by this Act for departmental administration may be used by the Secretary of Energy to offer employees voluntary separation incentives to meet staffing and budgetary reductions and restructuring needs through September 30, 1997 consistent with plans approved by the Office of Management and Budget. The amount of each incentive shall be equal to the smaller of the employee's severance pay, or $20,000. Voluntary separation recipients who accept employment with the Federal Government, or enter into a personal services contract with the Federal Government within 5 years after separation shall repay the entire amount to the Department of Energy.''

On page 2, between lines 24 and 25, insert the following: ''Tahoe Basin Study, Nevada and California, $200,000; Walker River Basin restoration study Nevada and California, $300,000;''

On page 3, line 20, strike ''construction costs for Montgomery Point Lock and Dam, Arkansas, and''

On page 13, line 21, after ''expended'' insert '':*Provided further*, That within available funds, $150,000 is for completion of the feasibility study of alternatives for meeting the drinking water needs of Cheyenne River Sioux Reservation and surrounding communities''.

On page 7, line 19, add the following before the period: ''*:Provided further*, That the Secretary of the Army is directed to use $600,000 of funding provided herein to perform maintenance dredging of the Cocheco River navigation project, New Hampshire.''

On page 5, after line 2, insert the following: ''Mill Creek, Ohio, $500,000;''.

On page 5, line 8, strike ''$6,000,000'' and insert in lieu thereof: ''$8,000,000''.

On page 23, line 22, strike ''$5,615,210,000'' and insert ''$5,605,210,000''; and on page 23, line 8, strike ''$3,978,602,000'' and insert ''$3,988,602,000''.

On page 14, on line 12, after ''amended'' insert ''$12,500,000 shall be available for the Mid-Dakota Rural Water System''.

On page 6, line 24, strike ''1,700,358,000'' and insert ''1,688,358,000.''

On page 3, line 15, strike ''1,024,195,000'' and insert ''1,049,306,000.''

On page 5, line 25, insert the following before the period: *Provided further*, That the Secretary of the Army, acting through the Chief of Engineers, is authorized and directed to initiate construction on the following projects in the amounts specified:

''Lake Harbor, Alaska, $4,000,000;

''Helena and Vicinity, Arkansas, $150,000;

''San Lorenzo, California, $200,000;

''Panama City Beaches, Florida, $400,000;

''Chicago Shoreline, Illinois, $1,300,000;

''Pond Creek, Jefferson City, Kentucky, $3,000,000;

''Boston Harbor, Massachusetts, $500,000;

''Poplar Island, Maryland, $5,000,000;

''Natchez Bluff, Mississippi, $5,000,000;

''Wood River, Grand Isle, Nebraska $1,000,000;

''Duck Creek, Cincinnati, Ohio, $466,000;

''Saw Mill River, Pittsburgh, Pennsylvania, $500,000;

''Upper Jordan River, Utah, $1,100,000;

''San Juan Harbor, Puerto Rico, $800,000; and

''Allendale Dam, Rhode Island, $195,000: *Provided further*, That no fully allocated funding policy shall apply to construction of the projects listed above, and the Secretary of the Army is directed to undertake these projects using continuing contracts where sufficient funds to complete the projects are not available from funds provided herein or in prior years.''

On page 14, line 1, strike ''$410,499,000'' and insert ''$398,596,700''.

On page 15, line 13, insert the following before the period: *: Provided further*, That $1,500,000 shall be available for construction of McCall Wastewater Treatment, Idaho facility, and $1,000,000 shall be available for Devils Lake Desalination, North Dakota Project''.

On page 29, between lines 5 and 6, insert the following:

''SALARIES AND EXPENSES

''For expenses necessary to carry out the functions of the United States member of the Delaware River Basin Commission, as authorized by law (75 Stat. 716), $342,000.''

On page 33, between lines 7 and 8, insert the following:

''SALARIES AND EXPENSES

''For expenses necessary to carry out the functions of the United States member of the Susquehanna River Basin Commission as authorized by law (84 Stat. 1541), $322,000.''

On page 17, line 19, strike ''$48,971,000'' and insert ''$48,307,000''.

On page 7, line 19, insert the following before the period: ''*Provided further*, That $750,000 is for the Buford-Trenton Irrigation District, Section 33, erosion control project in North Dakota''.

Mr. DOMENICI. Mr. President, in behalf of the leader, I ask unanimous consent—and I understand this has been approved by the minority—at the hour of 9:30 a.m. on Tuesday, that is, July 30, there be 20 minutes for closing remarks under the control of myself and Senator JOHNSTON or their designees, and at the hour of 9:50 a.m. there be 10 minutes under the control of Senator MCCAIN, and that at the hour of 10 a.m. there be 2 minutes for debate to be equally divided in the usual form prior to the vote in relation to amendment No. 5094, to be followed by votes on or in relation to amendments Nos. 5095 and 5096, with the same 2 minutes for debate between each vote to be equally divided, provided that no second-degree amendments be in order to these amendments.

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

Mr. DOMENICI. Just a moment.

I further ask unanimous consent that following the first stacked rollcall vote, each remaining vote be limited to 10 minutes.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. DOMENICI. Mr. President, I think we have appropriately reserved what everyone wanted us to preserve and protect, and if I understand correctly—and perhaps Senator JOHNSTON can listen and see if I am right—Senator GRAMS' amendment on the Appalachian Regional Commission is not provided for in this. Therefore, it will be taken up in due course tomorrow. But none of this agreement with reference to time limits and/or amendments applies.

Mr. JOHNSTON. The Senator is correct.

Mr. DOMENICI. I understand Senator MCCAIN has an amendment pending striking section 503. It has not been disposed of, or provided for, I should say, in this unanimous consent request. So unless we can dispose of it, it will be pending also tomorrow. I understand that on the Democratic side, you are trying to get Senator FEINGOLD, if he can, to come to the floor with reference to an Animas LaPlata amendment.

Is there any hope that that will be forthcoming soon, Senator FEINGOLD on Animas LaPlata?

Mr. JOHNSTON. I am advised he has an amendment, but we do not have a copy of it.

We are advised he is on his way.

Mr. DOMENICI. All right. There has been time provided for Senator CAMPBELL in a previous unanimous consent agreement, but I believe if the amendment is offered tonight, the Senator has the privilege of 10 minutes in opposition to it.

AMENDMENT NO. 5095

Mr. JOHNSTON. Mr. President, I send a letter to the desk addressed to me dated today and signed by Terry R. Lash, Director of the Office of Nuclear Energy, Science and Technology, which details the principal arguments against terminating the advanced light water reactor program and, among other things, points out that in the fifth year of a 5-year program, the cost to terminate this program would exceed the Government's obligation, which is $22 million in this budget. So it would seem foolhardy at best to do so.

I ask unanimous consent that letter be printed in the RECORD.

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

DEPARTMENT OF ENERGY,
Washington, DC, July 29, 1996.

Hon. J. BENNETT JOHNSTON,
Ranking Minority Member, Subcommittee on Energy and Water Development, Committee on Appropriations, U.S. Senate, Washington, DC.

DEAR SENATOR JOHNSTON: We are pleased to respond to your request for additional information about our Advanced Light Water Reactor (ALWR) program. As we indicated in our recent letter to Senator Domenici, the Department of Energy opposes the amendment to eliminate funding for the ALWR program from the FY 1997 Energy and Water Development Appropriations Bill. This amendment appears to be based on several important misconceptions about the Department's ALWR program.

One misconception is that it is ''corporate welfare.'' We strongly disagree with this characterization. The program uses limited federal funds to encourage U.S. industry to pursue R&D that is clearly in the long-term interests of the United States. The preservation of the nuclear energy option is vital to the future energy supply in this country.

In addition to serving the national interest, this program is designed such that industry provides the majority of program funding. With the Department's leadership, a unique alliance of electric utilities, technology vendors, and government have come together to conduct a highly focused and goal-oriented technology development program. Since the ALWR program began in 1986, the Department has conducted $800 million in program activities with a taxpayer investment of only $300 million. Further, the federal government will receive reimbursements when the technology developed by the FOAKE program is sold. For example, the federal government should receive approximately $3 million from General Electric as a result of its sale of ABWRs to Taiwan (which, unlike the plants GE previously sold to Japan, are based on technology developed by the Department's program). Westinghouse Electric Corporation has agreed to pay $25 million to the government with the sale of its first AP600 to repay design certification funding and an additional $4 million for each reactor sold to repay federal FOAKE contributions.

Second, critics of the program have stated that the program's authority under the Energy Policy Act of 1992 (EPACT) ends in FY 1996. In truth, the EPACT limits the First-of-A-Kind Engineering (FOAKE) program to five years and limits total program funding to $100 million. The EPACT became law in fiscal year 1993. The Department is, therefore, fully authorized under the EPACT to apply funds to the FOAKE program in FY 1997. Further, the Department has spent only about $82 million on the FOAKE activity program since it began in 1992. There have been significant increases in program cost, but these have been absorbed by industry. In any event, the Department's General Counsel has determined that the Department is also fully authorized by the Atomic Energy Act to conduct nuclear energy research and development programs and the EPACT does not limit this authority.

Third, there have been recent statements to the effect that there is no U.S. utility interested in building new ALWRs. In our view, the fact that the electric utility industry has provided hundreds of millions of dollars to conduct ALWR activities indicates that utility executives remain interested in the nuclear option. The Department is aware of an invalid recent survey which indicates that 89 percent of utility CEOs would not consider ordering new nuclear power plants, but even a casual examination of the response data finds that its accuracy is suspect. This survey received responses from only 397 of nearly 3600 U.S. electric utilities—and it is not clear that the respondents include the 44 utilities that currently own and operate nuclear power plants.

Fourth, there has also been considerable discussion about General Electric's decision to terminate its Simplified Boiling Water Reactor (SBWR) activities. The program's critics theorize that this action was taken because there is no market for small plants, including the Westinghouse-designed AP600. It must be recognized that GE's market strategy is very focused on the east Asian market—particularly Japan. In many of these countries, there is considerable incentive to build large plants with high power capacity. Press accounts indicate that GE's intent apparently is to abandon this small reactor in favor of a significantly larger plant with the same technical approach as the SBWR.

Other potential markets are more interested in factors such as lower capital cost and lower complexity—attributes natural to mid-sized plants. These attributes are very attractive to U.S. utilities and others as well. Currently twenty-two countries contribute funds and personnel to the AP600 program. The Department believes that this represents a significant international interest in advanced mid-sized nuclear power plants with passive safety systems.

Regarding recent concerns about termination costs, the Department has been informed by its program contractors that significant termination costs may be sought from the Department if the FOAKE program is terminated prematurely. Many of these costs would result from the early termination of personnel and subcontractors. Westinghouse, for example, estimates that the early termination of its portion of the design certification program would cost about $28 million. Westinghouse also estimates that its FOAKE termination costs would be approximately $10 million. Other contractors would be expected to seek lesser amounts, because their participation in the program is nearly complete. The Advanced Reactor Corporation, which manages the FOAKE program, has indicated that it may seek as much as $24 million from the Department if the program is terminated at this stage.

Since the potential that these costs might have to be paid by DOE has been raised only recently, we have not fully evaluated the accuracy of this claim. The contract appears to offer some protection from these costs, but it is possible that the federal government could be held liable for some termination expenses. A legal analysis has been initiated to investigate this and other ramifications of an early shutdown of the ALWR program.

I hope this information is of assistance to you. Do not hesitate to call me if you would like additional information.

Sincerely,

TERRY R. LASH, DIRECTOR,
Office of Nuclear Energy, Science and Technology.

Mr. DOMENICI. Mr. President, might I ask the Senator from Louisiana a question? In that $40 million that we have been talking to with reference to——

Mr. JOHNSTON. It is $22 million.

Mr. DOMENICI. Senator MCCAIN's amendment on the light water reactor, can the Senator inform me again what portion is the light water reactor and what portion is now for wrapping up the program? There are two pieces, are there not, 22 and 18?

Mr. JOHNSTON. Yes, that is correct.

Mr. DOMENICI. The 18 is for termination costs?

Mr. JOHNSTON. Of the first-of-a-kind engineering program.

Mr. DOMENICI. Right.

Mr. President, in the afternoon when I spoke about the $40 million program, two programs that are being stricken by the McCain amendment, I alluded to those collectively at 40 and as the light water reactor. As a matter of fact, that is incorrect; $22 million is for the light water reactor and $18 million is for termination of first-of-a-kind engineering. Wherever I alluded to that, I ask unanimous consent that the RECORD be corrected and there be the distinction made as to the two parts of the $40 million.

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

Mr. DOMENICI. I thank the Chair.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. DOMENICI. Mr. President, before Senator FEINGOLD is recognized, I wonder if I could offer first an amendment that has been approved on the other side on behalf of Senator SIMON. It is an amendment regarding $5 million being made available for research in converting saline water to fresh water.

AMENDMENT NO. 5102

Mr. DOMENICI. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from New Mexico [Mr. DOMENICI], for Mr. SIMON, proposes an amendment numbered 5102.

On page 19, line 4 add the following before the period: ": *Provided, That* $5,000,000 shall be available for research into reducing the costs of converting saline water to flush water".

Mr. DOMENICI. Is there objection to the amendment that is pending?

Mr. JOHNSTON. We are in full agreement with that amendment.

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

The amendment (No. 5102) was agreed to.

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

Mr. JOHNSTON. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 5103

(Purpose: To provide that $10,000,000 shall be available for the electrometallurgical treatment of spent nuclear fuel at Argonne National Laboratory)

Mr. DOMENICI. In behalf of Senator KEMPTHORNE and Senator CRAIG, I offer an amendment with reference to the Environmental Restoration Waste Management Program, a $5 million add-on for the electrometallurgical treatment of spent nuclear fuel at Argonne Laboratory. It has been approved on the other side.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from New Mexico [Mr. DOMENICI] for Mr. KEMPTHORNE, for himself and Mr. CRAIG, proposes an amendment numbered 5103.

Mr. DOMENICI. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

At the appropriate place, insert the following: "Of amounts appropriated for the Defense Environmental Restoration and Waste Management Technology Development Program, $5,000,000 shall be available for the electrometallurgical treatment of spent nuclear fuel at Argonne National Laboratory.".

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

The amendment (No. 5103) was agreed to.

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

Mr. JOHNSTON. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 5104

Mr. DOMENICI. Mr. President, I offer an amendment which also has been cleared on the other side in behalf of Senator HATFIELD, an amendment, "Opportunity to review and comment by the State of Oregon on certain remedial actions at Hanford Reservation." I ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from New Mexico [Mr. DOMENICI], for Mr. HATFIELD, proposes an amendment numbered 5104.

Mr. DOMENICI. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

On page 37 add the following new section:

SEC. . OPPORTUNITY FOR REVIEW AND COMMENT BY STATE OF OREGON ON CERTAIN REMEDIAL ACTIONS AT HANFORD RESERVATION, WASHINGTON

"(a) OPPORTUNITY.—

(1) Subject to subsection (b), the Site Manager at the Hanford Reservation, Washington, shall, in consultation with the signatories to the Tri-Party Agreement, provide the State of Oregon an opportunity to review and comment upon any information the Site Manager provides the State of Washington under the Hanford Tri-Party Agreement if the agreement provides for the review and comment upon such information by the State of Washington.

(2) In order to facilitate the review and comment of the State of Oregon under paragraph (1), the Site Manager shall provide information referred to in that paragraph to the State of Oregon at the same time, or as soon thereafter as is practicable, that the Site Manager provides such information to the State of Washington.

(b) CONSTRUCTION.—This section may not be construed—

(1) to require the Site Manager to provide the State of Oregon sensitive information on enforcement under the Tri-Party Agreement or information on the negotiation, dispute resolution, or State cost recovery provisions of the agreement;

(2) to require the Site Manager to provide confidential information on the budget or procurement at Hanford under terms other than those provided in the Tri-Party Agreement for the transmission of such confidential information to the State of Washington;

(3) to authorize the State of Oregon to participate in enforcement actions, dispute resolution, or negotiation actions, conducted under the provisions of the Tri-Party Agreement;

(4) to authorize any delay in the implementation of remedial, environmental management, or other programmatic activities at Hanford; or

(5) to obligate the Department of Energy to provide additional funds to the State of Oregon.

SEC. . SENSE OF THE SENATE, HANFORD MEMORANDUM OF UNDERSTANDING.

It is the Sense of the Senate that—

(1) the State of Oregon has the authority to enter into a memorandum of understanding with the State of Washington, or a memorandum of understanding with the State of Washington and the Site Manager of the Hanford Reservation, Washington, in order to address issues of mutual concern to such States regarding the Hanford Reservation; and

(2) such agreements are not expected to create any additional obligation of the Department of Energy to provide funds to the State of Oregon.

Mr. DOMENICI. We have no objection to the amendment.

The PRESIDING OFFICER. Without objection, the amendment is agreed to. The amendment (No. 5104) was agreed to.

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

Mr. JOHNSTON. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 5105

Mr. DOMENICI. Mr. President, Senator MCCAIN is not present today. He has asked me to submit—he had three reservations. This is the third one striking section 503 from the bill. I send the amendment to the desk.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from New Mexico [Mr. DOMENICI], for Mr. MCCAIN, proposes an amendment numbered 5105.

Mr. DOMENICI. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

Strike section 503 of the bill.

Mr. DOMENICI. Mr. President, this is not going to be accepted today. It is an amendment which will be pending at the close of business today. I yield the floor.

Mr. FEINGOLD addressed the Chair.

The PRESIDING OFFICER. The Senator from Wisconsin is recognized.

Mr. FEINGOLD. Mr. President, I ask the pending amendment be set aside.

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

AMENDMENT NO. 5106

(Purpose: To eliminate funding for the Animas-LaPlata Participating Project)

Mr. FEINGOLD. Mr. President, I send an amendment to the desk.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Wisconsin [Mr. FEINGOLD] proposes an amendment numbered 5106.

Mr. FEINGOLD. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

On page 14, lines 1 through 5, strike "$410,499,000, to remain available until expended, of which $23,410,000 shall be available for transfer to the Upper Colorado River Basin Fund authorized by section 5 of the Act of April 11, 1956 (43 U.S.C. 620d)," and insert "$400,999,000, to remain available until

expended, of which $13,910,000 shall be available for transfer to the Upper Colorado River Basin Fund authorized by section 5 of the Act of April 11, 1956 (43 U.S.C. 620d) (of which no amount may be used for the Animas-LaPlata Participating Project),''.

Mr. DOMENICI. Mr. President, I wonder if the Senator will yield for a question?

Mr. FEINGOLD. I yield for a question.

Mr. DOMENICI. The next bill up will be legislative appropriations. They are wondering when we will conclude. I understand this is the last matter of business pertaining to this bill. Could the Senator indicate to us how much time he might need?

Mr. FEINGOLD. Mr. President, my statement, in answer to the question of the Senator from New Mexico, is about 15 to 20 minutes at the most.

Mr. DOMENICI. Would the Senator agree to 20 minutes for himself and 10 minutes for the opposition, which will be used at a later time?

Mr. FEINGOLD. I agree to that, Mr. President.

Mr. DOMENICI. I ask unanimous consent there be 20 minutes allotted to Senator FEINGOLD, and the order already has 10 minutes in it for Senator CAMPBELL.

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

The Senator from Wisconsin is recognized.

Mr. FEINGOLD. Mr. President, I thank the managers, the Senator from Mexico and Louisiana, for their management of the bill and for their cooperation in making it possible for me to offer this amendment at this time.

I rise today to discuss a matter of concern to me and many other Senators, the $10 million in funding for the initiation of construction of the Animas LaPlata water project that is contained in the Senate version of the fiscal year 1997 energy and water appropriations bill.

This project is a perfect example of water policy from a by-gone era. For those who are unfamiliar with it, the Animas LaPlata project is a $714 million taxpayer-funded water development project planned for southwest Colorado and northwest New Mexico. Designed to supply 191,230 feet of water, the Animas LaPlata project consists of two major reservoirs, seven pumping plants, and 200 miles of canals and pipes. The project will pump water over 1,000 feet uphill, consuming enough power to run a city of 60,000, to supply municipal, industrial, and irrigation interests.

I am concerned about this project because of its extremely high projected cost to the taxpayer. This is among the last of the big Federal water projects, and the kind I believe we can no longer afford. The cost to the Federal Government of this project will amount to $481 million, nearly 68 percent of the total cost—an expense which has led opponents of the project to label it ''Jurassic Pork.'' My fiscal concerns are compounded by the likelihood that, as a remedy to address the legitimate water rights concerns of the Ute Mountain Ute and Southern Ute tribes, it may fall short of achieving even its nonmonetary benefits.

The high cost of the project makes the water it seeks to store incredibly expensive. The construction cost allocated to irrigation amounts to $7,467 per acre of irrigated land—for land currently worth about $500 per acre. The project provides an average irrigation subsidy of over $2 million per farm over the 100-year life of the project. I believe that the Congress should act to seek the consideration of lower-cost alternatives and terminate this project rather than initiate construction. My concerns are heightened now that the House has acted to terminate Animas LaPlata. I believe it would be additionally costly and wasteful to allow Animas LaPlata to move forward with limited appropriations in this and the next few fiscal years only to find the project will be terminated in the coming years. This seems pretty wasteful.

I would like to discuss each of my concerns in greater detail, and to try to provide more extensive background on the history of this matter.

First, while there are concerns about the fulfillment of Ute tribal water rights now associated with this project, I wanted to make it clear to my colleagues that this project was not initiated as a way to address these claims. Animas LaPlata has a much longer history. It was authorized in 1968 as a project to supply irrigation water to farmers growing low value forage crops. Even back then in the days of big water projects, this one was so bad it could not get going. In 1988, nearly 20 years after it was authorized, the settlement of the Ute Indian water rights claims became an additional justification for pushing the project through; but it was an additional justification, not the initiation. Yet, as with any bad idea that is dressed up to appear better, this project continues to be riddled with many problems.

By way of background, I do not need to tell the current Presiding Officer, he knows very well, this project is scheduled to be built in two phases. Phase 1 of the project is to be constructed entirely at Federal cost in two stages, A and B. And then phase 2 is to be constructed at non-Federal cost.

At the present time, there are at least 6 overlapping impediments to this project going forward successfully:

First, conflicts under the Endangered Species Act;

Second, failure to comply with the National Environmental Policy Act, NEPA;

Third, violation of the Water Supply Act of 1954 regarding repayment of construction costs;

Fourth, a 1994 inspector general's audit determining that the project is not economically feasible;

Fifth, the Bureau of Reclamation's own 1995 economic analysis supporting the 1994 IG's report conclusions;

And finally, six, persistent questions about the ability of this project to meet the regional Indian water rights claims, even if that was the original purpose, which it was not.

I would like to discuss each of these concerns a little bit more. In 1990, the Bureau was notified that the project would trigger Endangered Species Act protections because withdrawal of water from the rivers affected would result in the demise of certain fish native to the area.

The issue was reviewed, and the Bureau is currently permitted to build only one-third of the project, the portion known as phase 1, stage A. Building only this portion of the project would not allow the project to actually fulfill the tribal water rights claims that are often cited as the reason to go forward.

In 1992, the Bureau was sued because it had failed to comply with the National Environmental Policy Act, and the court upheld that claim. The Bureau of Reclamation took 3 years to complete its supplemental environmental impact statement, and within days, the EPA promptly found the supplemental EIS unsatisfactory, and now the project is a likely candidate for referral to the Council on Environmental Quality.

In May 1996, the EPA wrote to the Bureau to express its concerns. All Members of the Senate should have received a copy of the EPA letter when they received my Dear Colleague letter on this amendment last Friday. A letter to Mr. Martinez, Bureau Director, from Richard Sanderson, Director of EPA's Office of Federal Activities, dated May 1, 1996, states:

> We remain concerned that the Bureau of Reclamations's present formulation of the Animas LaPlata project will result in unacceptable adverse environmental impacts that should be avoided.

The letter cites, among those consequences, impacts to water quality, Navajo water rights, mitigation concerns, and impacts associated with municipal and industrial uses. The letter concludes:

> It is unclear whether the fully sized Animas LaPlata project will ever be constructed if the current constraints remain unchanged. We believe that the Bureau of Reclamation needs to reexamine whether there are more appropriate alternatives that meet these constraints instead of merely constructing stage A of the Animas LaPlata project.

In addition, municipal and industrial users are required under the Water Supply Act of 1958 to fully repay all the construction costs and operation and maintenance costs attributable to the supply of municipal and industrial water. Those repayment contracts are to be in place before construction begins.

Currently, a number of repayment contracts have not been signed. Those that have been signed and those that

are anticipated to be signed are over $100 million short of the projected municipal and industrial cost. It is questionable if the project will ever comply with the law and obtain full reimbursement of municipal and industrial costs from the project beneficiaries.

In addition, in 1994, the Interior Department's inspector general audited the project and declared that the project was neither financially feasible nor economically justifiable.

A July 1995 economic analysis by the Bureau of Reclamation, the only analysis that used economic procedures approved for Bureau analyses and a current discount rate, reported that the project's benefit cost ratio is 36 to 1. That is 36 to 1. In other words, the project will only return 36 cents for every tax dollar invested. That is not a very good ratio.

Given all of these failures to comply with the Federal laws designed to protect the taxpayer and the environment, Mr. President, one has to question the advisability of moving forward with such a troubled project.

In addition to Federal law concerns, the project does face some State legal problems, as raised by the attorney general of the State of New Mexico in a letter to the distinguished chairman of the Appropriations Committee on July 17, 1996. Our colleagues should have received a copy of this letter on Friday, as well, in their offices. Attorney General Udall's letter states, ''The ALP project threatens to violate or exacerbate existing violations of multiple State water quality standards, including selenium, mercury, and others.''

Now, Mr. President, having listed these six concerns, I want to specifically address the issue of the effect of the termination of this project on the legitimate water rights claims of the Ute Mountain Ute and Southern Ute tribes. This is an issue of grave concern to me, and I know it is of paramount importance to the occupant of the chair, the junior Senator from Colorado, who has longstanding ties to the Ute Nations that predate his service in the U.S. Senate. As a Senator from a State with 11 federally recognized tribes, I take tribal issues extremely seriously and know, as does the junior Senator from Colorado, that tribal issues are often the least well understood and can be very divisive.

I believe it is of paramount importance to fulfill the Federal Government's obligations to the tribes. And as the junior Senator from Colorado will undoubtedly state, both Ute tribal governments do formally support Animas LaPlata. However, it is also important to place the Ute's interest in perspective. Of the 191,230 acre-feet of water supplied by the project, two-thirds of that water will go to nontribal interests with only 62,000 acre-feet of the total to be supplied to both tribes.

I am concerned that the Animas LaPlata, despite the best of intentions and arguments of proponents' attorneys, simply cannot meet the needs of the tribes because the initial construction phase of the project will neither provide the delivery system nor the quantity of water needed to fully honor the Federal Government's commitments to the tribe. We should not spend hundreds of millions of dollars and still find the tribal needs potentially unmet. Instead, we should begin to have the Bureau examine alternatives that would fully meet the needs of the tribes in a timely way and at less cost.

There is at least a portion of the Southern Ute tribe, as you well know, Mr. President, that shares these concerns. From the perspective of the tribal councils, majority rules and the majority position of the councils is to support this project. However, we in the Senate know well the importance of protecting minority voices. Indeed, that is exactly what this body is designed to do. Those in the Southern Ute Tribe who oppose Animas LaPlata, the Southern Ute Grassroots Organization, are on the committee of elders and have strong concerns.

On Friday, every Member of this body should have received another copy of the letter they sent to Members of the Senate in April 1995. That letter specifically asked Congress to refuse to appropriate money to the Animas LaPlata until the Bureau thoroughly studies the other alternatives. I think it important for all Members of the Senate to be aware that there is actually a substantial division among the members of the Southern Ute Tribe about the wisdom of this project.

If we do not reexamine this project, a future Senate will be right back where we are today. The Ute Tribes' water rights settlement says if the project isn't built and fully functional by the year 2000, the tribes may, and are able to, void the settlement and go back into negotiations or litigation. The Bureau of Reclamation, most in this body would agree, is not an agency whose operating history has been free from cost overruns and delays. The Bureau now indicates, before the commencement of the project, that it cannot complete the project at least before the year 2003, Mr. President.

I am afraid what will likely happen if Congress moves forward with this project is that the project may be in some sort of state of construction in 2003, the tribal governments will examine the cost they will have to pay for Animas LaPlata water, which will be about twice the local cost for municipal and industrial water, and they simply might decide they will not be able to use the water or sell it. It is not unreasonable to expect the Utes may seek to avoid their settlement, wherein the non-Indian irrigators will get their project with its $5,000 an acre subsidy and Congress, in the year 2005 or so, will have to fund a new water rights settlement anyway, without resolving the legitimate concerns of the two tribes.

Mr. President, I also want to raise another question relating to tribal water rights, and that is the rights of the Navajo Nation who live downstream of this project in New Mexico.

The Navajo Nation has not formally opposed this project, but they are concerned about the impacts it will have on their nation. In an August 1995 letter to the Bureau of Reclamation Denver office, the Navajo Nation indicated that the Animas LaPlata project would adversely affect their trust water resources by decreasing the amount of water in the San Juan River basin for their use and development. The Navajo Nation as expressed in their letter ''exert sovereign control over its water resources through the Navajo Nation Water Code * * * Depletions resulting from ALP development will affect the sovereign administration and management of Navajo water resources. Projected ALP development and Navajo reservoir operation may require the reevaluation of existing water uses permitted under the Water Code, with potentially adverse consequences for the Navajo Nation.''

So, Mr. President, my understanding is that Navajo's rights to use water within the San Juan River have not yet been adjudicated, yet as the San Juan is the only reliable developable source of water in the northern portion of the Navajo Nation these issues will continue to be important.

I want to make the record clear however, that the Navajo Nation, in a follow-up letter, clearly stated its concern that they did not want to adversely affect the Utes' legitimate claims. Nevertheless, their Nation has made it clear that they are prepared and ready to assert their own water claims.

In other words, Mr. President, the continuation of Animas LaPlata is not likely to settle tribal water rights claims in this region. Therefore, it is critical before construction begins, that we take a second look at whether there is a better way, a small, less controversial means of satisfying the Ute claims without the massive Animas LaPlata project.

By every indication, even the Bureau recognizes the massive project originally envisioned will never be built. At best, a much smaller, less ambitious project is the only feasible outcome. Yet the Bureau has never formally acknowledged this fact, nor has Congress taken an active role in shaping a project modification. Instead we are asked to continue to appropriate funds for an infeasible project.

There are those in the Senate that may ask why this Senator has such significant concerns about a very old water project for which some individuals have such strong support. I have some personal experience, Mr. President, of a situation like this in Wisconsin because people in the western part of my State are living with the legacy of a failed Army Corps of Engineers water project, the La Farge Dam. In 1962 Congress authorized $15.5 million—which would today cost about $102 million to build the same thing—for La

Farge dam and lake to be constructed along the Kickapoo River in Wisconsin. They touted the tourism opportunities of lake and flood control for neighboring residents not unlike the Animas LaPlata. And 144 farms and homes were condemned. Families were relocated. It Impacted both the tax base and local business. Construction began in 1971 and was their discontinued in 1975, due to its environmental impact and the presence of native archeological sites, when the project was three-quarters complete.

At one point passions over this issue became so intense that former Senators Proxmire and Nelson, and former Governor Lucey were burned in effigy. The area, already struggling economically prior to the dam's development, was devastated. By 1990, it was estimated that annual losses resulting from the cessation of family farm operations and the unrealized tourism benefits that had been promised with the dam totaled more 300 jobs and $8 million for the local economy per year.

In fact, Mr . President, the only remaining legacy of the project is a fragmented landscape. It is dotted with scattered remains of former farm homes, and a 103 foot tall, concrete shell of the dam, with the Kickapoo River flowing unimpeded through a 1,000-foot gap. The most important benefit of the dam, its flood control protection, was never realized. The legacy of La Farge, which only recently has begun to have a silver lining with the passage last month of language to deauthorize the project and turn the lands over to control by the State and the Ho Chunk Nation, a Wisconsin tribe, is one that I think should not be forgotten. It is a serious example of the Federal Government's mistake with a big project that did not work.

Last week, as you well know, the House of Representatives finally voted 221–200 to stop the funding for the Animas LaPlata project as it is currently designed. That effort was led by my colleagues from Wisconsin, Representative PETRI, and Congressman DEFAZIO from Oregon. Members in the other body made it very clear that they want the Department of the Interior to review and develop a sensible alternative that will effectively meet the legitimate needs of the tribes in a more cost-effective and environmentally sound fashion.

We should do the same in the Senate for the sake of the taxpayers, sound water policy and those tied to a project that will not deliver what was promised. However, even if we do not do the correct thing, the wise thing, let us make no mistake: The project as currently designed is dead, and we will impose far greater costs if we decide to continue to make infrastructure investments in its future when it is never going to go anywhere.

The House has heard the voices of citizen groups and taxpayer groups, tribal members and environmentalists. The House is no longer going to support this bad idea. It is no longer a question of whether the project will die. It is now a question of how much money and time will be wasted in the end game. Yes, we could go back and forth for a few years with the House terminating funding and then the Senate restoring the money. That has happened before in other projects where we wasted money. But eventually, the House will resist, and ultimately—hopefully, sooner rather than later—so will the Senate. Meanwhile we will waste millions more of taxpayers' money.

That is why, Mr. President, it is time for us to step up now and put this matter on a positive track. Let us stop funding this project as currently designed and tell the Bureau of Reclamation to use the unobligated funds available in the Animas account to size the project to legitimate water needs and then explore all the alternatives to meeting those needs in an effective, environmentally sound and cost-efficient manner. Mr. President, to conclude, my amendment is identical to that which passed the House, and I strongly urge my colleagues to lend their support.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator's time has expired.

Who yields time?

Mr. DOMENICI. Did the Senator use all his time?

The PRESIDING OFFICER. The Senator has used all of his time.

Mr. DOMENICI. Mr. President, I have a couple of items I have to clean up before I take a few minutes in opposition. For Senator MACK, who is waiting, it will not be long. We will be through very soon.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

Mr. DOMENICI. Mr. President, for purposes of timing, I yield myself 5 minutes in opposition.

Mr. President, before I start using that time, I say to the Senate, we are within a couple of minutes of completing the work on this bill. I understand that pursuant to the understanding, the next bill will be legislative appropriations. So we will not be long.

The PRESIDING OFFICER. The Senator is recognized.

Mr. DOMENICI. Mr. President, I want to take 5 minutes to talk about the Animas LaPlata project. The occupant of the chair is very familiar with the fact that there are two issues—big, big issues—in this Animas LaPlata.

One issue is frequently forgotten when people talk about whether this project has earned its spurs in terms of costs to the taxpayer. Frequently, the only thing that is used is the dollars versus what physical improvements we will produce and what they mean in terms of a cost-benefit ratio. That is well and good. And we will say that cost-benefit ratio is not very high.

There is a second part to this bill. It is a very, very big part of this bill. We do not even know how many millions of dollars it would cost the Federal Government, but we know this: The U.S. Government is assumed and presumed by many to have violated the rights of two Indian tribes with reference to taking care of their water. The United States of America, as evidenced in other cases, can be liable in dollars for that when there is no other way to give to the Indian people what we had committed as a nation to do for them. In this case, that is frequently forgotten in terms of a justification for this project.

The Southern Utes and the Mountain Ute Tribes will have no remedy for the abuse of their water if this project is not completed, and thus we give them water, irrigatable land, and a way to use water that is available to them which would otherwise disappear because of malfeasance on the part of the U.S. Government.

Now, I, for one, have taken that very seriously, even though it is not totally applicable to my State, the State of New Mexico. Most of those claims and most of that water and most of the Indians represented by those two groups of Indians are in the State of Colorado, the State that the occupant of the chair represents in this body.

Speaking for my own State, so that it is clear, I know there is a letter from our attorney general, but let me say the cities of Farmington, Aztec, and Bloomfield all need the water provided in this project. All these communities are strongly committed to the projects. They committed resources to it to meet repayment obligations under the 1986 cost sharing.

In addition, the State of New Mexico is strongly committed to the project, as shown by the 1986 cost-sharing agreement for the project, to support for the Colorado Ute water rights settlement, allocation of consumptive use required for the project from New Mexico's apportionment on the Colorado River basin compact, and fourth, participation of the San Juan River recovery implementation program.

Having said that, obviously, there will be more said on this amendment and probably much more eloquently and in a more relevant matter by the distinguished occupant of the chair who has time reserved to make an argument against the amendment. I do not intend to spend any more time on it. I am ready to finish the bill and yield whatever time I might have had with reference to it.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

Mr. DOMENICI. Mr. President, I have five amendments that I will submit en bloc. Let me quickly describe them and then submit them en bloc.

I offer one in behalf of Senator HUTCHISON regarding the abatement of payments because of drought on two projects in the State of Texas; one in behalf of Senator MCCONNELL, which has been totally worked out now with Senator GLENN, and that is Enrichment Corporation, with reference to the presence of an adequate number of security guards and a few other items relating to that; third, I offer in behalf of Senator CHAFEE a 50 percent match program on the Seekonk River, Rhode Island Bridge; the last one, two distinct amendments for Senator BOXER regarding the Bolinas Lagoon restoration study, and the other is regarding a facility on Compton Creek Channel in Los Angeles.

AMENDMENTS NOS. 5107 THROUGH 5111

Mr. DOMENICI. I send the amendments to the desk and ask for their immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from New Mexico [Mr. DOMENICI], proposes amendments en bloc numbered 5107 through 5111.

Mr. DOMENICI. Mr. President, I ask unanimous consent reading of the amendment be dispensed with.

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

The amendments en bloc (No. 5107 through 5111) are as follows:

AMENDMENT NO. 5107

On page 37 add the following after line 25:

SEC. . CORPUS CHRISTI EMERGENCY DROUGHT RELIEF.

For the purpose of providing emergency drought relief, the Secretary of the Interior shall defer all principal and interest payments without penalty or accrued interest for a period of one year for the city of Corpus Christi, Texas, and the Nueces River Authority under contract No. 6–07–01–X0675 involving the Nueces River Reclamation Project, Texas.

SEC. 2. CANADIAN RIVER MUNICIPAL WATER AUTHORITY EMERGENCY DROUGHT RELIEF.

The Secretary shall defer all principal and interest payments without penalty or accrued interest for a period of one year for the Canadian River Municipal Water Authority under contract No. 14–06–500–485 as emergency drought relief to enable construction of additional water supply and conveyance facilities.

AMENDMENT NO. 5108

On page 20 after line 2 add the following:

''Section 161k. of the Atomic Energy Act of 1954 (42 U.S.C. 2201k) with respect to the Paducah Gaseous Diffusion Plant, Kentucky, and the Portsmouth Gaseous Diffusion Plant, Ohio, the guidelines shall require, at a minimum, the presence of an adequate number of security guards carrying side arms at all times to ensure maintenance of security at the gaseous diffusion plants;''

Section 311(b) of the USEC Privatization Act (Public Law 104–134, title III, chapter 1, subchapter A) insert the following:

''(3) The Corporation shall pay to the Thrift Savings Fund such employee and agency contributions as are required or authorized by sections 8432 and 8351 of title 5, United States Code, for employees who elect to retain their coverage under CSRS or FERS pursuant to paragraph (1).''

Mr. MCCONNELL. Mr. President, I am pleased to offer this amendment to protect the safety of employees at the Paducah Gaseous Diffusion Plant, as well as the safety of the greater Paducah community.

The Paducah Gaseous Diffusion Plant produces enriched uranium and employs some 1,800 people. By all who live in the Paducah area, the Gaseous Diffusion Plant, which occupies more than 3,400 acres, is regarded as a nuclear plant. This year, the plant is undergoing a transition from being a Department of Energy owned and operated facility to one owned by the U.S. Enrichment Corporation and operated by private contract. The plant will be under the regulatory authority of the Nuclear Regulatory Commission by year's end.

Historically, the Paducah Gaseous Diffusion Plant has maintained an on-premises security force to protect the plant and employees from sabotage, theft or unauthorized control of the nuclear material. The security personnel are currently authorized to make arrests, and they carry firearms in support of their mission. In the past several years, these plant security officers have foiled a number of unauthorized entries onto plant premises, protected the facility from disgruntled former employees and enforced security rules against contract employees who have access to the plant. In an era of domestic terrorism, as in the World Trade Center and Oklahoma City bombings, these security employees perform an increasingly vital function.

In the transition from DOE to NRC supervision, the security force currently employed at the Paducah Gaseous Diffusion Plant, absent adoption of this amendment, will be downgraded. under current NRC regulations, they will lose their authority to make arrests and carry firearms. But privatization does not change the nature of the work or the risk at the Paducah Gaseous Diffusion Plant. The plant will continue to produce radioactive enriched uranium.

The amendment simply continues the authority of the plant security personnel at enriched uranium facilities to execute arrests and carry firearms. Without this authority for the security officers at the plant, the plant will have to rely on area law enforcement officials to respond in emergency situations. The city of Paducah has informed plant officials that their response time for their police and firefighters will be approximately 20 minutes. The Kentucky State Police has a special response team which would assist the Paducah facility in the event of a threat to public safety. That special response team is located in Frankfort, halfway across the State from Paducah and it would take 4 hours to have a helicopter respond to an emergency at the Paducah plant. The McCracken County Sheriff's Department has expressed serious concern at the prospect of the security force losing its arrest authority. McCracken County Sheriff Frank Augustus has advised the U.S. Enrichment Corporation of the problems his department would encounter in responding to an emergency call by the Paducah plant:

If a hostile situation should occur, I could not guarantee adequate personnel or response time due to our department's manpower shortage. When only seconds matter I am very much afraid it would take many minutes to adequately respond.

I ask unanimous consent that the letter of Sheriff Augustus be printed in the RECORD.

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

SHERIFF OF MCCRACKEN COUNTY,
Paducah, KY, July 10, 1996.

BERN STAPLETON,
Safeguard and Security Associate, U.S. Enrichment Corp., Bethesda, MD.

DEAR MR. STAPLETON: It has recently been brought to my attention that Security personnel at the Paducah Gaseous Diffusion Plant may possibly lose their arrest authority and their ability to be armed. This issue causes me a great deal of concern.

I understand the police operation of the Paducah Gaseous Diffusion Plant is responsible for the protection of classified material, sensitive nuclear material, government property, and over 2,200 employees situated on 3,423 acres, including 748 acres of fenced area. In contrast, the McCracken County Sheriff's department is responsible for patrolling over 250 square miles in order to meet the needs of our County's citizens. Since I took office in 1994, citizens' calls for law enforcement have increased by 23,000 calls. Crime is on the rise in McCracken County and due to financial constraints, my department has only 17 full-time road deputies to handle these increases.

I am extremely concerned that if a major problem should arise at the Paducah Gaseous Diffusion Plant it would be extremely difficult for my department to provide proper security for such a sizable site until more enforcement could arrive. If a hostile situation should occur, I could not guarantee adequate personnel or response time due to our department's manpower shortage. When only seconds matter I am very much afraid it would take many minutes to adequately respond.

Another issue that must be addressed is our officers' lack of knowledge in regard to the actual facility and surrounding grounds. As noted above, the immense size of this facility poses many problems in regard to providing adequate safety to plant employees as well as my deputies.

In my opinion, the current security staff is of immense value to the safety of the plant facility and the employees that work within. I fully understand the move toward privatization necessitates many changes in operations that have been in place for many years. I would like to strongly recommend, however, that a long serious look be taken at proposed changes in the security force at the Paducah Plant before a final decision is made. I am sure that your utmost concern,

as well as it is mine, is for the safety of the people of McCracken County as well as the safekeeping of the Plant, whether it remains a government facility or is privatized in the future.

I would be more than happy to discuss this matter with you in more detail at your convenience. Please feel free to call me.

Very truly yours,

FRANK AUGUSTUS,
McCracken County Sheriff.

Mr. MCCONNELL. The bottom line, Mr. President, is that the employees of the Gaseous Diffusion Plant, as well as the residents of Paducah are entitled to an immediate response to an emergency situation. While the security force may need assistance in the event of a serious threat, the employees should not be left unprotected while local law enforcement responds.

This amendment does not add any additional security protection to the Paducah Gaseous Diffusion Plant; it maintains the status quo, allowing the current security officers to continue doing their job, protecting the plant and employees from danger. I urge the adoption of my amendment.

AMENDMENT NO. 5109

On page 5 add the following between lines 2 and 3: ''Seekonk River, Rhode Island bridge removal $650,000;''.

AMENDMENT NO. 5110

(Purpose: To provide funding for the Secretary of the Army to maintain Compton Creek Channel, Los Angeles County drainage area, California)

On page 7, line 6, after ''facilities'', insert the following: '', and of which $500,000 shall be made available for the maintenance of Compton Creek Channel, Los Angeles County drainage area, California''.

AMENDMENT NO. 5111

(Purpose: To provide funding for the Secretary of the Army to carry out the restoration study for Bolinas Lagoon, Marin County, California)

On page 2, between lines 24 and 25, insert the following: ''Bolinas Lagoon restoration study, Marin County, California, $500,000;''.

Mr. DOMENICI. For the record, let me state these have all been approved by the minority. They have no objection, or, in some instances, they were the supportive cause for a couple of the amendments.

The PRESIDING OFFICER. Without objection, the amendments en bloc are agreed to.

The amendments (Nos. 5107 through 5111) en bloc were agreed to.

Mr. DOMENICI. I move to reconsider the vote.

Mr. CHAFEE. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. DOMENICI. Mr. President, I believe that is all the amendments I know of regarding this energy and water bill. I believe we can announce in the morning further amplification of the record, but I think we know we will start with 20 minutes of debate by the managers, to be followed by 10 minutes by Senator MCCAIN regarding the McCain amendment, and then there is a list of amendments that would follow with time limits, and 2 minutes for each side.

We have four or five amendments pending that have not been agreed to in that sequence, and we will just have to attend to those in due course in the morning.

I yield the floor. I thank the Senate for its consideration.

LEGISLATIVE BRANCH APPROPRIATIONS ACT, 1997

Mr. MACK. Mr. President, I ask unanimous consent the Senate now turn to the consideration of the legislative appropriations bill.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

A bill (H.R. 3754), making appropriations for the Legislative Branch for the fiscal year ending September 30, 1997, and for other purposes.

The Senate proceeded to consider the bill.

The PRESIDING OFFICER. The Senator from Florida is recognized.

Mr. MACK. Mr. President, I am pleased to present the fiscal year 1997 legislative branch appropriations bill to the Senate. The subcommittee builds upon the success that the Congress achieved last year in reducing the size and the cost of the legislative branch, and again demonstrates this Congress' leadership in making strides toward the imperative of a balanced budget.

The subcommittee's recommendation is an appropriation of $2,165,081,000. This is a reduction of $22.275 million, or approximately 1 percent below the program levels in fiscal year 1996. The bill is $174 million below the requested amount, and compared to fiscal 1995, the bill reflects a $225 million reduction.

While the legislative branch bill is the smallest in terms of dollars appropriated, with the adoption of this bill, we will have contributed nearly one-half billion dollars toward deficit reduction in just 2 fiscal years.

The recommended funding for the Senate is $441.208 million, approximately $14 million above the 1996 enacted amount. However, the amount is $48 million below the request.

In large part, the increases reflected in the bill are for cost of living adjustments for Senate employees and expenses for the Sergeant at Arms. I point out that Senate employees did not receive the 1996 COLA that was granted to other Federal employees.

Specifically, the Senate's amendment to the bill provides $208 million for Senators' official personnel and office expense account. This amount is a 2 percent increase from last year's level. The increase is sufficient to accommodate an expected cost-of-living adjustment for Senate employees in the 1997 calendar year. The recommended funding for committees is $69.5 million, a $3 million increase, again, for cost-of-living adjustments.

For the official mail cost, the funding is reduced by 9 percent. The recommended funding of $10 million is sufficient, however, to cover projected costs for fiscal year 1997. Again, Mr. President, I just say that while this is a reduction from $11 million last year to $10 million last year, in analyzing the trends and expenditures for mail, we believe we can make this reduction without requiring the Senators to make any reduction in their mailing. As you know, last year, we eliminated mass mailing. So we are talking about mail now that is primarily for the purpose of responding to inquiries from our constituents.

Funding for salaries and expenses of the Secretary of the Senate is $14.225 million. That is an increase of $831,000. Funding for salaries and expenses of Sergeant at Arms is $99.968 million. That is an increase of $8.880 million. I bring my colleagues' attention to the fact that combined funding recommendations for the Secretary and the Sergeant at Arms fiscal year 1997 are still $8 million below the 1995 enacted levels.

The subcommittee appreciates the leadership demonstrated by the Secretary of the Senate and the Sergeant at Arms. Each office is managing a substantial reduction this is fiscal year along with the compounded challenges rendered by the Congressional Accountability Act. I remind Members that, last year, we made reductions in the accounts of the Sergeant at Arms and Secretary of the Senate of between 12.5 and 14 percent. While they have been managing these reduced amounts, they have also been given an additional responsibility as a result of the Congressional Accountability Act.

During the subcommittee hearings, the Secretary and Sergeant at Arms outlined a series of initiatives regarding technology. The subcommittee is pleased that under the direction of the Senate Rules Committee, the Senate is taking a long-term strategic planning approach in this area. The subcommittee looks forward to working with the Rules Committee on this issue of common concern.

In addition, the subcommittee wishes to thank each of the legislative branch agencies for their cooperation and contributions in the development of this year's bill. On a special note, the subcommittee commends the General Accounting Office for its successful management of a 2-year, 25-percent reduction in its budget. Managing a funding reduction of such magnitude in a relatively short period has been very difficult, and the subcommittee wishes to commend the Comptroller General and the entire staff at GAO for an outstanding job.

We had quite a discussion at our hearing with the Comptroller General as to the approach that was taken to downsize this Government agency 25 percent in a 2-year period. That is a substantial reduction. I would recommend to my colleagues that we

ought to look at how the GAO went about this process of managing over a 2-year period a reduction of 25 percent in its budget, because they did it extremely well. They did it with a great deal of thought. They found ways to use technologies of today to make their operations more effective and efficient. Again, I think it is a case study in the way to manage the downsizing of a Government agency. I encourage everybody to look at what they have done and what they have accomplished.

I will now yield to Senator MURRAY for any comments she wishes to make. I thank her and each member of the subcommittee for their hard work and cooperation in crafting this bill. Again, I want to say to Senator MURRAY that I appreciate very much the way we have, during the past 2 years, been able to work together in, I think, crafting two appropriations bills that the Senate can be proud of, and should again be used as an example. Frankly, it was in my mind that we should set an example for the rest of Government. If we are going to ask people to spend less and do with less, I think, again, our taking the lead in doing that is setting a good example.

I now yield to Senator MURRAY for her comments.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, I rise in support of H.R. 3754, the fiscal year 1997 legislative branch appropriation bill. The bill as reported by the full committee is a fair and responsible bill.

As Members will recall, this committee took a bold step last year in recommending a bill that cut spending for the departments and agencies funded in the legislative branch appropriations bill by $200 million, or 10 percent. This year, again, we have continued the effort to reduce the funding levels and streamline the operations of Congress by recommending a bill that cuts a net of over $22 million from the 1996 enacted level. At the proposed funding level contained in this measure, the Legislative Branch, in total, will have less funding than in fiscal year 1991 or 6 years ago.

The major reductions recommended by the committee involve the support agencies that are so vital to the Congress in order to enable us to complete our work in an effective and expeditious manner. The committee this year saves $6.1 million below fiscal year 1996 as a result of the elimination of the Office of Technology Assessment. I did not personally support that elimination but, nevertheless, it has been accomplished and we are saving $6.1 million this year because of OTA's elimination.

Another major reduction in this year's bill is the cut to the General Accounting Office. Their budget is reduced by $44,381,000 below fiscal year 1996. Testimony by the Comptroller General, Mr. Bowsher, made clear that the GAO can undertake this reduction as part of their overall, 2-year 25 percent commitment made to the Congress last year. The amount appropriated for fiscal year 1997 for the GAO is $338,425,000 and will provide for a personnel ceiling of no more than 3,500 positions. This personnel ceiling amounts to a reduction of 1,825 below the level of GAO's workforce in 1992 when they had a ceiling of 5,325 positions.

As Senators can see, the reductions the committee is recommending this year are dramatic. However, Mr. President, I believe that the committee has accomplished these savings in a way that is as fair and even-handed as possible. We have been careful to ensure that the organizations and agencies which support Congress and are funded in the legislative branch appropriation bill are able to carry out their responsibilities under these reduced budgets as effectively as they have in the past.

I would have adamantly opposed these budget cuts if they were undertaken only to save dollars, without recognizing any negative consequences. It would be fruitless, for example to reduce the budget of the Congressional Budget Office with their ever-increasing responsibilities simply for the sake of saying we have achieved budgetary savings.

With this in mind, I carefully reviewed the testimony of our witnesses for any indication that cuts of the magnitude we have recommended would harm the ability of these Congressional-support agencies to carry out their very important responsibilities. Testimony received by the subcommittee indicated that these recommended savings can be achieved while allowing these support agencies to carry out these responsibilities with no reductions-in-force.

Mr. President, Senator MACK provided members with a detailed explanation of all of the recommendations contained in the bill, and I will not take the time of Members by repeating them. I would, however, call to the attention of Members Section 5 of the administrative provisions. I included, with the enthusiastic support of Chairman MACK, language that will enable the Sergeant at Arms to transfer excess or surplus computer equipment to schools.

In the past, the Senate sold its computers to employees at bargain prices. Fortunately, this practice has been terminated, and I commend the Sergeant at Arms for doing so. For the past couple of years, our computers have simply been transferred to GSA for disposal through the normal surplus process.

I think Senators should be aware that the Senate disposes of over 1500 computers every year. Over the past 3 years, nearly 5,000 computers have been let go. For the most part, these are IBM-compatible, 386, 16-megahertz machines. They are a generation old, but they could be very useful to schools, especially in rural areas, that may not have a big budget to buy fancy new computers.

I am fortunate to represent Washington State, which is very aggressive in trying to put computers in the classroom. Our companies have been generous in donating software and hardware, and people are excited about giving kids skills that will help them get an edge in life.

But not every school district is moving aggressively on computers. Many do not even know how to go about it, and cannot afford it. I am certain that every Senator is aware of how fast technology is evolving in our economy. I really believe that, in the future, a child's ability to compete in the work force will be measured in part by his or her familiarity with computers. In my view, the earlier they start, the better.

The Senate will debate the broad role of government in education technology, and I look forward to having that debate. For now there is a small, and I think constructive, role for the Senate to play. We can use the bully pulpit. We can lead by example. We can help school children by transferring our computers to schools that want or need them. By doing this, we can help some kids, and we can show the country we think bringing technology to the classroom is a high priority.

Here is how it will work: the Sergeant at Arms will make sure that any excess or surplus computers are in good working order. Then he will make them available to interested schools at the lowest possible cost to both the Senate and the schools. Most likely, he will transfer these computers to the General Services Administration. GSA, in turn, will provide information to schools through its regional offices about available inventory. The equipment eligible for transfer will include computers, keyboards, monitors, printers, modems, and other peripheral hardware as described in the bill.

I envision schools being able to obtain this equipment on a first-come, first-served basis, for the cost of shipping and handling from GSA regional offices. The language provides the Sergeant at Arms with flexibility to determine the best way to complete the transfers.

I think this is a useful change in policy. Again, I appreciate the help of Chairman MACK on this, and I look forward to working with him and the Sergeant at Arms to make this work.

Finally, Mr. President, I would point out that there is a provision included in the House-passed bill—Section 312—that was stricken pursuant to a motion by Senator HATFIELD during full committee markup. That section deals with so-called ''dynamic'' scoring of certain measures. Although this provision would apply to House measures only and, therefore, would normally not be stricken by the Senate in view of the comity between the Houses that is traditionally recognized, in this instance there is a Budget Act point of order under Section 306 which would lie against Section 312 and that was the basis upon which the committee chairman moved to strike the provision.

I strongly oppose Section 312 on its merits. I do not believe that either branch of Congress should be dictating selective macroeconomic scorekeeping procedures upon either the Congressional Budget Office or the Joint Committee on Taxation. I will have more to say on this later during debate on this bill should any attempt be made to revive Section 312 or anything similar to it.

On balance, Mr. President, I believe this is a good bill that deserves the support of Members. I would hasten to add, however, that I share the concerns expressed by Senator REID, a former chairman of this subcommittee, during the committee's markup of the legislative branch appropriation bill. Senator REID stated that we have reached the bottom of the barrel in cutting the legislative branch appropriation bill. Once the savings we have undertaken are accomplished in the Congressional-support agencies over a multi-year period, we cannot look to these agencies for further budget cuts. These agencies have been very forthcoming and have understood our need to reduce spending for the Legislative Branch, and I am deeply appreciative of their willingness to do so. But, Mr. President, we have indeed reached the bottom of the barrel.

Mr. President, let me close by commending our subcommittee chairman, Senator MACK. He has proven himself to be a real leader on legislative branch issues and has worked with me on a bipartisan basis. I appreciate it very much. I also wish to express my thanks to the subcommittee staff—Keith Kennedy, Jim English, and Mary Dewald for their fine work, and also to recognize the excellent support we had from Ric Ilgenfritz of my staff and Larry Harris for Senator MACK.

Mr. President, I urge the support of all Members for this bill.

Mr. MACK addressed the Chair.

The PRESIDING OFFICER. The Senator from Florida [Mr. MACK], is recognized.

AMENDMENTS NOS. 5112, 5113, 5114, 5115, 5116, AND 5117 EN BLOC

Mr. MACK. Mr. President, I send a series of amendments to the desk and ask for their consideration en bloc.

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

The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Florida [Mr. MACK] proposes amendments numbered 5112, 5113, 5114, 5115, 5116, and 5117 en bloc.

Mr. MACK. Mr. President, I ask unanimous consent that reading of the amendments be dispensed with.

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

The amendments en bloc are as follows:

AMENDMENT NO. 5112

On page 34 line 20, strike all after the word ''Act'' through line 21 and insert: ''such sums as may be necessary for each of the fiscal years 1997 and 1998.''

Mr. HATFIELD: Mr. President, this amendment would provide for the reauthorization of the American Folklife Center at the Library of Congress for fiscal years 1997 and 1998. It is a substitute for the permanent reauthorization reported by the committee. I am offering this amendment after conversations with Representative THOMAS, the chairman of the Committee on Oversight in the other body. I understand Chairman THOMAS' concerns about the proper role of the authorization committees and am willing to respond to his concerns at this time. I hope, however, that the next Congress will enact a permanent authorization for the center.

The American Folklife Center in the Library of Congress was created 20 years ago by passage of the American Folklife Preservation Act of 1976. I was pleased to be a cosponsor of the legislation, which enjoyed broad bicameral and bipartisan support. The legislation was endorsed by Senators STROM THURMOND and Hubert Humphrey, and by Representative DAVID OBEY and then-Representative TRENT LOTT. The support was so broad because the legislation had such obvious merit.

The Library was chosen as the site of the Center for several reasons, but principal among them was the strength of the Library's folklife collections. It is not too great a stretch to say that those collections began at the beginning, when Thomas Jefferson's library was purchased for the Library of Congress. Jefferson's library included significant material about Native Americans, and, of course, the information collected during the expedition of Merriwether Lewis and William Clark.

Now as then, one has to collect folklife. No one stands with pad and pencil, recording the lives of workaday Americans. What tends to be automatically recorded is what we at first think very important: the coming and going of the elite or infamous, the domestic affairs of the King or President, the fads that engross the rich and famous, the history of battles as told by generals. But sometimes the foot soldier has a better story than the general. The diary kept by Samuel Pepys in the 1660s is important today because Mr. Pepys went about London and recorded what he saw. He told about the great fire and the coming of the Black Death and seeing the first Punch and Judy show. His record of London is far more interesting than the ones kept by historians engrossed in the intrigues and peccadilloes that swirled around Charles the Second.

I believe all of us understand, Mr. President, that the strength of our Nation proceeds from its smaller places; from small towns in Missouri and Oregon, from short streets in Brooklyn and Omaha. We know that it is in the forms of learning transmitted in families, small communities, the workplace, and in ethnic groups that we develop the strength of our families, our communities, and our culture. And we know that the makers of our culture in the smaller places do not bring their primary documents to the Library of Congress. They are not invited to elegant dinners in the great hall of the Jefferson building, or courted in fundraising drives. Theirs is at least as great a contribution as the millions raised for other efforts, but it cannot be measured in dollars. It is the Center's great achievement, and ongoing strength, that it recognizes the value of the everyday, and gives it a home where it can be cherished as it deserves to be.

It is very important, Mr. President, that the present structure of the Center be maintained. It is important to have a Board of Trustees selected from all over the Nation and appointed by the Joint leadership of Congress. They bring to the Center a diversity of outlook and purpose that cannot be replicated by the best-intentioned professionals of the Library's career staff. It is important to have this be a Center for folklife, and not just another division within the many divisions of the Library. We could have taken that route in writing the original enabling legislation, but we were trying to raise up the center out of the other collections of the Library to be a beacon to the folklife community across the country. That beacon must be maintained. If it cannot be maintained at the Library of Congress, then it should be moved and sustained elsewhere. I believe the Library is the best home for the Center, but it must get the support expected in a good home.

Mr. President, I hope that ups and downs of the center's authorization in this Congress will serve as a wake-up call from the center's board and the center's supporters. I hope the board will be more attentive to the concerns of the Congressional committees which oversee the Library's operations. I hope the board will work hard to supplement federal funding with private fundraising efforts. I hope the national folklife community will work with the proper authorizing committees to achieve a permanent reauthorization for the center. And I hope that the Library of Congress budget for, and the Congress will provide, funding sufficient to the center's task.

Mr. President, I thank Senator MACK for his cooperation and support in this matter, and I yield the floor.

AMENDMENT NO. 5113

On page 8, after line 17 insert:

SEC. 7. (a) Notwithstanding section 1345 of title 31, United States Code, the Secretary of the Senate may reimburse any individual employed by the Senate day care center for the cost of training classes and conferences in connection with the provision of child care services and for travel, transportation, and subsistence expenses incurred in connection with the training classes and conferences.

(b) The Senate day care center shall certify and provide appropriate documentation to the Secretary of the Senate with respect to any reimbursement under this section. Reimbursements under this section shall be

made from the appropriations account ''MISCELLANEOUS ITEMS'' within the contingent fund of the Senate on vouchers approved by the Secretary of the Senate.

(c) Reimbursements under this section shall be subject to the regulations and limitations prescribed by the Committee on Rules and Administration of the Senate for travel and related expenses for which payment is authorized to be made from the contingent fund of the Senate.

(d) This section shall be effective on and after October 1, 1996.

AMENDMENT NO. 5114

On page 8, after line 17 insert:

SEC. 6. Notwithstanding any other provision of law, any funds received during fiscal year 1996 by the Sergeant at Arms and Doorkeeper of the Senate in settlement of a contract claim or dispute, but not to exceed $1,450,000, shall be deposited into the appropriation account for fiscal year 1997 for the Sergeant at Arms and Doorkeeper of the Senate within the contingent fund of the Senate and shall be available in a like manner and for the same purposes as are the other funds in that account.

AMENDMENT NO. 5115

(Purpose: To authorize a legislative information system for the Senate)

On page 8, between lines 17 and 18, insert the following:

SEC. . (a) The Secretary of the Senate, with the oversight and approval of the Committee on Rules and Administration of the Senate, shall oversee the development and implementation of a comprehensive Senate legislative information system.

(b) In carrying out this section, the Secretary of the Senate shall consult and work with officers and employees of the House of Representatives. Legislative branch agencies and departments and agencies of the executive branch shall provide cooperation, consultation, and assistance as requested by the Secretary of the Senate to carry out this section.

(c) Any funds that were appropriated under the heading ''Secretary of the Senate'' for expanses of the Office of the Secretary of the Senate by the Legislative Branch Appropriations Act, 1995, to remain available until September 30, 1998, and the Secretary determines are not needed for development of a financial management system for the Senate may, with the approval of the Committee on Appropriations of the Senate be used to carry out the provisions of this section, and such funds shall be available through September 30, 2000.

(d) The Committee on Rules and Administration of the Senate may prescribe such regulations as may be necessary to carry out the provisions of this section.

(e) This section shall be effective for fiscal years beginning on or after October 1, 1996.

Mr. MACK. I am proposing an amendment on an important matter to the Senate. I am speaking of the quality and the cost of its legislative information systems. Two years ago, this committee requested from the Library of Congress an analysis of the duplication among the legislative systems supported by the Congress. That study documented that there is extensive overlap in these systems and that there are opportunities for reducing that duplication. We then directed the Library to prepare a plan for creating a single integrated information system that would serve the entire Congress.

The committee received that report in February of this year. The plan gives us a useful framework for building a new, coordinated legislative information system that will better assist the Members of Congress to carry out their legislative duties. The plan recognizes that there are various independent responsibilities for legislative information within the Congress and proposes a technical scheme that takes advantage of this fact. The new system will therefore require the active support of all of the offices and agencies within the legislative branch that assist the Senate and the House in this critical area.

In our commitment to the American people to reduce the size of the Government, this committee has been reluctant to recommend significant additional resources for any of the Congress' offices and agencies. We are not providing any additional funds for this legislative system, although we will allow the Secretary of the Senate, at his request, to reprogram some funds to support the Senate's need to modernize the collection and preparation of its legislative information. We do expect all legislative branch offices and agencies to support fully this very important initiative with their existing appropriated funds, which we believe are sufficient.

This is a challenging task, and will require appropriate policies, guidelines, and oversight. We hope that the House of Representatives will join us in this task. If they do not, however, we shall proceed in the Senate nonetheless. Even without the participation of the House, the Senate can and must improve its own system and begin to reduce the duplication that currently exists.

This amendment was prepared in consultation with the Committee on Rules and Administration. With this amendment, we are taking the next steps in creating a new legislative information system for the Senate by designating some of those responsibilities for this system now, specifically for the Secretary of the Senate, the Congressional Research Service, and the Library of Congress. The Committee on Rules and Administration has jurisdiction for this system and will be making other designations of responsibility as the system progresses.

I am pleased that the distinguished chairman of our Committee on Rules and Administration shares our views on the importance of these matters, and that his committee is prepared to oversee the development of the Senate's new legislative system.

AMENDMENT NO. 5116

On page 8, after line 17 insert:

SEC. 8. PAYMENT FOR UNACCRUED LEAVE.

(a) IN GENERAL.—The Financial Clerk of the Senate is authorized to accept from an individual whose pay is disbursed by the Secretary of the Senate a payment representing pay for any period of unaccrued annual leave used by that individual, as certified by the head of the employing office of the individual making the payment.

(b) WITHHOLDING.—The Financial Clerk of the Senate is authorized to withhold the amount referred to in subsection (a) from any amount which is disbursed by the Secretary of the Senate and which is due to or on behalf of the individual described in subsection (a).

(c) DEPOSIT.—Any payment accepted under this section shall be deposited in the general fund of Treasury as miscellaneous receipts.

(d) DEFINITION.—As used in this section, the term ''head of the employing office'' means any person with the final authority to appoint, hire, discharge, and set the terms, conditions, or privileges of the employment of an individual whose pay is disbursed by the Secretary of the Senate.

(e) APPLICABILITY.—The section shall apply to fiscal year 1996 and each fiscal year thereafter.

AMENDMENT NO. 5117

(Purpose: To direct the Congressional Research Service to develop an electronic congressional legislative information and document retrieval system)

At the appropriate place in the bill, insert the following:

SEC. . (a) The Congressional Research Service, in consultation with the Secretary of the Senate and the heads of the appropriate offices and agencies of the legislative branch and with the approval of the Committee on Rules and Administration of the Senate, shall coordinate the development of an electronic congressional legislative information and document retrieval system to provide for the legislative information needs of the Senate through the exchange and retrieval of information and documents among legislative branch offices and agencies. The Secretary of the Senate, with the oversight and approval of the Committee on Rules and Administration of the Senate, shall have responsibility for the implementation of this system in the Senate. All of the appropriate offices and agencies of the legislative branch shall participate in the implementation of the system.

(b) As used in this section—

(1) the term ''legislative information'' refers to that information and those documents produced for the use of the Congress by the offices and agencies of the legislative branch as defined in this section, and such other information and documents as approved by the Committee on Rules and Administration of the Senate;

(2) the term ''offices and agencies of the legislative branch'' means the Office of the Secretary of the Senate, the Office of Legislative Counsel of the Senate, the Office of the Architect of the Capitol, the General Accounting Office, the Government Printing Office, the Library of Congress, the Congressional Budget Office, and the Sergeant at Arms of the Senate; and

(3) the term ''retrieval system'' means the indexing of documents and data, as well as integrating, searching, linking, and displaying documents and data.

(c) The Library of Congress shall—

(1) assist the Congressional Research Service in supporting the Senate in carrying out this section; and

(2) provide such technical staff and resources as may be necessary to carry out this section.

Mr. WARNER. Mr. President, let me first commend the chairman of the Subcommittee on Legislative Branch for his foresight in initiating this effort to improve our legislative information systems. When I became chairman of the Committee on Rules and Administration I began a review of our entire program for information technology. This is a rapidly changing, and

very expensive area for the Senate. Yet it is vital to all the operations of the Senate, from the way we pay our bills to the way we prepare, debate, and pass—or reject—legisation. It is critical, therefore, that we have sound planning for, and careful implementation of information technologies that will adequately support our fundamental work of legislation and oversight. Because of the potential high cost of technology, and also its ability to support our work, I can think of very few areas that require such close scrutiny, well-thought out policies, and effective management Achieving these objectives has been one of my highest priorities since being appointed Chair.

We have in the Senate now an historic opportunity to reduce duplication and to ensure that our use of technology to support our legislative process is both responsive to the needs of Senators and also cost effective. The Committee on Rules has taken a number of important steps to accomplish this, and we are planning to take more in the near future. I have already noted our strategic review process, which will continue under my chairmanship. In addition, we have directed the Secretary of the Senate, in coordination with the Clerk of the House, to establish standards for the exchange of legislative information between the two Chambers. The Secretary has done this, and, I am pleased to report, is well launched on a plan for implementing these standards. In addition, the committee and the Secretary are about to let a contract that will provide the Senate with options for the design of a system that will enable us to collect and prepare our legislative information on a much more efficient basis. You will recall that many of our systems were developed over 20 years ago, and while they have served us well, few would disagree that we can do much better with the technology that is available to us today. The result will be that Members and staff of the Senate will have legislative information that is more accurate, more timely, and more comprehensive, every day, directly at their desktops. While this program will take several years to complete fully, we will be able to benefit immediately as each new component becomes available.

This program will require a long and sustained effort by many people and many legislative branch organziations, without additional resources. It will require the establishment of priorities and good management to ensure these priorities are met. Through this amendment we are designating the Secretary of the Senate, who has the primary responsibility for the Senate's legislative information, to provide overall management of this system. We are also directing the Congressional Research Service, which understands the legislative research needs of the Congress, to coordinate with the Committee and the Secretary the development of the retrieval portion of the system. Additionally, we have directed the Library of Congress, with its expertise in the development of information systems, to provide sufficient staff and technical support to assist CRS in building this retrieval component. We will need and expect the cooperation and support of the other legislative branch agencies, including the GPO, and the GAO and CBO, both of whose reports we will want to include in the system. And, of course, we will continue to rely upon our own excellent staff in the Senate Computer Center and the Telecommunications Office in the creation of this system.

Mr. President, when this initiative is complete, we in the Senate will have a new, more efficient, and far more useful legislative information system that will serve the needs of Members and committees. It will be based on standards that allow us to update it regularly and as needed. And it will last us well into the next century. It will be of a quality that is commensurate with our constitutional responsibilities, and it will aid us greatly as we strive to serve the citizens of this great country.

Mr. MACK. Mr. President, the first of the amendments is offered on behalf of Senator HATFIELD.

It amends language reported by the committee to provide for a 2-year reauthorization for the American Folklife Center in the Library of Congress.

The second amendment extends certain provisions of Federal law to employees of the Senate for the Employees Child Care Center.

The third amendment provides for the deposit of a contract termination payment to credit the expenses of the Sergeant at Arms.

The fourth amendment authorizes and directs the Secretary of the Senate to oversee the development and implementation of a legislative information system for the Senate.

Funds for that initiative may be derived from funds previously appropriated for a new financial management system for the Senate with the approval of the Committee on Appropriations.

The fifth amendment brought to us today by the Disbursing Office authorizes the Financial Clerk of the Senate to receive payments for unaccrued annual leave for individuals whose pay is disbursed by the Senate and deposit those payments in the General Fund of the Treasury as a miscellaneous receipt.

And, finally, the sixth amendment recommended to us by the Committee on Rules and Administration addresses the creation of a legislative branch-wide legislative information system.

Mr. President, all of these amendments have been discussed with Senator MURRAY. I believe she has no objection. Therefore, I would ask that these six amendments be agreed to en bloc.

Mrs. MURRAY. Mr. President, we have had time to review all of these amendments. There is no objection.

The PRESIDING OFFICER. Without objection, the amendments are agreed to.

The amendments (Nos. 5112, 5113, 5114, 5115, 5116, and 5117) were agreed to.

Mrs. MURRAY. Mr. President, I move to reconsider the vote by which the amendments were agreed to.

Mr. MACK. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 5118

(Purpose: To clarify the uses of Member weblinks)

Mrs. MURRAY. Mr. President, at this time I would like to send an amendment to the desk on behalf of Senator LEAHY.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Washington (Mrs. MURRAY), for Mr. LEAHY, proposes an amendment numbered 5118.

Mrs. MURRAY. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

At the appropriate place, insert the following:

SEC. ____. For the purposes of the United States Senate Internet Services Usage Rules and Policies, Members of the Senate may post a link on Senate Internet Services to a private, public, or nonprofit company, organization, or municipality located or based in the Member's State if a disclaimer is included on the same page as the link specifying that the Member is not endorsing the private, public, or nonprofit company, organization, or municipality.

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

Mrs. MURRAY. I ask unanimous consent that the amendment just sent to the desk be laid aside.

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

Mr. CHAFEE addressed the Chair.

The PRESIDING OFFICER. The Senator from Rhode Island.

AMENDMENT NO. 5119

(Purpose: To amend chapter 1 of title 17, United States Code, to provide for a limitation on the exclusive copyrights of literary works produced or distributed in specialized formats for use by blind or disabled persons, and for other purposes)

Mr. CHAFEE. Mr. President, on behalf of myself, and Senators FRAHM, STEVENS, LEAHY, MCCONNELL, and BINGAMAN, I send a printed amendment to the desk. At the proper time I will ask that it be set aside.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Rhode Island (Mr. CHAFEE), for himself, Mrs. FRAHM, Mr. STEVENS, Mr. LEAHY, Mr. MCCONNELL, and Mr. BINGAMAN, proposes an amendment numbered 5119.

Mr. CHAFEE. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

At the appropriate place in the bill insert the following new section:

SEC. . LIMITATION ON EXCLUSIVE COPYRIGHTS FOR LITERARY WORKS IN SPECIALIZED FORMAT FOR THE BLIND AND DISABLED.

(a) IN GENERAL.—Chapter 1 of title 17, United States Code, is amended by adding after section 120 the following new section:

"§ 121. Limitations on exclusive rights: reproduction for blind or other people with disabilities

''(a) Notwithstanding the provisions of sections 106 and 710, it is not an infringement of copyright for an authorized entity to reproduce or to distribute copies or phonorecords of a previously published, nondramatic literary work if such copies or phonorecords are reproduced or distributed in specialized formats exclusively for use by blind or other persons with disabilities.

''(b)(1) Copies or phonorecords to which this section applies shall—

''(A) not be reproduced or distributed in a format other than a specialized format exclusively for use by blind or other persons with disabilities;

''(B) bear a notice that any further reproduction or distribution in a format other than a specialized format is an infringement; and

''(C) include a copyright notice identifying the copyright owner and the date of the original publication.

''(2) The provisions of this section shall not apply to standardized, secure, or norm-referenced tests and related testing material, or to computer programs, except the portions thereof that are in conventional human language (including descriptions of pictorial works) and displayed to users in the ordinary course of using the computer programs.

''(c) For purposes of this section, the term—

''(1) 'authorized entity' means a nonprofit organization or a governmental agency that has a primary mission to provide specialized services relating to training, education, or adaptive reading or information access needs of blind or other persons with disabilities;

''(2) 'blind or other persons with disabilities' means individuals who are eligible or who may qualify in accordance with the Act entitled ''An Act to provide books for the adult blind'', approved March 3, 1931 (2 U.S.C. 135a; 46 Stat. 1487) to receive books and other publications produced in specialized formats; and

''(3) 'specialized formats' means braille, audio, or digital text which is exclusively for use by blind or other persons with disabilities.''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 1 of title 17, United States Code, is amended by adding after the item relating to section 120 the following:

''121. Limitations on exclusive rights: reproduction for blind or other people with disabilities.''.

Mr. CHAFEE. Mr. President, this is an amendment that I am offering on behalf of myself and those Senators that I just listed.

This amendment is supported by the Association of American Publishers, the National Federation of the Blind, the American Foundation for the Blind, the American Printing House for the Blind, Recording for the Blind and Dyslexic, and the U.S. Copyright Office.

It also has the support of the chairman of the Judiciary Committee, and we are waiting for approval by the ranking member of the Judiciary Committee before proceeding.

Mr. President, the amendment I am proposing along with those Senators I mentioned is an amendment to the legislative branch appropriations bill regarding books for the blind.

In 1931, the Library of Congress National Library Service for the Blind and Physically Handicapped was established by an act of Congress. Since then, funding for this immensely valuable program has been included in the legislative branch bill, which, of course, funds the Library of Congress. The National Library Service and a handful of nonprofit organizations reproduce in specialized formats published material that is readily available to sighted individuals in libraries, bookstores, newsstands and countless other locations.

Specialized formats refers to braille, sound recordings—either on cassette or phonorecord—and new digital formats that can be used for special software. To make certain that recorded books and magazines are only used by those for whom they are intended, they are recorded at a speed that simply does not work on standard tape players.

The National Library Service provides special tape players and record players to eligible individuals. This equipment is not generally available to the public. To be eligible to receive this special equipment, an applicant must be certified by a qualified professional such as a doctor, nurse or social worker that he or she is unable to use standard print.

The National Library Service selects the books to reproduce in these specialized formats.

Frequently, the National Library Service issues request after request only to wait months for a response from the publisher. These delays are not because the publishers have a desire to withhold permission; it is simply a low priority. They just set it aside.

There are still 17 books from the 1995 best seller list for which permission is still pending.

For our Nation's more than 54,000 blind elementary and secondary school students, this is a great problem.

The American Printing House for the Blind in Louisville, KY, is the primary producer of braille textbooks. It is a challenge to reproduce today's highly visible textbooks in braille format. Maps, charts, graphs, and illustrations that take up one page in a standard textbook may require multiple pages of braille or tactile graphics to convey the same information. All in all, it can take a full year to produce a braille textbook. Added time consumed by trying to get permission from publishers makes it certain that the blind student is not in sync with his classmates.

The amendment Senator FRAHM and others and I are introducing seeks to end the unintended censorship of blind students' access to current information. The amendment, as I say, is endorsed by the Association of American Publishers, the National Federation of the Blind, the American Foundation for the Blind, the American Printing House for the Blind, and the U.S. Copyright Office.

This is a very simple amendment. This says groups that produce specialized formats for the blind no longer are required to gain permission from the copyright holder before beginning production. It is based on an agreement that was reached last January between the Association of American Publishers and the National Federation of the Blind. It includes a very narrow definition of those who are eligible to undertake such production and applies the definition for eligibility used by the National Library Service to those who receive reproductions.

So, Mr. President, as has been said by a member of the National Federation of the Blind, It should be obvious that the delays here present a significant barrier which must be overcome if blind people are to be informed and literate. It is not too much to say that living successfully in our modern society often depends upon being able to communicate ideas and facts both orally and in writing.

I conclude by a statement from Marybeth Peters, who is the Register of Copyrights at the Library of Congress. In testifying before the Senate Judiciary Committee she said,

> Blind and physically handicapped readers have a legitimate need for prompt and timely access as soon as possible after works become available to the general reading public. Textbook materials in particular are commonly out of date within 1 to 2 years, superseded by new editions.

Passage of this amendment will permit the speedy access to information that blind people need.

It is my understanding the managers of the bill are prepared to accept the amendment, but we are waiting for the approval of the ranking member of the Judiciary Committee.

So, Mr. President, I thank the managers of the bill and hope that when we receive the approval, as I expect we will, of the ranking member of the Judiciary Committee, if I am not here, the manager of the bill might be able to call up this amendment and have it considered in my absence.

I ask the manager and the ranking member of the committee, if we receive the approval—the only thing we are waiting for is the approval of the ranking member of the Judiciary Committee. If I could pass that on, when it is

received, to the managers, if they could then call up the amendment if I am not here.

Mr. MACK. I say to the Senator, we will be in a position to do that.

Mr. CHAFEE. I thank the Senator very much. I do not know what the time schedule is. We may have to move forward rather quickly. So we will get that information regarding the ranking member as soon as we can.

Mr. MACK. I am under the impression, since the Senator has offered the amendment, that his rights have been protected. We will be moving forward the remainder of this evening and then tomorrow taking whatever amendments have been agreed to in the unanimous consent request last week dealing with those amendments.

I have forgotten the time that we were slotted for votes.

It has not been set yet, but, again, the Senator's rights have been protected since he has offered the amendment.

Mr. CHAFEE. I thank the Senator.

Mrs. MURRAY. Mr. President, let me say that I support the amendment the Senator has offered. We are simply on this side waiting for the authorizing committee to review it, and hopefully that will come fairly soon.

Mr. FEINGOLD addressed the Chair.

The PRESIDING OFFICER. Did the Senator from Wisconsin seek recognition?

Mr. FEINGOLD addressed the Chair.

The PRESIDING OFFICER. The Senator from Wisconsin [Mr. FEINGOLD], is recognized.

Mr. FEINGOLD. I ask the managers if this would be an appropriate time to offer an amendment? Have they had an opportunity to make their opening statements?

Mr. MACK. I say to the Senator, this is an appropriate time to offer an amendment that has been listed in the unanimous-consent request.

Mr. FEINGOLD. I intend to offer the amendment on behalf of the Senator from Arizona [Mr. MCCAIN] and myself. I believe that is one of the listed items.

Mr. MACK. I believe I would be in a position to object to that. As I understand it, the unanimous-consent request indicates that there is a slot for Senator MCCAIN to offer an amendment. I have the right to object to a request for someone to offer an amendment on someone else's behalf.

The PRESIDING OFFICER. The Senator from Florida is correct. The Senator from Wisconsin would have to ask unanimous consent to offer the amendment.

Mr. FEINGOLD. I ask unanimous consent that I may offer an amendment on behalf of the Senator from Arizona, who is unable to be here at this time.

The PRESIDING OFFICER. Is there objection?

Mr. MACK. I object.

The PRESIDING OFFICER. Objection is heard.

Mr. MACK. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

AMENDMENT NO. 5120

(Purpose: To further restrict legislative post-employment lobbying by Members and senior staffers)

Mr. FEINGOLD. Mr. President, I rise to offer an amendment on behalf of the senior Senator from Arizona, Mr. MCCAIN. I send the amendment to the desk.

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

The legislative clerk read as follows:

The Senator from Wisconsin [Mr. FEINGOLD], for Mr. MCCAIN, for himself and Mr. FEINGOLD, proposes amendment numbered 5120.

Mr. FEINGOLD. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

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

The amendment is as follows:

At the appropriate place in the bill, add the following:

SEC. . (a) Section 207(e)(1)(A) of title 18, United States Code, is amended by striking ''1 year'' and inserting ''2 years''.

(b) Paragraphs (2)(A), (3), and (4)(A) of section 207(e) of title 18, United States Code, are amended by striking ''within 1 year after'' and inserting ''within 5 years after''.

Mr. FEINGOLD. Mr. President, I have offered the amendment on behalf of Senator MCCAIN of Arizona, which is an outgrowth of a bipartisan effort that relates to the issue of post-employment restrictions on elected officials and what is more commonly known as the practice of the revolving-door lobby.

This amendment follows in a long line of congressional reforms that have been proposed on a bipartisan basis by myself and the Senator from Arizona and others. Several of us who have been trying to address the issue of special interest influence have proposed and pursued several avenues of reform. Whether it is requiring greater disclosure from the lobbying community or passing new gift restrictions that clamps down on free vacation trips and fancy dinners, or finally addressing the woefully inadequate system of campaign finance we are currently saddled with, it is clear that reforming the Congress has become one of the preeminent issues among an electorate that has grown to not only view this institution with cynicism and disdain, but has also developed, unfortunately, a fundamental distrust of their elected representatives.

Mr. President, restoring the faith of the American people in their Government is without a doubt one of the most important tasks that faces us today.

Those of us who have been proposing lobbying reform and gift prohibitions and campaign finance reform have sometimes been accused by defenders of the status quo of seeking to limit citizen access to their elected representatives. But this is not the case.

What we are trying to do is limit special access to elected representatives, the kind of access that ordinary Americans living in States like Wisconsin and Arizona do not have. Many of us believe that it is simply wrong to suggest that just because you have the financial resources to write out enormous campaign contributions or treat legislators to expensive meals, that you should therefore have special access to those Government officials. That is nothing more than auctioning off democracy to the highest bidder.

A very large part of the culture of special interest influence that pervades Washington is the revolving door between public service and private employment. By putting a lock on this revolving door for a meaningful period of time, we can send a message that those entering Government employment should view public service as an honor and a privilege, not as just another rung on the ladder to personal gain and profit.

Mr. President, the facts show there is a public perception that there is a problem that needs to be addressed. It is not misguided.

There are countless instances of former Members of Congress who once chaired or served on committees with jurisdiction over particular industries or special interests who are now lobbying their former colleagues on behalf of those very industries or special interests. Former committee staff directors use their contacts and knowledge of their former committees to secure lucrative positions in lobbying firms and associations with interests related to those committees.

Just how fast is the revolving door spinning, Mr. President? Just look at the countless announcements, after the 1994 elections, of Government officials leaving the public sector to work for lobbying firms.

One article announced that an aide leaving her position on the House Subcommittee on Energy and Power will be working for the lobbying arm of the American Public Power Association.

Mr. President, another announcement tells us a recently retired official member of the House Ways and Means subcommittee on select revenue measures, is joining a Washington lobbying firm as a specialist on tax policy. Mr. President, we have the former chief of staff to the chairman of the House Transportation Committee now lobbying the committee on behalf of a number of transportation interests.

Mr. President, I could go on and on. The problem of the revolving door lobbying is quite clear, and in my view, and I strongly believe in the view of

the author of this amendment, the senior Senator from Arizona, so is the solution. The solution is clear, too.

The amendment offered by the senior Senator from Arizona today will strengthen the postemployment restrictions that are already in place. Keep in mind, Mr. President, postemployment restrictions are not something new. There is currently a 1-year ban on former Members of Congress lobbying the entire Congress, as well as a 1-year ban on senior congressional staff lobbying their former employing entity. Members and senior staff are also prohibited from lobbying on behalf of a foreign entity for 1 year.

The McCain amendment will prohibit Members of Congress from lobbying the entire Congress, not just for 1 year but for 2 years. It doubles the time. We double the current restriction.

In the most egregious abuses, when a former high-ranking committee staffer is hired by a special interest to lobby that committee, we extend the lobbying ban to 5 years. This amendment then bars former senior staffers, defined as any senior staffer or any staffer earning in excess of 75 percent of a Member's salary, from lobbying their former employing entities for a period of 5 years.

For example, the former chief counsel of the Ways and Means Committee would be prohibited from lobbying any member of that committee or any committee staffer for a period of 5 years.

Mr. President, some might argue that we are inhibiting these talented individuals from pursuing careers in policy matters in which they have become extremely proficient. It may be asked why a former high-level staffer on the Senate Subcommittee on Communications cannot accept employment with a telecommunications company. After all, this person has accumulated years of knowledge of our communication laws and technology. Why should this individual be prevented from accepting private sector employment in the communications field?

Of course, Mr. President, our legislation does not do that. Our legislation does not bar anyone from seeking private sector employment. That staffer can take the job with the telecommunications company, but what they cannot do is lobby their former subcommittee for 5 years. They can consult, they can advise, they can recommended, but they cannot lobby their former employer. That is it. That is what the McCain amendment does.

We are only limiting an individual's employment opportunity if they are seeking to use their past employment with the Federal Government to gain special access or influence with the Government in return for personal gain.

Mr. President, we are not here to outlaw the profession of lobbying. Not only would that be unconstitutional, but I do not think it would really be addressing the true flaws of our political system. Lobbying, when done right, is merely an attempt to present the views and concerns of a particular group. There is nothing inherently wrong with it. In fact, lobbyists, whether they are representing public interest groups or Wall Street, can present information to public representatives that they may not otherwise have or obtain. So it can be helpful.

Mr. President, I strongly believe that there is no more noble endeavor than to serve in Government, but we need to take immediate action to restore the public's confidence in their Government and to rebuild the lost trust between Members of Congress and the electorate. This amendment is a small, but I think strong step, in that direction. I urge the Members to give it their support.

I yield the floor.

Mr. MACK. Mr. President, I thank the distinguished Senator for working out the situation here a few moments ago. I am glad we were able to have the amendment offered, and I appreciate the Senator's understanding with respect to voting this on a voice vote.

I am prepared to accept the amendment and take it to conference.

Mr. FEINGOLD. The manager has correctly stated our understanding. I appreciate the courtesy.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment (No. 5120) was agreed to.

Mrs. MURRAY. I move to reconsider the vote.

Mr. MACK. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. DOMENICI. Mr. President, I rise in support of H.R. 3754, in legislative branch appropriations bill for fiscal year 1997.

The bill, as reported, provides $2.2 billion in new budget authority and $1.9 billion in outlays for the Congress and other legislative branch agencies, including the Library of Congress, the General Accounting Office, and the Government Printing Office, among others.

When outlays from prior year appropriations and other adjustments are taken into account, the bill totals $2.3 billion in budget authority and $2.2 billion in outlays. The bill is under the subcommittee's 602(b) allocation by $23 million in budget authority and $49 million in outlays.

I want to commend the distinguished chairman and ranking member of the legislative branch subcommittee for producing a bill that is substantially within their 602(b) allocation. I am pleased that this bill continues to hold the line on congressional spending.

I urge the Senate to adopt this bill and to avoid offering amendments which would cause the committee to exceed its 602(b) allocation.

APPOINTMENT OF A DEPUTY LIBRARIAN

Mr. MACK. Mr. President, I would like to bring the attention of the Senate to committee report language concerning the Library of Congress and the appointment and responsibilities of a deputy librarian.

I also note the presence of the chairman of the Joint Committee on the Library, Senator HATFIELD, and the chairman of the Senate Committee on Rules and Administration. I wonder if they would care to engage in a brief colloquy regarding this issue.

But let me first read the report language in question.

> The committee has reviewed the findings and recommendations of the recent audits of the Library, and believes that the single most important action to be taken would be the appointment of a deputy librarian fully empowered to be the chief executive officer of the Library. The management tasks identified in the audit reports are daunting, and must be given full-time attention. The extraordinary demands already placed upon the Librarian in any number of external arenas and in developing a vision for the Library's transition into a digital future make it impossible for him to deal with the day-to-day administration of the Library's operations. Those responsibilities must be delegated to the Deputy Librarian and the committee looks forward to that being done as soon as the deputy position is filled.

Mr. President, the committee's phrasing in its instruction to the Library to empower the Deputy Librarian as the chief executive officer was done so advisedly. The committee is aware that the specific recommendation in the GAO management audit suggested that the deputy act as the chief operating officer. And, indeed the library is in the process of selecting a deputy librarian to fill the position as a chief operating officer.

However, the committee wishes to make it crystal clear that, in our considered judgment, and for the reasons outlined in the report which I have just read, the Deputy Librarian should be charged with the responsibilities of a chief executive officer.

The title and terminology are not as important as the idea that this committee will be looking to the deputy as the accountable authority in the day-to-day management of the institution.

I yield to our most distinguished chairman of the Appropriations Committee who also serves as the chairman of the Joint Committee on the Library.

Mr. HATFIELD. Mr. President, the chairman of the subcommittee was good enough to consult with me in the development of the report language he has just read, and I concur wholeheartedly in the direction given to the Library in that language. Our Librarian of Congress, Dr. James Billington,

is an extraordinary individual of numerous talents and many achievements, but no one individual can possibly personally direct all the Library's activities. When the position of Deputy Librarian is filled, the Librarian should delegate to him the responsibility and the authority to deal with the day-to-day administration of the Library's operations. The Librarian has written to me to indicate he intends to do exactly that, and I look forward to the beneficial effects of that delegation of responsibility. I yield the floor.

Mr. MACK. I yield to our most distinguished chairman of the Committee on Rules and Administration for his comments on the issue.

Mr. WARNER. Mr. President, I share with both distinguished chairmen, the views as expressed in committee report 104–323 relating to the appointment and responsibilities of a deputy librarian of the Library of Congress.

In our meeting of the Joint Committee on the Library, ably chaired by the distinguished senior Senator from Oregon, we discussed the critical need for a deputy librarian, fully vested with the authority to run the day-to-day operations and management of the institution.

Each of us recognize the many responsibilities already placed on the Librarian, including those by outlined by statute. His responsibilities in developing a vision for the Library into the 21st century is an enormous task. Promoting this vision within the institution, in the Congress, and indeed throughout the Nation requires an immense amount of time and energy. The Librarian has done a tremendous job in this critical area. We applaud his efforts and wish him greater and continued success. I know we all look forward to working with the Librarian as he continues to set the course for the future of the Library.

UNANIMOUS-CONSENT AGREEMENT

Mr. MACK. Mr. President, I ask unanimous consent that following the disposition of amendments numbered 5119 and 5118, which will occur on Tuesday, that the bill be advanced to third reading, and Senator BYRD be recognized for up to 20 minutes for closing remarks, to be followed immediately by final passage of H.R. 3754, the legislative appropriations bill; provided further, that amendments numbered 5118 and 5119 not be subject to second-degree amendments.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. MACK. Mr. President, I just have a few more comments to make with respect to the legislative appropriations bill. I am trying to anticipate where we might have possible contention in a conference committee meeting, and that would be on the issue of dynamic scoring, which Senator MURRAY referred to in her opening statement.

I am one who strongly supports the language, frankly, that was included in the House bill, which would allow for both the joint committee and for the CBO, Congressional Budget Office, to use dynamic scoring upon request. But I realize the situation that we are in in the Senate. There would have been a Budget Act point of order that could be raised against the entire bill if, in fact, it had not been removed in committee. And if I remember correctly, Senator HATFIELD offered an amendment to remove the House language, so that we could proceed without a point of order being raised.

Again, this is an issue that we will have to deal with in conference. I just want to make everybody aware that it is one in which there are strong feelings on both sides of the Capitol, and both sides of the aisle, I suspect.

Lastly, I, again, would just like to thank Senator MURRAY for her cooperation in the effort that we have put together to bring about this appropriations bill. I also want to express my appreciation to Jim English, Eric Llgenfritz, and Larry Harris and Keith Kennedy of our side of the aisle, for the work they have put into the writing of this legislation. I appreciate the efforts all of you have made.

Mrs. MURRAY. Mr. President, let me just thank the Senator from Florida for his work on the legislative branch appropriations bill.

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

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

AMENDMENT NO. 5118, WITHDRAWN

Mr. FORD. Mr. President, the ranking member sent an amendment to the desk numbered 5118 on behalf of Senator LEAHY.

At this time, I ask unanimous consent that that amendment be withdrawn.

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

The amendment (No. 5118) was withdrawn.

Mr. FORD. Mr. President, I have a statement I wish to put into the RECORD as it relates to that amendment. I want to read it so that there will be no mistake about what we are putting in the RECORD.

Although the ''U.S. Senate Internet Services Usage Rules and Policies'' were adopted on July 22, 1996, Chairman WARNER and I have determined that implementation of the requirements concerning promotional and commercial links to Senators' home States will be delayed for 60 days. During that time, the committee is interested in hearing from Senators and Senate offices concerned about this issue and will seriously consider constructive input during that time.

All other aspects of the policy remains in effect.

I thank the Chair. I yield the floor.

MORNING BUSINESS

Mr. MACK. Mr. President, I ask unanimous consent that there now be a period for the transaction of morning business.

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

MAJ. GEN. NORMAND G. LEZY

Mr. THURMOND. Mr. President, it is my pleasure to rise today and pay tribute to Maj. Gen. Normand G. Lezy, the Director of Air Force Legislative Liaison, whose 2-year tenure in that position is about to come to an end.

The support that the 535 Members of Congress, and various committees of the House and Senate, receive from the legislative liaison offices of the four military services and the Coast Guard is critical to allowing us to serve our constituents. The men and women who work in these congressional relations offices are known to be courteous, responsive, and excellent representatives of their individual branches of the military. Clearly, the high standards these soldiers, marines, sailors, coast guardsmen, and airmen adhere to are set by those who head the various legislative liaison missions. These are officers who bring a wealth of experience, professionalism, and knowledge with them when they assume these highly visible and extremely demanding positions.

For the past 24 months, the Air Force has been well served by General Lezy, an officer with 21 years of experience, and whose broad background not only gives him an understanding of Air Force operations that few can match, but which has aided him greatly as he worked to meet the needs and demands of those in Congress. From his days as a young second lieutenant in the 3355th Student Squadron, where he assumed the duties of administrative officer, to his work at the Pentagon, General Lezy has repeatedly demonstrated his abilities as an officer and his commitment to selflessly working for the security of the United States. Without question, the Air Force Legislative Liaison office has benefited from his command.

Mr. President, I am certain that my colleagues both on the Armed Services Committee and in the Senate would echo my commendations of General Lezy, the support he has provided us, and the service he has rendered our Nation. I wish the general great health and much happiness in the years to come, and I am sure that he will continue to play a key role in continuing to protect the ideals, interests, and people of the United States.

WITHDRAWAL OF REQUEST FOR SEQUENTIAL REFERRAL—S. 1718

Mr. WARNER. Mr. President, on June 12, 1996, I requested sequential referral of S. 1718, the Intelligence Authorization Act for fiscal year 1997, to the Committee on Rules and Administration upon its discharge from the Senate Committee on Governmental Affairs. The Rules Committee, which

has jurisdiction over legislation pertaining to Senate committee structure, desired an opportunity to consider a provision affecting the structure of the Senate Select Committee on Intelligence.

The chairman and ranking member of the Select Committee on Intelligence have advised me that when S. 1718 goes to the floor of the Senate, they will strike the provision related to the structure of that committee. Accordingly, I now withdraw my request for sequential referral of S. 1718. Thank you for your consideration in this matter.

TRIBUTE TO MS. YVONNE TUCKER

Mr. WARNER. Mr. President, I rise today to pay tribute to Ms. Yvonne Tucker, who will retire from the Department of the Army on August 2, 1996, after a long career of distinguished service to our Nation as a Federal civil servant. I am pleased to note that her many efforts over the past 32 years have positively impacted the relationship between the Army and the U.S. Congress.

Ms. Tucker began her career in Federal service in the Army's Office of the Chief for Legislative Liaison, where she first established a reputation for excellence. From 1972 to 1979, she served as a congressional affairs specialist in the Office of the Legal Advisor and legislative assistant to the Chairman of the Joint Chiefs of Staff. During her tenure there, she made significant contributions to such presidential initiatives as the Panama Canal Treaty Task Force and the Department of Defense Special Task Force on Korea.

In 1979, Ms. Tucker earned a promotion to the Army's Special Actions Branch of the Office of the Chief of Legislative Liaison, and ultimately became Deputy Branch Chief. Having again distinguished herself through characteristic outstanding performance, she was assigned to the Office of the Chief of Staff in 1990 to serve as a congressional actions analyst. Here too, she distanced herself from her peers by executing her duties with exceptional skill and innovation.

Congress expects and requires timely, accurate information from our senior defense leadership; unfortunately, we often overlook the tremendous amounts of staff work required to fulfill these needs. Ms. Tucker has been instrumental in ensuring that the Army is able to meet Congress' expectations, by providing Army officials with guidance as to how to interact with Congress most effectively.

Yvonne Tucker is indeed a consummate professional. As a career civil servant, she embodied loyalty, integrity, and competence, ideals which she will continue to uphold and to which all Americans should strive. She has served our Nation well, and our heartfelt appreciation and best wishes for continued success go with her as she prepares for her next endeavor.

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.)

ANNUAL REPORT OF THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT FOR CALENDAR YEAR 1994—MESSAGE FROM THE PRESIDENT—PM 166

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Banking, Housing, and Urban Affairs.

To the Congress of the United States:

Pursuant to the requirements of 42 U.S.C. 3536, I transmit herewith the 30th Annual Report of the Department of Housing and Urban Development, which covers calendar year 1994.

WILLIAM J. CLINTON.

THE WHITE HOUSE, *July 29, 1996*.

MESSAGES FROM THE HOUSE

At 10:58 a.m., a message from the House of Representatives, delivered by Ms. Goetz, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 3900. An act to amend the Agricultural Market Transition Act to provide greater planting flexibility, and for other purposes.

MEASURES REFERRED

The following bill, previously received from the House of Representatives for the concurrence of the Senate, was read the first and second times by unanimous consent and referred as indicated:

H.R. 2779. An act to provide for appropriate implementation of the Metric Conversion Act of 1975 in Federal construction projects, and for other purposes; to the Committee on Commerce, Science, and Transportation.

The following bill was read the first and second times by unanimous consent and referred as indicated:

H.R. 3900. An act to amend the Agricultural Market Transition Act to provide greater planting flexibility, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

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–3541. A communication from the Comptroller General of the United States, transmitting, pursuant to law, the report of Financial Statements for the years 1994 and 1995; to the Committee on Banking, Housing, and Urban Affairs.

EC–3542. A communication from the Acting Director of the Office of Fisheries Conservation and Management, National Marine Fisheries Service, National Oceanic and Atmospheric Administration, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Groundfish of the Gulf of Alaska,'' received on July 23, 1996; to the Committee on Commerce, Science, and Transportation.

EC–3543. A communication from the Acting Director of the Office of Fisheries Conservation and Management, National Marine Fisheries Service, National Oceanic and Atmospheric Administration, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Atlantic Swordfish Fishery,'' received on July 23, 1996; to the Committee on Commerce, Science, and Transportation.

EC–3544. A communication from the General Counsel of the Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives,'' (RIN2120–AA64) received on July 25, 1996; to the Committee on Commerce, Science, and Transportation.

EC–3545. A communication from the General Counsel of the Department of Transportation, transmitting, pursuant to law, the report of forty-one rules including one entitled ''Regulated Navigation Area,'' (RIN2105–AC22, 2115–AE01, 2115–AE84, 2115–AE46, 2115–AA97) received July 25, 1996; to the Committee on Commerce, Science, and Transportation.

EC–3546. A communication from the Office of the Managing Director, Federal Communications Commission, transmitting, pursuant to law, the report of a rule relative to the Interconnection and Resale Obligations Pertaining to Commercial Mobile Radio Services, received on July 24, 1996; to the Committee on Commerce, Science, and Transportation.

EC–3547. A communication from the Office of the Managing Director, Federal Communications Commission, transmitting, pursuant to law, the report of a rule relative to FM Broadcast Stations, received on July 24, 1996; to the Committee on Commerce, Science, and Transportation.

EC–3548. A communication from the Acting Director of the Office of Fisheries Conservation and Management, National Marine Fisheries Service, National Oceanic and Atmospheric Administration, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Groundfish of the Gulf of Alaska,'' received on July 23, 1996; to the Committee on Commerce, Science, and Transportation.

EC–3549. A communication from the Secretary of Energy, transmitting, a draft of legislation relative to the Energy Policy Act of 1992; to the Committee on Energy and Natural Resources.

EC–3550. A communication from the Administrator, Energy Information Administration, Department of Energy, transmitting, pursuant to law, a report entitled ''Voluntary Reporting of Greenhouse Gases 1995''; to the Committee on Energy and Natural Resources.

EC–3551. A communication from the Secretary of Energy, transmitting, pursuant to law, a report entitled ''Uranium Enrichment Decontamination and Decommisssioning

Fund Triennial Report''; to the Committee on Energy and Natural Resources.

EC–3552. A communication from the Director of the Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled ''Decommissioning of Nuclear Power Reactors,'' (RIN3150–AE96) received on July 25, 1996; to the Committee on Environment and Public Works.

EC–3553. A communication from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting, pursuant to law, the report of four rules entitled ''Clean Air Act Final Interim Approval of Operating Permits Programs,'' (FRL5542–4, 5541–1, 5542–7, 5443–1) received on July 24, 1996; to the Committee on Environment and Public Works.

EC–3554. A communication from the Acting Administrator, General Services Administration, transmitting, pursuant to law, the report of an informational copy of a lease prospectus; to the Committee on Environment and Public Works.

EC–3555. A communication from the Acting Administrator, General Services Administration, transmitting, pursuant to law, the report of an informational copy of a lease prospectus; to the Committee on Environment and Public Works.

EC–3556, A communication from the Chief of the Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Revenue Procedure 96–39,'' received on July 25, 1996; to the Committee on Finance.

EC–3557, A communication from the Regulatory Policy Officer, Bureau of Alcohol, Tobacco, and Firearms, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Manufacturers Excise Taxes-Firearms and Ammunition,'' (RIN1512–AB42) received on July 23, 1996; to the Committee on Finance.

EC–3558. A communication from the Chief of Staff, Social Security Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of two rules including one entitled ''Miscellaneous Coverage Provisions of the Social Security Independence and Program Improvements Act of 1994,'' (RIN0960–AE00, 0960–AE21) received on July 23, 1996; to the Committee on Finance.

EC–3559. A communication from the Deputy Associate Administrator for Acquisition Policy, Office of Policy, Planning and Evaluation, General Services Administration, transmitting, pursuant to law, the report of a rule entitled ''Removal of Chapter 201, Federal Information Resources Management Regulation, From Title 41—Public Contracts and Property Management,'' (RIN3090–AG04) received on July 23, 1996; to the Committee on Governmental Affairs.

EC–3560. A communication from the Director of the Office of Personnel Management, transmitting, pursuant to law, the annual report for fiscal year 1995; to the Committee on Governmental Affairs.

EC–3561. A communication from the Chairman of the District of Columbia Financial Responsibility and Management Assistance Authority, transmitting, pursuant to law, a report relative to the ''Revised Fiscal Year 1997 Budget Request Act''; to the Committee on Governmental Affairs.

EC–3562. A communication from the Chairman of the Federal Housing Finance Board, transmitting, pursuant to law, management reports of Federal Home Loan Banks and Financing Corporation for calendar year 1995; to the Committee on Governmental Affairs.

EC–3563. A communication from the Chairman of the Merit Systems Protection Board, transmitting, pursuant to law, a statistical report for fiscal year 1995; to the Committee on Governmental Affairs.

EC–3564. A communication from the Director, Defense Procurement, Office of the Under Secretary of Defense, transmitting, pursuant to law, the report of a rule entitled ''Defense Federal Acquisition Regulation Supplement,'' received on July 23 1996; to the Committee on Governmental Affairs.

EC–3565. A communication from the Executive Director of the Committee For Purchase From People Who Are Blind or Severely Disabled, transmitting, pursuant to law, the report of a rule relative to the Committee's Procurement List, received on July 23, 1996; to the Committee on Governmental Affairs.

EC–3566. A communication from the Assistant Secretary for Employment and Training, Department of Labor, transmitting, pursuant to law, the report of a rule entitled ''Unemployment Insurance Program Letter 29–83, Change 3,'' received on July 23, 1996; to the Committee on Labor and Human Resources.

EC–3567. A communication from the Director, Regulations Policy Management Staff, Office of Policy, Food and Drug Administration, transmitting, pursuant to law, the report of a rule entitled ''Revocation of Certain Device Regulations,'' received on July 23, 1996; to the Committee on Labor and Human Resources.

EC–3568. A communication from the Assistant Secretary of Legislative Affairs, Department of State, transmitting, pursuant to law, the report of a rule entitled, ''Passports and Visas Not Required for Certain Nonimmigrants,'' received on July 24, 1996; to the Committee on the Judiciary.

EC–3569. A communication from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, the report of a rule entitled ''Adding Australia to the List of Countries Authorized to Participate in the Visa Waiver Pilot Program,'' (RIN115–AB93) received on July 24, 1996; to the Committee on the Judiciary.

EC–3570. A communication from the Director of the Federal Bureau of Prisons, Department of Justice, transmitting, pursuant to law, the report of a rule entitled ''Hostage Situation Management,'' (RIN1120–AA55) received on July 23, 1996; to the Committee on the Judiciary.

EC–3571. A communication from the Director of the Federal Bureau of Prisons, Department of Justice, transmitting, pursuant to law, the report of a rule entitled ''Release Preparation Program,'' (RIN1120–AA51) received on July 23, 1996; to the Committee on the Judiciary.

EC–3572. A communication from the Director of the Office of Regulations Management, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled ''Part-Time Career Employment Program,'' (RIN2900–AH75) received on July 23, 1996; to the Committee on Veterans' Affairs.

PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM–658. A resolution adopted by the City Council of the City of Hialeah, Florida relative to the Republic of China; to the Committee on Foreign Relations.

REPORTS OF COMMITTEES

The following reports of committees were submitted on July 26, 1996:

By Mr. PRESSLER, from the Committee on Commerce, Science, and Transportation, without amendment:

S. 1994. An original bill to amend title 49, United States Code, to reauthorize programs of the Federal Aviation Administration, and for other purposes (Rept. No. 104–333).

By Mr. PRESSLER, from the Committee on Commerce, Science, and Transportation, with an amendment in the nature of a substitute:

S. 1505. A bill to reduce risk to public safety and the environment associated with pipeline transportation of natural gas and hazardous liquids, and for other purposes (Rept. No. 104–334).

By Mr. McCAIN, from the Committee on Indian Affairs, without amendment:

S. 1962. A bill to amend the Indian Child Welfare Act of 1978, and for other purposes (Rept. No. 104–335).

By Mr. PRESSLER, from the Committee on Commerce, Science, and Transportation, without amendment:

S. 1149. 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 *Babs*, and for other purposes.

S. 1272. A bill to authorize the Secretary of Transportation to issue a certificate of documentation and coastwise trade endorsement for the vessel *Billy Buck*.

S. 1281. 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 *Sarah-Christen*.

S. 1282. A bill to authorize the Secretary of Transportation to issue a certificate of documentation with the appropriate endorsement for employment in the coastwise trade for the vessel *Triad*.

S. 1319. 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 *Too Much Fun*, and for other purposes.

S. 1347. A bill to authorize the Secretary of Transportation to issue a certificate of documentation with appropriate endorsement for the vessel *Captain Daryl*, and for other purposes.

S. 1348. A bill to authorize the Secretary of Transportation to issue a certificate of documentation with appropriate endorsement for the vessel *Alpha Tango*, and for other purposes.

S. 1349. A bill to authorize the Secretary of Transportation to issue a certificate of documentation with appropriate endorsement for the vessel *Old Hat*, and for other purposes.

S. 1358. 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 *Carolyn*, and for other purposes.

S. 1362. 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 *Focus*.

S. 1383. A bill to authorize the Secretary of Transportation to issue a certificate of documentation and coastwise trade endorsement for the vessel *Westfjord*.

S. 1384. A bill to authorize the Secretary of Transportation to issue a certificate of documentation and coastwise trade endorsement for the vessel *God's Grace II*.

S. 1454. A bill to authorize the Secretary of Transportation to issue a certificate of documentation with appropriate endorsement for employment in the coastwise trade and fisheries for the vessel *Joan Marie*, and for other purposes.

S. 1455. 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 *Movin On*, and for other purposes.

S. 1456. 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 *Play Hard*, and for other purposes.

S. 1457. 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 *Shogun*, and for other purposes.

S. 1545. 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 *Moonraker*, and for other purposes.

S. 1566. 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 *Marsh Grass Too*.

S. 1588. A bill to authorize the Secretary of Transportation to issue a certificate of documentation and coastwise trade endorsement for the vessel *Kalypso*.

S. 1631. 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 *Extreme*, and for other purposes.

The following reports of committees were submitted on July 29, 1996:

By Mr. CHAFEE, from the Committee on Environment and Public Works, with an amendment in the nature of a substitute:

S. 1873. A bill to amend the National Environmental Education Act to extend the programs under the Act, and for other purposes (Rept. No. 104–336).

By Mr. STEVENS, from the Committee on Governmental Affairs, with amendments:

S. 1718. An original bill to authorize appropriations for fiscal year 1997 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and for the Central Intelligence Agency Retirement and Disability System, and for other purposes (Rept. No. 104–337).

By Mr. McCAIN, from the Committee on Indian Affairs, without amendment:

S. 1834. A bill to reauthorize the Indian Environmental General Assistance Program Act of 1992, and for other purposes (Rept. No. 104–338).

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. MURKOWSKI (for himself and Mr. STEVENS):

S. 1998. A bill to provide for expedited negotiations between the Secretary of the Interior and the villages of Chickaloon-Moose Creek Native Association, Inc., Ninilichik Native Association, Inc., Seldovia Native Association, Inc., Tyonek Native Corporation and Knikatnu, Inc. regarding the conveyances of certain lands in Alaska Under the Alaska Native Claims Settlement Act, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. NICKLES (for himself, Mr. BYRD, Mr. HELMS, Mr. COATS, Mr. FAIRCLOTH, Mr. INHOFE, Mr. LOTT, Mr. McCONNELL, Mr. SANTORUM, Mr. SHELBY, Mr. SMITH, Mr. THURMOND, Mr. WARNER, Mr. ASHCROFT, Mr. BENNETT, Mr. FRIST, Mr. GREGG, Mr. KYL, Mr. BURNS, Mr. GRAMM, Mr. STEVENS, and Mr. GORTON):

S. 1999. A bill to define and protect the institution marriage; to the Committee on the Judiciary.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. ROTH (for himself and Mrs. FEINSTEIN):

S. Res. 285. A resolution expressing the sense of the Senate that the Secretary of State should make improvements in Cambodia's record on human rights, the environment, narcotics trafficking and the Royal Government of Cambodia's conduct among the primary objectives in our bilateral relations with Cambodia; to the Committee on Foreign Relations.

By Mr. MOYNIHAN:

S. Con. Res. 67. A concurrent resolution to authorize printing of the report of the Commission on Protecting and Reducing Government Secrecy; to the Committee on Rules and Administration.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. MURKOWSKI (for himself and Mr. STEVENS):

S. 1998. A bill to provide for expedited negotiations between the Secretary of the Interior and the villages of Chickaloon-Moose Creek Native Association, Inc., Ninilichik Native Association, Inc., Seldovia Native Association, Inc., Tyonek Native Corp., and Knikatnu, Inc. regarding the conveyances of certain lands in Alaska Under the Alaska Native Claims Settlement Act, and for other purposes; to the Committee on Energy and Natural Resources.

THE ALASKA NATIVE CLAIMS SETTLEMENT AMENDMENT ACT OF 1996

• Mr. MURKOWSKI. Mr. President, today I introduce legislation on behalf of myself and Senator STEVENS. This legislation is intended to help facilitate a settlement regarding a complex land dispute between five Native Alaskan villages and the Department of the Interior.

Mr. President, the villages of Chickaloon-Moose Creek, Ninilchik, Selovia, Tyonek, and Knikatnu selected lands over 20 years ago pursuant to the Alaska Native Claims Settlement Act (ANSCA) along the shores of what would later become Lake Clark National Park and on the western coast of Cook Inlet. These five villages later relinquished many of their original selections so that the Department could consolidate their holdings and preserve valuable lake frontage to create the Lake Clark National Park in 1980. Without the relinquishment of the village's original land selections Lake Clark National Park may never have become a reality.

In return for the relinquishment of their original selections, the villages were offered other lands on the western coast of Cook Inlet. Because there were five villages, the DOI worked with the villages to create different ''rounds'' of selections. This process would ensure that no one village would receive all the high or low priority selections being offered in the new lands. These rounds were similar to the way the NFL conducts its draft.

After the villages made their selections, with the assistance of the Bureau of Land Management (BLM), the selections were then rejected by the BLM because they were not ''compact and contiguous'' as required by ANSCA. This resulted in a deficiency conveyance agreement which divided the village selections in Cook Inlet into two appendices—appendix A, and appendix C. When the villages signed their agreement they were continuously assured by the BLM that their selection rounds would remain intact thereby preserving their highest priority land selections. Indeed, correspondence over the years from the Department of the Interior indicates that this was the case.

However, now the DOI claims that none of the appendix C lands could be transferred until all appendix A lands have been conveyed. If allowed to continue this would result in the Native villages not receiving their priority selections under ANCSA.

It is ironic that it was village corporations who gave up their selections so that the Department could create Lake Clark National Park and now the DOI is blocking the villages right to select lands they originally assisted in selecting by saying it would threaten Lake Clark National Park.

The legislation I am introducing today is a fair compromise to this problem. In short the legislation would:

Require the Secretary to enter into expedited negotiations with the village corporations for the purpose of resolving their remaining land entitlement issues with either the lands in dispute or other lands in Alaska;

For any village with much the Secretary reaches agreement he must implement the agreement within 90 days and the issue is then resolved;

For any of the villages with which the Secretary fails to reach agreement within 180 days, the Secretary must convey to that village 50 percent of the lands they selected, in the order of their selection by priority rounds;

For any of the five villages that still have remaining acreage in their land entitlements, the Secretary must continue to negotiate with them and report back to Congress on the status of these negotiations;

Lastly, the legislation will preserve the village's right to pursue the issue through the judicial system.

Mr. President, this legislation is fair and balanced. Each of the two parties involved have the opportunity to resolve the issue in an amicable way where both can walk away with positive results. Failing to accomplish this, each party then only gets half of what they want.

I would like to point out that, regardless of the rhetoric coming from opponents of this legislation, these selected lands are not part of Lake Clark National Park.

I understand the DOI may oppose this legislation. I would like to inform the Department of the Interior that I am opposed to them making Alaska Natives wait 20 years for their promised land conveyances.●

By Mr. NICKLES (for himself, Mr. BYRD, Mr. HELMS, Mr. COATS, Mr. FAIRCLOTH, Mr. INHOFE, Mr. LOTT, Mr. MCCONNELL, Mr. SANTORUM, Mr. SHELBY, Mr. SMITH, Mr. THURMOND, Mr. WARNER, Mr. ASHCROFT, Mr. BENNETT, Mr. FRIST, Mr. GREGG, Mr. KYL, Mr. BURNS, Mr. GRAMM, Mr. STEVENS, and Mr. GORTON):

S. 1999. A bill to define and protect the institution of marriage; to the Committee on the Judiciary.

THE DEFENSE OF MARRIAGE ACT

Mr. NICKLES. Mr. President, today I am reintroducing a bill called the Defense of Marriage Act. This bill does just two things. It defines the words ''marriage'' and ''spouse'' for purposes of Federal law and it says that no State shall be required to give effect to a law of any other State with respect to a same-sex marriage.

This bill is a simple bill. It is based on common understandings rooted in our nation's history. it merely reaffirms what each Congress and every executive agency have meant for 200 years when using the words ''marriage'' and ''spouse''. That is, that a marriage is the legal union of a man and a woman as husband and wife, and a spouse is a person of the opposite sex who is a husband or a wife. The current United States Code does not contain a definition of marriage, presumably because most Americans know what it means. Therefore, the definition of marriage in this bill comes from well-established case law. The meaning of spouse is taken from language already in the U.S. Code.

This bill also does not change State law. It allows each State to decide for itself with respect to same-sex ''marriage''. It does this by exercising Congress's powers under the Constitution to legislate with respect to the full faith and credit clause. It provides that a State shall be required to give effect to any public act of any other State respecting a relationship between persons of the same sex that is treated as a marriage under the laws of such other State. Congress has most recently legislated in a similar fashion with respect to full faith and credit in 1994 when it enacted the Full Faith and Credit for Child Support Orders Act and the Safe Homes for Women Act.

This bill simply says that marriage is the legal union between one man and one woman as husband and wife, and a spouse is a husband or wife of the opposite sex. There is nothing earth-shattering there. No breaking of new ground. No setting of new precedents. No revocation of rights.

The Defense of Marriage Act is necessary for several reasons. In May of 1993, the Hawaii Supreme Court rendered a preliminary ruling in favor of three same-sex couples applying for marriage licenses. The court said the marriage law was discriminatory and violated their rights under the equal-rights clause of the State constitution. Many States are concerned that another State's recognition of same-sex marriages will compromise their own laws prohibiting such marriages. Legislators in over 30 States have introduced bills to deny recognition to same-sex unions. Fifteen States already have approved such laws, and many other States are now grappling with the issue—including Hawaii, where legislative leaders are fighting to block their own courts from sanctioning such marriages. This bill would address this issue head-on, and it would allow each State to make the final determination for itself.

Another reason this bill is needed now, concerns Federal benefits. The Federal Government extends benefits, rights and privileges to persons who are married, and generally it accepts a State's definition of marriage. This bill will help the Federal Government defend its own traditional and commonsense definitions of ''marriage'' and ''spouse''. If, for example, Hawaii gives new meanings to the words ''marriage'' and ''spouse'', the reverberation may be felt throughout the Federal code unless this bill is enacted. For instance, a redefinition in Hawaii could create demands for veterans' benefits for same-sex spouses.

Let me cite an example. In the 1970's, Richard Baker, a male, demanded increased veterans' educational benefits because he claimed James McConnell, another male, as his dependent spouse. When the Veterans Administration turned him down, he sued, and the outcome turned on a Federal statute that made eligibility for the benefits contingent on the State's definition of ''spouse'' and ''marriage''. The Federal courts rejected the claim for added benefits because the State supreme Court had already determined that in Minnesota, marriage was not available to persons of the same sex (McConnell versus Nooner, 547 F.2d 54, 1976). This bill anticipates future demands such as that made in the veterans' benefits case, and it reasserts that, for the purposes of Federal law, the word ''marriage'' will continue to mean ''only a legal union between one man and one woman as husband and wife'' and the word ''spouse'' will continue to mean ''a person of the opposite sex who is a husband or a wife.''

Another example of why we need a Federal definition of the terms ''marriage'' and ''spouse'' occurred during debate on the Family and Medical Leave Act of 1993. Shortly before passage of this act, I attached an amendment that defined ''spouse'' as ''a husband or wife, as the case may be.'' I also gave a short speech on the amendment. When the Secretary of Labor published his proposed regulations, a considerable number of comments were received urging that the definition of ''spouse'' be ''broadened to include domestic partners in committed relationships, including same-sex relationships.'' When the Secretary issued the final rules he stated that the definition of ''spouse'' in the act and the legislative history precluded such a broadening of the definition of ''spouse''. The amendment, which was unanimously adopted, spared a great deal of costly and unnecessary litigation over the definition of spouse.

These are just a few reasons for why we need to enact the Defense of Marriage Act. Enactment of this bill will allow States to give full and fair consideration of how they wish to address the issue of same-sex marriages instead of rushing to legislate because of fear that another State's laws may be imposed upon them. It also will eliminate legal uncertainty concerning Federal benefits, and make it clear what is meant when the words ''marriage'' and ''spouse'' are used in the Federal Code.

I urge my colleagues to join me in sponsoring this bill and I ask for their support when this issue comes to the floor.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 1999

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Defense of Marriage Act''.

SEC. 2. POWERS RESERVED OF THE STATES.

(a) IN GENERAL.—Chapter 115 of title 28, United States Code, is amended by adding after section 1738B the following:

''Sec. 1738C. Certain acts, records, and proceedings and the effect thereof

''No State, territory, or possession of the United States, or Indian tribe, shall be required to give effect to any public act, record, or judicial proceeding of any other State, territory, possession, or tribe respecting a relationship between persons of the same sex that is treated as a marriage under the laws of such other State, territory, possession, or tribe, or a right or claim arising from such relationship.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 115 of title 28, United States Code, is amended by inserting after the item relating to section 1738B the following new item:

''1738C. Certain acts, records, and proceedings and the effect thereof.''.

SEC. 3. DEFINITION OF MARRIAGE.

(a) IN GENERAL.—Chapter 1 of title 1, United States Code, is amended by adding at the end the following:

''Sec. 7. Definition of 'marriage' and 'spouse'

''In determining the meaning of any Act of Congress, or of any ruling, regulation, or interpretation of the various administrative bureaus and agencies of the United States, the word 'marriage' means only a legal union between one man and one woman as husband and wife, and the word 'spouse' refers only to a person of the opposite sex who is a husband or a wife.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 1 of title

1, United States Code, is amended by inserting after the item relating to section 6 the following new item:

''7. Definition of 'marriage' and 'spouse'.''.

ADDITIONAL COSPONSORS

S. 650

At the request of Mr. SHELBY, the name of the Senator from New Hampshire [Mr. SMITH] was added as a cosponsor of S. 650, a bill to increase the amount of credit available to fuel local, regional, and national economic growth by reducing the regulatory burden imposed upon financial institutions, and for other purposes.

S. 1130

At the request of Mr. BROWN, the names of the Senator from Ohio [Mr. GLENN] and the Senator from Michigan [Mr. LEVIN] were added as cosponsors of S. 1130, a bill to provide for the establishment of uniform accounting systems, standards, and reporting systems in the Federal Government, and for other purposes.

S. 1669

At the request of Mr. LOTT, the name of the Senator from Louisiana [Mr. JOHNSTON] was added as a cosponsor 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. 1731

At the request of Mr. CRAIG, the names of the Senator from Nebraska [Mr. KERREY] and the Senator from Kentucky [Mr. FORD] were added as cosponsors of S. 1731, a bill to reauthorize and amend the National Geologic Mapping Act of 1992, and for other purposes.

S. 1797

At the request of Mr. LEVIN, the name of the Senator from Virginia [Mr. ROBB] was added as a cosponsor of S. 1797, a bill to revise the requirements for procurement of products of Federal Prison Industries to meet needs of Federal agencies, and for other purposes.

S. 1873

At the request of Mr. INHOFE, the names of the Senator from New Hampshire [Mr. SMITH] and the Senator from New Mexico [Mr. DOMENICI] were added as cosponsors of S. 1873, a bill to amend the National Environmental Education Act to extend the programs under the Act, and for other purposes.

S. 1885

At the request of Mr. INHOFE, the name of the Senator from Arizona [Mr. MCCAIN] was added as a cosponsor of S. 1885, a bill to limit the liability of certain nonprofit organizations that are providers of prosthetic devices, and for other purposes.

S. 1936

At the request of Mr. CRAIG, the name of the Senator from Mississippi [Mr. COCHRAN] was added as a cosponsor of S. 1936, a bill to amend the Nuclear Waste Policy Act of 1982.

S. 1951

At the request of Mr. HELMS, the name of the Senator from New York [Mr. D'AMATO] was added as a cosponsor of S. 1951, a bill to ensure the competitiveness of the United States textile and apparel industry.

SENATE JOINT RESOLUTION 52

At the request of Mr. KYL, the names of the Senator from Maine [Ms. SNOWE] and the Senator from Colorado [Mr. CAMPBELL] were added as cosponsors of Senate Joint Resolution 52, a joint resolution proposing an amendment to the Constitution of the United States to protect the rights of victims of crimes.

SENATE CONCURRENT RESOLUTION 67—RELATIVE TO THE COMMISSION ON PROTECTING AND REDUCING GOVERNMENT SECRECY

Mr. MOYNIHAN submitted the following concurrent resolution; which was referred to the Committee on Rules and Administration:

S. CON. RES. 67

Resolved by the Senate (the House of Representatives concurring), That there shall be printed as a Senate document the report of the Commission on Protecting and Reducing Government Secrecy.

SEC. 2. The document referred to in the first section shall be—

(1) published under the supervision of the Secretary of the Senate; and

(2) in such style, form, manner, and binding as directed by the Joint Committee on Printing, after consultation with the secretary of the Senate.

The document shall include illustrations.

SEC. 3. In addition to the usual number of copies of the document, there shall be printed the lesser of—

(1) 5,000 copies for the use of the Secretary of Senate; or

(2) such number of copies as does not exceed a total production and printing cost of $45,000.

SENATE RESOLUTION 285—RELATIVE TO CAMBODIA

Mr. ROTH (for himself and Mrs. FEINSTEIN) submitted the following resolution; which was referred to the Committee on Foreign Relations.

S. RES. 285

Whereas, the Paris Peace Accords of 1991 and the successful national elections of 1993 ended the genocide in Cambodia, brought two decades of civil war nearer to cessation, demonstrated the commitment of the Cambodian people to democracy and stability, and led to the creation of a national constitution guaranteeing fundamental human rights;

Whereas, since 1991 the international community has contributed almost $2 billion to peacekeeping and national reconstruction in Cambodia and currently provides over 40 percent of the budget of the Royal Government of Cambodia (RGC);

Whereas, recent events in Cambodia—including the arrest and exile of former Foreign Minister Prince Sirivudh, the expulsion of former Finance Minister Sam Rainsy from the FUNCINPEC Party and the National Assembly, a grenade attack against the independent Buddhist Liberal Democratic Party of Cambodia, mob attacks against pro-opposition newspapers, the assassination of journalist and Khmer National Party member Thun Bunly, and harassment of other journalists—suggest that Cambodia is sliding back into a pattern of violence and repression;

Whereas, rampant corruption in the RGC has emerged as a major cause of public dissatisfaction, which—when expressed by opposition politicians and the press—has resulted in government crackdowns;

Whereas, Cambodia has been added to the Department of State's list of major narcotics trafficking countries;

Whereas, the RGC—in contravention to the Cambodian Constitution—has sanctioned massive deforestation and timber exploitation which has devastated the environment, endangered the livelihoods of many of the country's farmers, and helped finance both the Royal Cambodian Armed Forces and the Khmer Rouge in their civil war;

Whereas, the desire to cite Cambodia United Nations peacekeeping success story has stifled official international expressions of concern about deteriorating conditions in Cambodia; Now therefore, be it *Resolved*, That it is the sense of the Senate that:

(1) among the primary objectives in U.S. policy toward Cambodia should be improvements in Cambodia's human rights conditions, environmental and narcotics trafficking record, and the RGC's conduct;

(2) the Secretary of State should closely monitor preparations for upcoming Cambodian elections in 1997 and 1998 and should attempt to secure the agreement of the RGC to full and unhindered participation of international observers for those elections to ensure that those elections are held in a free and fair manner complying with international standards,

(3) the Secretary of State should support the continuation of human rights monitoring in Cambodia by the United Nations, including monitoring through the office of the United Nations Center for Human Rights in Phnom Penh and monitoring by the Special Representative of the United Nations Secretary General for Human Rights in Cambodia;

(4) the Secretary of State should encourage Cambodia's other donors and trading partners to raise concerns with the RGC over Cambodia's human rights, environmental, narcotics trafficking and governmental conduct;

Mr. ROTH. Mr. President, I rise today on behalf of myself and Senator FEINSTEIN to submit a resolution expressing concerns about a series of disturbing developments in Cambodia.

Recently, the Senate Finance Committee reported out H.R. 1642 to extend permanent most-favored nation tariff treatment to Cambodia. Yesterday, the full Senate passed this legislation by voice vote.

When the Finance Committee marked up H.R. 1642, the committee's members made clear their serious concerns about increasing acts of repression by the Royal Government of Cambodia [RGC]. They also registered their concerns about growing corruption at the highest levels of the civilian and military administration, increasing drug trafficking, and substantial environmental degradation.

In reporting out the bill, the committee made it clear that it was doing so, in part, because it believes normal trade relations with Cambodia could serve to improve Cambodia's behavior.

The resolution we are submitting today is meant to send a parallel message—that the United States Senate

remains deeply concerned about problems in Cambodia, and will continue to follow events in that country closely.

Since 1991 the international community has contributed almost $2 billion to peacekeeping and national reconstruction in Cambodia. Multilateral aid also provides over 40 percent of the Royal Government of Cambodia's annual budget. American taxpayers contribute a major portion of these sums.

While the United Nations-sponsored election of 1993 brought a brief period of freedom and democratic improvement to Cambodia, recent developments on a variety of fronts suggests that Cambodia's future remains precarious at best.

For instance, Prince Norodom Sirivudh, former Deputy Prime Minister and Foreign Affairs Minister was arrested by the current government under trumped up charges of fomenting a plot to assassinate the Second Prime Minister, Hun Se. After a summary trial without proper defense, Prince Sirivudh was found guilty by Hun Sen-appointed judges and was sent into exile in France.

Another prominent opposition leader, Former Finance Minister Sam Rainsy was expelled from the coalition Funcinpec Party and the National Assembly for having criticized the RGC for its lack of transparency in its business deals with foreign firms. Since his expulsion, several members of his party have been murdered.

A number of members of another opposition party, the Buddhist Liberal Democratic Party of Cambodia, headed by former Prime Minister Sonn San, died as a result of a grenade attack during that party's national convention.

In addition, a number of editors and reporters from opposition newspapers have been assassinated. Currently, none of these assassination cases have been solved.

Corruption in Phnom Penh is rampant and Cambodia has emerged as a major heroin trafficking center in Asia. Finally, in contravention to the Cambodian Constitution, the RGC has permitted deforestation and timber exploitation on such a massive scale that the agricultural livelihoods of enormous numbers of Cambodians are now threatened.

The resolution I am submitting registers the concerns I know we all share in the Senate on these disturbing trends in the Cambodian economy, government and environment. Mr. President, I urge all my colleagues to join me in support of this legislation.

AMENDMENTS SUBMITTED

THE ENERGY AND WATER DEVELOPMENT APPROPRIATIONS ACT, 1997

BUMPERS (AND HARKIN) AMENDMENT NO. 5096

Mr. BUMPERS (for himself, and Mr. HARKIN) proposed an amendment to the bill (S. 1959) making appropriations for energy and water development for the fiscal year ending September 30, 1997, and for other purposes; as follows:

On page 23, line 8, reduce the amount by $268,600,000.

WELLSTONE AMENDMENT NO. 5097

Mr. JOHNSTON (for Mr. WELLSTONE) proposed an amendment to the bill, S. 1959, supra; as follows:

On page 19, line 4, strike ''expended.'' and insert in lieu thereof ''expended; *Provided*, That funds appropriated for energy supply, research and development activities shall be reduced by four-tenths of one percent from each program and that the amount of the reduction shall be available for the biomass power for rural development program.''

KYL AMENDMENT NO. 5098

Mr. KYL proposed an amendment to the bill, S. 1959, supra; as follows:

On page 14, line 1, strike ''$410,499,000'' and insert ''397,096,700''.

On page 14, line 5, strike ''$71,728,000'' and insert ''$58,325,700''.

On page 14, line 14, before the colon insert'': *Provided further*, the amounts allocated by the Committee on Appropriations of each House in accordance with sections 602(a) and 602(b) of the Congressional Budget Act of 1974 and pursuant to the concurrent resolution on the budget for fiscal year 1997 shall be adjusted downward by $13,402,300 and the revised levels of budget authority and outlays shall be submitted to each House by the chairman of the Committee on the Budget of that House and shall be printed in the Congressional Record''.

DOMENICI (AND JOHNSTON) AMENDMENT NO. 5099

Mr. DOMENICI (for himself and Mr. JOHNSTON) proposed an amendment to amendment No. 5098 proposed by Mr. KYL to the bill, S. 1959, supra; as follows:

In amendment No. 5098, strike lines 3 through 9 and insert in lieu thereof:

On page 19, line 3, strike ''2,749,043,000,'' and insert in lieu thereof ''2,764,043,000,'' and on page 20, line 9, strike ''220,200,000'' and insert in lieu thereof ''205,200,000.''

Insert where appropriate: ''TECHNOLOGY DEVELOPMENT FOR THE DEFENSE ENVIRONMENTAL RESTORATION AND WASTE MANAGEMENT.—Within available funds, up to $2,000,000 is provided for demonstration of stir-melter technology developed by the Department and previously intended to be used at the Savannah River Site. In carrying out this demonstration, the Department is directed to seek alternative use of this technology in order to maximize the investment already made in this technology.''

Insert where appropriate: ''MAINTENANCE OF SECURITY AT GASEOUS DIFFUSION PLANTS.—Section 161k. of the Atomic Energy Act of 1954 (42 U.S.C. 2201k.) Is amended by striking ''subsection:'' and inserting the following: ''subsection. With respect to the Paducah Gaseous Diffusion Plant, Kentucky, and the Portsmouth Gaseous Diffusion Plant, Ohio, the guidelines shall require, at a minimum, the presence of an adequate number of security guards carrying sidearms at all times to ensure maintenance of security at the gaseous diffusion plants;''.

Insert where appropriate: ''TECHNICAL CORRECTION TO THE USEC PRIVATIZATION ACT.—Section 3110(b) of the USEC Privatization Act (Public Law 104–134, title III, chapter 1, subchapter A) is amended by striking paragraph (3) and inserting the following:

''(3) The Corporation shall pay to the Thrift Savings Fund such employee and agency contributions as are required or authorized by sections 8432 and 8351 of title 5, United States Code, for employees who elect to retain their coverage under CSRS or FERS pursuant to paragraph (1).''

Insert where appropriate: ''Provided that, funds made available by this Act for Departmental Administration may be used by the Secretary of Energy to offer employees voluntary separation incentives to meet staffing and budgetary reductions and restructuring needs through September 30, 1997 consistent with plans approved by the Office of Management and Budget. The amount of each incentive shall be equal to the smaller of the employee's severance pay, or $20,000. Voluntary separation recipients who accept employment with the Federal government, or enter into a personal services contract with the Federal government within five years after separation shall repay the entire amount to the Department of Energy.

On page 2, between lines 24 and 25, insert the following: ''Tahoe Basin Study, Nevada and California, $200,000; Walker River Basin restoration study, Nevada and California, $300,000;''

On page 3, line 20, strike: ''construction costs for Montgomery Point Lock and Dam, Arkansas, and''

On page 13, line 21, after ''expended'' insert '':*Provided further*, That within available funds, $150,000 is for completion of the feasibility study of alternatives for meeting the drinking water needs of Cheyenne River Sioux Reservation and surrounding communities''

On page 7, line 19, add the following before the period: '':*Provided further*, That the Secretary of the Army is directed to use $600,000 of funding provided herein to perform maintenance dredging of the Cocheco River navigation project, New Hampshire.''

On page 5, after line 2, insert the following: ''Mill Creek, Ohio, $500,000;''.

On page 5, line 8 strike: ''$6,000,000'' and insert in lieu thereof: ''$8,000,000''.

On page 23, line 22, strike ''$5,615,210,000'' and insert ''$5,605,210,000''; and on page 23, line 8, strike ''$3,978,602,000'' and insert ''$3,988,602,000''.

On page 14, on line 12, after ''amended'' insert ''$12,500,000 shall be available for the Mid-Dakota Rural Water System''.

On page 6, line 24, strike ''$1,700,358,000'' and insert: ''$1,688,358,000''.

On page 3, line 15, strike ''$1,024,195,000'' and insert ''$1,049,306,000''.

On page 5, line 25, insert the following before the period: '': *Provided further*, That the Secretary of the Army, acting through the Chief of Engineers, is authorized and directed to initiate construction on the following projects in the amounts specified:

''Lake Harbor, Alaska, 4,000,000;

''Helena and Vicinity, Arkansas, $150,000;

''San Lorenzo, California, $200,000;

''Panama City Beaches, Florida, $400,000;

''Chicago Shoreline, Illinois, $1,300,000;

''Pond Creek, Jefferson City, Kentucky, $3,000,000;

''Boston Harbor, Massachusetts, $500,000;

''Poplar Island, Maryland, $5,000,000;

''Natchez Bluff, Mississippi, $5,000,000;

''Wood River, Grand Isle, Nebraska, $1,000,000;

''Duck Creek, Cincinnati, Ohio, $466,000;

''Saw Mill River, Pittsburgh, Pennsylvania, $500,000;

''Upper Jordan River, Utah, $1,100,000;

''San Juan Harbor, Puerto Rico, $800,000; and

''Allendale Dam, Rhode Island, $195,000: *Provided further*, That no fully allocated funding policy shall apply to construction of the projects listed above, and the Secretary of the Army is directed to undertake these projects using continuing contracts where sufficient funds to complete the projects are not available from funds provided herein or in prior years''.

On page 14, line 1, strike ''$410,499,000'' and insert: ''$398,596,700''.

On page 15, line 13, insert the following before the period: '': *Provided further*, That $1,500,000 shall be available for construction of McCall Wastewater Treatment, Idaho facility, and $1,000,000 shall be available for the Devils Lake Desalination, North Dakota Project''.

On page 29, between lines 5 and 6, insert the following:

''SALARIES AND EXPENSES

''For expenses necessary to carry out the functions of the United States member of the Delaware River Basin Commission, as authorized by law (75 Stat. 716), $342,000.''

On page 33, between lines 7 and 8, insert the following:

''SALARIES AND EXPENSES

''For expenses necessary to carry out the functions of the United States member of the Susquehana River Basin Commission as authorized by law (84 Stat. 1541), $322,000.''

On page 17, line 19, strike: ''48,971,000'' and insert ''$48,307,000''.

On page 7, line 19, insert the following before the period: ''*Provided further*, That $750,000 is for the Buford-Trenton Irrigation District, Section 33, erosion control project in North Dakota''.

GRAMS (AND McCAIN) AMENDMENT NO. 5100

Mr. GRAMMS (for himself and Mr. MCCAIN) proposed an amendment to the bill S. 1959, supra; as follows:

On page 28, line 16, strike ''$165,000,000'' and insert ''155,331,000''.

On page 28, line 17, at the end of the sentence, add the following: ''The Commission shall provide the House and Senate Appropriations Committee a specific plan for downsizing.''

ROCKEFELLER (AND OTHERS) AMENDMENT NO. 5101

Mr. JOHNSTON (for Mr. ROCKEFELLER, for himself, Mr. CRAIG, Mr. BYRD, Mr. BINGAMAN, Mr. KEMPTHORNE, Mr. DOMENICI, and Mr. COHEN) proposed an amendment to the bill, S. 1959, supra; as follows:

At the appropriate place, insert:

SECTION 1. FINDINGS

The U.S.-Japan Semiconductor Trade Agreement is set to expire on July 31, 1996;

The Governments of the United States and Japan are currently engaged in negotiations over the terms of a new U.S.-Japan agreement on semiconductors;

The President of the United States and the Prime Minister of Japan agreed at the G–7 Summit in June that their two governments should conclude a mutually acceptable outcome of the semiconductor dispute by July 31, 1996, and that there should be a continuing role for the two governments in the new agreement;

The current U.S.-Japan Semiconductor Trade Agreement has put in place both government-to-government and industry-to-industry mechanisms which have played a vital role in allowing cooperation to replace conflict in this important high technology sector such as by providing for joint calculation of foreign market share in Japan, deterrence of dumping, and promotion of industrial cooperation in the design-in of foreign semiconductor devices;

Despite the increased foreign share of the Japanese semiconductor market since 1986, a gap still remains between the share U.S. and other foreign semiconductors makers are able to capture in the world market outside of Japan through their competitiveness and the sales of these suppliers in the Japanese market, and that gap is consistent across the full range of semiconductor products as well as a full range of end-use applications;

The competitiveness and health of the U.S. semiconductor industry is of critical importance to the United States' overall economic well-being as well as the nation's high technology defense capabilities;

The economic interests of both the United States and Japan are best served by well-functioning, open markets and deterrence of dumping in all sectors, including semiconductors;

The Government of Japan continues to oppose an agreement that (1) ensures continued calculation of foreign market share in Japan according to the formula set forth in the current agreement, and (2) provides for continuation of current measures to deter renewed dumping of semiconductors in the United States and in the third country markets; and

The United States Senate on June 19, 1996, unanimously adopted a sense of the Senate resolution that the President should take all necessary and appropriate actions to ensure the continuation of a government-to-government U.S.-Japan semiconductor trade agreement before the current agreement expires on July 31, 1996:

SEC. 2. It is the sense of the Senate that if a new U.S.-Japan Semiconductor Agreement is not concluded by July 31, 1996, that (a) ensures continued calculation of foreign market share in Japan according to the formula set forth in the current agreement, and (b) provides for continuation of current measures to deter renewed dumping of semiconductors in the United States and in third country markets, the President shall—

(1) Direct the Office of the United States Trade Representatives and the Department of Commerce to establish a system to provide for unilateral U.S. Government calculation and publication of the foreign share of the Japanese semiconductor market, according to the formula set forth in the current agreement;

(2) Report to the Congress on a quarterly basis regarding the progress, or lack thereof, in increasing foreign market access to the Japanese semiconductor market; and

(3) Take all necessary and appropriate actions to ensure that all U.S. trade laws with respect to foreign market access and injurious dumping are expeditiously and vigorously enforced with respect to U.S.-Japan semiconductor trade, as appropriate.

SIMON AMENDMENT NO. 5102

Mr. DOMENICI (for Mr. SIMON) proposed an amendment to the bill, S. 1959, supra; as follows:

On page 19 line 4 add the following before the period: '': *Provided, That* $5,000,000 shall be available for research into reducing the costs of converting saline water to fresh water''.

KEMPTHORNE AND CRAIG AMENDMENT NO. 5103

Mr. DOMENICI (for Mr. KEMPTHORNE, for himself, and Mr. CRAIG) proposed an amendment to the bill, S. 1959, supra; as follows:

At the appropriate place, insert the following: ''Of amounts appropriated for the Defense Environmental Restoration and Waste Management Technology Development Program, $5,000,000 shall be available for the electrometallurgical treatment of spent nuclear fuel at Argonne National Laboratory.''.

HATFIELD AMENDMENT NO. 5104

Mr. DOMENICI (for Mr. HATFIELD) proposed an amendment to the bill, S. 1959, supra; as follows:

On page 37 add the following new section:

SEC. . OPPORTUNITY FOR REVIEW AND COMMENT BY STATE OF OREGON ON CERTAIN REMEDIAL ACTIONS AT HANFORD RESERVATION, WASHINGTON.

(a) OPPORTUNITY.—

(1) Subject to subsection (b), the Site Manager at the Hanford Reservation, Washington, shall, in consultation with the signatories to the Tri-Party Agreement, provide the State of Oregon an opportunity to review and comment upon any information the Site Manager provides the State of Washington under the Hanford Tri-Party Agreement if the agreement provides for the review and comment upon such information by the State of Washington.

(2) In order to facilitate the review and comment of the State of Oregon under paragraph (1), the Site Manager shall provide information referred to in that paragraph to the State of Oregon at the same time, or as soon thereafter as is practicable, that the Site Manager provides such information to the State of Washington.

(b) CONSTRUCTION.—This section may not be construed—

(1) to require the Site Manager to provide the State of Oregon sensitive information on enforcement under the Tri-Party Agreement or information on the negotiation, dispute resolution, or State cost recovery provisions of the agreement;

(2) to require the Site Manager to provide confidential information on the budget or procurement at Hanford under terms other than those provided in the Tri-Party Agreement for the transmission of such confidential information to the State of Washington;

(3) to authorize the State of Oregon to participate in enforcement actions, dispute resolution, or negotiation actions, conducted under the provisions of the Tri-Party Agreement;

(4) to authorize any delay in the implementation of remedial, environmental management, or other programmatic activities at Hanford; or

(5) to obligate the Department of Energy to provide additional funds to the State of Oregon.

SEC. . SENSE OF THE SENATE, HANFORD MEMORANDUM OF UNDERSTANDING.

It is the sense of the Senate that—

(1) the State of Oregon has the authority to enter into a memorandum of understanding with the State of Washington, or a memorandum of understanding with the State of Washington and the Site Manager of the Hanford Reservation, Washington, in

order to address issues of mutual concern to such States regarding the Hanford Reservation; and

(2) such agreements are not expected to create any additional obligation of the Department of Energy to provide funds to the State of Oregon.

McCAIN AMENDMENT NO. 5105

Mr. DOMENICI (for Mr. McCAIN) proposed an amendment to the bill, S. 1959, supra; as follows:

Strike section 503 of the bill.

FEINGOLD AMENDMENT NO. 5106

Mr. FEINGOLD proposed an amendment to the bill, S. 1959, supra; as follows:

On page 14, lines 1 through 5, strike ''$410,499,000, to remain available until expended, of which $23,410,000 shall be available for transfer to the Upper Colorado River Basin Fund authorized by section 5 of the Act of April 11, 1956 (43 U.S.C. 620d),'' and insert ''$400,999,000, to remain available until expended, for which $13,910,000 shall be available for transfer to the Upper Colorado River Basin Fund authorized by section 5 of the Act of April 11, 1956 (43 U.S.C. 620d) (of which no amount may be used for the Animas-LaPlata Participating Project),''.

HUTCHISON AMENDMENT NO. 5107

Mr. DOMENICI (for Mrs. HUTCHISON) proposed an amendment to the bill, S. 1959, supra; as follows:

On page 37, add the following after line 25:

SEC. . CORPUS CHRISTI EMERGENCY DROUGHT RELIEF.—For the purpose of providing emergency drought relief, the Secretary of the Interior shall defer all principal and interest payments without penalty or accrued interest for a period of one year for the city of Corpus Christi, Texas, and the Nueces River Authority under contract No. 6–07–01–X0675 involving the Nueces River Reclamation Project, Texas.

SEC. . CANADIAN RIVER MUNICIPAL WATER AUTHORITY EMERGENCY DROUGHT RELIEF.—The Secretary shall defer all principal and interest payments without penalty or accrued interest for a period of one year for the Canadian River Municipal Water Authority under contract No. 14–06–500–485 as emergency brought relief to enable construction of additional water supply and conveyance facilities.

McCONNELL AMENDMENT NO. 5108

Mr. DOMENICI (for Mr. McCONNELL) proposed an amendment to the bill, S. 1959, supra; as follows:

On page 20 after line 2 add the following:

Section 161k. of the Atomic Energy Act of 1954 (42 U.S.C. 2201k) with respect to the Paducah Gaseous Diffusion Plant, Kentucky, and the Portsmouth Gaseous Diffusion Plant, Ohio, the guidelines shall require, at a minimum, the presence of an adequate number of security guards carrying side arms at all times to ensure maintenance of security at the gaseous diffusion plants;''.

Section 311(b) of the USEC Privatization Act (Public Law 104–134, title III, chapter 1, subchapter A) insert the following:

''(3) The Corporation shall pay to the Thrift Savings Fund such employee and agency contributions as are required or authorized by sections 8432 and 8351 of title 5, United States Code, for employees who elect to retain their coverage under CSRS or FERS pursuant to paragraph (1).''

CHAFEE AMENDMENT NO. 5109

Mr. DOMENICI (for Mr. CHAFEE) proposed an amendment to the bill, S. 1959, supra; as follows:

On page 5 add the following between lines 2 and 3: ''Seelconk River, Rhode Island bridge removal, $650,000;''.

BOXER AMENDMENTS NOS. 5110–5111

Mr. DOMENICI (for Mrs. BOXER) proposed two amendments to the bill, S. 1959, supra; as follows:

AMENDMENT NO. 5110

On page 7, line 6, after ''facilities'', insert the following: '', and of which $500,000 shall be made available for the maintenance of Compton Creek Channel, Los Angeles County drainage area, California''.

AMENDMENT NO. 5111

On page 2, between lines 24 and 25, insert the following:

Bolinas Lagoon restoration study, Marin County, California, $500,000;

THE CONGRESSIONAL OPERATIONS APPROPRIATIONS ACT, 1997 LEGISLATIVE BRANCH APPROPRIATIONS ACT, 1997

HATFIELD AMENDMENT NO. 5112

Mr. MACK (for Mr. HATFIELD) proposed an amendment to the bill (H.R. 3754) making appropriations for the legislative branch for the fiscal year ending September 30, 1997, and for other purposes; as follows:

On p. 34 line 20, strike all after the word ''Act'' through line 21 and insert: ''such sums as may be necessary for each of the fiscal years 1997 and 1998.''

MACK AMENDMENTS NOS. 5113–5116

Mr. MACK proposed four amendments to the bill, H.R. 3754, supra; as follows:

AMENDMENT NO. 5113

On page 8, after line 17 insert:

SEC. 7. (a) Notwithstanding section 1345 of title 31, United States Code, the Secretary of the Senate may reimburse any individual employed by the Senate day care center for the cost of training classes and conferences in connection with the provision of child care services and for travel, transportation, and subsistence expenses incurred in connection with the training classes and conferences.

(b) The Senate day care center shall certify and provide appropriate documentation to the Secretary of the Senate with respect to any reimbursement under this section. Reimbursements under this section shall be made from the appropriations account ''MISCELLANEOUS ITEMS'' within the contingent fund of the Senate on vouchers approved by the Secretary of the Senate.

(c) Reimbursements under this section shall be subject to the regulations and limitations prescribed by the Committee on Rules and Administration of the Senate for travel and related expenses for which payment is authorized to be made from the contingent fund of the Senate.

(d) This section shall be effective on and after October 1, 1996.

AMENDMENT NO. 5114

On page 8, after line 17, insert:

SEC. 6. Notwithstanding any other provision of law, any funds received during fiscal year 1996 by the Sergeant at Arms and Doorkeeper of the Senate in settlement of a contract claim or dispute, but not to exceed $1,450,000, shall be deposited into the appropriation account for fiscal year 1997 for the Sergeant at Arms and Doorkeeper of the Senate within the contingent fund of the Senate and shall be available in a like manner and for the same purposes as are the other funds in that account.

AMENDMENT NO. 5115

On page 8, between lines 17 and 18, insert the following:

SEC. . (a) The Secretary of the Senate, with the oversight and approval of the Committee on Rules and Administration of the Senate, shall oversee the development and implementation of a comprehensive Senate legislative information system.

(b) In carrying out this section, the Secretary of the Senate shall consult and work with officers and employees of the House of Representatives. Legislative branch agencies and departments and agencies of the executive branch shall provide cooperation, consultation, and assistance as requested by the Secretary of the Senate to carry out this section.

(c) Any funds that were appropriated under the heading ''Secretary of the Senate'' for expenses of the Office of the Secretary of the Senate by the Legislative Branch Appropriations Act, 1995, to remain available until September 30, 1998, and that the Secretary determines are not needed for development of a financial management system for the Senate may, with the approval of the Committee on Appropriations of the Senate, be used to carry out the provisions of this section, and such funds shall be available through September 30, 2000.

(d) The Committee on Rules and Administration of the Senate may prescribe such regulations as may be necessary to carry out the provisions of this section.

(e) This section shall be effective for fiscal years beginning on or after October 1, 1996.

AMENDMENT NO. 5116

On page 8, after line 17 insert:

SEC. 8. PAYMENT FOR UNACCRUED LEAVE.

(a) IN GENERAL.—The Financial Clerk of the Senate is authorized to accept from an individual whose pay is disbursed by the Secretary of the Senate a payment representing pay for any period of unaccrued annual leave used by that individual, as certified by the head of the employing office of the individual making the payment.

(b) WITHHOLDING.—The Financial Clerk of the Senate is authorized to withhold the amount referred to in subsection (a) from any amount which is disbursed by the Secretary of the Senate and which is due to or on behalf of the individual described in subsection (a).

(c) DEPOSIT.—Any payment accepted under this section shall be deposited in the general fund of Treasury as miscellaneous receipts.

(d) DEFINITION.—As used in this section, the term ''head of the employing office'' means any person with the final authority to appoint, hire, discharge, and set the terms, conditions, or privileges of the employment of an individual whose pay is disbursed by the Secretary of the Senate.

(e) APPLICABILITY.—The section shall apply to fiscal year 1996 and each fiscal year thereafter.

WARNER AMENDMENT NO. 5117

Mr. MACK (for Mr. WARNER) proposed an amendment to the bill, H.R. 3754, supra; as follows:

At the appropriate place in the bill, insert the following:

SEC. . (a) The Congressional Research Service, in consultation with the Secretary of the Senate and the heads of the appropriate offices and agencies of the legislative branch and with the approval of the Committee on Rules and Administration of the Senate, shall coordinate the development of an electronic congressional legislative information and document retrieval system to provide for the legislative information needs of the Senate through the exchange and retrieval of information and documents among legislative branch offices and agencies. The Secretary of the Senate, with the oversight and approval of the Committee on Rules and Administration of the Senate, shall have responsibility for the implementation of this system in the Senate. All of the appropriate offices and agencies of the legislative branch shall participate in the implementation of the system.

(b) As used in this section—

(1) the term ''legislative information'' refers to that information and those documents produced for the use of the Congress by the offices and agencies of the legislative branch as defined in this section, and such other information and documents as approved by the Committee on Rules and Administration of the Senate;

(2) the term ''offices and agencies of the legislative branch'' means the Office of the Secretary of the Senate, the Office of Legislative Counsel of the Senate, the Office of the Architect of the Capitol, the General Accounting Office, the Government Printing Office, the Library of Congress, the Congressional Budget Office, and the Sergeant at Arms of the Senate; and

(3) the term ''retrieval system'' means the indexing of documents and data, as well as integrating, searching, linking, and displaying documents and data.

(c) The Library of Congress shall—

(1) assist the Congressional Research Service in supporting the Senate in carrying out this section; and

(2) provide such technical staff and resources as may be necessary to carry out this section.

LEAHY AMENDMENT NO. 5118

Mrs. MURRAY (for Mr. LEAHY) proposed an amendment to the bill, H.R. 3754, supra; as follows:

At the appropriate place, insert the following:

SEC. . For the purposes of the United States Senate Internet Service Usage Rules and Policies, Members of the Senate may post a link on Senate Internet Services to a private, public, or nonprofit company, organization, or municipality located or based in the Member's State if a disclaimer is included on the same page as the link specifying that the Member is not endorsing the private, public, or nonprofit company, organization, or municipality.

CHAFEE (AND OTHERS) AMENDMENT NO. 5119

Mr. CHAFEE (for himself, Mrs. FRAHM, Mr. STEVENS, Mr. LEAHY, Mr. MCCONNELL, and Mr. BINGAMAN) proposed an amendment to the bill, H.R. 3754, supra; as follows:

At the appropriate place in the bill insert the following new section:

SEC. . LIMITATION ON EXCLUSIVE COPYRIGHTS FOR LITERARY WORKS IN SPECIALIZED FORMAT FOR THE BLIND AND DISABLED.

(a) IN GENERAL.—Chapter 1 of title 17, United States Code, is amended by adding after section 120 of the following new section:

''§ 121. Limitations on exclusive rights: reproduction for blind or other people with disabilities

''(a) Notwithstanding the provisions of sections 106 and 710, it is not an infringement of copyright for an authorized entity to reproduce or to distribute copies or phonorecords of a previously published, nondramatic literary work if such copies or phonorecords are reproduced or distributed in specialized formats exclusively for use by blind or other persons with disabilities.

''(b)(1) Copies or phonorecords to which this section applies shall—

''(A) not be reproduced or distributed in a format other than a specialized format exclusively for use by blind or other persons with disabilities;

''(B) bear a notice that any further reproduction or distribution in a format other than a specialized format is an infringement; and

''(C) include a copyright notice identifying the copyright owner and the date of the original publication.

''(2) The provisions of this section shall not apply to standardized, secure, or norm-referenced tests and related testing material, or to computer programs, except the portions thereof that are in conventional human language (including descriptions of pictorial works) and displayed to users in the ordinary course of using the computer programs.

''(c) For purposes of this section, the term—

''(1) 'authorized entity' means a nonprofit organization or a governmental agency that has a primary mission to provide specialized services relating to training, education, or adaptive reading or information access needs of blind or other persons with disabilities;

''(2) 'blind or other persons with disabilities' means individuals who are eligible or who may qualify in accordance with the Act entitled ''An Act to provide books for the adult blind'', approved March 3, 1931 (2 U.S.C. 135a; 46 Stat. 1487) to receive books and other publications produced in specialized formats; and

''(3) 'specialized formats' means braille, audio, or digital text which is exclusively for use by blind or other persons with disabilities.''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 1 of title 17, United States Code, is amended by adding after the item relating to section 120 the following:

''121. Limitations on exclusive rights: reproduction for blind or other people with disabilities.''.

MCCAIN (AND FEINGOLD) AMENDMENT NO. 5120

Mr. FEINGOLD (for Mr. MCCAIN, for himself and Mr. FEINGOLD) proposed an amendment to the bill, H.R. 3754, supra; as follows:

At the appropriate place in the bill, add the following:

SEC. . (a) Section 207(e)(1)(A) of title 18, United States Code, is amended by striking ''1 year'' and inserting ''2 years''.

(b) Paragraphs (2)(A), (3), and (4)(A) of section 207(e) of title 18, United States Code, are amended by striking ''within 1 year after'' and inserting ''within 5 years after''.

AUTHORITY FOR COMMITTEE TO MEET

COMMITTEE ON FOREIGN RELATIONS

Mr. COVERDELL. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Monday, July 29, at 2 p.m.

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

ADDITIONAL STATEMENTS

ADMIT A GENERATION GAP

• Mr. SIMON. Mr. President, recently the Nashville News, of Nashville, IL, carried a column by Grover Brinkman, a former newspaper editor who is now 93 years old and lives in Monroe County, IL.

What he wrote for the Nashville News is a great combination of wisdom and humor. Those of us who have acquired the status of senior citizen—I am now 67—can appreciate the wisdom handed down by a 93 year old.

I ask that the Nashville News article by Grover Brinkman, be printed in the RECORD.

The column follows:

ADMIT A GENERATION GAP

(By Grover Brinkman)

How does one accept senior status with grace? Good question, isn't it! Perhaps some sage will have the right answer some day, but it's debatable.

One can turn hermit and play checkers in a nursing home. Or perhaps a better way . . . face the ticking clock in a humorous vein that has no negatives.

Or if deep thinking is part of your waking hours, check out some of the following questions:

Do you remember the time when you dimmed the lights for romantic reasons? Now you replace the 100 watt bulbs with 40s as an economy measure to stretch your Social Security dollars.

There are many memories of voluptuous gals in a halter and bikini; now a bit of this memorbilia triggers your pacemaker and raises the garage door.

Your house is much too large at the moment. When the kids were growing up, it was just the opposite.

A rocking chair was once used by grandma, now you're in it.

You bite down on one of those luscious red apples from the Pacific Northwest, and your newly-acquired dentures stay there.

You satisfy a whim to have your palm read, but the seer instead concentrates on your forehead, for the lines there are more distinctive.

You always insisted that burning the midnight oil was the routine that made life livable; now end of day seems to be nine o'clock.

You read only the headlines in the morning paper, for your tired eyes can't decipher the seven-point body text.

You get winded playing a game of dominoes with your grandson.

Most of the seniors at the center carry little black books, but now they contain only names with an added M.D.

If you get an occasional gleam in your eyes, it's probably the sun bouncing off your tri-focals.

Your realize that your entire body aches, and what doesn't, won't work. Even your toes at times have toothaches. (Or would the word toe-aches be better?)

Your children have a middle aged look, and your grand-kids are six feet-plus basketball giants.

You walk holding your head high, necessary to see the potholes high, necessary to see the potholes in the walk through your tri-focals.

You're still 15 around the collar, 54 around the waist, and 90 on the golf course.

When you go for a haircut, the barber trims more hair out of your nose and eyebrows than on your balding head.

Presumably you're well-versed, know most of the answers to today's problems, but no one asks for your opinion.

All your peers talk about the golden years, but you doubt if they have as much shiny metal as a new penny.

You used to take a pill or two at bedtime to keep a vigorous health, now they advise one to help you sleep.

Even a sip of your favorite wine seems to aggravate your ulcer, so you drink skim milk instead, remembering when you were a boy growing up on a boon-docks farm, they used skim milk only for hogs. Today it costs about as much as the real article. 'Taint fair!''

You awake at seven, at least with a bit of ginger in your time-tossed frame; by the noon hour you've degenerated well past 60, and by bedtime you're a centurion, too tired to put proper emphasis in a prayer.

You try to be entertaining, reciting pleasant memorabilia, but the young crowd think only of athletics, so you realize that you're trying to bridge a generation gap, and it simply doesn't work.

You despise nursing homes, but deep down you realize that they are the only bus stations, offering bed and board, between here and a tombstone.

One of your role models, the late Dr. Norman Vincent Peale, insisted that the only way to solve life's problems was in daily positive thinking, but you admit that on many things you're as negative as the minus-post on your car battery.

In your youth, you couldn't wait to tie the knot with your best gal and start a family; now you fumble in tying the knots in your shoe laces.

Health authorities insist that you include plenty of fiber in your daily diet, but a bowl of chicken soup is far easier to masticate.

You love chocolate in all of its forms but your arthritis does not.

When more and more people, some of them strangers, keep calling you Pops, you know definitely that a generation gap exists.

Leg cramps are now a nightly experience. But as a youngster, the only cramps you knew were deep stomach wretching called cholera morbus, after you'd eaten too many green apples.

But it's still a good life despite negative viewpoints. In fact it's the only thing left, come to think of it. You're old, stubborn as the proverbial Missouri mule, but still confident that you'll be around for a few more moons, awaiting the day when the good Lord throws in the final towel.

There is one consoling thought in this treatise on longevity—scores of old friends are up there, holding open the gate. Some of them, with genes shorter lived than mine, have been holding open that gate for a long time.

I don't have the genes of a Methuselah, but I'm running neck and neck with Bob Hope, and that would tickle anyone's hormones. Grow old, but don't let senility be a part of it!●

BALDWIN FIRE DEPARTMENT CELEBRATING 100

● Mr. D'AMATO. Mr. President, I rise today to speak on behalf of the Baldwin Fire Department as they gear up to celebrate 100 years of volunteer fire service to Baldwin, NY.

Baldwin was a small hamlet in 1896 when, on a cold January night, the general store at its center caught fire after a kerosene lantern was dropped. The neighboring Freeport volunteers were summoned to save the surrounding buildings. Shortly thereafter a group of civic leaders met to organize fire protection in and for Baldwin. A committee was formed to raise funds and the department was officially organized on February 8. Initial equipment was purchased for $680 and the department went into service in April of 1896. There were 40 volunteers who were required to pay $3.90 each for their uniforms which consist of a cap, a white sweater lettered ''Baldwin'' and a belt. At that time the alarm was a railroad locomotive wheel rim hung from two poles and rung by a large sledgehammer. John H. Carl served as chief for the first 4 years. After 2 years, a permanent firehouse was built and a proper alarm bell was installed. The department had strong support from the community and the mortgage on this firehouse was paid off in May 1905.

Since those humble beginnings, the Baldwin Fire Department has kept pace with firefighting techniques and developments and attained its present size of 226 members among its seven companies. The present apparatus consists of seven pumpers, two tower ladders, one heavy rescue truck, two ambulances, two water rescue boats on trailers, and four chief's vehicles. In 1995 this all-volunteer fire and rescue service responded to 1,783 alarms. Currently it is led by Chief James Bugler. His deputy chiefs are John Coughlin, Keith Eckels, and Henry Chambers. Gary Eckels serves as chief of fire prevention, as public information officer, and as a fire commissioner.

One of the biggest events ever held in Baldwin will take place on Saturday, August 10, to commemorate the 100th anniversary of the Baldwin Fire Department. The day will begin with some lively firefighter competitions. Later in the day a centennial parade will be led by the U.S. Marine Corps Band, followed by the world famous Budweiser Clydesdales, thousands of firefighters, hundreds of fire trucks, and many other participants. This will truly be a once-in-a-lifetime event; a celebration of life, good works, and community spirit which has been displayed by the Baldwin Fire Department over 100 years of change. Many pieces have been woven together over the years to bring us to this great day; a day of celebration, a day to salute all of those who have given of their very selves to better community, to better America. Mr. President, I salute the brave men and women of the Baldwin Fire Department and wish them many more years of continued success.●

THE UNITED NATIONS SECRETARY-GENERAL

● Mr. SIMON. Mr. President, the United States has made clear its intention to veto a second term for United Nations Secretary-General Boutros Boutros-Ghali. This unfortunate opposition to his reelection was the subject of a column I wrote for Illinois newspapers, which I ask be printed in the RECORD.

The column follows:

A MISSTEP BY THE UNITED STATES

(By Senator Paul Simon)

Suppose a local Rotary Club had the community's most wealthy and powerful citizen, Sam Smith, as a member. Imagine that the Rotarians had a dues system that reflected the ability to pay, so that wealthy Sam Smith paid more in dues than any other Rotarian.

To complicate the story, Sam Smith is far back in the payment of his dues, so far back that the money he owes amounts to almost the total budget of the club for a year.

The president of the Rotary Club is up for reelection, and most of the members want him reelected, but Mr. Big, Sam Smith, says no.

How popular do you think Sam Smith would be with the other Rotarians? Would his influence rise or fall? And what will the other Rotarians do in their election of a president?

The story is true.

Only the ''club'' is called the United Nations. The wealthy deadbeat member is called Sam, Uncle Sam. Most of the UN members believe that Secretary General Boutros-Ghali is doing a good job, despite being hampered by approximately $1.4 billion that the United States owes but has not paid.

But the United States has made clear that we want to veto his reelection as Secretary-General.

The other nations, already too often unimpressed by our uncertain leadership in foreign policy, are not pleased with what we are doing, believing it is dictated by domestic political considerations.

In 1978, President Jimmy Carter designated me as one of the delegates to a two-month session of the United Nations, and I have followed the UN and its work with more than casual interest.

My impression is that overall the United Nations performs a vital service and a good job, not perfect, and that Boutros-Ghali has been a hard-working, effective leader—hampered in part by the United States talking a great game, but not paying our dues.

Egypt is the home of the Secretary-General, and as an Egyptian he is also an African. Africa sometimes is called ''the dark continent.'' It is more accurately described as the ignored continent.

One little-known fact is the gradual spread of democracy in Africa, some of them fledgling democracies that deserve more encouragement from the United States and other nations.

African countries take pride in having Boutros-Ghali as the Secretary-General.

Our opposition to him is coupled with other realities that they see: President Clinton has never visited Africa. Secretary of State Warren Christopher has not visited any sub-Saharan country since he has been Secretary, compared to 24 visits to Syria.

Our inattention, coupled with our unfortunate open opposition to the reelection of the Secretary-General, has not made us any friends.●

BUDGET SCOREKEEPING REPORT

• Mr. DOMENICI. Mr. President, I hereby submit to the Senate the budget scorekeeping report prepared by the Congressional Budget Office under section 308(b) and in aid of section 311 of the Congressional Budget Act of 1974, as amended. This report meets the requirements for Senate scorekeeping of section 5 of Senate Concurrent Resolution 32, the first concurrent resolution on the budget for 1986.

This report shows the effects of congressional action on the budget through July 26, 1996. The estimates of budget authority, outlays, and revenues, which are consistent with the technical and economic assumptions of the 1996 concurrent resolution on the budget (H. Con. Res. 67), show that current level spending is above the budget resolution by $15.5 billion in budget authority and by $14.3 billion in outlays. Current level is $109 million below the revenue floor in 1996 and $5.5 billion above the revenue floor over the 5 years 1996–2000. The current estimate of the deficit for purposes of calculating the maximum deficit amount is $260.0 billion, $14.3 billion above the maximum deficit amount for 1996 of $245.7 billion.

Since my last report, dated July 8, 1996, Congress has cleared for the President's signature an Act Amending the Foreign Assistance Act of 1961 and the Arms Export Control Act (H.R. 3121), an Act for the Relief of Benchmark Rail Group, Inc. (H.R. 419), an Act for the Relief of Natham C. Vance (S. 966) and the Taxpayer Bill of Rights 2 (H.R. 2337). These actions have changed the current level of budget authority, outlays and revenues.

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, July 29, 1996.

DEAR MR. CHAIRMAN: The attached report for fiscal year 1996 shows the effects of Congressional action on the 1996 budget and is current through July 26, 1996. The estimates of budget authority, outlays and revenues are consistent with the technical and economic assumptions of the 1996 Concurrent Resolution on the Budget (H. Con. Res. 67). This report is submitted under Section 308(b) and in aid of Section 311 of the Congressional Budget Act, as amended.

Since my last report, dated July 2, 1996, Congress has cleared for the President's signature an Act Amending the Foreign Assistance Act of 1961 and the Arms Export Control Act (H.R. 3121), an Act for the Relief of Benchmark Rail Group, Inc. (H.R. 419), an Act for the Relief of Nathan C. Vance (S. 966) and the Taxpayer Bill of Rights 2 (H.R. 2337). These actions have changed the current level of budget authority, outlays and revenues.

Sincerely,

JUNE E. O'NEILL,
Director.

THE CURRENT LEVEL REPORT FOR THE U.S. SENATE, FISCAL YEAR 1996, 104TH CONGRESS, 2D SESSION, AS OF CLOSE OF BUSINESS JULY 26, 1996

[In billions of dollars]

	Budget resolution (H. Con. Res. 67)	Current level	Current level over/under resolution
ON-BUDGET			
Budget authority [1]	1,285.5	1,301.0	15.5
Outlays [1]	1,288.2	1,302.4	14.3
Revenues:			
1996	1,042.5	1,042.5	−0.1
1996–2000	5,691.5	5,697.0	5.5
Deficit	245.7	260.0	14.3
Debt subject to limit	5,210.7	5,092.8	−117.9
OFF-BUDGET			
Social Security outlays:			
1996	299.4	299.4	0.0
1996–2000	1,626.5	1,626.5	0.0
Social Security revenues:			
1996	374.7	374.7	0.0
1996–2000	2,061.0	2,061.0	0.0

[1] The discretionary spending limits for budget authority and outlays for the Budget Resolution have been revised pursuant to section 103(c) of P.L. 104–121, the Contract with America Advancement Act.

Note.—Current level numbers are the estimated revenue and direct spending effects of all legislation that Congress has enacted or sent to the President for his approval. In addition, full-year funding estimates under current law are included for entitlement and mandatory programs requiring annual appropriations even if the appropriations have not been made. The current level of debt subject to limit reflects the latest U.S. Treasury information on public debt transactions.

THE ON-BUDGET CURRENT LEVEL REPORT FOR THE U.S. SENATE, 104TH CONGRESS, 2D SESSION, SENATE SUPPORTING DETAIL FOR FISCAL YEAR 1996 AS OF CLOSE OF BUSINESS JULY 26, 1996

[In millions of dollars]

	Budget authority	Outlays	Revenues
Enacted in previous sessions			
Revenues			1,042,557
Permanents and other spending legislation	830,272	798,924	
Appropriation legislation		242,052	
Offsetting receipts	−200,017	−200,017	
Toal previously enacted	630,254	840,958	1,042,557
Enacted in 1st session			
Appropriation bills:			
1995 Rescissions and Department of Defense Emergency Supplementals Act (P.L. 104–6)	−100	−885	
1995 Rescissions and Emergency Supplementals for Disaster Assistance Act (P.L. 104–19)	22	−3,149	
Agriculture (P.L. 104–37)	62,602	45,620	
Defense (P.L. 104–61)	243,301	163,223	
Energy and Water (P.L. 104–46)	19,336	11,502	
Legislative Branch (P.L. 105–53)	2,125	1,977	
Military Construction (P.L. 104–32)	11,177	3,110	
Transportation (P.L. 104–50)	12,682	11,899	
Treasury, Postal Service (P.L. 104–52)	23,026	20,530	
Offsetting receipts	−7,946	−7,946	
Authorization bills:			
Self-Employed Health Insurance Act (P.L. 104–7)	−18	−18	−101
Alaska Native Claims Settlement Act (P.L. 104–42)	1	1	
Fishermen's Protective Act Amendments of 1995 (P.L. 104–43)		(5)	
Perishable Agricultural Commodities Act (P.L. 104–48)	1	(5)	1
Alaska Power Administration Sale Act (P.L. 104–58)	−20	−20	
ICC Termination Act (P.L. 104–88)			(5)
Total enacted first session	366,191	245,845	−100
Enacted in 2d session			
Appropriation bills:			
Ninth Continuing Resolution (P.L. 104–99) [1]	−1,111	−1,313	
District of Columbia (P.L. 104–122)	712	712	
Foreign Operations (P.L. 104–107)	12,104	5,936	
Offsetting receipts	−44	−44	
Omnibus Rescission and Appropriations Act of 1996 (P.L. 104–134)	330,746	246,113	
Offsetting receipts	−63,682	−55,154	
Authorization bills:			
Gloucester Marine Fisheries Act (P.L. 104–91) [2]	14,054	5,882	
Smithsonian Institution Commemorative Coin Act (P.L. 104–96)	3	3	

THE ON-BUDGET CURRENT LEVEL REPORT FOR THE U.S. SENATE, 104TH CONGRESS, 2D SESSION, SENATE SUPPORTING DETAIL FOR FISCAL YEAR 1996 AS OF CLOSE OF BUSINESS JULY 26, 1996—Continued

[In millions of dollars]

	Budget authority	Outlays	Revenues
Saddleback Mountain Arizona Settlement Act (P.L. 104–102)		−7	
Telecommunications Act of 1996 (P.L. 104–104) [3]			
Farm Credit System Regulatory Relief Act (P.L. 104–105)	−1	−1	
National Defense Authorization Act of 1996 (P.L. 104–106)	369	367	
Extension of Certain Expiring Authorities of the Department of Veterans Affairs (P.L. 104–110)	−5	−5	
To award Congressional Gold Medal to Ruth and Billy Graham (P.L. 104–111)	(5)	(5)	
An Act Providing for Tax Benefits for Armed Forces in Bosnia, Herzegovina, Croatia, and Macedonia (P.L. 104–117)			−38
Contract with America Advancement Act (P.L. 104–121)	−120	−6	
Agriculture Improvement and Reform Act (P.L. 94–127)	−325	−744	
Federal Tea Tasters Repeal Act of 1996 (P.L. 104–128)			(5)
Antiterrorism and Effective Death Penalty Act (P.L. 104–132)			2
Total enacted second session	292,699	201,740	−36
Passed pending signature			
An Act to Amend the Foreign Assistance Act of 1961 and the Arms Export Control Act (H.R. 3121)	−72	−72	
An Act for the Relief of Benchmark Rail Group, Inc. (H.R. 419)		1	
An Act for the Relief of Nathan C. Vance (S. 966)	(5)	(5)	
The Taxpayer Bill of Rights 2 (H.R. 2337)			−30
Total passed pending signature	−72	−71	−30
Entitlements and mandatories			
Budget resolution baseline estimates of appropriated entitlements and other mandatory programs not yet enacted	11,913	13,951	
Total current level [4]	1,300,986	1,302,424	1,042,391
Total budget resolution	1,285,515	1,288,160	1,042,500
Amount remaining:			
Under budget resolution			109
Over budget resolution	15,471	14,264	

[1] P.L. 104–99 provides funding for specific appropriated accounts until Sept. 30, 1996.
[2] This bill, also referred to as the sixth continuing resolution for 1996, provides funding until Sept. 30, 1996, for specific appropriated accounts.
[3] The effects of this Act on budget authority, outlays, and revenues begin in fiscal year 1997.
[4] In accordance with the Budget Enforcement Act, the total does not include $4,753 million in budget authority and $2,657 million in outlays for funding of emergencies that have been designated as such by the President and the Congress.
[5] Less than $500,000.•

THE WHITEWATER INVESTIGATION

• Mr. SIMON. Mr. President, the recently completed report on the investigation of Whitewater development and related matters was a costly political exercise. I was a member of that special committee and wrote about the committee's findings in a weekly column that was distributed to newspapers in Illinois.

I ask that it be printed in the RECORD.

The column follows:

THE WHITEWATER INVESTIGATION WAS A COSTLY POLITICAL EXERCISE

(By Senator Paul SIMON)

The Senate Whitewater investigation resulted in a political exercise that contributed nothing, except to add to public cynicism and confirming the already widespread belief that in Congress we are playing partisan games rather than tending to the nation's and the public's real needs.

Obviously some people broke the law in the Whitewater events, but the evidence indicated neither a violation of the law nor of ethical standards by Bill Clinton or Hillary Clinton while he served either as President or as Governor of Arkansas.

But the misuse of the FBI files is another matter. Both the White House and the FBI are at fault. The President probably is not personally involved, but it happened in his White House and administration and it should not be treated as a minor mess-up by the President or his staff. The misuse of police powers by governments is as old as governments themselves, and something that must be constantly guarded against.

The abuse of the FBI files comes at a time when there are two other abuses.

One is the Senate investigation which spent almost $2 million, received testimony from 139 witnesses, and took more time than any investigation of a sitting President in our history—longer than the Watergate or Iran-Contra hearings. ''Where there is smoke there must be fire'' is an old saying, but those hearings were designed to create smoke. Not only is there a product of questionable worth, we took testimony from many individuals who never in their lives thought they would testify before a Senate Committee, such as secretaries. Some were terrified by the combination of coming before a committee and being on national television.

A second abuse is the multiplying like rabbits of special counsels—really special prosecutors—with no limits on their expenses and their ability to use huge resources from the FBI and other agencies. I voted for the law creating the special counsel, but now I sense we need a better answer.

Since the FBI and the work of U.S. attorneys fall under the jurisdiction of the Attorney General, my sense is that we should review the possibility of a change in how we structure that office. It differs from other cabinet posts in its broad police and prosecutorial responsibilities, and the recent FBI debacle and the runaway habits of the special prosecutors, might provide an incentive to the next Congress and President to look at this question.

For example, we might have an Attorney General appointed for a 10-year term, with a small bipartisan group giving the President a list of five names to choose from, and also giving him the ability to request a new list of names if he found them unsatisfactory, but still requiring confirmation by the Senate. And then have no special prosecutors.

This is not a criticism of Janet Reno, who is a much-above-average Attorney General. Another example of a good appointment is President Gerald Ford's naming of Ed Levi, then president of the University of Chicago. No one felt that at any time Gerald Ford could get Ed Levi to do anything but what he believed was in the best interests of the nation. That is the way it should be.

My hope is that out of the present ministorms something constructive can happen.●

INDIGENOUS CONSERVATIONIST OF THE YEAR AWARD HIS MAJESTY KING TAUFA'AHAU TUPOU IV

● Mr. INOUYE. Mr. President, all Americans are concerned about the world's environment and how to protect it. Parts of the world not close to most of us still affect all of us greatly. One part of the world that is remote to most Americans, but vitally important to all of our welfare, is the rain forest. All of us are endangered by the destruction of rain forests that is occurring all over the world. The rain forests constitute unique and irreplaceable ecosystems sometimes called the lungs of the earth. In addition to their function in replenishing the Earth's atmosphere, the rain forests provide essential protection against global warming, contain hundreds of plants found nowhere else on Earth, house many animals unique to the rain forests alone, and provide protection against destruction of coral reefs and marine life. I would like to bring to your attention the efforts to save these vital systems and to recognize an individual who is being honored for his own efforts to save the rain forests.

His Majesty King Taufa'ahau Tupou IV of the Kingdom of Tonga has been selected to receive this year's Seacology Foundation Award as the Indigenous Conservationist of the Year in recognition of his superb efforts to preserve the rain forest and indigenous Polynesian culture. His Royal Highness' successes include providing royal protection for the peka or flying fox colony in Kolovai Village in Tongatupu Island. He is also responsible for protecting the primary forest of 'Eau Island and for establishing a system of nature preserves throughout the Kingdom of Tonga. None of these achievements would have occurred without His Royal Highness.

Seacology Foundation is a nonprofit foundation founded to help protect island ecosystems and island cultures. Seacology scientists include experts in endangered species, island flora and fauna, and island ecosystems. One hundred percent of the money donated to Seacology goes directly to building schools, hospitals, installing safe water supplies, and meeting other needs of the rain forest villagers so that they will not have to sell off the rain forest to survive. Seacology scientists donate their time as well.

I congratulate His Majesty King Taufa'ahau Tupou IV and the Seacology Foundation for all of their efforts.

I ask that the letter from Paul Alan Cox, Ph.D., chairman of the board of the Seacology Foundation, to His Royal Highness be printed in the RECORD.

THE SEACOLOGY FOUNDATION,
Springfield, UT, December 15, 1995.

His Majesty King TAUFA'AHAU TUPOU IV,
The Kingdom of Tonga.

YOUR ROYAL HIGHNESS: It is with deepest respect that I inform your royal highness that you have been selected as the 1996 Indigenous Conservationist of the Year by the Seacology Foundation. This annual award is made to honor those indigenous people who have performed heroic service in preserving their own ecosystems and cultures.

After careful consideration of the activities of your majesty in providing royal protection for the peka or flying fox colony in Kolovai Village in Tongatapu island (which is the oldest flying fox refuge in the world), for your protection of the primary forest of Eua island, for your support in establishing a system of nature preserves throughout the Kingdom of Tonga, and for your life-long service as an interpreter and custodian of Tongan culture, both ancient and modern, the Scientific Advisory Board of the Seacology Foundation has unanimously voted to honor your majesty with this award, which is the most prestigious conservation award for indigenous people in the world.

The Seacology Foundation invites you, at our expense, to attend an award dinner in your honor and a presentation ceremony in Salt Lake City, Utah to receive your award, which will consist of an engraved plaque and a cash award of $1,000. Fine Nau and I will meet with you personally to arrange a convenient date for this event.

Because of your stellar service, both public and private to conservation, and because of the tremendous example of dedication and courage that you have set for your own people—the Polynesian Islanders—and for indigenous peoples throughout the world, the Seacology Foundation is pleased to bestow upon you the most distinguished award for indigenous conservation in the world by naming you 1996 Indigenous Conservationist of the Year. We offer you our sincere appreciation for your tremendous devotion to protecting this planet.

Warmest personal regards,
NAFANUA PAUL ALAN COX, Ph.D.,
Chairman of the Board.●

THE DEFENSE DEPARTMENT AUTHORIZATION

● Mr. SIMON. Mr. President, the annual Defense Department authorization passed by the Senate would create a Corporation for the Promotion of Rifle Practice and Firearms Safety. In a weekly column that is distributed to newspapers in Illinois, I discussed this useless and wasteful program.

I ask that the column be printed in the RECORD.

The column follows:

A BOONDOGGLE FOR THE NRA
(By Senator Paul Simon)

Buried in the annual Defense Department authorization bill is an outrageous gift of $77 million that will benefit something called the Corporation for the Promotion of Rifle Practice and Firearms Safety.

This corporation is the new ''private'' incarnation of the old National Rifle Association-backed Civilian Marksmanship Program. This program was intended to make sure people could shoot straight in case they entered the military. In recent years, however, it has simply funneled cash, weapons and ammunition to private gun clubs, thanks to the power of the NRA.

Until a Federal judge ruled it unconstitutional in 1979, gun clubs which participated in this program were required to be NRA members.

Under public pressure to eliminate this useless and wasteful program, Congress ''privatized'' the program last year.

In fact, the corporation is private in name only. When the corporation becomes fully operational in October of this year it will be given by the Army: 176,218 rifles the Army views as outmoded, but valued at $53,271,002; Computers, vehicles, office equipment and other related items valued by the Army at $8,800,000; 146 million rounds of ammunition valued by the Army at $9,682,656; $5,332,000 in cash.

That totals $77,085,658.

Our friends in the National Rifle Association strongly back this measure and it appears to be a boondoggle for them.

What the Army should do with outmoded weapons is to destroy them. Our government

has a theoretical policy that it does not sell federally owned weapons to the public. The Civilian Marksmanship Program violates this policy, and the new corporation would continue to violate it.

Why we should be subsidizing rifle practice—which is the theory behind this—baffles me. Hardly any of those who will use the weapons will enter into the armed forces. The Defense Department did not request this.

I had never fired a rifle or handgun before entering the Army, and with minimal training I became a fair-to-good marksman.

Senator Frank Lautenberg of New Jersey and I tried to eliminate this incomprehensible expenditure from the bill and we got only 29 votes for our amendment. The NRA still has power.

We should be reducing the numbers of weapons in our society, not increasing them.

A government policy of destroying weapons and not selling outmoded guns to the public is sound.

While rifles are not the primary weapons for crime—pistols are—some of those 176,000 weapons will get into the hands of people who should not have them. If 1 percent reach someone who is irresponsible, that is 1,760 weapons.

Let me in advance extend my sympathy to the families of the people who will be killed by these weapons. They will be needless victims of this folly.●

U.S. AID TO AFRICA

● Mr. SIMON. Mr. President, The salaries of the most elite professional basketball players who became free agents and signed contracts during a 1-week period in July outstripped the amount of United States development aid to all African nations except Egypt. I discussed this development in a weekly column written for newspapers in my State and ask that it be printed in the RECORD.

The column follows:

NBA Star Pay Shoots Past U.S. Development Aid To Africa

(By Senator Paul Simon)

Ask people at any town meeting whether we are spending too much money on foreign aid and there will be a resounding ''yes'' response—but there would not be if they knew the facts.

The world's poorest continent is Africa, and this year we are spending $628 million in development aid to African nations, if Egypt is excluded from the calculation.

Compare that with the total for the contracts signed July 11th to July 18th for free agents with the National Basketball Association: $927 million.

Twenty-nine African nations have total government revenue less than the amount paid to these star athletes.

I have no objection to the money earned by Michael Jordan and the others. They are players of unbelievable talent. And the people of the nation are not making any great sacrifice to provide these funds for them.

Nor are we making a great sacrifice in foreign aid.

That $628 million in aid to Africa compares to $1.2 billion we get from one cent of gasoline tax in the United States. So the aid to Africa is slightly more than one-half cent a gallon, if we were to use the gasoline tax to pay for it, which we are not.

The United States was once the most generous nation in helping the poor beyond our borders. Now, of the nations of Western Europe and Japan, Australia and New Zealand, we are dead last.

We once gave almost 3 percent of our national income to help the needy beyond our borders, and now we give less than one-sixth of 1 percent. Norway gives eight times as much as we do, in percentage terms.

Foreign aid is less than 1 percent of our Federal budget. And the total is getting smaller each year.

Should we be doing a better job of giving opportunity to the poor here at home?

Of course we should. And those of us who advocate doing more to help the poor at home are the same ones who advocate helping them beyond our borders.

If instead of giving the Defense Department $18 billion more than they requested for this year and next, which we are doing, we were to devote one-third of that amount to helping the poor here at home, one-third to helping the impoverished in other countries, and one-third to reduce the deficit, we would have a stronger nation, a better nation, and a more stable world.

The United States is gradually becoming more short-sighted and provincial both at home and abroad. ''Let's take care of ourselves,'' is the cry, and ''ourselves'' excludes the poor at home and the poor abroad.

And so we fall far behind in paying our United Nations dues, and do not provide adequate leadership in troubled areas at home and abroad.

Congressman Ray Thornton of Arkansas suggested that the United States should have a Marshall Plan for impoverished areas of our Nation. He is right. We need it both here and for other nations.

But that requires creativity, courage and compassion by leaders. ''Welfare reform'' for too many has become a code phrase for bashing the poor even more, though genuine reform is obviously needed.

The nation that led the world with the exciting and compassionate and sensible Marshall Plan is now a nation in retreat. We are now a nation that pays more money to a few professional basketball players than we spend to give opportunity to the people of Africa.

We can do better.●

THE POLITICS OF WHITEWATER

● Mr. SIMON. Mr. President, my attention has been called to an article in the Miami Herald by Ernest Dumas, who is described in the Miami Herald as ''Sometime critic of Bill Clinton who teaches journalism at the University of Central Arkansas, and writes a column for the Arkansas Times. A former political writer, and associate editor of the Arkansas Gazette in Little Rock, he wrote this article for the Herald.''

I don't believe I've ever met Mr. Dumas, but he has written an article that gives a perspective on the Whitewater situation that I frankly have not seen in the media elsewhere.

I call this to the attention not only of my colleagues in the Senate and in the House, but I call this to the attention of editorial writers who may be looking through the CONGRESSIONAL RECORD.

It gives a very different perspective on ''The Politics of Whitewater.''

I ask that the Miami Herald article be printed in the CONGRESSIONAL RECORD.

The article follows:

[From the Miami Herald, June 23, 1996]

THE POLITICS OF WHITEWATER

(By Ernest Dumas)

When Sens. Jesse Helms and Lauch Faircloth, the North Carolina Republicans, had lunch in 1994 with their old friend and protege, Judge David R. Sentelle of the U.S. Court of Appeals for the District of Columbia, even they must have have fathomed the importance of what Sentelle was about to agree to do.

His Judicial panel would remove Robert B. Fiske Jr. as the independent counsel for Whitewater and replace him with a far more doctrinaire Republican, Kenneth W. Starr, who had lost his job as solicitor general when Bill Clinton became president and who was representing the Republican National Committee and groups hostile to the Clinton administration, including the tobacco industry.

Starr would keep the Whitewater investigation on track for the 1996 presidential election all right, but he would prove far more valuable to his party.

The majority report of the Senate Special Whitewater Committee last week said the two lending institutions that were the heart of the scandal were ''piggy banks for the Arkansas political elite.''

It was half true. A who's who of Arkansas Republicans had helped David L. Hale plunder his federally subsidized small business investment company.

Hale, who triggered the Whitewater investigation and the appointment of an independent prosecutor when he accused President Clinton of asking him to make an illegal loan in 1986, actually was illegally channeling federal tax dollars into the campaign of Clinton's Republican opponent. Moreover, according to his testimony at the trial in April, he was paying the Republican state chairman to help him defraud the federal Small Business Administration. Another former state Republican chairman and perennial candidate was on the books for a substantial federally subsidized loan when the Clinton administration moved to shut Hale down in 1993. Other prominent Republicans collaborated with Hale to skim money from the company.

Other than Gov. Jim Guy Tucker, then a private businessman, and the ubiquitous James D. McDougal himself, the owner of Madison Guaranty Savings and Loan Corp., no Democratic political figure had anything to do with the dummy companies and scams that Hale ran.

Thanks to Kenneth Starr, this is not the picture Americans got of Whitewater.

Not only did Starr not seek indictments against the Republicans when they began to turn up on every chapter of the examinations of Hale's small-business lending company, he did not call them as witnesses at the trial at Little Rock. The prosecutors persuaded the trial judge not to allow the deeds of Hale's Republican collaborators to be used as proof of selective prosecution. It would have confused the picture of Whitewater, a story about the rascality of Bill Clinton and his Democratic friends.

The special prosecutor's refusal to explore any of the Republican bigwigs to the glare of trial—while leveraging misdemeanor pleas from many spear carriers in the real estate deals who made no profits from the deals—makes a compelling case that the investigation is politically motivated and the prosecution selective.

Hale ran a federally licensed and subsidized small business investment company at Little Rock called Capital Management Services, which in 1992 applied to the Small Business Administration for another $45 million. It claimed an expanded capital base. He didn't get approval before the election and Clinton's SBA in 1993 got suspicious. When auditors began digging into the company's records, Hale told the SBA to just forget the whole thing. Clinton's new SBA director, Erskine Bowles, referred the matter to the Justice Department. When the SBA put Hale's

company in receivership, 86 percent to fits loans were overdue and its accumulated losses exceeded its private capital by 171 percent.

On July 20, 1993, the FBI raided Hale's offices and confiscated his files. By August Clinton's new U.S. attorney for the Eastern District of Arkansas, Paula Casey, prepared to ask a federal grand jury to indict Hale for defrauding the SBA.

What the SBA inspectors and the FBI had found was that Hale had essentially been dealing with himself and a few cronies, including two state Republican chairmen and other Republican politicians and, briefly, seven years earlier, Jim McDougal and Jim Guy Tucker, then a private citizen licking the wounds of a crushing defeat at the hands of Bill Clinton in the 1982 governor's race.

Hale's story about Clinton asking him to make an illegal loan to one of his old business partners seems implausible because Hale at the time was funneling money illegally from his small business development company into the campaign of Clinton's Republican opponent, former Gov. Frank White, who had appointed Hale to his municipal judgeship in 1981.

Here are details about some of the Arkansas Republicans who have avoided the harsh light of Special Prosecutor Starr:

Hale's fellow municipal judge, Bill Watt, testified at the April trial that Hale had written a $10,000 check to the company headed by his law partner, Richard M. Grasby, the Republican county chairman, with directions that $2,000 of it be laundered and put into White's campaign against Clinton. Watt contributed $1,000 in the name of his secretary and $1,000 in the name of the secretary's daughter. The gifts never showed up in White's campaign reports. White says he doesn't think he got them. Using the proceeds of a federally backed small business loan for political gifts is illegal. Defense attorneys elicited the story from Watt, a prosecution witness.

Starr is prosecuting two rural bankers this week on charges that they arranged $13,000 in contributions to Clinton's campaign and reimbursed themselves by padding their expenses at the bank. The gifts to White's campaign from federal funds seemed to be analogous, but Starr passed when the gifts came to light last year.

More intriguing was Starr's pass on Bob Leslie, a Little Rock lawyer who was the state Republican chairman and later national committeeman, during the 1980s. Leslie had been the Republican candidate for Congress from South Arkansas' Fourth District in 1982. When Hale was on the stand, a defense lawyer, Bobby McDaniel of Jonesboro, asked him about a $20,000 SBA-guaranteed loan to Leslie. Hale said it was a ''pay-off'' for Leslie's help in a scheme to defraud the Small Business Administration. Leslie had written legal opinions to the SBA saying Hale qualified for more SBA funds when he didn't.

''He had a tax problem, and I loaned that money to him,'' Hale said, ''The U.S. attorney said they were not going to charge him.''

Leslie wasn't called as a witness. He told reporters he had done nothing wrong.

Hale also made a federally backed loan of $275,000 to a minority mortgaging company Leslie formed, which was not repaid. Leslie told a reporter that he actually didn't get to use the money.

Hale had an unusual affinity for Republican chairmen. Leslie's predecessor as state chairman was Ken Coon, the Republican nominee for governor in 1974 and an unsuccessful candidate for Congress in the Republican primary last month.

When he applied to the SBA for leverage capital the last time, Hale listed Coon as the recipient of a substantial loan for a disadvantaged business if the SBA was forthcoming. Coon was a director of a burial insurance company Hale owned.

Another rising Republican star who became entangled in Hale's web but was ignored by the special prosecutor was Robert Boyce, a young businessman who ran unsuccessfully for the legislature in 1992 from Little Rock's silk-stocking Pulaski Heights district.

Boyce was president of a company that was supposed to handle liquidation sales for stores going out of business. In November 1988 Hale wired $300,000 into Boyce's account and he wrote checks totaling $250,000 to two men who were later convicted of conspiring with Hale to defraud the SBA. Boyce told SBA inspectors in 1994 that while he was the purported owner and president of Retail Liquidators Hale secretly owned it and used it as a front to obtain loans from his SBA lending company. Federal law bars small business lending companies from lending to the owners.

Boyce wasn't charged or called as a witness at the trial.

The most fetching story is that of Sheffield Nelson, the former Republican state chairman and now the Republican national committeeman from Arkansas. Nelson, the former president of Arkansas Louisiana Gas Co., the state's largest natural gas distributor, was the Republican nominee for governor in 1990 against Clinton and would be defeated again, this time by Tucker, in 1994.

It was Nelson who arranged for Jim McDougal, a friend and business partner, to tell a New York Times reported in 1992 about his ancient Whitewater land deal with the Clintons.

Unlike the Clintons, who lost money, Nelson and his pal, Jerry Jones, owner of the Dallas Cowboys, profited immensely from real-estate dealings with McDougal.

While perusing the want ads of The Wall Street Journal in the early '80s, McDougal was attracted by an ad for the sale of land on Campobello Island, off the coast of Maine, President Franklin D. Roosevelt, McDougal's idol, had summered there as a youth. The owners wanted $825,000 for 3,400 acres.

Convinced that the land could be developed for quick resale, McDougal persuaded Nelson and Jones to invest with him. Nelson and Jones put up $225,000 each. It was the first real estate venture for McDougal's new thrift, Madison Guaranty. The savings and loan subsequently would put up millions of dollars to develop the desolate and blustery land but the agents would never find buyers.

Despite the early charges, Whitewater Development Corp., the Clintons' partnership with the McDouglas, never cost Madison Guaranty and the American taxpayers a penny. But Campobello Estates cost them plenty. It was the single biggest contributor to the S&L's demise. The Federal Home Loan Bank Board warned as early as 1984 that the investment was imprudent and that it was imperiling the thrift's solvency. Nelson and Jones never put anything more into it. It was Madison's money.

After McDougal was ousted from the management of Madison in 1986 and it was closed in 1989, the Resolution Trust Corp. found itself owning Campobello. Nelson and Jones wanted out of the deal. Amazingly, an old football-playing buddy of Jones at the University of Arkansas, Tommy Trantham, had been appointed supervisor of Madison. Trantham arranged for Madison to buy out Nelson and Jones at a handsome profit of $136,500 each, a buy-out ultimately borne by the taxpayers. The RTC, then under the George Bush administration, approved the buy-out.

William Seidman, who headed the Federal Deposit Insurance Corp. and the RTC at times during the banking and thrift crises, later expressed shock at the buy-out. His experience, he told The Fort Worth Star Telegram, was that limited partners didn't even get their money back, much less a hefty profit.

Nelson's and Jones' roles never surfaced in the special prosecutor's case. They never got a summons from Sen. Alfonse D'Amato, R-N.Y., to explain themselves before the Senate Whitewater Committee.

It is this selective prosecution that is the peril of political investigations like Starr's. The prosecutor does not try to solve a crime and punish the perpetrator but to identify one subject or group and then find a crime.

''Therein lies the most dangerous power of the prosecutor.'' Justice Robert Jackson of the U.S. Supreme Court, who would be the chief prosecutor at Nuremberg, warned in 1940, ''that he will pick people that he thinks he should get, rather than cases that need to be prosecuted. With the law books filled with a great assortment of crimes a prosecutor stands a fair chance of finding at least a technical violation of some act on the part of almost anyone.''

With 50 FBI agents and an army of attorneys at his disposal and boundless jurisdiction, the Whitewater prosecutor's problem was that he found more than he cared to prosecute, and in exactly the wrong places.●

ORDERS FOR TUESDAY, JULY 30, 1996

Mr. MACK. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until the hour of 9:30 a.m. on Tuesday, July 30; further, that immediately following the prayer, the Journal of the proceedings be deemed approved to date, 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 the Senate immediately resume the energy and water appropriations bill under a previous consent agreement.

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

PROGRAM

Mr. MACK. Mr. President, at the hour of 10 a.m. on Tuesday, the Senate will begin a series of rollcall votes with respect to the energy and water appropriations bill and the legislative branch appropriations bill. Senators should be on notice that all votes in the voting sequence, after the first vote, will be limited to 10 minutes in length.

I ask unanimous consent that the Senate stand in recess between the hours of 12:30 p.m. and 2:15 p.m. in order for the weekly party caucuses to meet.

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

Mr. MACK. Mr. President, the Senate can be expected to be in session late into the evening each day this week in order to consider appropriations bills and conference reports as they become available.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. MACK. Mr. President, if there is no further business to come before the

Senate, I ask that the Senate now stand in adjournment under the previous order.

There being no objection, the Senate, at 6:56 p.m. adjourned until Tuesday, July 30, 1996, at 9:30 a.m..

NOMINATIONS

Executive nominations received by the Senate July 29, 1996:

INSTITUTE OF AMERICAN INDIAN AND ALASKA NATIVE CULTURE AND ARTS DEVELOPMENT

LETITIA CHAMBERS, OF OKLAHOMA, TO BE A MEMBER OF THE BOARD OF TRUSTEES OF THE INSTITUTE OF AMERICAN INDIAN AND ALASKA NATIVE CULTURE AND ARTS DEVELOPMENT FOR A TERM EXPIRING MAY 19, 2000, VICE ROY M. HUHNDORF, RESIGNED.

NATIONAL INSTITUTE FOR LITERACY ADVISORY BOARD

ANTHONY R. SARMIENTO, OF MARYLAND, TO BE A MEMBER OF THE NATIONAL INSTITUTE FOR LITERACY ADVISORY BOARD FOR A TERM EXPIRING SEPTEMBER 22, 1998, VICE BENITA C. SOMERFIELD, TERM EXPIRED.

NATIONAL SCIENCE FOUNDATION

JOHN A. ARMSTRONG, OF MASSACHUSETTS, TO BE A MEMBER OF THE NATIONAL SCIENCE BOARD, NATIONAL SCIENCE FOUNDATION, FOR A TERM EXPIRING MAY 10, 2002, VICE THOMAS B. DAY, TERM EXPIRED.

M.R.C. GREENWOOD OF CALIFORNIA, TO BE A MEMBER OF THE NATIONAL SCIENCE BOARD, NATIONAL SCIENCE FOUNDATION, FOR A TERM EXPIRING MAY 10, 2002, VICE PERRY L. ADKISSON, TERM EXPIRED.

STANLEY VINCENT JASKOLSKI, OF OHIO, TO BE A MEMBER OF THE NATIONAL SCIENCE BOARD, NATIONAL SCIENCE FOUNDATION, FOR A TERM EXPIRING MAY 10, 2002, VICE JAMES JOHNSON DUDERSTADT, TERM EXPIRED.

VERA C. RUBIN, OF THE DISTRICT OF COLUMBIA, TO BE A MEMBER OF THE NATIONAL SCIENCE BOARD, NATIONAL SCIENCE FOUNDATION, FOR A TERM EXPIRING MAY 10, 2002, VICE BERNARD F. BURKE, TERM EXPIRED.

BOB H. SUZUKI, OF CALIFORNIA, TO BE A MEMBER OF THE NATIONAL SCIENCE BOARD, NATIONAL SCIENCE FOUNDATION, FOR A TERM EXPIRING MAY 10, 2002, VICE JAIME OAXACA, TERM EXPIRED.

IN THE COAST GUARD

THE FOLLOWING INDIVIDUAL FOR APPOINTMENT AS A PERMANENT REGULAR COMMISSIONED OFFICER IN THE U.S. COAST GUARD IN THE GRADE OF LIEUTENANT COMMANDER.

LAURA H. GUTH

IN THE AIR FORCE

THE FOLLOWING-NAMED OFFICER FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE, TO THE GRADE INDICATED, UNDER THE PROVISIONS OF TITLE 10 UNITED STATES CODE, SECTIONS 8374, 12201, 12204, AND 12212:

To be brigadier general

BRIG. GEN. DWIGHT M. KEALOHA, USAF (RETIRED), 000–00–0000, AIR NATIONAL GUARD.

THE FOLLOWING OFFICERS, WHO WERE DISTINGUISHED GRADUATES FROM THE UNITED STATES AIR FORCE OFFICER TRAINING SCHOOL, FOR APPOINTMENT AS SECOND LIEUTENANTS IN THE REGULAR AIR FORCE, UNDER THE PROVISIONS OF SECTION 531 OF TITLE 10, UNITED STATES CODE WITH DATES OF RANK TO BE DETERMINED BY THE SECRETARY OF THE AIR FORCE.

LINE

MICHAEL P. ALLISON, 000–00–0000
JOSEPH K. GALLAHAN, JR., 000–00–0000
DANIEL D. GRADY, 000–00–0000
JAMES C. HALL, 000–00–0000
DANIEL N. HARVALA, 000–00–0000
SANDRA L. HIGGINS, 000–00–0000
MARK T. HOWARD, 000–00–0000
CHERYL A. LUTES, 000–00–0000
MICHAEL S. NEWSOM, 000–00–0000
FRANK B. SCHREIBER, 000–00–0000
MICHAEL A. SINKS, 000–00–0000
JOHN P. SMAIL, 000–00–0000

IN THE MARINE CORPS

THE FOLLOWING-NAMED OFFICERS ON THE ACTIVE-DUTY LIST, FOR PROMOTION TO THE GRADE INDICATED IN THE U.S. MARINE CORPS IN ACCORDANCE WITH SECTION 624 OF TITLE 10, UNITED STATES CODE:

To be lieutenant colonel

ROBERT E. CARNEY, 000–00–0000

To be major

AURELIO GARCIA III, 000–00–0000
JOHN T. HORNEY, 000–00–0000
FRANK A. RICHIE, 000–00–0000
WILLIAM P. SCHULZ, JR., 000–00–0000

THE FOLLOWING-NAMED RESERVE OFFICERS FOR PROMOTION TO THE GRADE OF COLONEL IN THE U.S. MARINE CORPS RESERVE IN ACCORDANCE WITH SECTION 5912 OF TITLE 10, UNITED STATES CODE:

CRAIG T. BODDINGTON, 000–00–0000
LAURA M. BULTEMEIER, 000–00–0000
KEVIN J. BURDICK, 000–00–0000
ALEJANDRO T. DEVORA, JR., 000–00–0000
RUSSEL L. DRYLIE, 000–00–0000
ROBERT C. EIKENBERRY, 000–00–0000
BRUCE J. ELLIOT, 000–00–0000
CHRISTOPHER T. FRANKLIN, 000–00–0000
DOUGLAS N. FRAZIER, 000–00–0000
JOHN W. GEORGES, 000–00–0000
MARK D. GRIM, 000–00–0000
KATHERINE S. GUNTHER, 000–00–0000
DANIEL K. HAGOOD, 000–00–0000
WILLIAM C. HAMERSTADT, 000–00–0000
ROBERT W. HILLERY, 000–00–0000
STANLEY C. HORTON, 000–00–0000
ROBERT L. HUDON, JR., 000–00–0000
MICHAEL G. JACKSON, 000–00–0000
CONRAD F. MALLEK, 000–00–0000
VINCENT F. MANNELLA, 000–00–0000
FRANCIS L. MC DONALD, 000–00–0000
MARK E. MOONEY, 000–00–0000
JOSEPH N. MUELLER, 000–00–0000
KATHLEEN Z. POWERS, 000–00–0000
GEORGE S. PRIEST, 000–00–0000
EDWARD C. SCHROEDER, 000–00–0000
PRESTON E. SIMMS, 000–00–0000
BARRY J. STATIA, 000–00–0000
JOSEPH J. VACCARO, 000–00–0000
STEVEN K. VANDOREN, 000–00–0000
WILLIAM C. WALKER, JR., 000–00–0000
DONALD L. WEISS, 000–00–0000
HARRT T. WILLIAMS, 000–00–0000
FREDERICK B. WITESMAN II, 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, AND THOSE OFFICERS IDENTIFIED BY AN ASTERISK FOR APPOINTMENT IN THE REGULAR AIR FORCE UNDER THE PROVISIONS OF SECTION 531, TITLE 10, UNITED STATES CODE, WITH A VIEW TO DESIGNATION UNDER THE PROVISIONS OF SECTION 8067, TITLE 10, UNITED STATES CODE, TO PERFORM DUTIES INDICATED PROVIDED THAT IN NO CASE SHALL THE FOLLOWING OFFICERS BE APPOINTED IN A GRADE HIGHER THAN INDICATED.

CHAPLAIN

To be major

JOHN W. BAKER, 000–00–0000
LONNIE B. BARKER, 000–00–0000
ALFRED W. BRIDGEMAN, 000–00–0000
WILLIAM D. CANNON, 000–00–0000
ROBERT C. COLLINS, 000–00–0000
CHARLES N. DAVIDSON, 000–00–0000
LAWRENCE G. GOSSELIN, 000–00–0000
LAWRENCE W. HENDON, 000–00–0000
GERALD S. HENRY, 000–00–0000
STEPHEN E. JESELNICK, 000–00–0000
PETER S. LAMBERT, 000–00–0000
JOSEPH D. LIM, 000–00–0000
HARRY P. MATHIS, III,* 000–00–0000
LISA ANNE PINEAU, 000–00–0000
TIMOTHY M. STURGILL, 000–00–0000
GARY E. UNDERWOOD, 000–00–0000
RONALD UNDERWOOD, 000–00–0000
JOSEPH P.M. VU, 000–00–0000
MICHAEL J. WEBER, 000–00–0000
DAVID E. WILSHEK, 000–00–0000

MEDICAL SERVICE CORPS

To be major

LINDA M. ADAMS, 000–00–0000
WILLIAM A. ALTLAND, 000–00–0000
JAMES R. BAXTER, 000–00–0000
DENNIS L. BEATTY, 000–00–0000
PETER G. BREWER, 000–00–0000
GARY D. BUTTON, 000–00–0000
RENEE M. CAREY, 000–00–0000
BILLY P. CECIL II, 000–00–0000
CARY A. COLLINS, 000–00–0000
MAUREEN J. COUNTER, 000–00–0000
BRIAN J. CRAMER, 000–00–0000
MARIO V. DESANCTIS, 000–00–0000
LINDA LEE EATON, 000–00–0000
BARRY W. EVANS, 000–00–0000
KENNETH R. FRANKLIN, 000–00–0000
PATRICIA A. GRAULTY, 000–00–0000
RICHARD F. HART, 000–00–0000
LYNDA L. HERNANDEZ, 000–00–0000
BRADLEY P. HERREMANS, 000–00–0000
STEPHEN C. HILL, 000–00–0000
DANIEL J. HUNT, 000–00–0000
ROBERT B. JORDAN, 000–00–0000
WILLIAM J. KORMOS, JR., 000–00–0000
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