

DEPARTMENT OF VETERANS AFFAIRS AND HOUSING AND URBAN DEVELOPMENT, AND INDEPENDENT AGENCIES APPROPRIATIONS ACT, 1997

The Senate continued with the consideration of the bill.

AMENDMENT NO. 5159, AS MODIFIED

Mr. BOND. Mr. President, before moving to third reading, I ask unanimous consent to modify amendment number 5159, adopted previously, to correct an inadvertent deletion, typographical error in one of the sections.

Mr. President, this was the Stevens amendment. Inadvertently one paragraph was dropped. This corrects the typographical error.

Ms. MIKULSKI. We have no objection.

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

The amendment (No. 5159), as modified, is as follows:

Strike section 432 and used in lieu thereof the following:

SEC. 432. CALCULATION OF DOWNPAYMENT.

Section 203(b) of the National Housing Act (12 U.S.C. 1709(b)) is amended by adding at the end the following new paragraph:

“(10) ALASKA AND HAWAII.—

“(A) IN GENERAL.—Notwithstanding any other provision of this subsection, with respect to a mortgage originated in the State of Alaska or the State of Hawaii, involve a principal obligation not in excess of the sum of—

“(i) the amount of the mortgage insurance premium paid at the time the mortgage is insured; and

“(ii)(I) in the case of a mortgage for a property with an appraised value equal to or less than \$50,000, 98.75 percent of the appraised value of the property;

“(II) in the case of a mortgage for a property with an appraised value in excess of \$50,000 but not in excess of \$125,000, 97.65 percent of the appraised value of the property;

“(III) in the case of a mortgage for a property with an appraised value in excess of \$125,000, 97.15 percent of the appraised value of the property; or

“(IV) notwithstanding subclauses (II) and (III), in the case of a mortgage for a property with an appraised value in excess of \$50,000 that is located in an area of the State for which the average closing cost exceeds 2.10 percent of the average, for the State, of the sale price of properties located in the State for which mortgages have been executed, 97.75 percent of the appraised value of the property.

“(B) AVERAGE CLOSING COST.—For purposes of this paragraph, the term ‘average closing cost’ means, with respect to a State, the average, for mortgages executed for properties that are located within the State, of the total amounts (as determined by the Secretary) of initial service charges, appraisal, inspection, and other fees (as the Secretary shall approve) that are paid in connection with such mortgages.”

Mr. BOND. Mr. President, I think we are ready for third reading.

The PRESIDING OFFICER. The question is on the engrossment of the amendments and third reading of the bill.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill was read a third time.

Mr. BOND. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There appears to be a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall the bill pass? The yeas and nays have been ordered. The clerk will call the roll.

The legislative clerk called the roll.

Mr. NICKLES. I announce that the Senator from Oregon [Mr. HATFIELD] and the Senator from Alaska [Mr. MURKOWSKI] are necessarily absent.

I further announce that, if present and voting, the Senator from Oregon [Mr. HATFIELD] would vote “yea.”

Mr. FORD. I announce that the Senator from Hawaii [Mr. INOUE] is necessarily absent.

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

The result was announced—yeas 95, nays 2, as follows:

[Rollcall Vote No. 278 Leg.]

YEAS—95

Abraham	Ford	Mack
Akaka	Frahm	McCain
Ashcroft	Frist	McConnell
Baucus	Glenn	Mikulski
Bennett	Gorton	Moseley-Braun
Biden	Graham	Moynihan
Bingaman	Gramm	Murray
Bond	Grassley	Nickles
Boxer	Gregg	Nunn
Bradley	Harkin	Pell
Breaux	Hatch	Pressler
Bryan	Heflin	Pryor
Bumpers	Helms	Reid
Burns	Hollings	Robb
Byrd	Hutchison	Rockefeller
Campbell	Inhofe	Roth
Chafee	Jeffords	Santorum
Coats	Johnston	Sarbanes
Cochran	Kassebaum	Shelby
Cohen	Kempthorne	Simon
Conrad	Kennedy	Simpson
Coverdell	Kerrey	Smith
Craig	Kerry	Snowe
D'Amato	Kohl	Specter
Daschle	Kyl	Stevens
DeWine	Lautenberg	Thomas
Dodd	Leahy	Thompson
Domenici	Levin	Thurmond
Dorgan	Lieberman	Warner
Exon	Lott	Wellstone
Faircloth	Lugar	Wyden
Feinstein		

NAYS—2

Brown Feingold

NOT VOTING—3

Hatfield Inouye Murkowski

The bill (H.R. 3666), as amended, was passed.

Mr. BOND. Mr. President, I move to reconsider the vote.

Mr. FRIST. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. BOND. Mr. President, I move that the Senate insist on its amendments and that it request a conference with the House on the disagreeing votes thereon, and that the Chair be authorized to appoint conferees on the part of the Senate.

The motion was agreed to, and the Presiding Officer appointed Mr. BOND, Mr. BURNS, Mr. STEVENS, Mr. SHELBY,

Mr. BENNETT, Mr. CAMPBELL, Mr. HATFIELD, Ms. MIKULSKI, Mr. LEAHY, Mr. JOHNSTON, Mr. LAUTENBERG, Mr. KERREY of Nebraska, and Mr. BYRD conferees on the part of the Senate.

Mr. BOND. Mr. President, I want to express my appreciation to all those who helped us through this rather long ordeal. I express a special thanks to the majority and minority leaders for enabling us to finish work on this bill tonight. There was some question whether we were going to be able to get it done tonight. I am very grateful that the arrangements were made so that we could pass it. We have a difficult conference ahead.

I can't let this time pass without saying that my ranking member, the distinguished Senator from Maryland, Senator MIKULSKI, has been an invaluable ally. In addition to representing the interests of the minority side, she has been extremely helpful in expediting and completing action on many of the matters that faced us.

We could not have done this without the work of our trusted and valuable staff. On our side, the chief clerk, Stephen Kohashi, ably assisted by Carrie Apostolou, and Julie Dammann on my staff was essential on our side. Sally Chadbourne has been terrific to work with. I am grateful for her assistance on this. Also, David Bowers and Catherine Corson helped on the minority side.

We are most grateful that this measure had such spirited involvement on so many interesting and challenging issues. It is truly remarkable.

I thank the Chair and yield the floor.

MORNING BUSINESS

Mr. FRIST. Mr. President, I ask unanimous consent that there now be a period for the transaction of morning business, with Senators permitted to speak therein for up to 5 minutes each.

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

U.S. FOREIGN OIL CONSUMPTION: HERE'S WEEKLY BOX SCORE

Mr. HELMS. Mr. President, the American Petroleum Institute reports that for the week ending August 30, the United States imported 6,700,000 barrels of oil each day, 500,000 less than the 7,200,000 imported during the same week a year ago.

Nevertheless, Americans relied on foreign oil for 51 percent of their needs last week, and there are no signs that the upward spiral will abate. Before the Persian Gulf war, the United States obtained about 45 percent of its oil supply from foreign countries. During the Arab oil embargo in the 1970's, foreign oil accounted for only 35 percent of America's oil supply.

Anybody else interested in restoring domestic production of oil by U.S. producers using American workers? Politicians had better ponder the economic

calamity sure to occur in America if and when foreign producers shut off our supply, or double the already enormous cost of imported oil flowing into the United States, now 6,700,000 barrels a day.

THE CHEMICAL WEAPONS CONVENTION

Mr. PELL. Mr. President, under a previous unanimous consent agreement, the Senate is scheduled to consider and complete action before the end of next week on the Chemical Weapons Convention.

The Convention bans the production, stockpiling, and use of chemical weapons. It includes detailed verification provisions. It was negotiated in the Reagan and Bush administrations and was based largely on a text personally presented to the Conference on Disarmament in Geneva by then Vice President Bush. The convention represents a significant advance beyond the only existing constraint on chemical weapons, the 1929 Geneva Protocol, which only bans the use of such weapons in war.

Earlier today, several Members expressed concern with regard to the convention. I am sure that those concerns and any others that Members may have will be raised and addressed in detail next week during the total of 12 hours agreed upon for consideration of the treaty.

I personally favor very much ratification of the treaty. I reached that judgment following extensive hearings I chaired in 1994 while chairman of the Senate Committee on Foreign Relations. Additional hearings have been held this year under the chairmanship of the Senator from North Carolina [Mr. HELMS], and, as a result, the Committee has been able to consider a broad range of issues and, in my view, resolve them quite satisfactorily.

The Clinton administration strongly supports the treaty as settled upon during the Bush administration. In its efforts to inform the Senate, I am told that the administration has responded to over 300 Senate questions on the treaty and has responded in detail to inquiries made by members of the Committee on Foreign Relations and others. The administration's responses include over 1,500 pages of information on the Chemical Weapons Convention—over 300 pages of testimony, over 500 pages of answers to Senate letters and reports, over 400 pages of answers to Senate questions for the treaty record, and over 300 pages of additional documentation. During the August recess the White House held a series of briefings for Senate staffers.

This coming Monday at 4 p.m. in S-407 senior administration officials will meet with all Senators in S-407 to discuss the treaty. This will allow all Members an opportunity to assess first-hand the arguments for the treaty and to raise any questions they have. I hope that any Senator with the slightest concern will avail him or herself of

the chance to have concerns addressed directly.

As we prepare for formal consideration I thought it would be helpful to my fellow Members to consider a letter I received this afternoon from the President's Assistant for National Security Affairs, Anthony Lake, addressing in detail some of the questions that have been raised regarding the treaty. The letter included an enclosure, a portion of which is classified, which is available in committee offices for interested Members. I ask unanimous consent that Mr. Lake's letter be printed in the RECORD following my remarks.

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

(See exhibit 1.)

Mr. PELL. Mr. President, there is no question that this convention enjoys the overwhelming support of the Nation's chemical industries. On August 29, I and other Senators received a letter strongly endorsing the convention and arguing for Senate consent to ratification. This letter was authored by senior officials of a number of significant corporations. I ask unanimous consent that the text of that letter also be printed in the RECORD following my remarks.

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

(See exhibit 2.)

Mr. PELL. Mr. President, I look forward to the debate on the convention when it comes before the Senate next week.

EXHIBIT 1

THE WHITE HOUSE,
Washington, September 5, 1996.

DEAR SENATOR PELL: As we continue to prepare for the Senate's floor debate on the Chemical Weapons Convention (CWC) two weeks from now, I want to share with you the basic points we have made recently in responding to certain concerns that have been raised by the Chairman of the Foreign Relations Committee.

Senator Helms has questioned whether Russia will ever ratify the CWC. As you are aware, the Russian Government has formally stated its commitment to become a party to the CWC, as recently as July 22 of this year at the Plenary meeting of the CWC Preparatory Commission (PrepCom) in The Hague. In this same statement, the Russian Government announced that it is seeking the speedy submission of the Convention to the Russian parliament for ratification.

In my view, the recent Russian statement in The Hague, which mentioned the issue of entry into force, does not reflect an intention to distance Russia from the CWC, but rather a concern about being left behind. In these circumstances, I believe that the best way to promote Russian ratification is to proceed with our own ratification, as has been done by all of our major NATO allies and many others, and to bring the CWC into force as soon as possible while, at the same time, trying to address Russian concerns in a manner consistent with our own interests.

We have forthrightly told the Russians that we believe that prompt entry into force of the Convention is crucial to the fight against the spread of weapons of mass destruction and the fight against terrorism. Consequently, we have informed them that we are moving forward with our own ratifi-

cation and have urged that they continue to proceed ahead with their effort as well.

The Russians have clearly stated that the central problem they face regarding the CWC is financing the cost of their CW destruction program. While requesting international assistance, the Russians have also made it clear, most recently in their Plenary Statement in The Hague, that the program will be financed primarily by Russia itself. We and other countries have indicated our willingness to address this outstanding concern on an expedited basis, but we have continued to underscore to the Russians that CW destruction is primarily their responsibility and that any U.S. assistance is contingent upon approval by the U.S. Congress.

Senator Helms has also raised concerns with regard to the 1990 Bilateral Destruction Agreement (BDA). The Russian Federation, as you know, has long expressed concerns about certain aspects of this agreement and has not agreed to detailed implementing procedures and updated provisions to finalize the BDA. We continue to press the Russians at the highest levels on the need to resolve the outstanding CW issues, and they agreed to a meeting with ACDA Director Holm, which was held on August 10. They also agreed to host a visit to Volgograd later this fall to address specifically the issue of conversion of production facilities. While the Russians have stated that they believe that the bilateral agreements between Russia and the United States have fulfilled their useful role, they have also stated that they will not renege on the agreements they have made.

As for the Chairman's specific concerns about the possible consequences of Russian withdrawal from the BDA, I would point out that if the BDA is not in force when the CWC is implemented, Russian chemical weapons elimination will still be subject to systematic verification under the CWC, although that would be performed by the Organization for the Prohibition of Chemical Weapons (OPCW), instead of the United States. It is important to remember that, in contrast to the CWC, the BDA does not require total destruction of CW stocks nor does it provide a multilateral framework including challenge inspections for addressing compliance concerns. As you may recall, the President informed the Senate in 1993 in transmittal of the CWC that, while the BDA was an important agreement in its own right, it has become less relevant than it was in 1990 because the CWC has been completed and that final agreement on the BDA should not delay submission of the CWC to the Senate.

Some have the impression that Russia is "withdrawing" from the 1989 Wyoming Memorandum of Understanding. This agreement has been implemented in two phases. During the first phase, the two sides exchanged general information on their chemical weapons stockpiles and production and storage facilities and carried out reciprocal visits to relevant military and civilian facilities. During the second phase, the two sides exchanged the detailed information on their stockpiles and chemical weapons facilities and carried out a number of inspections at declared chemical weapons production, storage and development facilities, including challenge inspections of such facilities.

While Russia has met its obligations to participate in implementation activities under the Memorandum of Understanding, questions remain regarding certain aspects of the Russian data. We are continuing to press the Russians at the highest levels on the need to resolve these outstanding CW issues.

In any case, I have stressed to Senator Helms that the Administration is prepared to actively pursue concerns regarding the veracity of any State Party's reporting under