

right. We don't say that the distinguished Senator from Kentucky is wrong. He may later on, with the authority, prevail. They might increase spending. Like I say, we are not spending more on yogurt and Crackerjacks, and whatever else they had around here. I have forgotten the things they brought up. I would not have dared to stand up as a candidate and say I spent \$86,000 for food. I could not hope to get elected in South Carolina buying \$86,000 worth of lunches. That, perhaps, points to the dilemma.

The public that I represent and have worked with over the years really is asking and begging. That is why they included the States.

Mr. President, we know that, as in warfare, he who controls the air controls the battlefield. In politics, he who controls the airwaves controls the campaign. That is where all the money is. That is what we are trying to limit. But I do not say that by voting for this that you limit. I only say that by voting for this you give constitutional authority because you see the extremes of the Supreme Court—it is the "Extreme Court of the United States"—when they come with the Buckley versus Valeo distortion. It is the "Extreme Court of the United States" that comes with Colorado Republican Federal Campaign Committee against the Federal Election Commission.

So, right to the point, we are saying that we can amend this Constitution, that the last five of six amendments dealt with elections, that certainly the weight of money as qualifying a vote was constitutionally outlawed in the 24th amendment. We ought to outlaw extreme and expensive expenditures in this. That would be the 28th amendment, I think. They approved these particular amendments in 18.1 months, which was the average. We know we can get this approved next year in 1998, and we will be on the road to really getting campaign finance reform.

This is the acid test. Do you believe in limiting, or do you not believe in limiting? We are talking about expenditure of paid speech—not free speech. It does not affect free speech whatever. You don't affect it under the Constitution. We wouldn't dare try to affect it under the Constitution. And, of course, after the 30 years and all of the debates in three Congresses having given us a majority here in the U.S. Senate saying we believe in a constitutional amendment and let's see if we can at least get that majority, they are really coming now and are so opposed to McCain-Feingold and are so opposed to any campaign finance reform as to vote this down. Then we will know exactly where they stand.

I thank my distinguished colleague from Kentucky. I appreciate the debate this afternoon.

I yield the floor.

Mr. McCONNELL addressed the Chair.

The PRESIDING OFFICER. The Senator from Kentucky.

#### MORNING BUSINESS

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

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

#### THE VERY BAD DEBT BOXSCORE

Mr. HELMS. Mr. President, at the close of business yesterday, Tuesday, March 11, the Federal debt stood at \$5,357,359,481,153.10.

One year ago, March 11, 1996, the Federal debt stood at \$5,017,404,000,000.

Five years ago, March 11, 1992, the Federal debt stood at \$3,848,675,000,000.

Ten years ago, March 11, 1987, the Federal debt stood at \$2,249,369,000,000.

Fifteen years ago, March 11, 1982, the Federal debt stood at \$1,048,663,000,000 which reflects a debt increase of more than \$4 trillion (\$4,308,696,481,153.10) during the past 15 years.

#### NOMINATION OF FEDERICO PEÑA

Mr. KYL. Mr. President, today, I voted in favor of Federico Peña to be the new Secretary of Energy for the Clinton administration in the sincere hope that he will be able to provide the Department of Energy with the leadership and direction it needs to provide the proper stewardship of our national energy and security needs in the 21st century.

I have addressed the Energy and Natural Resources Committee with my grave concerns about the current direction of the Department of Energy, especially with respect to the maintenance and stewardship of our nuclear weapons complex. I wish to use this forum, and the occasion of the Senate vote on Federico Peña, to restate my concerns and to reiterate my hope that the current trend at the Department of Energy will be reversed.

Of particular concern has been former Secretary Hazel O'Leary's technically insupportable insistence that the United States can both maintain a credible nuclear deterrent and permanently forego nuclear testing. What is more, her lack of familiarity with the critical work of the Nation's nuclear weapons laboratories appears to have emboldened her to exert immense pressure on their directors to abandon the labs' longstanding view that the nuclear stockpile cannot be certified without periodic underground testing.

Indeed, the nuclear weapons complex that the next Secretary of Energy will inherit from former Secretary Hazel O'Leary is a shadow of its former self, thanks in no small measure to a Clinton administration policy which the distinguished chairman of the House National Security Committee, Representatives FLOYD SPENCE, has called erosion by design. In releasing a study of this reckless policy on October 30, 1996, Representative SPENCE observed that:

"The past four years have witnessed the dramatic decline of the U.S. nuclear weapons complex and the uniquely skilled workforce that is responsible for maintaining our nuclear deterrent. The Administration's laissez-faire approach to stewardship of the nuclear stockpile, within the broader context of its support for a Comprehensive Test Ban Treaty, is clearly threatening the Nation's long-term ability to maintain a safe and reliable nuclear stockpile. \* \* \* In my mind, it's no longer a question of the Administration's 'benign neglect' of our Nation's nuclear forces, but instead, a compelling case can be made that is a matter of 'erosion by design.'"

Mr. President, I share the concerns expressed in Representative SPENCE's study about the implications of the Clinton-O'Leary program for denuclearizing the United States. In this regard, two portions of the Spence report deserve special attention.

#### Stockpile stewardship:

The Clinton Administration's Stockpile Stewardship and Management Program [SSMP] entails significant technological risks and uncertainties. Certification that U.S. nuclear weapons are safe and reliable—in the context of a Comprehensive Test Ban Treaty—depends on developing highly advanced scientific diagnostic tools that do not yet exist and may not work as advertised. Funding shortfalls, legal challenges and other problems are almost certain to continue to impede progress in achieving the program's ambitious goals, and raise serious doubts about the ability of the program to serve as an effective substitute for nuclear testing. The Administration's commitment to implementing the SSMP and, more broadly, to maintaining the U.S. nuclear stockpile is called into question by DOE's failure to adequately fund the SSMP and to conduct important experiments.

#### Dismantling the DOE weapons complex:

Unprecedented reductions and disruptive reorganizations in the nuclear weapons scientific and industrial base have compromised the ability to maintain a safe and reliable nuclear stockpile. The cessation of nuclear-related production and manufacturing activities has resulted in the loss of thousands of jobs and critical capabilities \* \* \*. DOE still lacks concrete plans for resuming the production of tritium \* \* \*. Unlike Russia or China, the United States no longer retains the capacity for large-scale plutonium "pit" production and DOE's plans to reconstitute such a capacity may be inadequate.

#### INFORMATION AND PHYSICAL SECURITY PROBLEMS

Yet another alarming legacy of former Secretary O'Leary's tenure as Secretary of Energy could be the repercussions of her determination to declassify some of the Nation's most closely held information. As a result, efforts by unfriendly nations—and perhaps subnational groups—bent on acquiring nuclear weapons capabilities have been afforded undesirable insights into designs, developmental experiences and vulnerabilities of U.S. nuclear devices.

Of particular concern is the fact that data concerning the precise quantities

and whereabouts of U.S. weapons grade material have been made public, potentially greatly increasing the risk of terrorist operations aimed at stealing or exposing Americans to attack with such materials. Incredibly, Clinton administration budgets have significantly reduced the funding available for securing and protecting such sites.

In fact, the 1997 Energy Department annual report on the Status of Safeguards and Security concluded that there is a \$157 million shortfall in these accounts. Ironically, that almost exactly equals the amount contributed by the Department of Energy to the so-called cooperative treaty reduction, or Nunn-Lugar, program that is being spent ostensibly to improve the safety and security of former Soviet nuclear weapons and materials.

#### THE CUBAN NUCLEAR DANGER

Last but not least in this illustrative listing of the challenges facing the next Secretary of Energy is another nuclear issue confronting this Nation—the prospect that one or both of the two defective nuclear reactors being built by Fidel Castro in Juragua, Cuba, will be brought online and then fail catastrophically. Should that happen, millions of Americans living downwind could be exposed to lethal levels of radioactive fallout.

On September 11, 1995, Secretary O'Leary confirmed this danger in a letter to the distinguished chairman of the Foreign Relations Committee, Senator HELMS. She wrote:

If construction [of these reactors] were resumed and the reactors completed, their poor construction and lack of regulatory oversight, and uncertainties about the qualification and experience of its operators would pose serious safety risks. Written answers accompanying the O'Leary letter in response to questions posed by Senator HELMS about the Cuban nuclear program cited the following concerns: "the quality of civil construction, the condition of critical reactor components, the regulatory structure and nuclear operating base, the plant staff training programs and industrial infrastructure in Cuba required to support operation and maintenance of nuclear power plants."

The O'Leary Energy Department even went so far as to state:

If a poorly designed, defectively constructed nuclear reactor began operation in Cuba, there would be an unacceptably high possibility that a large accidental release of radioactive material would occur. Dependent on the meteorological conditions at the time of a major accident, people on the U.S. mainland could be exposed to significant airborne (radioactive) contamination.

In response to questions I posed to Secretary Peña during his confirmation hearing before this committee, I have been advised that he subscribes to the positions taken in the September 1995 O'Leary letter to Senator HELMS. The trouble is that Mrs. O'Leary took no perceptible steps to address the menace posed by Castro's nuclear project.

This may have been due to the Department's view, as evidenced in some of the answers to Senator HELMS' questions, that the Soviet VVER-440 (Model

318) design might prove to be safe, after all—notwithstanding the fact that one has never been constructed or operated before. Alternatively, Mrs. O'Leary may have been satisfied, as suggested by other answers, that the levels of radiation from a Cuban meltdown would only contaminate the U.S. food supply—not directly harm the American people. Yet another explanation could be the O'Leary team's evident willingness to accept Russian claims that the Juragua reactors are designed to withstand seismic shocks up to 7 on the Richter scale. The response to Senator HELMS that Mr. Peña has endorsed did not take note of the fact that there was a 7.0 magnitude quake in the nearby Caribbean Plate in 1995.

Mr. President, I am concerned that Fidel Castro's nuclear ambitions could pose a significant threat to the United States. Others who have warned of this danger include: the General Accounting Office, the House International Relations Subcommittee on the Western Hemisphere, NBC News and several Cuban defectors who had first-hand experience with the dismal quality control and safety aspects of the Juragua project. It is astounding—and unacceptable—that preventing such a danger from materializing is not a top priority for the leadership of the Department of Energy and the executive branch more generally.

#### CONCLUSION

I would conclude by recommending to Secretary Peña that he carefully study, and try to emulate, the leadership of the first Secretary of Energy, James Schlesinger. Dr. Schlesinger brought to his position extraordinary experience and first-hand knowledge of the national security dimensions of the job. As a former chairman of the Atomic Energy Commission, Director of Central Intelligence and Secretary of Defense and by dint of his work in the private sector at the RAND and Mitre Corp., he was exceptionally well equipped to address the nuclear weapons-related issues of the day.

It was largely to Dr. Schlesinger's credit that the antinuclear agenda of an earlier Democratic administration did not result in an ill-advised Comprehensive Test Ban. Secretary Schlesinger saw to it that the best professional advice—not the politically correct or coerced assertions—of those charged with certifying the Nation's nuclear arsenal were presented faithfully to the President and the Congress. It was clear that the considered judgment of the directors of the nuclear weapons laboratories and other responsible experts was that a small number of low-yield tests would be required each year to avoid reaching the point where confident weapon certification was no longer possible.

As a result, the case was convincingly made that such tests were the essential last step in the scientific process—the experimental validation of the hypothesis that our weapons would work as designed. It was documented

that many of the problems that appeared sooner or later in one-third of all designs deployed would never have been discovered if testing has not continued after the weapons were deployed. And it was established that without periodic testing, it would be impossible over time to retain the skilled design physicists and engineers responsible for daily judgments about the Nation's nuclear weapons. In the face of these compelling arguments, President Carter ultimately abandoned the idea of a zero-yield Comprehensive Test Ban.

We are now confronted with another President committed to a zero-yield CTB. Indeed, the Senate will shortly be asked to consider such a treaty negotiated by the Clinton administration. I believe it is imperative, as the debate on the CTBT gets underway, that the next Secretary of Energy provide his subordinates in the Department and its laboratories with the same opportunity for honest, unpoliticized analysis and testimony as was afforded by Dr. Schlesinger nearly 20 years ago.

I am hopeful that Secretary Peña will take these comments as they are meant—as an illustrative list of issues which must have his attention. I also hope he will understand the importance of these national security matters to Members of Congress and that Federico Peña will ensure that an environment is recreated in the Department of Energy in which national security responsibilities and rigorous scientific practice are given primacy over dubious arms control agendas and wishful thinking.

If the vote today were on the Clinton energy policy, it would be a resounding "no." Mr. Peña is not an architect of the policy—yet. It is my hope that when Mr. Peña next appears before us he will demonstrate a willingness to lead and not be an apologist for a continued failed policy.

#### PARTIAL BIRTH ABORTION

Mr. ABRAHAM. Mr. President, I rise to address recent revelations concerning partial birth abortion. I also rise to draw my colleagues' attention to the letter sent to President Clinton by a group of American Roman Catholic leaders and read this past Sunday by Cardinal Adam Maida at the Blessed Sacrament Cathedral in Detroit. That letter urged the President to ensure respect for all human rights—including those of the unborn—and called our attention to the misinformation distributed by some of those defending partial birth abortion.

Mr. President, the abortion issue has been a difficult and divisive one for this country. But the unfortunate procedure of partial birth abortion need not be. The vast majority of Americans, even those who do not share my