

thirty-seven million, four hundred twenty-three thousand, seven hundred seventy-one dollars and seventy-nine cents).

One year ago, July 17, 1997, the federal debt stood at \$5,363,009,000,000 (Five trillion, three hundred sixty-three billion, nine million).

Twenty-five years ago, July 17, 1973, the federal debt stood at \$455,472,000,000 (Four hundred fifty-five billion, four hundred seventy-two million) which reflects a debt increase of more than \$5 trillion—\$5,077,165,423,771.79 (Five trillion, seventy-seven billion, one hundred sixty-five million, four hundred twenty-three thousand, seven hundred seventy-one dollars and seventy-nine cents) during the past 25 years.

#### INTERNATIONAL CRIMINAL COURT

Mr. ASHCROFT. Mr. President, I rise today to express my profound concern for the International Criminal Court that was overwhelmingly approved in Rome late on Friday. I was pleased that the United States voted against final passage of this global criminal court. The Administration should be commended for rejecting this international folly, which would have been dead on arrival in the Senate.

Unfortunately, however, the danger from this Court has not passed. The Administration is already coming under pressure from proponents of the court to reconsider its opposition. Even more disturbing is the possibility that the Court would assert jurisdiction over American soldiers, despite the American refusal to join the court. The Administration should "just say no" to any efforts to get the United States to reconsider or to signal any informal compliance with the Court.

As both a Member of the Senate Foreign Relations Committee and as Chairman of the Subcommittee on the Constitution, Federalism and Property Rights, I find the International Criminal Court profoundly troubling. If there is one critical component of sovereignty it is the authority to define crimes and punishments. This Court strikes at the heart of sovereignty by taking this fundamental power away from individual countries and giving it to international bureaucrats.

There are other aspects of this Court that are equally troubling. As examples, the authorization of international independent prosecutors, the expense of such a permanent court, and the lack of any clear limits on the Court's jurisdiction are all alarming. But no aspect of this Court is more troubling than the fact that it has been framed without any apparent respect for—indeed, in direct contravention of—the United States Constitution.

As Chairman of the Constitution Subcommittee, I have a number of particular concerns about the Court. First and foremost, I remain concerned by the possibility that Americans could be dragged before this Court and denied the protections of the Bill of Rights.

Even more fundamentally, I am concerned that the Administration participated in these negotiations without making any effort to insist that the proposed International Criminal Court incorporate and honor the Bill of Rights. Even if one concedes that we need an International Criminal Court—which I emphatically do not—we should certainly insist on respect for the Bill of Rights as the price of American admission.

America's ideals and values are ascendant in the post-Cold War world. America's position as world leader is, in no small part, a product of a Constitution that is the envy of the world. The Administration should be justly proud of that Constitution and should have insisted that those principles form the cornerstone for any International Criminal Court. That unfortunately was not the official position of this Administration.

In the United States, there is a right to a jury of your peers. In the United States, there is a privilege against self-incrimination. In the United States, we have eliminated the prospect of criminal liability for ill-defined common law crimes. In the United States, the Constitution limits the authority of prosecutors. None of these protections will be guaranteed for defendants brought before this international star chamber.

The proposed Court negotiated in Rome neither reflects nor guarantees the protections of the Bill of Rights. The Administration was right to reject the Court and must remain steadfast in its refusal to join a court that stands as a rejection of American constitutional values. We must never trade away American sovereignty and the Bill of Rights so that international bureaucrats can sit in judgment of the United States military and our criminal justice system.

In today's New York Times, there is an opinion piece in which Anthony Lewis chastises the United States for missing a historic opportunity by failing to vote in favor of the International Criminal Court. The author states that the vote to form the International Criminal Court "will be seen as a turn in the road of history." That is perhaps the only point in the piece with which I agree. The approval of this Court was indeed "a turn in the road of history." By ceding the authority to define and punish crimes, many nations took an irrevocable step to the loss of national sovereignty and the reality of global government. I, for one, am heartened to see that the United States took the right turn on the road of history, and I will work hard to ensure that there is no backtracking.

#### CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is now closed.

#### LEGISLATIVE BRANCH APPROPRIATIONS ACT, 1999

The PRESIDING OFFICER. Under the previous order, the Senate will now resume consideration of H.R. 4112, which the clerk will report.

The bill clerk read as follows:

A bill (H.R. 4112) making appropriations for the Legislative Branch for the fiscal year ending September 30, 1999, and for other purposes.

The Senate resumed consideration of the bill.

#### AMENDMENT NO. 3220

(Purpose: To amend House legislative branch appropriation bill to include Senate items.)

Mr. STEVENS. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from Alaska [Mr. STEVENS], for Mr. BENNETT, for himself and Mr. DORGAN, proposes an amendment numbered 3220.

Mr. STEVENS. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

(The text of the amendment is printed in today's RECORD under "Amendments Submitted.")

Mr. STEVENS. This is, in effect, putting down our version of the bill, and it becomes original text.

#### AMENDMENTS NOS. 3221, 3222, AND 3223, EN BLOC, TO AMENDMENT NO. 3220

Mr. STEVENS. I send to the desk a series of second-degree managers' amendments and ask for their consideration.

The PRESIDING OFFICER. The clerk will report the amendments.

The legislative clerk read as follows:

The Senator from Alaska [Mr. STEVENS], for Mr. BENNETT, for himself and Mr. DORGAN, proposes amendments numbered 3221, 3222, and 3223, en bloc.

The amendments are as follows:

#### AMENDMENT NO. 3221

(Purpose: To increase the appropriation for Capitol Police expenses)

On page 14, line 24, strike "\$6,077,000" and insert "\$6,297,000".

#### AMENDMENT NO. 3222

On page 2, line 9, strike "\$79,183,000" and insert "\$87,233,000".

On page 2, between lines 21 and 22, insert the following:

#### COMMITTEE ON APPROPRIATIONS

For salaries of the Committee on Appropriations, \$6,050,000.

On page 3, line 25, strike "\$19,332,000" and insert "\$21,332,000".

On page 4, line 22, strike "\$75,600,000" and insert "\$66,800,000".

On page 5, line 10, strike "\$7,905,000" and insert "\$8,655,000".

On page 12, between lines 2 and 3, insert the following:

SEC. 10. (a) The Committee on Appropriations is authorized in its discretion—

(1) to hold hearings, report such hearings, and make investigations as authorized by paragraph 1 of rule XXVI of the Standing Rules of the Senate;

(2) to make expenditures from the contingent fund of the Senate;

(3) to employ personnel;

(4) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration to use, on a reimbursable or nonreimbursable basis, the services of personnel of any such department or agency;

(5) to procure the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 and Senate Resolution 140, agreed to May 14, 1975); and

(6) to provide for the training of the professional staff of such committee (under procedures specified by section 202(j) of such Act).

(b) Senate Resolution 54, agreed to February 13, 1997, is amended by striking section 4.

(c) This section shall be effective on and after October 1, 1998, or the date of enactment of this Act, whichever is later.

SEC. 11. (a)(1) The Chairman of the Appropriations Committee of the Senate may, during any fiscal year, at his or her election transfer funds from the appropriation account for salaries for the Appropriations Committee of the Senate, to the account, within the contingent fund of the Senate, from which expenses are payable for such committee.

(2) The Chairman of the Appropriations Committee of the Senate may, during any fiscal year, at his or her election transfer funds from the appropriation account for expenses, within the contingent fund of the Senate, for the Appropriations Committee of the Senate, to the account from which salaries are payable for such committee.

(b) Any funds transferred under this section shall be—

(1) available for expenditure by such committee in like manner and for the same purposes as are other moneys which are available for expenditure by such committee from the account to which the funds were transferred; and

(2) made at such time or times as the Chairman shall specify in writing to the Senate Disbursing Office.

(c) This section shall take effect on October 1, 1998, and shall be effective with respect to fiscal years beginning on or after that date.

#### AMENDMENT NO. 3223

(Purpose: To amend the provisions relating to the Trade Deficit Review Commission)

On page 35, line 8, strike all through line 9 on page 49 and insert the following:

### TITLE IV—TRADE DEFICIT REVIEW COMMISSION

#### SEC. 401. SHORT TITLE.

This title may be cited as the "Trade Deficit Review Commission Act".

#### SEC. 402. FINDINGS.

Congress makes the following findings:

(1) The United States continues to run substantial merchandise trade and current account deficits.

(2) Economic forecasts anticipate continued growth in such deficits in the next few years.

(3) The positive net international asset position that the United States built up over many years was eliminated in the 1980s. The United States today has become the world's largest debtor nation.

(4) The United States merchandise trade deficit is characterized by large bilateral trade imbalances with a handful of countries.

(5) The United States has one of the most open borders and economies in the world. The United States faces significant tariff and nontariff trade barriers with its trading partners. The United States does not benefit from fully reciprocal market access.

(6) The United States is once again at a critical juncture in trade policy development. The nature of the United States trade deficit and its causes and consequences must be analyzed and documented.

#### SEC. 403. ESTABLISHMENT OF COMMISSION.

(a) ESTABLISHMENT.—There is established a commission to be known as the Trade Deficit Review Commission (hereafter in this title referred to as the "Commission").

(b) PURPOSE.—The purpose of the Commission is to study the nature, causes, and consequences of the United States merchandise trade and current account deficits.

(c) MEMBERSHIP OF COMMISSION.—

(1) COMPOSITION.—The Commission shall be composed of 12 members as follows:

(A) Three persons shall be appointed by the President pro tempore of the Senate upon the recommendation of the Majority Leader of the Senate, after consultation with the Chairman of the Committee on Finance.

(B) Three persons shall be appointed by the President pro tempore of the Senate upon the recommendation of the Minority Leader of the Senate, after consultation with the ranking minority member of the Committee on Finance.

(C) Three persons shall be appointed by the Speaker of the House of Representatives, after consultation with the Chairman of the Committee on Ways and Means.

(D) Three persons shall be appointed by the Minority Leader of the House of Representatives, after consultation with the ranking minority member of the Committee on Ways and Means.

(2) QUALIFICATIONS OF MEMBERS.—

(A) APPOINTMENTS.—Persons who are appointed under paragraph (1) shall be persons who—

(i) have expertise in economics, international trade, manufacturing, labor, environment, business, or have other pertinent qualifications or experience; and

(ii) are not officers or employees of the United States.

(B) OTHER CONSIDERATIONS.—In appointing Commission members, every effort shall be made to ensure that the members—

(i) are representative of a broad cross-section of economic and trade perspectives within the United States; and

(ii) provide fresh insights to analyzing the causes and consequences of United States merchandise trade and current account deficits.

(d) PERIOD OF APPOINTMENT; VACANCIES.—

(1) IN GENERAL.—Members shall be appointed not later than 60 days after the date of enactment of this Act and the appointment shall be for the life of the Commission.

(2) VACANCIES.—Any vacancy in the Commission shall not affect its powers, but shall be filled in the same manner as the original appointment.

(e) INITIAL MEETING.—Not later than 30 days after the date on which all members of the Commission have been appointed, the Commission shall hold its first meeting.

(f) MEETINGS.—The Commission shall meet at the call of the Chairperson.

(g) CHAIRPERSON AND VICE CHAIRPERSON.—The members of the Commission shall elect a chairperson and vice chairperson from among the members of the Commission.

(h) QUORUM.—A majority of the members of the Commission shall constitute a quorum for the transaction of business.

(i) VOTING.—Each member of the Commission shall be entitled to 1 vote, which shall be equal to the vote of every other member of the Commission.

#### SEC. 404. DUTIES OF THE COMMISSION.

(a) IN GENERAL.—The Commission shall be responsible for examining the nature, causes, and consequences of, and the accuracy of

available data on, the United States merchandise trade and current account deficits.

(b) ISSUES TO BE ADDRESSED.—The Commission shall examine and report to the President, the Committee on Ways and Means of the House of Representatives, the Committee on Finance of the Senate, and other appropriate committees of Congress on the following:

(1) The relationship of the merchandise trade and current account balances to the overall well-being of the United States economy, and to wages and employment in various sectors of the United States economy.

(2) The impact that United States monetary and fiscal policies may have on United States merchandise trade and current account deficits.

(3) The extent to which the coordination, allocation, and accountability of trade responsibilities among Federal agencies may contribute to the trade and current account deficits.

(4) The causes and consequences of the merchandise trade and current account deficits and specific bilateral trade deficits, including—

(A) identification and quantification of—

(i) the macroeconomic factors and bilateral trade barriers that may contribute to the United States merchandise trade and current account deficits;

(ii) any impact of the merchandise trade and current account deficits on the domestic economy, industrial base, manufacturing capacity, technology, number and quality of jobs, productivity, wages, and the United States standard of living;

(iii) any impact of the merchandise trade and current account deficits on the defense production and innovation capabilities of the United States; and

(iv) trade deficits within individual industrial, manufacturing, and production sectors, and any relationship between such deficits and the increasing volume of intra-industry and intra-company transactions;

(B) a review of the adequacy and accuracy of the current collection and reporting of import and export data, and the identification and development of additional data bases and economic measurements that may be needed to properly quantify the merchandise trade and current account balances, and any impact the merchandise trade and current account balances may have on the United States economy; and

(C) the extent to which there is reciprocal market access substantially equivalent to that afforded by the United States in each country with which the United States has a persistent and substantial bilateral trade deficit, and the extent to which such deficits have become structural.

(5) Any relationship of United States merchandise trade and current account deficits to both comparative and competitive trade advantages within the global economy, including—

(A) a systematic analysis of the United States trade patterns with different trading partners and to what extent the trade patterns are based on comparative and competitive trade advantages;

(B) the extent to which the increased mobility of capital and technology has changed both comparative and competitive trade advantages;

(C) any impact that labor, environmental, or health and safety standards may have on comparative and competitive trade advantages;

(D) the effect that offset and technology transfer agreements have on the long-term competitiveness of the United States manufacturing sectors; and

(E) any effect that international trade, labor, environmental, or other agreements may have on United States competitiveness.

(6) The extent to which differences in the growth rates of the United States and its trading partners may impact on United States merchandise trade and current account deficits.

(7) The impact that currency exchange rate fluctuations and any manipulation of exchange rates may have on United States merchandise trade and current account deficits.

(8) The flow of investments both into and out of the United States, including—

(A) any consequences for the United States economy of the current status of the United States as a debtor nation;

(B) any relationship between such investment flows and the United States merchandise trade and current account deficits and living standards of United States workers;

(C) any impact such investment flows may have on United States labor, community, environmental, and health and safety standards, and how such investment flows influence the location of manufacturing facilities; and

(D) the effect of barriers to United States foreign direct investment in developed and developing nations, particularly nations with which the United States has a merchandise trade and current account deficit.

#### SEC. 405. FINAL REPORT.

(a) IN GENERAL.—Not later than 12 months after the date of the initial meeting of the Commission, the Commission shall submit to the President and Congress a final report which contains—

(1) the findings and conclusions of the Commission described in section 404; and

(2) recommendations for addressing the problems identified as part of the Commission's analysis.

(b) SEPARATE VIEWS.—Any member of the Commission may submit additional findings and recommendations as part of the final report.

#### SEC. 406. POWERS OF COMMISSION.

(a) HEARINGS.—The Commission may hold such hearings, sit and act at such times and places, take such testimony, and receive such evidence as the Commission may find advisable to fulfill the requirements of this title. The Commission shall hold at least 1 or more hearings in Washington, D.C., and 4 in different regions of the United States.

(b) INFORMATION FROM FEDERAL AGENCIES.—The Commission may secure directly from any Federal department or agency such information as the Commission considers necessary to carry out the provisions of this title. Upon request of the Chairperson of the Commission, the head of such department or agency shall furnish such information to the Commission.

(c) POSTAL SERVICES.—The Commission may use the United States mails in the same manner and under the same conditions as other departments and agencies of the Federal Government.

#### SEC. 407. COMMISSION PERSONNEL MATTERS.

(a) COMPENSATION OF MEMBERS.—Each member of the Commission shall be compensated at a rate equal to the daily equivalent of the annual rate of basic pay prescribed for level IV of the Executive Schedule under section 5315 of title 5, United States Code, for each day (including travel time) during which such member is engaged in the performance of the duties of the Commission.

(b) TRAVEL EXPENSES.—The members of the Commission shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter I of chapter 57 of

title 5, United States Code, while away from their homes or regular places of business in the performance of services for the Commission.

(c) STAFF.—

(1) IN GENERAL.—The Chairperson of the Commission may, without regard to the civil service laws and regulations, appoint and terminate an executive director and such other additional personnel as may be necessary to enable the Commission to perform its duties. The employment of an executive director shall be subject to confirmation by the Commission.

(2) COMPENSATION.—The Chairperson of the Commission may fix the compensation of the executive director and other personnel without regard to the provisions of chapter 51 and subchapter III of chapter 53 of title 5, United States Code, relating to classification of positions and General Schedule pay rates, except that the rate of pay for the executive director and other personnel may not exceed the rate payable for level V of the Executive Schedule under section 5316 of such title.

(d) DETAIL OF GOVERNMENT EMPLOYEES.—Any Federal Government employee may be detailed to the Commission without reimbursement, and such detail shall be without interruption or loss of civil service status or privilege.

(e) PROCUREMENT OF TEMPORARY AND INTERMITTENT SERVICES.—The Chairperson of the Commission may procure temporary and intermittent services under section 3109(b) of title 5, United States Code, at rates for individuals which do not exceed the daily equivalent of the annual rate of basic pay prescribed for level V of the Executive Schedule under section 5316 of such title.

#### SEC. 408. SUPPORT SERVICES.

The Administrator of the General Services Administration shall provide to the Commission on a reimbursable basis such administrative support services as the Commission may request.

#### SEC. 409. APPROPRIATIONS.

There are appropriated \$2,000,000 to the Commission to carry out the provisions of this title.

Mr. STEVENS. Mr. President, these are three managers' amendments which I have sent to the desk. They have been cleared on both sides of the aisle. I ask for their immediate adoption en bloc and I ask unanimous consent that the motion to reconsider be laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered. The amendments are agreed to, en bloc.

The amendments (Nos. 3221, 3222, and 3223) were agreed to, en bloc.

#### AMENDMENT NO. 3220, AS AMENDED

Mr. STEVENS. Mr. President, I ask for the adoption of the underlying first-degree amendment, as amended.

The PRESIDING OFFICER. If there is no objection, the underlying amendment is agreed to, as amended.

The amendment (No. 3220), as amended, was agreed to.

Mr. STEVENS. I move to reconsider the vote and move to lay that motion on the table.

The motion to lay on the table was agreed to.

#### AMENDMENT NO. 3224

(Purpose: To require certain Legislative Branch officials to submit to Congress lists of activities performed under the jurisdiction of the officials that are not inherently governmental functions)

Mr. STEVENS. Mr. President, I send to the desk an amendment on behalf of

Senator THOMAS and Senator BROWNBACK.

The PRESIDING OFFICER. The clerk will report the amendment.

The bill clerk read as follows:

The Senator from Alaska [Mr. STEVENS], for Mr. THOMAS, for himself and Mr. BROWNBACK, proposes an amendment numbered 3224.

Mr. STEVENS. 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 at the end of the bill insert:

SEC. 311. (a) This section applies to the following officials:

(1) The Architect of the Capitol.

(2) The Secretary of the Senate

(3) The sergeant at Arms and Doorkeeper of the Senate.

(4) The Public Printer.

(5) The Director, and the Executive Director, of the United States botanic Garden.

(b)(1) Not later than March 30, 1999, each official named in subsection (a) shall submit to Congress a list of each activity that—

(A) is to be performed by or for the official in fiscal year 2000;

(B) is not an inherently governmental function; and

(C) is—

(i) performed by a Federal Government source on September 30, 1998; or

(ii) initiated after that date, if one or more Federal government sources are to be considered for selection as the source to perform the activity.

(2) Each list shall include (for each activity listed)—

(A) the number of full-time employees (or its equivalent) that would be necessary for the performance of the activity by a Federal Government source; and

(B) the name of a Federal Government employee responsible for the activity from whom additional information about the activity may be obtained.

(c) An activity is not required to be included on an official's list under subsection (b) if the activity, as determined by the official—

(1) is to be performed as a Federal Government response to a national emergency declared by the President or Congress;

(2) is to be performed for the official by a private sector source pursuant to a contract or other agreement entered into by the head of another department or agency of the Federal Government; or

(3) is the provision of items that should be produced, manufactured, or provided, or services that should be provided, by a Federal Government source for reasons of national security (including reasons relating to the acquisition, processing, or analysis of intelligence in the national security interests of the United States).

(d) In this section:

(1) The term "Federal Government source", with respect to performance of an activity, means any organization within the Federal Government that uses Federal Government employees to perform the activity.

(2)(A) The term "inherently governmental function" means a function that is so intimately related to the public interest as to require performance by Federal Government employees.

(B) The term includes activities that require either the exercise of discretion in applying Federal government authority or the making of value judgments in making decisions for the Federal government, including

judgments relating to monetary transactions and entitlements. An inherently governmental function involves, among other things, the interpretation and execution of the laws of the United States so as—

(i) to bind the United States to take or not to take some action by contract, policy, regulation, authorization, order, or otherwise;

(ii) to determine, protect, and advance United States economic, political, territorial, property, or other interests by military or diplomatic action, civil or criminal judicial proceedings, contract management, or otherwise;

(iii) to significantly affect the life, liberty, or property of private persons;

(iv) to commission, appoint, direct, or control officers or employees of the United States; or

(v) to exert ultimate control over the acquisition, use, or disposition of the property, real or personal, tangible or intangible, of the United States, including the collection, control, or disbursement of appropriated and other Federal funds.

(C) The term does not normally include—  
(i) gathering information for or providing advice, opinions, recommendations, or ideas to Federal Government officials; or

(ii) any function that is primarily ministerial and internal in nature (such as building security, mail operations, operation of cafeterias, housekeeping, facilities operations and maintenance, warehouse operations, motor vehicle fleet management operations, or other routine electrical or mechanical services).

(3) The term "private sector source", with respect to the operation of a facility owned by the Federal Government, includes a contractor that is operating, or is to operate, the facility.

Mr. THOMAS. Mr. President, I am pleased to join my colleague, Senator BROWNBACK, in offering this amendment. What we seek to do with this amendment is quite simple: require the legislative branch to identify its commercial functions that are performed in-house.

For the past several years, I have been the primary Senate sponsor of the Freedom from Government Competition Act. That legislation would codify the 40 year old administrative policy in place for the executive branch which requires: (1) Federal agencies to identify their commercial activities; and (2) Conduct public/private competitions to determine whether the private sector or government employees can provide the "best value" to the American taxpayer. Unfortunately, this policy, now found in OMB Circular A-76, is routinely ignored by many federal executive agencies. In fact, OMB recently issued another call for federal agencies' commercial inventories, its third request in the last several years. That's why Senator BROWNBACK and I have been working to get this policy into statute.

Today, Senator BROWNBACK and I seek to extend some of these requirements to cover the legislative branch. In fact, we know that there are over one million federal executive branch employees engaged in commercial work. But since this policy doesn't apply to the legislative branch, we don't know how many legislative branch employees are doing commer-

cial work, how much that work costs or whether the work could be done more efficiently by the private sector. This amendment will help us gather that information and make the legislative branch play by the same rules as the rest of the federal government.

I urge my colleagues to support this good government, common sense reform.

Mr. BROWNBACK. Mr. President, the amendment that Senator THOMAS and I have offered would simply require the Architect of the Capitol, the Secretary of the Senate, the Sergeant at Arms of the Senate, the Public Printer, and the Director of the United States Botanic Garden to submit to Congress an inventory of all noninherently governmental—or commercial—activities.

Throughout this session of Congress, my colleague from Wyoming and I have been working on S. 314, also known as the Federal Activities Inventory Reform (FAIR) Act, which would require the Federal agencies to do the same. My subcommittee, the Oversight Subcommittee on Government Management, Restructuring, and the District of Columbia has held three hearings focusing on this legislation. More recently, the Senate Governmental Affairs Committee reported this bill out of committee. This bill has bipartisan support, the support of the Administration, as well as Federal employees and the industry community.

Through our work on this issue, we concluded that this requirement should apply to the legislative branch as well. Last month, OMB asked all Federal agencies to submit their commercial inventory to OMB. The legislative branch should do the same and submit their inventory to Congress.

The Thomas-Brownback amendment tasks those who are engaged in the daily operations of the legislative branch to identify these commercial activities. Once these activities are identified, the heads of these legislative branch departments, along with the Senators, will have the opportunity to evaluate these functions.

Past discussions concerning these activities in the legislative branch have focused only on specific targets such as the Senate Barber Shop and Beauty Salon. In order to have a comprehensive view of how to improve operations in the legislative branch, we need to know all commercial activities performed in-house.

As the legislative body of the Federal Government, we, as Congress have the opportunity to not only legislate on this issue, but to set an example. I challenge my colleagues who are committed to ensuring that no taxpayer's dollar is wasted in the Federal Government, to set this example and support this amendment.

Mr. STEVENS. Mr. President, I ask for adoption of the amendment.

The PRESIDING OFFICER. Is there further debate on the amendment?

Mr. STEVENS. I say, it was with some reservations that I sent this

amendment to the desk. But that was the agreement of the managers that was made on Friday, that we would adopt this amendment. Therefore, I ask to carry out their agreement.

The PRESIDING OFFICER. If there is no objection, the amendment is agreed to.

The amendment (No. 3224) was agreed to.

Mr. STEVENS. Mr. President, I move to reconsider the vote and move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. STEVENS. 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. STEVENS. 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 S. 2138, the legislative branch appropriations bill for fiscal year 1999.

The bill, as reported provides \$1.6 billion in new budget authority and \$1.3 billion in outlays for the Senate and other legislative branch agencies, including the Library of Congress, the General Accounting Office, and the Government Printing Office, among others. As a matter of comity, the bill does not include funding for operations of the House of Representatives.

When outlays from prior year appropriations and other adjustments are taken into account, the bill totals \$2.4 billion in budget authority and outlays. The bill is under the subcommittee's 302(b) allocation \$38 million in budget authority and at its allocation for 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 302(b) allocation. I am pleased that this bill continues to hold the lien on congressional spending.

Mr. President, I ask unanimous consent to have printed in the RECORD a table displaying the Budget Committee scoring of S. 2137, as reported. I urge the Senate to support this bill and refrain from offering amendments that would cause the subcommittee to violate its 302(b) allocation.

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

S. 2137, LEGISLATIVE BRANCH APPROPRIATIONS, 1999  
SPENDING COMPARISONS—SENATE-REPORTED BILL  
(Fiscal year 1999, in millions of dollars)

	De-fense	Non-de-fense	Crime	Man-datory	Total
Senate-reported bill:					
Budget authority .....		2,361		94	2,455
Outlays .....		2,328		94	2,422
Senate 302(b) allocation:					
Budget authority .....		2,399		94	2,493
Outlays .....		2,328		94	2,422
1998 level:					
Budget authority .....		2,257		92	2,349

S. 2137, LEGISLATIVE BRANCH APPROPRIATIONS, 1999  
SPENDING COMPARISONS—SENATE-REPORTED BILL—  
Continued

[Fiscal year 1999, in millions of dollars]

	De- fense	Non- de- fense	Crime	Man- datory	Total
Outlays .....		2,209		92	2,301
President's request					
Budget authority .....		2,472		94	2,566
Outlays .....		2,411		94	2,505
House-passed bill:					
Budget authority .....		2,330		94	2,424
Outlays .....		2,302		94	2,396
SENATE-REPORTED BILL COMPARED TO					
Senate 302(b) allocation:					
Budget authority .....		-38			-38
Outlays .....					
1998 level:					
Budget authority .....		104		2	106
Outlays .....		119		2	121
President's request					
Budget authority .....		-111			-111
Outlays .....		-83			-83
House-passed bill:					
Budget authority .....		31			31
Outlays .....		26			26

Note.—Details may not add to totals due to rounding. Totals adjusted for consistency with current scorekeeping conventions.

RECESS

Mr. STEVENS. Mr. President, I ask unanimous consent that the Senate stand in recess until the hour of 4 p.m. this afternoon.

There being no objection, the Senate, at 3:22 p.m., recessed until 4:03 p.m.; whereupon, the Senate reassembled when called to order by the Presiding Officer (Mr. STEVENS).

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The Senate continued with the consideration of the bill.

Mr. MCCAIN addressed the Chair.

The PRESIDING OFFICER. The Senator from Arizona.

AMENDMENT NO. 3225

(Purpose: To make available on the Internet, for purposes of access and retrieval by the public, certain information available through the Congressional Research Service web site)

Mr. MCCAIN. Mr. President, I have an amendment at the desk.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Arizona (Mr. MCCAIN), for himself, and Mr. COATS, Mr. LEAHY, Mr. FAIRCLOTH, Mr. ASHCROFT, Mr. KERREY, Mr. ENZI, Mr. WYDEN, Mr. FEINGOLD, Mr. ABRAHAM, and Mr. ROBB, proposes an amendment numbered 3225.

Mr. MCCAIN. Madam President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER (Mrs. HUTCHISON). Without objection, it is so ordered.

The amendment is as follows:

At the appropriate place, insert the following:

SEC. . AVAILABILITY OF CERTAIN CRS WEB SITE INFORMATION.

(a) AVAILABILITY OF INFORMATION.—

(1) IN GENERAL.—The Director of the Congressional Research Service shall make available on the Internet, for purposes of access and retrieval by the public, all information that—

(A) is available through the Congressional Research Service web site;

(B) is described in paragraph (2); and

(C) is not confidential as determined by—

(i) the Director; or

(ii) the head of a Federal department or agency that provided the information to the Congressional Research Service.

(2) INFORMATION.—The information referred to in paragraph (1)(B) is as follows:

(A) All Congressional Research Service Issue Briefs.

(B) All Congressional Research Service Reports that are available to Members of Congress through the Congressional Research Service web site.

(C) All Congressional Research Service Authorization of Appropriations Products or Appropriations Products.

(3) REMOVAL OF INFORMATION; CHANGES AND UPDATES.—Notwithstanding any other provision of this section, the Director of the Congressional Research Service may—

(A) remove from the information required to be made available on the Internet under this section the name of, phone number of, and information regarding, an employee of the Congressional Research Service;

(B) remove from the information required to be made available on the Internet under this section, any material the Director determines may infringe the copyright of a work protected under title 17, United States Code; and

(C) make any changes or updates in the information required to be made available on the Internet under this section that the Director determines are necessary to ensure that the information is accurate.

(b) TIME.—The information shall be so made available not earlier than 30 days after the first day the information is available to Members of Congress through the Congressional Research Service web site.

(c) REQUIREMENTS.—The Director of the Congressional Research Service shall make the information available in a manner that the Director determines—

(1) is practical and reasonable; and

(2) does not permit the submission of comments from the public.

(d) METHOD OF PUBLIC ACCESS.—The public shall have access to the web page containing Congressional Research Service information that is available to the public only through the Library of Congress' THOMAS web page (<http://thomas.loc.gov>). The Director of Congressional Research Service shall work with the Librarian of Congress to establish an appropriate Internet link to carry out this subsection. The Director of Congressional Research Service shall be responsible for maintaining and updating the web page containing Congressional Research Service products. The Director of Congressional Research Service shall have sole discretion to edit the web page based on the criteria established by this Act. The Librarian of Congress shall have the responsibility of working with the Director of Congressional Research Service only to the extent necessary to establish the link from the THOMAS web page to the public access Congressional Research Service web page. Nothing in this Act may be construed to interfere with the Librarian's normal duties concerning THOMAS.

(e) FURTHER APPROVAL NOT REQUIRED.—Notwithstanding the first proviso under the subheading "SALARIES AND EXPENSES" under the subheading "CONGRESSIONAL RESEARCH SERVICE" under the heading "LIBRARY OF CONGRESS" under title I of this Act (relating to prior approval of certain publications), the Director shall make information available in accordance with this section without the prior approval of the Committee on Rules and Administration of the Senate or the Committee on House Oversight of the House of Representatives.

Mr. MCCAIN. Madam President, this amendment to HR 4112 would direct the Director of the Congressional Research Service to post "CRS Reports to Congress" and "CRS Issue Briefs" on the Internet. My intention for offering this amendment would be to establish a web site for the public to access CRS products only through the THOMAS web site. This amendment is co-sponsored by Senators COATS, LEAHY, FAIRCLOTH, ASHCROFT, KERREY, ROBB, FEINGOLD, ABRAHAM, ENZI, and WYDEN.

I believe that it is important that the public be able to use this CRS information. For FY 1999, the American taxpayers will pay \$67.9 million to fund CRS' operations. CRS is well-known for being composed of expert specialists who write reports on the important policy issues of the day that are both factual and unbiased—a rarity for Washington. The public has a right to see that its money is being well-spent and has the right to see the product of their labors.

The CRS products can play an important role in educating the American public. Public access to these documents will mark an important milestone in opening up the federal government. Our constituents will be able to see the research documents that influenced our decisions and understand the trade-offs and factors that we consider before a vote. This will give the public an accurate view of Congress, instead of the current cynical view that sometimes prevails.

Also, constituents can learn a lot from these products. They can receive a concise, accurate summary of the issues before Congress. As elected representatives, we should do what we can to promote an informed, educated public. The educated voter is best able to make decisions and petition us to do the right things here.

I would also like to make my colleagues aware that in many cases these products are already out on the Internet. "Black market" private vendors can charge \$47 for a single report. Other web sites have outdated CRS products on them. It is not fair for the American people to have to pay a third party for out-of-date products that they have already footed the bill for.

I know that my colleagues in the Senate Committee on Rules and Administration have proposed that Senators and Committee chairman be allowed to post CRS products as they see fit on the Internet. I appreciate that gesture, and believe that it is a first step. However, I am proposing this amendment as a way to take this process to the next logical step—a centralized web site.

A centralized web site will make it much easier for the public to find CRS information. The public can just go to a web site and look up those products that interest them. That would be much easier than having them go through all of our web sites to find CRS reports. This web site will be attached to the Congressionally mandated THOMAS web site, so that our