

turned out to be a very significant item on this planet, which is, in essence, responsible for the computer. Is it not interesting that the computers we deal with today, somehow or another, magically occurred without the Office of Technology Assessment in the Congress of the United States?

During our committee hearings, we had testimony and review of a number of documents. Again, this is the Office of Technology Assessment. Here is a report entitled "Understanding Estimates of National Health Expenditures Under Health Reform."

I make the claim that, frankly, that has very little to do with the Office of Technology Assessment.

There is study after study where there is duplication, where we basically—when I say duplication, I mean duplication in the sense of the outside, where we can turn to America and ask them for information that is available. We do not need to spend \$23 million in a year in order to bring that about.

Another point: I think that probably one of the most significant scientific debates or debates about technology that we have had in the Congress in years is the issue of the super collider. Interestingly enough, there was no report from OTA on the super collider, again, one of the most significant new technologies that the Congress was considering.

There are those who say that now that we have the budget battle out of the way, this is really not an issue about whether we will cut \$200 million; it is a question of where.

Mr. President, I refer to a chart behind me showing the history of GAO's full-time equivalent. We began the process in 1993 to reduce the staff and the size of GAO. It has gone from 5,150 down to 3,865 as proposed under this bill. It is going to go further as a result of what we do in 1997, and what is proposed in this bill as well. This amendment says we ought to go further.

Chuck Bowsher, the Comptroller General of the United States, was not happy to learn that over a 2-year period we would reduce his budget by 25 percent, but he worked with us. We asked him the best way to go about it, and we worked out a plan. We will cut \$68 million from GAO this year. Now, with this amendment, GAO will be asked to cut an additional \$7 million out of their budget.

This is the wrong way to do it. Mr. President, I urge my colleagues to vote against this amendment. This is only the beginning of the debate. Imagine, here it is, the first appropriations bill, we have suggested eliminating the OTA, an agency, in essence, which we believe is not necessary because we believe we can get the information from a whole series of sources. And we are hearing stories here on the floor of the Senate that basically say if we eliminate OTA, we will end the technology revolution in America. Mr. President, that is impossible because the technology revolution in America is driven

in the private sector, not in Government. I yield the floor.

Mr. HOLLINGS. Mr. President, I understand we are trying to terminate debate on this particular amendment and then the leader wishes a vote on another matter.

Let me thank Members for the bipartisan support and the experts that we have heard in the debate, especially the distinguished ranking member of our committee, who has studied it closely. We made the cuts. We were using a \$22 million figure. The distinguished chairman now of that subcommittee says it is \$23 million, so now it amounts to more than a 30-percent cut that we are cutting the Office of Technology Assessment.

When he talks of the number of employees, Mr. President, there are 4,707 employees over there at GAO. I think we perhaps ought to consolidate it a little bit more.

These arguments that we have heard out of the whole cloth, never have I heard that the Office of Technology Assessment never studied one of the greatest advancements in science and technology, the super collider. They certainly did not, because they have to be asked by these committees, and the committee chairmen were already in favor of it, and they did not want that study. Now, if we had that studied, and they asked, we would have had it, and we might have done away with the super collider a lot quicker, which perhaps the Senator from Florida and I and the Senator from Nevada and I agree on. It is \$36 billion in research and studies and development over in the Pentagon—billions. The distinguished Senator from Nevada says we have to economize. But then the Senator from Utah says, "Wait a minute. We have to look at the entire Government."

I do not know how to satisfy these arguments. We have worked to protect the Library of Congress in this amendment and hope that our colleagues will support us.

The PRESIDING OFFICER (Mr. ABRAHAM). Under the previous order, the hour of 5:15 having arrived, it is time to recognize the majority leader.

Mr. MACK. Mr. President, I move to table the Hollings amendment.

Mr. DOLE. 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.

Mr. DOLE. Before we start the vote, I will enter a unanimous-consent request. I am waiting for Senator DASCHLE. In that request will be that, regardless of the outcome of the cloture vote, notwithstanding rule XXII, immediately following the cloture vote, Senator MACK be recognized to move to table the Hollings amendment. He has done that. So the vote will occur on the motion to table the amendment No. 1808.

Mr. DASCHLE. Mr. President, as I understand it, the unanimous-consent

agreement just propounded by the majority leader would then require two recorded votes beginning at 6:15.

Mr. DOLE. I did not propound it. I wanted to wait until the Senator was on the floor.

#### BOSNIA AND HERZEGOVINA SELF-DEFENSE ACT OF 1995

Mr. DOLE. Mr. President, I call for the regular order.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

A bill (S. 21) to terminate the United States arms embargo applicable to the Government of Bosnia and Herzegovina.

The Senate resumed consideration of the bill.

Pending:

Dole amendment No. 1801, in the nature of a substitute.

#### COMPREHENSIVE REGULATORY REFORM ACT

Mr. DOLE. I exercise my right to call for the regular order, thereby beginning 1 hour of debate prior to a cloture vote on the reg reform bill.

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

The clerk will report.

The bill clerk read as follows:

A bill (S. 343) to reform the regulatory process, and for other purposes.

The Senate resumed consideration of the bill.

Pending:

Dole amendment No. 1487, in the nature of a substitute.

Ashcroft amendment No. 1786 (to Amendment No. 1487), to provide for the designation of distressed areas within qualifying cities as regulatory relief zones and for the selective waiver of Federal regulations within such zones.

Hutchison/Ashcroft amendment No. 1789 (to Amendment No. 1786), in the nature of a substitute.

Mr. DOLE. I ask unanimous consent that all second-degree amendments under rule XXII must be filed by the time of the cloture vote.

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

Mr. DOLE. I further ask unanimous consent that regardless of the outcome of the cloture vote, and notwithstanding rule XXII, immediately following the cloture vote, the motion to table by Senator MACK be voted on, on amendment No. 1808, the legislative appropriations bill.

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

Mr. DOLE. I also ask unanimous consent that if cloture is not invoked, the Senate resume the legislative appropriations bill.

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

#### UNANIMOUS-CONSENT AGREEMENT—S. 21

Mr. DOLE. Mr. President, I think we have an agreement on Bosnia.

Let me indicate, as I said last night, I did have a phone visit with the President of the United States, and obviously I want to cooperate with the President. I think we now have an agreement that does that. I thank the Democratic leader.

I ask unanimous consent that S. 21 be temporarily laid aside; that on Tuesday, July 25, the majority leader, after notification of the minority leader, may resume consideration of S. 21, the Bosnia Self-Defense Act, and the following amendments be the only first-degree amendments in order to the Dole substitute, and they be subject to relevant second degrees, following a failed motion to table: There be a Nunn amendment, relevant; Nunn amendment, U.S. participation; Nunn amendment, multilateral embargo; Nunn amendment, relevant. Two Nunn relevant amendments. Four amendments by the distinguished Democratic leader or his designee, relevant amendments; a Byrd amendment, relevant; Kerry of Massachusetts amendment, relevant.

I further ask unanimous consent that, following the disposition of the above-listed amendments, the Senate proceed to vote on the Dole substitute, as amended, if amended, to be followed by third reading, and there be 4 hours of debate equally divided between Senator DOLE and Senator NUNN, and then final passage of S. 21 as amended, if amended.

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

Mr. DOLE. So, Mr. President, now we have the 1-hour debate before the cloture vote. Senator JOHNSTON is here, Senator ROTH is here, and there will be a cloture vote and then we will be back on the legislative appropriations bill. Hopefully we can finish that tonight.

Then, we will have the debate, hopefully, on the rescissions bill tonight. I will be talking with the Democratic leader about that.

The PRESIDING OFFICER. The Democratic leader.

Mr. DASCHLE. Mr. President, I think the two unanimous-consent agreements are ones we feel very, very encouraged by. I think there is little likelihood that all of the amendments that were listed in the unanimous-consent agreement dealing with Bosnia will be utilized, but I think it does allow for whatever extenuating circumstances may occur as a result of the ongoing meetings. But I certainly appreciate the cooperation and the sensitivity demonstrated by the majority leader on this issue. I hope at some point next week we can finalize our work on this resolution, however it may turn out. So tonight, I hope we can have a good debate on the cloture motion and also complete our work on the rescissions bill so we leave nothing other than the votes tomorrow morning on the rescissions package.

There is a good deal of work we can do tonight. I hope Members are all aware that there will be additional votes, at least two additional votes to-

night and perhaps more, subject to whatever else may be brought up as a result of legislative appropriations.

I yield the floor.

Several Senators addressed the Chair.

The PRESIDING OFFICER. The Senator from Colorado.

#### COMPREHENSIVE REGULATORY REFORM ACT

The Senate continued with the consideration of the bill.

Mr. BROWN. Mr. President, what is the pending business?

The PRESIDING OFFICER. The pending business before the Senate is S. 343, the regulatory reform bill.

Mr. BROWN. Mr. President, I call up my amendment 1550.

The PRESIDING OFFICER. The Dole substitute is not open to amendment at this time.

Mr. JOHNSTON. Mr. President, parliamentary inquiry: Who is it that controls the time?

The PRESIDING OFFICER. At this point, the time is controlled by the two leaders or their designees.

Mr. DOLE. Mr. President, I designate Senator HATCH.

Mr. DASCHLE. I designate Senator GLENN.

The PRESIDING OFFICER. Who yields time?

Mr. BROWN addressed the Chair.

The PRESIDING OFFICER. The Senator from Colorado.

Mr. BROWN. Mr. President, what is the pending business of the Senate?

The PRESIDING OFFICER. The Hutchison amendment No. 1789.

Mr. BROWN. Mr. President, I ask unanimous consent to set aside that amendment so I may offer my amendment No. 1550.

The PRESIDING OFFICER. Is there objection?

Mr. JOHNSTON. Mr. President, I hate to object, but I think we have the 1-hour debate before the cloture vote.

Mr. BROWN. Let me assure the Senator. My hope is this could be unanimously accepted but I would be happy to agree to a 5-minute time limit. Let me explain very quickly.

Mr. JOHNSTON. Mr. President, if one of the Senators can see if we can clear it, then we might not have any debate.

Mr. BROWN. I thank the Senator.

Mr. JOHNSTON. Mr. President, I wonder if the Senator will yield me 10 minutes?

Mr. HATCH. Could the Senator take 5 now and if he needs more I will be happy to?

Mr. JOHNSTON. Fine.

The PRESIDING OFFICER. The Senator from Louisiana.

Mr. JOHNSTON. Mr. President, it is like that tennis match I saw the other night, where the games were even and they were in the tie breaker. It is 6-all, in the tie breaker, and there is 1 point that is going to make the difference. And it is this vote. The question is, Does regulatory reform survive or not?

Mr. President, it will survive if this cloture vote is granted.

We have been told that there is ongoing negotiation. I can tell you, there are at least three points which are not solvable, and upon which negotiation is not getting closer but is getting further away. Let me explain those three points.

First, can you review existing rules? All of those rules out there which have been adopted, some without consideration of science, some without the foggiest notion as to what they would cost, some defying logic, some being adopted in opposition to what their own scientists have said—can you review those existing rules?

In the Dole-Johnston substitute, you can review those existing rules. In the Glenn substitute, there is no right to review existing rules.

Second, the question of what we call decisional criteria. That is a very minimum, commonsense rule that says in order to have a rule you have to be able to certify that the benefits justify the cost. Mr. President, you would think that would be not only common sense but that would be a rule of logic, a rule of proceeding as to which all Federal bureaucrats would adhere. But there is a gulf between the two sides in this dispute. We have decisional criteria. The Glenn substitutes have what you might call standards for discussion. That is, you can discuss whether or not the benefits justify the cost, but it is not a test and it is not going to be used by anybody in determining the reasonableness or the arbitrariness of that regulation.

Finally, there is a question of whether the court can review the risk assessment, or the cost-benefit ratio for determining whether or not that rule is arbitrary and capricious. I will read the latest draft.

The adequacy of compliance or failure to comply shall not be grounds for remanding or invalidating a final agency action.

The adequacy of compliance or the failure to comply shall not be grounds for remanding or invalidating a final agency action.

In other words, it does not matter how bad this risk assessment is; it does not matter how central the science is to the question to be done; it does not matter whether it is junk science that uses all scientists on one side of a question; it does not matter how unreasonable, how outrageous the failure is to comply with the risk assessment or cost-benefit analysis—the court may not remand that case to cure that error. That is exactly what we are asked to do.

Mr. President, we are getting nowhere fast. In my view, it is a question of whether you want real regulatory reform or whether you want sham regulatory reform. If you want sham, really if you want business as usual, then vote no on cloture, because that is what you will get and you will be able to go around and say how great these bureaucrats are and what a good job they are doing, because they are going