

funding. The amendment that I am offering says that, in addition to what the President requested, the subcommittee can add \$474 million of add-ons. But they should not be able to go above that. It should not be \$774 million of add-ons. That is all I am saying. Let us keep the amount spent in this area within the confines of what the administration requested.

Mr. President, we have two standards in this Senate and in this Congress. It is one standard when it is military spending and a totally different standard when it is domestic spending. You are seeing a very good example of it in the arguments being made around here right now.

Deficit reduction was a big issue in this Senate last month. I remember lots of speeches last month, the month before that, and the month before that, about how we have to make tough decisions. The time has come, and business as usual cannot continue. The American people want some change; they do not want excessive spending in these areas. Well, that is what this amendment is about.

All this talk about the National Guard—all of the requests for the National Guard that are being funded could be funded in the \$474 million of add-ons that we are not in any way interfering with. The family housing—the \$605 million there—we are not interfering with that. The simple fact is, Mr. President, the additional \$300 million that is in this bill, which I am now proposing we strike, is not a priority for the military; it is not a priority for the country.

The Senate needs to go on record about whether we are serious about deficit reduction. We are very good at giving speeches, going home and saying, boy, we are really doing the right thing, and we are making the tough decisions. This is not that tough a decision, Mr. President. This is \$300 million that the military says is not a priority. There is no reason why we need to be going ahead and spending it. That is the simple issue.

I believe the taxpayers of this country would support our amendment to delete this \$300 million and have it available for a higher priority—military use, or have it able for some domestic use, which would be a higher priority—or apply it to deficit reduction, which is what the amendment calls for. It essentially says let us not spend that \$300 million which is not a priority.

So that is the amendment. I hope very much the Senate will support it. I think the people send us here to Congress to make tough decisions about what our priorities are. If deficit reduction is a priority, people ought to vote for this amendment.

I appreciate the chance to explain the amendment.

I yield back the remainder of my time.

Mr. BURNS. Mr. President, one-third of this BRAC is living conditions, and

the rest of it is for readiness. We must never forget about that. By a previous order, this vote will come in the stack with the rescissions votes.

I move that this amendment be tabled, and 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. BYRD. Mr. President, reserving the right to object, how many votes are being stacked?

The PRESIDING OFFICER. The Chair advises the Senator from West Virginia that according to this agreement, there would be four.

Mr. BYRD. Would there be an explanation of the vote just prior to taking that vote?

Mr. BURNS. I say to my friend from West Virginia, that has not been established. But I have no problem with that. Do we need a minute on each side?

Mr. BYRD. Four minutes equally divided, how about that?

Mr. BURNS. I have no problem with that.

Mr. BYRD. I thank the Senator.

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

EMERGENCY SUPPLEMENTAL APPROPRIATIONS FOR ADDITIONAL DISASTER ASSISTANCE, FOR ANTI-TERRORISM INITIATIVES, FOR ASSISTANCE IN THE RECOVERY FROM THE TRAGEDY THAT OCCURRED AT OKLAHOMA CITY, AND RESCISSIONS ACT, 1995

The PRESIDING OFFICER. Under the previous order, the Senate will now resume consideration of H.R. 1944, which the clerk will report.

The legislative clerk read as follows:

A bill (H.R. 1944) making emergency supplemental appropriations for additional disaster assistance, for anti-terrorism initiatives, for assistance in the recovery from the tragedy that occurred at Oklahoma City, and making rescissions for the fiscal year ending September 30, 1995, and for other purposes.

The Senate resumed consideration of the bill.

Pending:

Wellstone/Moseley-Braun Amendment No. 1833, to strike certain rescissions, and to provide an offset.

The PRESIDING OFFICER. Who yields time?

Mr. HATFIELD addressed the Chair.

The PRESIDING OFFICER. The Senator from Oregon is recognized.

Mr. HATFIELD. Mr. President, first of all, I would like to take this occasion to thank Senators WELLSTONE and MOSELEY-BRAUN, the minority leader, the majority leader, the White House, and all the participants who have sought to resolve this issue and bring this to a vote on the rescissions package. I also thank Senator BYRD, as our ranking member of this subcommittee, for giving leadership in every instance of this committee's activity. And I especially want to thank Senator BYRD for his participation, as well.

Mr. President, the Wellstone amendment adds back \$651 million into the rescissions package, or reduces rescissions by that figure; \$332 million for 8 education and job training programs; and \$319 million for the Low-Income Energy Assistance Program.

These add-backs are over and above the levels for these programs negotiated with the President of the United States, the White House, the House of Representatives and the Senate, as well, and this includes the Democratic leadership of both the House and Senate.

In the case of youth training, education technology, and the Eisenhower Professional Development Programs, the add-backs in the Wellstone amendment exceed the levels agreed to in the so-called Dole-Daschle compromise. That was back when the rescissions package was being acted upon by the Senate. And the Dole-Daschle compromise became our point of reference, our guidelines in the conference with the House of Representatives. That was the original rescissions package.

Let me emphasize again that in those areas, the Wellstone amendment exceeds those levels that this Senate passed. The provisions of H.R. 1944 are the product of extensive negotiations over several months.

To add back funding for these programs at this time jeopardizes the enactment of this bill. I say that because of the fact that if we change this bill, it goes back to the House of Representatives again for an action, and if the House of Representatives refuses to adopt any changes that we have made in this rescissions package at this time, they can demand a conference, and we would be back into that process of a conference. Notwithstanding that, we would be thrown back in the situation of negotiating again with the White House, who vetoed the first bill.

To add back funding for these programs at this particular time jeopardizes the enactment of this bill, which is an emergency supplement to assist in providing for disaster assistance, for antiterrorism initiatives, for assistance in the recovery of the tragedy that occurred in Oklahoma City, and for making rescissions.

Additionally, the Wellstone amendment jeopardizes funding for fiscal year 1996 for the very programs he seeks to protect. Without enactment of H.R. 1944, the Labor-HHS and Education subcommittee alone will be forced to absorb an additional \$3 billion in budget authority and \$1.3 billion in outlays within its already reduced allocations for 1996, because of the reduced budget resolution.

The committee already has a tough job ahead. Adoption of the Wellstone amendment would make that job even more difficult by putting off until another day on reducing the growth of Federal spending.

Mr. President, how many minutes did I use?

The PRESIDING OFFICER. The manager has 5 minutes and 40 seconds.

Mr. HATFIELD. I yield to the Senator from West Virginia.

Mr. BYRD. Mr. President, Senator HATFIELD is one of the finest chairmen that I have had the pleasure to work with and to observe during my 37—going on 37—years in the Senate. He has a bright intellect. He has an understanding manner. He is gracious always. He is a gentleman. He speaks with conviction. He is one of my real profiles in courage that I have seen during all these years. It is a pleasure to work with the Senator. I admire the Senator. I respect him, and hold for him the highest, very highest, personal esteem.

Mr. President, as Senators may recall, many months ago the Senate and House initiated an appropriations bill for urgently needed FEMA funds and that measure, H.R. 1158, contained rescissions which were more than sufficient to cover the FEMA supplemental request as well as additional, smaller supplemental items that were contained in that measure.

After House and Senate passage, a conference agreement on H.R. 1158 was reached and, after passing the House, was taken up by the Senate on May 25 and was adopted by a vote of 61-38. At the time, there were a number of Members on this side of the aisle who felt that the conference agreement should be defeated because it did not contain a number of the items that were included in the Senate bill, pursuant to the Dole-Daschle amendment.

Nevertheless, I urged the President to sign the conference agreement on H.R. 1158 because it contained the appropriations for FEMA disaster assistance of \$6.7 billion. It also made a very sizable reduction in the deficit. We were told that by the end of May, or shortly thereafter, FEMA would no longer be able to obligate funds to finance relief efforts associated with the Northridge earthquake and with other declared disasters throughout the Nation resulting from floods and storms in 40 States.

Nevertheless, the President chose to veto H.R. 1158 and he set forth his reasons for doing so in correspondence to the Congress which accompanied his veto message.

Following that veto, the House and Senate leadership reached an agreement with the President on a package of changes to H.R. 1158. Those changes were incorporated into a new bill, H.R. 1944, which passed the House of Representatives some weeks ago. Senators may recall that during an attempt to pass H.R. 1944 prior to the Fourth of July recess, Senators WELLSTONE and MOSELEY-BRAUN exercised their right to insist that the bill not be passed under a unanimous-consent agreement and that they be allowed to offer amendments to the measure.

Negotiations with the leadership have been ongoing since the recess in order to find a way to accommodate Senators WELLSTONE and MOSELEY-BRAUN and to also ensure that the Sen-

ate finally pass this very important appropriation and rescissions bill and get it to the President for his signature so that its provisions can take effect. As a result of those negotiations, an amendment is pending which was proposed by Senators WELLSTONE and MOSELEY-BRAUN.

Mr. President, I fully understand the importance which Senators WELLSTONE and MOSELEY-BRAUN place on the program for which they are proposing addbacks. I also have no qualms with their proposed offsets for those addbacks—namely DOD administrative and travel expenses.

Mr. President, I compliment both the distinguished Senators. I admire them for their pluck, their courage and for their convictions. I wish that more Senators could demonstrate the same kind of courage and convictions and pluck. It takes courage. It takes courage to stand up in the face of criticism that was directed against them. I have no criticism of them.

I do have, as I say, a tremendous admiration for both Senators, fighting for what they believe in. Who can quarrel with that? After all, this is the Senate, the forum of the States, in which Senators can stand on their feet and speak as long as they wish to speak. I shall always defend their rights to do that. So I fully understand the importance of these programs. I share their views.

I will not, however, vote for the amendment because if either part of the amendment is adopted, that would cause the bill to go back to the House for further consideration. I do not know what the House would do at that point. I do know that further delay would be inevitable. Mr. President, it is time to end the months of delay that have occurred on this bill and send it to the President for his signature. He has indicated that he will sign it—he will sign it—in its unamended form.

I will reiterate the key provisions of the bill: It contains an appropriation of just over \$6.5 billion for emergency disaster assistance for the victims of various disasters; under the Byrd amendment, the bill will reduce the deficit by approximately \$9 billion; and the rescissions contained in the bill will result in a freeing-up of approximately \$3.1 billion in outlays for fiscal year 1996 appropriation bills, which can be used for other purposes. This is so because the outlays which would have occurred in 1996 from the appropriations for which these funds are rescinded will no longer be required. This will help ease the pain for the various appropriation subcommittees with jurisdiction over important discretionary programs in achieving the deficit reduction targets for fiscal year 1996.

Mr. President, I once again congratulate the chairman of the committee, Senator HATFIELD, for the tireless effort he has put forth in helping to resolve the differences between the President, the House, and various Senators on these difficult matters. I know that

a number of Senators are still displeased with this bill but, on balance, I believe that it deserves the support of the Senate for the reasons I have set forth.

The need to pass this rescission bill cannot be overstated. The Appropriations Committee has begun its work on the fiscal year 1996 bills. Failure to capture the outlay savings contained in this bill will make things even more difficult in the weeks ahead when the Senate takes up the fiscal year 1996 bills.

Several subcommittees are planning to mark up their bills next week. However, whether they are in compliance with their allocations is linked to action on this bill. In the case of the Interior bill, for example, it means a difference of over \$100 million. So if we don't pass this bill, the Interior Subcommittee will have to go in and cut over \$100 million in addition to the over \$860 million already being cut below this year's level.

The PRESIDING OFFICER. The Chair advises that the Senators from Illinois and Minnesota have 30 minutes.

Mr. WELLSTONE. Mr. President, if I could get the attention of the Senator from West Virginia, I thank the Senator for his gracious remarks. It means a great deal to me personally and I am sure to Senator MOSELEY-BRAUN as well.

Mr. BYRD. I thank the Senator.

Mr. WELLSTONE. Mr. President, principle and people, not power and prerogatives, that is what this debate is about.

Two Fridays ago we came to the floor and we said, regarding these kinds of cuts in programs that have such a dramatic impact on people's lives in our States and around the country, this cannot be a Stealth Senate, we demanded the right to have debate, to introduce amendments, and to have those amendments voted on. Now that will happen. That is a victory.

There would have been more amendments, but in one area, where I could not understand why in the world the Senate was making cuts, a counseling program for elderly people so they do not get ripped off on some of the health care plans that are presented to them, that money has been restored through reprogramming—a victory.

But it is about more than power and prerogative, it is about principle and it is about people. We gave our word from the very beginning that we wanted the opportunity to have these amendments on the floor. It has taken 2 weeks of tough negotiations for that to happen. We wanted this to be done in an accountable way. And we live up to our word.

But there is more than power and prerogative here. Last night the majority leader—it is his prerogative—decided we would get started on this bill at 10:30 or 11 o'clock at night, to use up time. Why not have more of the debate during the day when people in the country can observe it and make up

their own mind? That is prerogative. That is power.

The majority leader has also made it clear to everyone in this Chamber that if his motion to table our amendments—there will be two separate votes—does not succeed, he will pull the bill. What is this all about? The majority leader says, and I want to make it clear: If you should succeed, Senator WELLSTONE and Senator MOSELEY-BRAUN, I will pull the bill. That is power and prerogative.

But let me please talk about people. The Low-Income Energy Assistant Program, the total cost was \$1.3 billion—about the cost of one B-2 bomber. And Senator BYRD and Senator HATFIELD and Senators, when you voted this bill initially out of the Senate, you voted for that full expenditure. You have not contradicted your vote when you vote on low-energy assistance today. But in this deal, that we in the Senate had nothing to do with, we saw a 25-percent cut, \$319 million.

Mr. President, I come from a cold-weather State. For most of the low-income energy assistance people it is not an income supplement, it is a survival supplement. Mr. President, 53 percent of them work at low wages; 32 percent are senior citizens; 41 percent are households with small children; 50 percent earn under \$6,000 a year. And there are about 300,000 people in my State that depend on this, and many more would be eligible but the funding levels have been cut so dramatically over the years we cannot even help all the people that need some assistance.

I thought we are all our brothers' and sisters' keeper. But please remember it is not just heating assistance, it is cooling assistance. My God, 450 people in our country have died in the last week and a half, 2 weeks; elderly, most of them poor, no air-conditioning, no cooling assistance. And we are cutting this program. What does this say about our priorities? GAO report: "Travel Process, re: Engineering, DOD Faces Challenges in Using Industry Practices to Reduce Costs." All about waste in Pentagon travel budget.

Washington Post series, "Billions Go Astray, Often Without A Trace: Defense Department."

In the LIHEAP amendment I just say, can we not transfer \$319 million from all this waste and put it into the Low-Income Energy Assistance Program? Mr. President, my colleague from Illinois will talk with eloquence and power about job training programs for dislocated workers, about job training programs for veterans, about children's programs, education programs. I have not met one Minnesotan in one cafe who has said to me, "Senator, when you do this deficit reduction, cut those job training programs for dislocated workers." Mr. President, all of my colleagues need to understand, when we talk about the Low-Income Energy Assistance Program, which will be the first vote, the House of Representatives has zeroed it out. They did

it at 3 a.m. last week. They zeroed the program out. This vote today is all about whether we are going to continue it. That is the meaning of this vote.

There is power and prerogative, and some people here are saying, "If I loose, I will pull the bill." But what about the people in the country who lose? Many Senators signed a letter saying there ought to be the \$1.3 billion, that is not too much. Forget the power and prerogative, forget the deal, I say to my colleagues. If we restore this funding for the Low-Income Home Energy Assistance Program, it will go to the House of Representatives and it could be back here at 1 p.m. We all know that. And you cannot say to the people you represent: I am sorry, you go without heating assistance, you are going to be homeless, or you are going to be cold, or you are going to die because of summer heat, because we made a deal with the House and it will take us a few extra hours to pass this bill. My God, I do not see the values behind that kind of position.

I am sorry the White House was a part of this deal. I am sorry the deal was made late at night and then it came over here. And we made it clear we were not going to just let it sail through.

But I say to my colleagues, you do not represent the White House. It does not matter whether you are a Democrat or Republican, you took the position before in the Senate that there ought to be adequate funding. You represent the people back in your States. And people are counting on you.

So I say to my colleagues, this is not about power and prerogative. This is about people and principles. I appeal to every Democrat and every Republican, please, Senators, do not be generous with the suffering of other people.

Let me repeat that. These are not statistics, these are not charts, these are not deals, these are not abstractions. Whatever State you come from, hot weather or cold weather, whether you are a Democrat or Republican: Please do not be generous with the suffering of other people. Vote your principles. Vote for what you believe in. We should win this vote.

I yield the floor. Mr. President, how much time do I have?

The PRESIDING OFFICER. The Chair assumes you are dividing the time.

Mr. WELLSTONE. That is correct.

The PRESIDING OFFICER. In this case you would have 5 minutes 50 seconds.

Mr. WELLSTONE. I will reserve that time. I yield to my colleague.

The PRESIDING OFFICER. The Chair recognizes the Senator from Illinois.

Ms. MOSELEY-BRAUN. Thank you, Mr. President. Thank you, Senator WELLSTONE, for that passionate speech, and one which, I think, sets the tone for the debate on this amendment.

At the outset, I want to add my thanks to the Senator from West Vir-

ginia, Senator BYRD, for his kind and complimentary remarks. Frankly, I can think of no higher compliment than to be commended by a Senator who is known worldwide as the dean of the Senate and, indeed, the historian of the Senate. And I can think of no one who has a greater respect for the traditions of this institution and the importance of that tradition than he. So, to have him give such a kind compliment this morning is a singular honor, and I am very grateful to him for it.

I also thank the Senator from Oregon for his diligence in working with us on this matter, because it is something about which both Senator WELLSTONE and I, and I hope many other Senators, feel strongly.

Mr. President, I spoke to the issue of priorities last evening, and I will touch on that again. But I want to speak, really, more in a legislative context, about what it is that is going on here and what we have done and what we are attempting to do. There is an old expression that those who love the law and who love sausages should not watch either of them being made.

So it is with H.R. 1944. To read the title of this bill, it says, "Making emergency supplemental appropriations for additional disaster assistance." Nobody can be against disaster assistance—for "antiterrorism initiative"—something we all would applaud—for "assistance in the recovery from the tragedy that occurred at Oklahoma City." Again, something for which I know there must be unanimous consent.

And here comes the poison pill: And "making rescissions for the fiscal year ending September 30, 1995, and for other purposes." That is the rescissions portion of this legislation that gives rise to this amendment and the controversy that we have had over the last few weeks.

The rescissions portion of this legislation has several aspects to it that I think all Senators ought to pay attention to. In the first instance, it is, as Senator WELLSTONE points out, a matter of priorities, a matter of principle, a matter having to do with the direction we take as we proceed on the glidepath toward a balanced budget.

In this Senate the members of the Budget Committee adopted a budget resolution which had, on the one hand, the good news that it began to put us on a glidepath toward a balanced budget and began to assert that we were going to begin to get our fiscal house in order.

Mr. President, as a supporter of the balanced budget amendment I could not have been more pleased that we had started in the direction of getting our fiscal house in order and beginning to achieve budget balance. However, Mr. President, this is why this amendment is so important. I was very concerned with the budget resolution, as I am with H.R. 1944, that the approach that we take toward a balanced budget

does not fall on one segment of Americans, particularly the most vulnerable Americans, to make more sacrifice, to give more than they can afford to give than any other group of Americans. That is essentially the issue of priorities that is raised in this Wellstone/Moseley-Braun amendment.

Some 62 percent of the cuts in this rescissions portion of this bill come from programs that serve low-income individuals. As we approach balanced budget, I think we have to, as we take the first step toward a balanced budget, ask ourselves a question: As a nation, are we going to call on low-income individuals to make more of a sacrifice than middle-income individuals, than middle-income communities, more than the wealthy?

Without talking about class warfare—this is not intended to be class warfare, Mr. President—the point is we have to take a look at the whole of what we do because a budget is not just about numbers. It is not an abstract exercise. A budget is about people and about priorities, and it makes some very profound statements about the direction in which we intend to have this country go.

Unfortunately, the cuts in this bill, as the first step to the budget exercise, suggest a set of priorities and a direction that I think is most unfortunate. In the first instance, Senator WELLSTONE talked about the cut in low-income heating assistance. That can have real dramatic and particular effect on hundreds of thousands of low-income individuals, particularly senior citizens, all over this country.

The second place that concerns me greatly has to do—and this is the second division of this amendment—with the cuts specifically in the area of education and job training. We are calling upon our children to make sacrifices and to make cuts that we are not calling upon our generals to make, Mr. President. And that, it seems to me, is poor public policy.

Specifically, the bill eliminates the education infrastructure program which is designed to help rebuild some of the dilapidated elementary and secondary schools around this country and the safe and drug-free schools and communities program. These cuts do not take into account that thousands of young people in many communities across this country cannot learn, cannot get to school because of the drug wars that rage in too many of our urban centers and our communities across this Nation overall.

This bill would cut the Education Technology Program—who would argue the point but that we need to make certain that our young people are equipped to go into the 21st century with the same access to education, technologies, and innovations of the information age as any other group of youngsters anywhere else in the world? We are relegating and, frankly, dooming our own youngsters to be in a second-class position when it comes to

competing in this international economy if we do not provide them with the tools, with the capacity, and with the access to technologies that they will need to be able to access in the 21st century.

The Eisenhower Professional Development Program—another education cut. Who would argue with the notion that we ought to promote the training of teachers so that the people who train our young people will be able to give them a world-class education.

Those are where the education cuts come from, Mr. President, in this rescissions bill. And that is one of the reasons why we have argued that as a matter priority, we ought to send a signal that it is not acceptable to us that our youngsters take these kinds of cuts, that the initiatives that we have for education, which is our investment not only in the future but our investment in the present, in our human capital, in our human infrastructure, that these are not cuts that ought to be made in this legislation.

To go further, the second part of the cuts in this division of the amendment has to do with job training. If you want to talk about vulnerable populations, I would point out at the outset that one of the first cuts that this second part of the rescissions bill makes is against job training for homeless veterans. How we can say it is OK to cut job training for homeless veterans and not offset those cuts with money from the travel and administrative budget out of the Department of Defense is incomprehensible to me.

Homeless veterans programs get cut in this legislation as does displaced worker training. Displaced workers, people laid off from their jobs from the base closings, or from some event in the various downsizing going on, need assistance to make the transition so their families do not have to go through the trauma of being dependent on welfare and public assistance. Yet, we are going to cut displaced worker training in this legislation.

Mr. President, I know areas certainly in my State of Illinois in which there is 1 percent private sector employment—1 percent. It sounds almost incomprehensible that we could have that kind of economic meltdown in any part of our Nation. With 1 percent private sector employment, and in some instances as high as 89 percent unemployment among teenagers, how then do we say, well, we have to get this bill passed because we do not want it to go back to the House and then go ahead and cut some \$272 million out of job training for teenagers who do not have any other option.

That is what is at stake, Mr. President, with this legislation. And I submit to my colleagues, as I did last night, and I spoke to this bill last night, that the real significance—the cuts are bad enough—but the real significance is the direction that this puts us. Our assent to this legislation as it is currently written suggests that it is

OK for the budget debate to go forward allowing for these kinds of cuts in these kinds of sensitive areas in which, if anything, we ought to invest our energies as opposed to withdraw our support, and that is the priority debate that we ought to be able to engage at this time.

An interesting thing happened here, Mr. President. This is one of the reasons for the emergency nature of this legislation. The budget that I referenced that has been adopted presumed that this legislation is already passed. The budget presumes that this is already done and it is OK, and we are just going to go forward down the path of trying to achieve balance based on not only these cuts but cuts that are slated to happen in future.

I would just point my colleagues to what has already happened in the House of Representatives with regard to education, with regard to job training, with regard to investment in people, and say, if this is not a precursor of things to come, if this is not the ghost of Christmas present, then what is coming out of the House certainly is the ghost of Christmas yet to come. And it will not be a very nice Christmas at all. Indeed, if anything, I believe that it will cause great strains in the social fabric of our country. I believe that it will put us on the wrong path and exacerbate not only wealth disparity, but exacerbate our inability to provide for a strong America in the future.

That, it seems to me, is the issue. There is no question, Mr. President, that as we address the whole issue of how we get on the glidepath to a balanced budget but that everybody is going to have to make a sacrifice.

I served on the President's Commission on Entitlements and Tax Reform. There is just no question but that we are going to have to have some budget discipline, but that we all are going to have to tighten our belts a little bit, but that we are going to have to have cuts in some areas.

I ask you if it is at all appropriate to have the cuts in areas that provide job training for homeless veterans? I ask you if it is appropriate for us to have the cuts in areas that have to deal with technology training for students? I ask you if it is altogether appropriate to cut the funding for heating assistance for low-income individuals in winter?

The Senator from Minnesota referenced the heat wave that we had in Illinois recently. Quite frankly, we have had over 376 deaths come from the heat wave. Illinois does not have a heating program under LIHEAP, although, frankly, it could. The point I make, there have been 376 deaths from heat this summer, but anybody who knows anything about this United States knows that we have a saying in Chicago: "If you don't like the weather in Chicago, wait a minute."

So this next winter is likely to be as cold as it was hot last week. Are we going to sit back and say, well, it is OK

that it is just too bad that those 376 people died. Is that part of the brutal equation that we are buying into as part of our approach to budget discipline? I do not think so.

I think, as Senator WELLSTONE has eloquently said, we should not be too generous with the suffering of others. Yes, we should make cuts, but those cuts should be fairly spread out; that sacrifice should be shared, and it should not fall on any segment of Americans, particularly the most vulnerable communities and constituencies in our country, to give more than their fair share.

Unfortunately, H.R. 1944 calls on the most vulnerable to give the most; those who have the least have to give the most under this bill. I hope this is not the direction that we will take as we engage in this budget debate.

I call upon my colleagues to look closely at what is in this bill. I read the title but look at what actually goes on here. I am not going to get into the debate about what it does for the environment. It has some environmental language that is in my opinion, atrocious. I will not get into that because that was not the focus of these amendments and we have limited time this morning, limited time that I will add, by the way, is unfortunate also because this ought to be a debate in which every Member of the Senate engages.

I ask my colleagues to look at the legislation. Read the bill. It may sound phenomenal but read the bill. It is not too much to ask. And then take a look at exactly where the fine print takes you. The fine print, in my opinion, takes you on a path on which we do not need to go, that frankly is beneath this great body.

I hope my colleagues will support this amendment, allow us to go back and revisit the issue of priorities, allow us to go back and revisit the shared sacrifice and have rescissions legislation and then as we go forward a budget that accurately reflects a vision for America that will give us a stronger America going into the 21st century and not one that is weakened by a shortsighted approach such as this.

The division we are debating here today would restore \$319 million for the Low-Income Home Energy Assistance Program [LIHEAP].

I strongly support the LIHEAP program. This program helps economically disadvantaged individuals pay their heating bills during the winter. It also helps these individuals pay their cooling bills during unbearable heat waves like the one which recently swept across the country and is being blamed for up to 376 heat-related deaths in Chicago alone.

Last year, the LIHEAP program assisted 5.6 million households—including 200,000 households in Illinois—with an average income of \$8,257.

Of these households, 55 percent included at least one child under 18 while 43 percent included at least one senior citizen.

Although the LIHEAP program is designed to help the neediest members of our society, its funding has steadily declined from \$2.1 billion in fiscal year 1985 to \$1.3 billion in fiscal year 1995. As a result, 20,000 eligible households in Illinois were denied assistance last year due to a shortage of funds.

I am convinced that further cuts in the LIHEAP program will force even more of our Nation's elderly to have to choose between putting food on their tables and heating their homes.

These cuts will also force energy providers to have to choose between not getting paid for the energy they provide and cutting off their neediest customers.

I voted for the original Senate rescission bill which did not propose any cuts in the LIHEAP program.

I voted against the conference report on H.R. 1158 in no small part because of the \$319 million cut it would make in the LIHEAP program.

I urge my colleagues to oppose this cut by supporting the division that Senator WELLSTONE and I have introduced.

I will yield the remainder of my time to the Senator from Minnesota.

The PRESIDING OFFICER. The time of the Senator from Illinois has expired.

Mr. KENNEDY. Mr. President, I strongly support the Wellstone amendment, which will restore funding for the Low-Income Home Energy Assistance Program.

Over 6 million people received aid with heating costs under the program last winter, including 143,000 households in Massachusetts. It also provided urgently needed relief in the previous winter, which was extremely harsh.

Three-quarters of the families receiving LIHEAP have incomes below \$8,000. These families spend an extremely burdensome 18 percent of their income on energy costs, compared to the average middle-class family, which spends only 4 percent.

Researchers at Boston City Hospital have documented the heat-or-eat effect—higher utility bills during the coldest months of the year force low-income families to spend less of their money on food and more of it on heat. The result is increased malnutrition among children.

The study found that almost twice as many low-weight and under-nourished children were admitted to the Boston City Hospital emergency room immediately following the coldest month of the winter. No low-income family should have to choose between heating and eating.

But it is the low-income elderly who are at the greatest risk if LIHEAP is cut back, because they are the most vulnerable to hypothermia. In fact, older Americans accounted for more than half of all hypothermia deaths in 1991.

In addition, elderly households are much more likely than other families

to live in homes built before 1940. These homes tend to be less energy efficient, and the elderly who live in them are at greater risk.

In addition, low-income elderly who have trouble paying their energy bills are often driven to rely on room heaters, fireplaces, ovens, and woodburning stoves in order to save money on central heating. Between 1986 and 1990, heating sources like these were the second leading cause of fire deaths among the elderly. In fact, the elderly were up to twelve times more likely to die in a heating-related fire than adults under 65.

LIHEAP is a program that makes a difference in all these cases. It makes a difference in human terms. It has been a lifeline to Edythe Aston, an 81-year-old elderly woman living in Melrose, MA. She received funding under the program to replace a dangerously defective furnace in her basement. Her furnace was in such disrepair that she said it could have either shut down altogether or exploded. The LIHEAP assistance she received not only allowed her to heat her house, it also gave her peace of mind that she was safe in her home.

Finally, LIHEAP also benefits communities through its job-creating impact on the local economy. As Robert Coard, president of Action for Boston Community Development, wrote in a Boston Globe article last month, LIHEAP "employs large numbers of community people who may have trouble finding work in industries requiring sophisticated high-technology skills. Many are multilingual—a major asset for this program. The oil vendors who work with the program include many mom-and-pop businesses that depend on fuel assistance to survive. The dollars spent go right back into the economy."

The winter of 1993-94 was an especially harsh one. For the entire month of January 1994, the average temperature in Boston was only 20 degrees, and the price of oil rose to meet the increased demand for heat.

LIHEAP should not be a partisan issue. If Senate Republicans are serious about helping and not hurting the elderly and low-income families, they will join us in restoring these funds. They will stop raiding the wallets and the furnaces of those who need help the most.

I urge my colleagues not to freeze out the Low-Income Home Energy Assistance Program, and to support the Wellstone amendment.

The PRESIDING OFFICER. The Senator from Minnesota has 5 minutes and 50 seconds.

Mr. WELLSTONE. Mr. President, parliamentary inquiry. Is there any other time on the opposing side?

The PRESIDING OFFICER. The only time remaining is the time of the Senator from Minnesota.

Mr. WELLSTONE. Mr. President, first of all, let me just say to my colleague from Illinois that it has been a

real honor to be in the Chamber of the Senate with her throughout this last couple weeks.

I say to my colleague from Illinois that I think she is quite right about process. This is just a glimpse of what is to come in terms of really a lack of standard of fairness when it comes to who is asked to tighten their belt. And perhaps it is also a glimpse of what is to come in terms of trying to have a stealth Congress, where you make these cuts at 3 a.m. in the House, you make deals, and come over to the Senate.

I say to the Senator I believe, since this is a glimpse of what is to come, that for us this is just the beginning. This is just the beginning. This will become, I believe, a very important, historic debate in the Senate. I know we are very determined to make sure that happens.

Mr. President, I wish to just summarize because I had a chance to speak earlier, and I wish to speak to one thing I have heard said several times that I really want Senators to think about before they vote. I am just going to take the Low-Income Energy Assistance Program because we are going to have two votes, two different amendments will be voted on.

Mr. President, many Senators, Democrats and Republicans alike, are on record supporting the LIHEAP program. This \$319 million that we are trying to restore from the Pentagon travel administrative budget is money that we voted for in the Senate. Senators are for this. The House has now zeroed it out after this deal was made. They have zeroed it out.

This is a vote that could very well determine the future of this program. But to vote to restore this funding is consistent with the position I think of a majority of Senators in this Chamber. It has nothing to do with contradicting the prior vote.

Second, Mr. President, just because the majority leader says if I should fail in my attempt to table these amendments—let us start with the one on LIHEAP—I will pull the bill, I doubt it. We have disaster relief for Oklahoma and California. Senator MOSELEY-BRAUN and I have been very consistent about this. That is why we said we wanted the right to have these amendments. We want some democracy; we want some openness here, and that is why we made it clear once we were able to obtain that right we will go forward. I doubt the majority leader will pull this bill.

Third, I say to my colleagues, it is a difficult argument for you to make back home to the people you represent, and I know you care about, that somehow you had to vote for these cuts in the Low-Income Energy Assistance Program that you do not support because this bill would then have to go back to the House and it would take a few more hours. This bill could go back to the House, and it could be back here at 1 o'clock.

Forget the deals, forget inside Washington politics and think about the people who we represent even if those people do not have the big bucks, even if they are not the heavy hitters, even if they are not the big players.

This vote goes to the whole question of the heart and soul of the Senate. Mr. President, 450 people have died in the last 2 weeks. Cooling assistance is part of this program. My colleague from Pennsylvania is one of the champions of this program. He would be the first to say that. Why are we cutting this program?

Mr. President, I just say this one more time. Whether it is a cold weather State, where this is not an income supplement, this is a survival supplement, whether we are talking about heating assistance or cooling assistance, the total appropriations for this bill were less than one B-2 bomber. And we want to take just \$319 million out of a Pentagon travel administrative budget that the GAO says is bloated and wasteful, with all sorts of articles: "Billions Go Astray, Often Without a Trace," and just make sure we have a modicum of funding for low-income energy assistance.

That will be the first vote. I will say it one more time to my colleagues. Before you vote, please think deeply about this. I appeal to Senators: Do not be too generous with the suffering of other people. We can restore this \$319 million and we can send this bill over to the House, and it will be back here at 1 p.m. Convenience between House and Senate is an inside process and deals have nothing to do with justice and fairness and what we stand for.

Mr. SPECTER addressed the Chair. The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. SPECTER. Mr. President, I ask unanimous consent that I may be permitted to speak for 4 minutes.

Mr. WELLSTONE. Mr. President, reserving the right to object, if the Senator is going to speak against our position, then I would ask for more time on our side.

The PRESIDING OFFICER. Is there objection to the Senator's request?

Mr. WELLSTONE. I would object unless we could have a unanimous consent—

The PRESIDING OFFICER. Objection is heard.

Mr. SPECTER. Mr. President, I ask unanimous consent that I be permitted to speak for 4 minutes and if the Senator from Minnesota chooses 4 more minutes, it be up to his discretion.

The PRESIDING OFFICER. Is there objection?

Mr. REID. Objection. The PRESIDING OFFICER. The Senator from Nevada objects.

Mr. WELLSTONE. Mr. President, I would not object at all.

The PRESIDING OFFICER. Objection is noted.

Mr. SPECTER. Mr. President, I ask unanimous consent that I may be permitted to speak up to 3 minutes.

The PRESIDING OFFICER. Is there objection?

Mr. WELLSTONE. Mr. President, I would object, but I would be pleased to have 3 minutes for the Senator from Pennsylvania and 3 minutes for the Senator from Minnesota and the Senator from Illinois.

The PRESIDING OFFICER. Is there objection?

Mr. REID. I object. The PRESIDING OFFICER. Objection is noted.

Mr. WELLSTONE addressed the Chair.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. WELLSTONE. I would like the record to show that we were for all debate today. We wanted it during the daytime. This was not our decision.

Mr. REID. Regular order. Mr. SPECTER. Mr. President, I ask unanimous consent that I be permitted to speak up to 2 minutes. This is my subcommittee's bill, and I have things to say.

The PRESIDING OFFICER. Is there objection?

Mr. WELLSTONE. I object unless we have 2 minutes to respond.

The PRESIDING OFFICER. Objection is heard.

Mr. SPECTER. Mr. President, I ask unanimous consent that there be 4 additional minutes equally divided.

Mr. HATFIELD. Mr. President, I will have to object to that.

The PRESIDING OFFICER. Objection is heard.

All time has expired. Mr. HATFIELD. Mr. President, I move to table the first division of the Wellstone amendment and ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second. The yeas and nays were ordered.

VOTE ON MOTION TO TABLE DIVISION I OF AMENDMENT NO. 1833

The PRESIDING OFFICER. The question occurs on agreeing to the motion to lay on the table division I of amendment No. 1833 offered by the Senator from Minnesota [Mr. WELLSTONE]. The yeas and nays have been ordered. The clerk will call the roll.

The bill clerk called the roll. Mr. LOTT. I announce that the Senator from Missouri [Mr. ASHCROFT] and the Senator from North Carolina [Mr. FAIRCLOTH] are necessarily absent.

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 57, nays 40, as follows:

[Rollcall Vote No. 319 Leg.]

YEAS—57

Bennett	Byrd	Craig
Bond	Chafee	D'Amato
Breaux	Coats	Daschle
Brown	Cochran	DeWine
Burns	Coverdell	Dole

Domenici	Jeffords	Packwood
Exon	Johnston	Pressler
Frist	Kassebaum	Reid
Gorton	Kempthorne	Roth
Graham	Kerrey	Santorum
Gramm	Kyl	Shelby
Grams	Lott	Simpson
Gregg	Lugar	Smith
Hatch	Mack	Specter
Hatfield	McCain	Stevens
Heflin	McConnell	Thomas
Helms	Murkowski	Thompson
Hutchison	Nickles	Thurmond
Inhofe	Nunn	Warner

[Rollcall Vote No. 320 Leg.]  
YEAS—65

Abraham	Frist	Mack
Bennett	Gorton	McCain
Biden	Graham	McConnell
Bond	Gramm	Mikulski
Breaux	Grams	Murkowski
Brown	Grassley	Nickles
Bryan	Gregg	Nunn
Burns	Hatch	Packwood
Byrd	Hatfield	Pressler
Chafee	Heflin	Reid
Coats	Helms	Roth
Cochran	Hutchison	Santorum
Coverdell	Inhofe	Shelby
Craig	Jeffords	Simpson
D'Amato	Johnston	Smith
Daschle	Kassebaum	Specter
DeWine	Kempthorne	Stevens
Dole	Kerrey	Thomas
Domenici	Kyl	Thomas
Dorgan	Lieberman	Thompson
Exon	Lott	Thurmond
Ford	Lugar	Warner

applications focus on academic and tutorial activities, but address topics outside the underlying school curriculum, which is in keeping with the intent of the legislation, since we did not want to duplicate or subsidize existing school activities.

All of these applications were prepared and the initial evaluation conducted under the original, slightly less restrictive, authorizing language. I would be greatly concerned if HHS were required to start from scratch, reopening the application and evaluation process, in order to meet the most restrictive interpretation of these new constraints.

Therefore, I would like to ask whether it is the chairman's understanding that, under this new language, more comprehensive programs that center around the activities described, but set those activities in the context of a broader program of mentoring or related methods, would be permissible?

Mr. HATFIELD. I thank the Senator from New Jersey for his inquiry. My response is that, he is correct in his reading of this language. The intent is to ensure that academic, tutorial, or work and entrepreneurship programs constitute the primary feature of any local initiative funded through the Community Schools Program. I appreciate that there may be other activities or methods, such as mentoring, that are necessary as part of a more comprehensive program for youth. Community organizations that have already developed applications under the original authorization language should not be required to rewrite their applications to eliminate all mention of such incidental activities.

Mr. BRADLEY. I thank the Senator. I believe this will provide needed clarity to the Department and to the 700 community applicants. This said, however, I would reiterate the intent of this restrictive language: in making these grants, the Department of Health and Human Services should not fund programs that are primarily recreational in nature, or whose primary feature is not academic, tutorial, or directed at developing the potential of young people as workers or entrepreneurs.

Mr. HATFIELD. This is my view also, and I believe it will help to make this program successful.

CENTER FOR ECOLOGY RESEARCH AND TRAINING  
Mr. LEVIN. Mr. President, I am concerned about the rescission contained in H.R. 1944 for the EPA Center for Ecology Research and Training in Bay City, MI. The bill rescinds \$83 million from this planned facility, leaving about \$10 million for close-out costs only.

This facility is very important to my State and I would hope the Appropriations Committee would consider at a minimum funding for the docking and maintenance facility component of the project in the fiscal year 1996 VA, HUD, and independent agencies appropriations bill. A docking and maintenance

## NAYS—40

Abraham	Feingold	Mikulski
Akaka	Feinstein	Moseley-Braun
Baucus	Ford	Moynihan
Biden	Glenn	Murray
Bingaman	Grassley	Pell
Boxer	Harkin	Pryor
Bradley	Hollings	Robb
Bryan	Kennedy	Rockefeller
Bumpers	Kerry	Sarbanes
Campbell	Kohl	Simon
Cohen	Lautenberg	Simon
Conrad	Leahy	Snowe
Dodd	Levin	Wellstone
Dorgan	Lieberman	

## NOT VOTING—3

Ashcroft	Faircloth	Inouye
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So the motion to lay on the table division I of amendment No. 1833 was agreed to.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. HATFIELD. 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. HATFIELD. Mr. President, I ask unanimous consent that all remaining votes in the voting sequence be limited to 10 minutes each.

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

Mr. HATFIELD. Mr. President, I move to table the second division of the Wellstone amendment and ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

VOTE ON THE MOTION TO TABLE DIVISION II OF AMENDMENT NO. 1833

The PRESIDING OFFICER. The question occurs on the motion to table division II of amendment No. 1833, offered by the Senator from Minnesota [Mr. WELLSTONE].

The yeas and nays have been ordered.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. LOTT. I announce that the Senator from Missouri [Mr. ASHCROFT] and the Senator from North Carolina [Mr. FAIRCLOTH] are necessarily absent.

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

The result was announced—yeas 65, nays 32, as follows:

Akaka	Feinstein	Moynihan
Baucus	Glenn	Murray
Bingaman	Harkin	Pell
Boxer	Hollings	Pryor
Bradley	Kennedy	Robb
Bumpers	Kerry	Rockefeller
Campbell	Kohl	Sarbanes
Cohen	Lautenberg	Simon
Conrad	Leahy	Simon
Dodd	Levin	Snowe
Feingold	Moseley-Braun	Wellstone

## NOT VOTING—3

Ashcroft	Faircloth	Inouye
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So the motion to lay on the table division II of the amendment (No. 1833) was agreed to.

Mr. BRADLEY. Mr. President, I would like to clarify one important question regarding additional legislative language in this bill governing the Community Schools Program passed last year in the crime bill. I appreciate the assistance of the chairman in ensuring that \$10 million of the \$26.5 million originally appropriated will remain available to assist communities that have designed programs to use school buildings for constructive activities for young people to keep them safe and out of trouble during the afternoons, evenings and weekends.

Additional language was added to the House limiting the use of funds somewhat further than in the authorizing legislation. After this rescission becomes law, funds may be used only for entrepreneurship, academic, or tutorial programs, or for workforce preparation. Although this is a slightly narrower definition than in the original authorization, it follows closely my original intent in developing the program, which was not to encourage purely recreational activities.

The Department of Health and Human Services has done a wonderful job of getting this program underway. Despite a tight deadline, more than 700 applications were received by the May 5 deadline.

Almost all of these applications feature the components that are identified as permissible under the modified requirements in this legislation. However, some of the best applications put these activities in a broader context, including activities such as mentoring and conflict resolution, in keeping with the purpose of crime prevention. Other



facility is needed for EPA's Lake Guardian research vessel, which provides important monitoring and research in the Great Lakes.

Mr. BOND. I thank the Senator from Michigan for his remarks. Let me assure him that I understand how important this project is to his State.

The bill rescinds funds for this project primarily because EPA is in the midst of a major reorganization of its research laboratories. EPA already has 39 laboratories, and there is great concern as to whether a new facility is needed or can be afforded at this time.

I understand the plans for the center include a super computer center, a training center, a docking and maintenance facility, and environmental research and analytical chemistry laboratories.

As part of the Agency's laboratory reorganization, EPA should study whether the docking and maintenance facility is critically important in Bay City, and if so, determine the associated construction and operating costs. This information should be provided to the Appropriations Committee as soon as possible so that it may be considered in the fiscal year 1996 appropriation bill for EPA.

The committee will give close consideration to the Senator from Michigan's recommendation for this project, as well as information from the EPA. While I cannot provide any guarantees for funding, I ensure my friend from Michigan that it will receive our serious and careful consideration.

Mr. LEVIN. I appreciate the assurances of the distinguished chairman of the Appropriations Subcommittee. I hope he will also work with me to ensure that EPA is able to fulfill its legal and moral obligations to acquire and remediate, if necessary, contaminated properties where acquisition by EPA has begun.

Mr. BOND. I will make every reasonable attempt, within available funds, to provide EPA with the ability to satisfy the Agency's obligation.

Mr. LEVIN. I thank the Senator from Missouri. His assurances and those expressed by Congressman LIVINGSTON regarding this project, improve the future prospects for the dock and maintenance facility, if not the entire project.

Mr. GORTON. Mr. President, today the Senate will vote to adopt, and send to the President for his signature, H.R. 1944, the revised fiscal year 1995 rescission bill. The legislation before the Senate today is an important first step toward a balanced budget. Once we get to that balanced budget—roughly 7 years from now—the Nation will be relieved of a terrific burden on its people and our economy. There's another form of relief in the rescission bill before us today, and its specifically targeted at natural resource based communities across our Nation that have been destroyed by misguided Federal policies.

The emergency salvage timber provision in this legislation, which has been the subject of many intense negotia-

tions over the past few days, was included in the original rescission bill vetoed by the President, as a way to provide some short-term relief to timber communities in my State.

For 6 long years, rural timber communities in my State have been under siege from their Federal Government, and the implementation of environmental laws that have neglected to consider the impacts of these laws on people. Federal agencies have gone literally unchecked in their imposition of regulations, and restrictions on people and their property, and, the cumulative effects of these actions have resulted in the destruction of rural communities and their way of life.

Mr. President, I know the people who live and work in these communities—Forks, Morton, Aberdeen Port Angeles, Colville—and I am proud to call them my friends. I get angry when actions by the Federal Government result in the destruction of their way of life. Forks, Washington is no different than any other rural community across America. What is different about Forks is that the community has largely been shut down. And what is different about Forks is that the Federal Government has done little, if anything, to acknowledge the fact that this community has forever been changed.

Today timber communities must fight for every log that gets to their mill. Timber communities fight against clever—and not so clever—environmental attorneys that file lawsuits to block Federal timber sales. If success is measured in the number of sawmills shut down, the number of small business with closed doors, the number of workers collecting unemployment checks, and number of close-knit families that have unraveled, then environmental extremists have been hugely successful.

It is fundamental to our ideal of the American dream that an individual have the ability to choose his or her livelihood. As a father and a grandfather, I see endless opportunities for my children and grandchildren, to pursue a career or life's work that will bring them great happiness. I believe this to be a tenet of our American way of life that should not be undermined or compromised, and this Senator will fight to protect and enhance such opportunities, not compromise them.

But Federal agencies and Federal environmental laws have compromised—if not sold out—the dreams of people in timber towns across my State. It was not enough that an individual's life's work was casually disregarded by his Government, but the response from the Federal Government—and from urban area leaders—to their plight was to simply suggest that timber workers just find another job. The arrogance of this statement speaks for itself.

To add insult to injury, this administration put forward a plan—Option 9—that would pour money—hundreds of millions of dollars—into myriad bureaucracies, training programs, forms,

and procedures that was supposed to ease the pain of a policy designed to essentially eliminate a vital part of our region's workforce and economy.

Mr. President, it is crystal clear to this Senator, and I hope to many of his colleagues, that the answer to this problem is not arrogant statements that look down upon the time honored way of life in our rural communities, or throwing money at the problem and hoping it will go away. The answer to this problem is simple, we must change the laws that have brought us to this point.

The legislation before us today is an emergency measure that will bring a degree of relief to people in timber communities in my State. It's a good starting point, but this Senator intends to address the underlying statutes that have brought us to this point in the first place.

The history of the emergency salvage timber provision dates back to what is commonly known as "section 318" of the fiscal year 1990 Interior appropriations bill. That provision was crafted by the chairman of the Appropriations Committee, Senator HATFIELD, together with other members of the Pacific Northwest congressional delegation, to address the timber supply shortage in our region. The provision included what is commonly known as "sufficiency language"—language insulating timber sales from frivolous legal challenges filed under various environmental statutes. The sufficiency language included in Section 318 was ultimately challenged all the way to the Supreme Court, where the Court ruled in favor of the goals and principles put forward in the legislation.

The emergency salvage timber provision in the rescission bill before the Senate today includes sufficiency language that was carefully crafted to mirror the sufficiency language in section 318. Why? Section 318 has been tested by legal challenge, and it has survived. The sufficiency language in H.R. 1944 does not attempt to chart new territories on this front, but to follow the carefully crafted language that has been held up under close scrutiny.

In 1992, this Senator offered an amendment on the Senate floor to the fiscal year 1993 Interior appropriations bill that would have granted the authority to the Secretary to move forward with salvage timber sales. During the Senate debate on that amendment, I cautioned the Senate that to allow salvage timber to continue to build up on the floor of our Nation's forests would result in devastating wildfires in future years. The Senate rejected that warning, and my amendment was soundly defeated.

And again, just last year, during the House-Senate conference on the fiscal year 1995 Interior appropriations bill, I attempted to offer an amendment that would give the Secretary the authority to offer salvage sales to improve forest



health conditions in our Nation's forests. My amendment was soundly rejected by the Democratic-controlled Congress.

But this year, things are different. Today, after years of struggle and suffering, the voices of timber families in Washington State have finally been heard. Today, the Senate will finally pass legislation, and send it to the President that will result in real relief for people in my State. Real relief, Mr. President, not simply promises on paper to be waved around at press conferences.

#### EMERGENCY SALVAGE TIMBER PROVISION

The provision in H.R. 1944 is virtually identical to that which passed the House and Senate in the conference report to H.R. 1158. The conference report to H.R. 1158 was, of course, vetoed by the President. The legislation before the Senate today includes four key modifications to the timber language included in the conference report to H.R. 1158. Allow me to briefly explain these changes, and the rationale behind each.

First, in subsection (c)(1)(A) of H.R. 1944, the change worthy of notice was included at the request of the administration. This Senator did not believe that this change was necessary because of the way that the entire provision is drafted. The fundamental concept of the timber language is that the Secretary has the discretion to put forward the salvage timber sales of which he approves. Consequently, I was baffled by the administration's demand that in this subsection language be included to give direction to the Secretary "to the extent the Secretary concerned, at his sole discretion, considers appropriate and feasible" that timber salvage sales "be consistent with any standards and guidelines from the management plans applicable to the National Forest or Bureau of Land Management District on which the salvage timber sale occurs." The administration demanded that some mention of "standards and guidelines" be included in this section. After a series of negotiations this is the compromise that the House and Senate worked out with the administration.

Subsection (c)(1)(A) gives the administration the broadest latitude to prepare the salvage timber sales that it deems appropriate. It already has the discretion to make the decision of whether or not to put forward a sale that is consistent the standards and guidelines of a particular forest unit or BLM district. Essentially this request by the administration and the language ultimately included at its request is nothing more than redundant.

Subsection (k) releases sales that were authorized under section 318 of the fiscal year 1990 Interior appropriations bill. Roughly 300 mbf of timber sales have been held up due to agency gridlock over the marbled murrelett. The administration asked the House and Senate to include in (k)(2) its definition of "occupancy." That change in

subsection (k)(2) of the Emergency Salvage Timber provision would undermine the ability to move these sales forward. That suggestion was soundly rejected by the House and Senate authors of the provision.

The language of (k)(2) requires that if a threatened or endangered bird species is "known to be nesting" in the sale unit that the administration not harvest that unit, but come up with an equal amount of timber in exchange for preserving that unit. This was written to give the administration flexibility to protect that individual sale unit in which the bird resides.

I wish to clarify that it is the intention of the House and Senate authors of this provision that the administration must provide physical evidence that the bird is "nesting" in that unit before the administration may enact (k)(3) to avoid the harvest of that sale unit.

The administration also requested that the date in subsection (k) be changed from 30 days for the release of the sales, to 45 days. The House and Senate authors of the provision included this request in H.R. 1944.

The third change included at the request of the administration relates to subsection (l)—Effect on Plans, Policies, and Activities—of the Timber provision. The subsection addresses the effect that salvage timber sales have on other multiple use activities. The provision was revised to create a limited exception to language that prohibits modifying land plans and other administrative actions as a consequence of implementing the section. The change, as requested by the administration, allows for modifications under extremely limited circumstances when needed to meet the salvage program agreed to by the conferees, or to reflect the particular effect of the salvage sale program.

It is critical to note that this modification expressly prohibits the administration from using salvage timber sales as the basis for limiting other multiple use activities. If the administration does need to modify an existing plan or program, project decisions, such as salvage sales, or other activities, cannot be halted or delayed by the modification. This is a critical point. This provision, as included in the conference report to H.R. 1158, was requested by the U.S. Forest Service as a way in which to ensure that the Forest Service would not be subject to legal challenge for the "cumulative effects" of a salvage sales when combined with another multiple use activity.

Last, the fourth change requested by the administration is, perhaps, the most interesting. The administration requested that the expiration date of the timber language be changed from September 30, 1997 to December 31, 1996. The administration aggressively pursued this request, with the express knowledge that its own agency officials in the Forest Service specifically asked the House and Senate conferees on H.R. 1158 to extend the Senate passed date

of September 30, 1996 to September 30, 1997. The Forest Service made this request of the conferees for budgetary and planning purposes. Despite this fact, the administration was undaunted, however, in their desire to change the date to December 31, 1996.

When asked why the administration needed the date to be changed to December 31, 1996, the response was this: the current administration cannot control the actions of future administrations.

This is certainly an interesting concept, and an idea that I totally reject. Why? We cannot predict what will happen between now and the next election. Will we continue to have a Republican controlled House and Senate? Will one body return back to Democratic control? This is the subject of elections, and should not be the subject of policy discussions. But this President, unlike almost any other in recent history, has made election politics a consideration in nearly every one of his policy deliberations.

Aside from these changes the principle of the timber language in this legislation remains the same. The timber language simply provides the President the ability to keep the multitude of promises that have been made and broken to the people who live and work in timber communities in the Pacific Northwest. It's just that simple.

Briefly, the three components of my amendment are: emergency salvage timber sales, Released timber sales, and option 9.

Emergency salvage timber sales: An emergency situation exists in our Nation's forests created by past wildfires, increased fuel load, or bug infested and diseased timber stands. Time and again, the administration has publicly committed to putting together an aggressive salvage timber program. My amendment gives the administration the ability to do just that.

The bill language directs the Forest Service and BLM expeditiously to prepare, offer and award salvage timber sale contracts for the thinning and salvaging of dead, dying, but infested, downed, and burnt timber on these Federal lands nationwide, and to perform the appropriate revegetation and tree planting operations in the areas in which the salvage operations have taken place.

The bill language deems the salvage timber sales to satisfy the requirements of applicable Federal environmental laws. It also provides for an expedited process for legal challenges to any such timber sale, and limits administrative review of the sales.

Released timber sales: Language has also been included to release a group of sales that have already been sold under the provisions of Section 318 of the fiscal year 1990 Interior and Related Agencies Appropriations Act. The harvest of these sales was assumed under the President's Pacific Northwest forest plan, but their release has been held up due to extended subsequent review by the U.S. Fish and Wildlife

Service. Release of these sales will remove tens of millions of dollars of liability from the government for contract cancellation. The only limitation on release of these sales is in the case of a nesting of an endangered bird species with a known nesting site in a sale unit. In this case, the Secretary must provide substitute volume for the sale unit.

Option 9: First, let me make clear that I do not agree with, or support, option 9. I do not believe it comes close to striking an appropriate balance between the needs of people and their environment. My amendment simply provides the Forest Service and Bureau of Land Management the authority to expedite timber sales allowed for under option 9. The administration promised the people in the region of option 9—Washington, Oregon and California—an annual harvest of 1.1 billion board-feet, and the time has come for it to keep its promise.

My amendment specifies that timber sales prepared under the provision satisfy the requirements of Federal environmental laws, provides for an expedited process for legal challenges, and limits administrative review of such sales. Let me make clear that my amendment does not independently validate option 9 and does not restrict future legal challenges to option 9.

Mr. President, although I believe that the negotiations that have gone on over the timber language were unnecessary given the broad latitude that the administration has in this legislation, it is a part of the legislative process. More important than these negotiations, and the last minute interest of this administration in the legislation, in the opinion of this Senator, are the people in timber communities. The people in timber communities across my State will have won their first victory when the President signs this bill. It's a victory they deserve and one we should give to them. I encourage my colleagues to support H.R. 1944.

#### SUBSECTION (i) OF SECTION 2001

Mr. HATFIELD. Mr. President, I want to take a moment to share with my colleagues my understanding of subsection (i) of section 2001 of H.R. 1944. This subsection contains references to several specific Federal statutes as well as general references to Federal laws, including treaties, compacts, and international agreements. It is my understanding that the reference to treaties is made in response to allegations that passage and implementation of section 2001 would result in violation of the North American Free-Trade Agreement or the General Agreement on Tariffs and Trade.

#### FOREST HEALTH

Mr. LIEBERMAN. Mr. President, I voted for the rescission bill that passed the Senate earlier today because I believe so strongly that we must bring our Federal budget under control, and hopefully balance it in the near future. The longer we delay this process the more difficult our choices become in

cutting spending for truly important Federal programs. But I remain strongly opposed to the provision in this rescission bill to exempt Federal logging from all Federal environmental laws for 2 years under the justification of salvage harvests. Not only is this provision unrelated to spending cuts—and probably will be budget negative—it sets very inadvisable policy and precedent.

"Timber salvage" in this provision is defined broadly to include virtually all Federal forests, potentially including areas set aside or managed scientifically for critical watersheds, endangered species, roadless areas, or special recreation uses. It defines salvage to include "dead, dying, and associated trees"—which may include virtually all mature timber. And, it provides exemptions from citizens suits, appeals, and judicial review of agency actions. These actions do not appear warranted based on timber harvest data from public lands.

According to U.S. Forest Service data, since 1992 less than one-half of 1 percent of forest sales by volume have been delayed by citizen suits, and less than 3 percent by litigation. In the first 11 months of 1994 over 1 billion board feet of timber was harvested from the "Option 9" areas developed for salmon and spotted owl protection—very close to the 1.2 billion board feet promise made for the 12 month period of 1994. Further, U.S. Forest Service data shows that a substantial number of timber sales in this region have been offered but not taken due to lack of demand.

In a recent issue of *Random Lengths*, industry's weekly report on North American Forest Products Markets, the lead story states that:

Consensus has developed that there is simply too much production chasing too few orders. Most buyers and sellers now agree that unless demand revives in a big way, and soon, the industry is headed for widespread shutdowns and curtailments.

Futures prices for softwood continue to be very low in relation to past years, further indicating low demand relative to supply.

Many experts believe that the timber industry faces a crisis of demand, not supply. Even if this were not the case, it is doubtful that exemptions from Federal environmental laws would help smaller mills facing log shortages. Mills that are most threatened by log shortages from public lands often cannot outbid larger mills at auction. Auctions tend to be won by deep pockets, with no guarantee that mills needing logs the most will get them.

During debate over original passage of this bill Senator MURRAY offered a moderating amendment, which I voted for, that would have expedited but not eliminated implementation of environmental laws on Federal forest lands. It failed by only one vote. The timber provision that finally passed contains a change over previous language to expand the role of the Secretary of Agri-

culture to require his signature in order to implement new sales. Although I do not think this is a sufficient fix to this legislation, I do think it is essential for the administration to faithfully execute this authority in order to prevent serious abuse of the legal exemptions in this provision.

This timber provision is an unrelated, inadvisable and unnecessary addition to the rescission bill that will only further confuse our efforts to bring thoughtful, balanced reform to Federal environmental protection, without sacrificing important safeguards.

Mr. BOND. Mr. President, over 2 months ago, the President first announced his determination to veto H.R. 1158, the rescission and supplemental appropriations bill agreed to by the joint House-Senate conference committee. In part, he decried the agreement on the basis of the rescission proposed for HUD. At the time, I said that rationale for the veto was groundless. It is ironic, and very significant, that this measure, H.R. 1944, which the President now finds acceptable, rescinds \$137 million more from HUD than did the bill which he vetoed.

Some have questioned why HUD is being cut by nearly \$6.5 billion, more than three-quarters of a total rescission of \$8.4 billion for the subcommittee. The answer is simple: That cut is roughly proportionate to that Department's available budgetary resources. Although HUD received new appropriations for fiscal year 1995 of \$25.7 billion, about 39 percent of the funding for our major agencies, it also carried into this fiscal year \$35.2 billion in unobligated prior year balances. In other words, it more than doubled its total available budgetary resources with this massive influx of unspent, unobligated funding.

We must cut HUD, and we must begin now if there is to be any hope of surviving the very constrained freeze-minus future for discretionary spending reflected in the budget resolution. The Congressional Budget Office analysis of the cost of the President's original budget submission for subsidized housing demonstrated a 50-percent expenditure increase over the next 5 years. This is a crisis. Unless we act now to curb the spiraling growth in outlays, we will have to make truly draconian cuts in the forthcoming fiscal year, including widespread evictions of low-income families from subsidized housing and accelerated deterioration in public and assisted housing across the country.

The solution is simple: Turn-off the pipeline of new subsidized units. That is the fundamental focus of the rescission bill. We have also restored cuts proposed by the House in CDBG, modernization, and operating subsidies, and redirected available resources toward another urgent aspect of restoring budgetary sanity to this out of control Department: demolish the failed housing developments, and put the rest

on a sound footing to survive the competition and subsidy reductions coming down the pike.

Amid all the debate over the future of HUD, it's important to keep in mind that over 4.8 million families receive Federal housing assistance, and half of them are elderly and disabled. It's also important to note that such housing assistance is expensive. This year HUD will expend \$26 billion for these programs, and costs are rising. In fact with the long-term contractual commitments previously made by HUD, the Government is currently obligated to pay over \$187 billion over the life of these contracts, some stretching out 40 years.

Given the long-term nature of these obligations and commitments, halting the budgetary growth of the Department can only be accomplished with a focused, determined, multiyear effort. Unless we begin now, with this bill, we will lock ourselves into another multi-billion-dollar increment of long-term budget obligations. And this is only a first step, one of many in which we will go beyond the limited fixes and cuts that can be accomplished in a rescission bill. We must enact major reform legislation later this year, but this is a good, and very necessary beginning.

The program reforms and initial reductions contained in the rescission bill are desperately needed to avoid a budgetary train wreck with the Department of Housing and Urban Development. Immediate enactment of this bill, and the enactment of further budgetary and legislative measures to address this crisis later this summer, provide us our best and perhaps only opportunity to avoid the displacement of thousands of low-income families, as well as further deterioration and loss of desperately needed affordable housing stock.

The President criticized a number of specific actions contained in the original conference agreement. Frankly, there are a number of recommendations in the revised measure before us which are even more troubling. But this bill is a compromise, not only between what was originally passed by the House more than 3 months ago and what was worked out in conference 2 months ago on H.R. 1158, but also with what the administration has subsequently demanded. I believe the agreement goes a long way toward minimizing adverse program impacts while increasing our contributions to deficit reduction. The bottom line, however, is that it provides almost \$8.4 billion in deficit reduction while protecting funding for activities critical to our Nation's veterans, investments in science and technology, the environment, and to meet the housing needs of lower income families.

For example, the rescission agreed to for national service was cut in half to \$105 million. While many of us are dubious of the whole premise of paying people to become volunteers, regardless of their financial resources, and we

have heard of instances where excessive payments have been made, the conferees decided to hold this program closer to the funding level established for fiscal year 1994. I might add that the rescission is only a quarter of the original House-passed rescission of \$416 million. The GAO is completing its report on the cost of this program which appears to confirm many of the concerns some of us have expressed. This report will serve as an important new factor in our consideration of funding for this program for fiscal year 1996.

In the case of housing for AIDS victims, the current rescission totals only \$15 million, a small fraction of \$186 million included in the House bill. Moreover, the rescission provides an increase in funding over the level requested by the President for this fiscal year.

The bill includes \$6.6 billion requested by the President for the disaster relief fund. This will enable FEMA to respond to needs in California resulting from the Northridge earthquake and disasters in other States, and to meet emergency needs arising out of the terrorist bombing in Oklahoma City and flooding in the Midwest.

Mr. President, I would also note that the bill contains \$5 million requested by the administration to enable FEMA to initiate flood mitigation activities authorized by the National Flood Insurance Reform Act of 1994. So this bill not only provides the resources to help flood victims recover from these disasters, but we are also taking steps to help avoid such flood damage in the future.

The bill also rescinds \$81 million from the Department of Veterans Affairs, including \$50 million from excess personnel costs and \$31 million from excess project reserves. This rescission will not impact VA's ability to provide patient care in any way. The rescission to personnel costs does not affect staffing. Simply, VA's budget included \$50 million more than they now estimate they need to pay salaries. Despite the assertion in the President's previous statement, no funding is being rescinded for medical equipment needs of VA hospitals and clinics.

In terms of the construction account, funds are rescinded from projects which are costing less than what was originally appropriated. Rescinding the funds ensures more careful management of the VA construction budget.

This measure rescinds a total of \$1.3 billion from EPA. Of the total, \$1.1 billion is rescinded from the drinking water State revolving fund. Because this program has not been authorized, EPA has been unable to obligate the funds. While I support the need for this program, until it is authorized no funds may be spent. The rescission bill leaves \$225 million for the drinking water State revolving fund should authorizing legislation be enacted.

Within the Superfund Program, \$100 million is rescinded. Because EPA fails to obligate on average \$100 million in

Superfund appropriations each year, this rescission is not expected to have a dramatic effect on program activities. On the other hand, it is intended to slow program spending pending enactment of major reform legislation which will likely change the scope and nature of cleanup activities previously planned.

This measure contains number of legislative provisions impacting EPA programs including the automobile inspection and maintenance program to ensure EPA is flexible in reviewing States' plans for I/M programs and considers assigning additional credits for effective decentralized programs.

Also included are two key EPA reforms: first, a moratorium on new Superfund site listings for the balance of this fiscal year, unless requested by the Governor or unless reauthorization legislation is enacted, and second, a prohibition on EPA from enforcing vehicular trip reduction programs.

Mr. President, this compromise bill is a good one. Rescissions for programs under the jurisdiction of the VA, HUD, and Independent Agencies Subcommittee total \$8.4 billion. The contribution toward deficit reduction is \$1.5 billion more than the level originally passed by the Senate, but is \$900 million less than that passed by the House. It is a compromise, but one which fairly balances the differing priorities of the two Houses and still maintains funding for critical activities.

Mr. President, this bill must be enacted without further delay to assure timely delivery of assistance to disaster victims in 41 States, including my own, as well as the Federal response in Oklahoma City. Perhaps equally important, immediate enactment of this measure is absolutely critical to beginning the process of expenditure reduction to prevent widespread disruption and dislocations as we enact the legislation necessary to bring the Federal budget back into balance in 7 years. We must eliminate this spending before Federal agencies obligate even more of the funds we have identified for rescission, making the task of saving money in low priority programs even more difficult.

This is a responsible bill. It cuts funding and contributes to deficit reduction. It provides emergency funding which is urgently needed to assist victims of disasters. It makes long overdue reforms and corrections in programs which need fixing. And this bill needs to be enacted without further delay. I urge its adoption.

Mr. HATFIELD. Mr. President, I ask unanimous consent that a letter addressed to the Democratic leader, which is identical to the letter sent to the Republican leader, from Alice Rivlin indicating the administration's full support for the bill as it was passed by the House, be printed in the RECORD.

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

EXECUTIVE OFFICE OF THE PRESIDENT, OFFICE OF MANAGEMENT AND BUDGET,

Washington, DC, July 21, 1995.

Hon. THOMAS DASCHLE, Minority Leader, U.S. Senate, Washington, DC.

DEAR MR. LEADER: The purpose of this letter is to provide the Administration's views on H.R. 1944, the emergency supplemental and rescission bill. The Administration supports H.R. 1944, as it passed the House.

H.R. 1944 provides an important balance between deficit reduction and providing funds to meet emergency needs. This legislation provides essential funding for FEMA Disaster Relief, for the Federal response to the bombing in Oklahoma City, for increased anti-terrorism efforts, and for providing debt relief to Jordan in order to contribute to further progress toward a Middle East peace settlement. H.R. 1944 reduces Federal spending by \$9 billion.

The Senate is urged to pass H.R. 1944, as it passed the House. With only ten weeks remaining in the fiscal year, it is essential that this legislation be presented to the President as soon as possible. Therefore, the Administration opposes any amendments to the bill.

Sincerely,

ALICE M. RIVLIN, Director.

Mr. HATFIELD. Mr. President, I ask for the yeas and nays on final passage.

The PRESIDING OFFICER (Mr. KYL). Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. Under the previous order, the clerk will read the bill for the third time.

The bill (H.R. 1944) was ordered to a third reading, and was read for the third time.

The PRESIDING OFFICER. Under the previous order, the question occurs on the passage of H.R. 1944. On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. LOTT. I announce that the Senator from Missouri [Mr. ASHCROFT], and the Senator from North Carolina [Mr. FAIRCLOTH] are necessarily absent.

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 who desire to vote?

The result was announced—yeas 90, nays 7, as follows:

[Rollcall Vote No. 321 Leg.]

YEAS—90

Abraham	Cohen	Gramm
Akaka	Conrad	Grams
Baucus	Coverdell	Grassley
Bennett	Craig	Gregg
Biden	D'Amato	Harkin
Bingaman	Daschle	Hatch
Bond	DeWine	Hatfield
Boxer	Dodd	Heflin
Bradley	Dole	Helms
Breaux	Domenici	Hollings
Brown	Dorgan	Hutchison
Bryan	Exon	Inhofe
Bumpers	Feingold	Jeffords
Burns	Feinstein	Johnston
Byrd	Ford	Kassebaum
Campbell	Frist	Kempthorne
Chafee	Glenn	Kerrey
Coats	Gorton	Kerry
Cochran	Graham	Kohl

Kyl	Murkowski	Santorum
Lautenberg	Nickles	Shelby
Leahy	Nunn	Simpson
Lieberman	Packwood	Smith
Lott	Pell	Snowe
Lugar	Pressler	Specter
Mack	Pryor	Stevens
McCain	Reid	Thomas
McConnell	Robb	Thompson
Mikulski	Rockefeller	Thurmond
Moynihan	Roth	Warner

NAYS—7

Kennedy	Murray	Wellstone
Levin	Sarbanes	
Moseley-Braun	Simon	

NOT VOTING—3

Ashcroft	Faircloth	Inouye
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So, the bill (H.R. 1944) was passed.

Mr. LEAHY. Mr. President, the Senate passed a rescission bill today that I wish was not needed. Unfortunately, too often disasters like the California earthquake and the Oklahoma City bombing occur that we cannot foresee or prevent. Those events are tragedies, and we must do what we can to assist the victims.

But there is another disaster that made this bill necessary—a disaster we could have stopped, one that will affect every American for years to come. That disaster is the Republican's budget resolution. There is not a Member of this Congress that doesn't want to balance the Federal budget, but there is a right way and a wrong way to do it. The budget resolution passed by Congress tries to right 30 years of overspending with 7 years of draconian cuts to Medicare, Medicaid, education, affordable housing, heating assistance, and just about every program hard-working American families depend upon.

This was not a bipartisan budget resolution. Republicans rejected President Clinton's more moderate approach. I voted against that resolution. Unfortunately, not enough Senators joined me to block this disastrous budget that has created the need for the cuts we are making today.

In April, I came to the Senate floor to vote against H.R. 1158, the earlier rescission bill that focussed its cuts on the poor, the hungry, and on our children. I said then that I hoped Republicans and Democrats could find a way to work together to develop a bipartisan bill that balanced those cuts more evenly. We have done that, and I believe the bill we have passed today is more equitable than the rescission bill that I voted against a few months ago.

The cuts to education programs, to AmeriCorps, and to programs fighting drug use in our schools and communities, have been reduced. To offset those cuts, administrative costs for the Federal Government were trimmed.

This is not a perfect bill. I am deeply concerned about many of the cuts included in the rescission package, most importantly the cut of \$319 million to the Low-Income Home Energy Assistance Program [LIHEAP]. I fought to restore funding to LIHEAP in the original Senate rescission bill, and I have continued to oppose cuts to this

important program as the House and Senate worked on a compromise.

This cut will hurt Vermonters who cannot afford to heat their homes during our long New England winters. I do not believe that most Americans would choose to let those people freeze so that the budget can be balanced in 7 years as opposed to 10, or so that wealthy Americans can get a bigger tax break next year. Certainly I would not.

I am also extremely disappointed with a timber provision, pushed through by special interests, that could be devastating to our Nation's forests. There is no justification for this timber legislation. It is a gift to special interest, powerful PAC money, and the champions of misinformation. The letter I will include for the RECORD makes this clear.

I commend Senator MURRAY for the work she has done to establish a sustainable forest-based economy in the State of Washington, while creating 3,500 new jobs in the lumber, wood manufacturing, and paper industries. I applaud her for having the courage to stand up to this backdoor attempt to weaken the laws protecting our forests without hearings, without committee mark-ups, without public participation, or open floor debate. I hope that this is not an indication of the way this Congress intends to address our environmental laws. The American people did not vote for that kind of change, and they will not stand for it any more than I will.

I voted for this rescission bill today—not because it is a good bill, but because it is a necessary bill. It is necessary to pay for the disasters in California, in Oklahoma, and for the disaster that the Republicans have created with their budget resolution.

REGARDING THE NATIONAL BANKRUPTCY REVIEW COMMISSION

Mr. GRASSLEY. I would like to congratulate my colleagues, Senator HATFIELD, the chairman of the Senate Finance Committee, and Senator BYRD, the ranking member of the committee, for the hard work they have put toward resolving the differences in this bill. I hope that the passage of this bill will help to put this country on her way back to a balanced budget. Included in the bill is the appropriation for funding for the National Bankruptcy Review Commission. This Commission was established pursuant to enactment of the Bankruptcy Reform Act of 1994 which both the House and Senate passed unanimously. I wish to ask my distinguished colleague from Alabama to clarify a few issues regarding that Commission, since he managed the authorizing legislation last session. First, is it not correct that pursuant to section 608 of the act, the 2-year period for submitting its report should be based on the date on which the first meeting is held.

Mr. HEFLIN. The Senator is correct. Although the language in the act envisions that the first meeting of the

Commission would take place within 210 days of enactment of the act. It is clear that first meeting as well as the actual 2-year duration of the Commission should be based on the date on which the first formal meeting, is held. This is the practical effect of the budgeting process, to which the Commission is bound.

Mr. GRASSLEY. We are all bound by the budgeting process and must adjust our actions accordingly. I have one other question for my colleague, regarding the Commission membership requirements. I understand that the membership provision of the Commission was intended to preclude from continued membership a person who had been appointed to that position due to his or her capacity as an officer or employee of a government. Would the Senator from Alabama explain to me who this provision is meant to preclude from membership on the Commission?

Mr. HEFLIN. I will be happy to help to clear up any questions which may have been raised regarding membership on the Commission. It is my understanding that this provision is intended to preclude from continued membership on the Commission those Commissioners who are appointed based solely on the capacity of the governmental office for which they hold. If that Commissioner should leave the governmental position during their term then they can no longer serve on the Commission.

#### MILITARY CONSTRUCTION APPROPRIATIONS, 1996

The PRESIDING OFFICER. The clerk will report the underlying pending business, H.R. 1817.

The legislative clerk read as follows:

A bill (H.R. 1817) making appropriations for military construction, family housing, and base realignment and closure for the Department of Defense for the fiscal year ending September 30, 1996, and for other purposes.

The Senate continued with the consideration of the bill.

Mr. BURNS. Mr. President, as soon as we can get order, I will ask unanimous consent that the chairman of the full Appropriations Committee be recognized.

AMENDMENT NO. 1834

The PRESIDING OFFICER. The question occurs on amendment No. 1834 offered by the Senator from New Mexico. Under the previous order, there will be 4 minutes of debate equally divided prior to the vote on the motion to table the amendment.

Mr. HATFIELD. Mr. President, I would like to propound a unanimous-consent request.

The PRESIDING OFFICER. The Senator from Oregon.

#### APPOINTMENT OF CONFEREES— H.R. 1854

Mr. HATFIELD. Mr. President, I will propound a unanimous-consent agree-

ment on the legislative appropriations bill that we passed last night.

I ask unanimous consent that the Senate insist on its amendments to H.R. 1854, request a conference with the House on the disagreeing votes of the two Houses thereon, and that the Chair appoint conferees.

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

The Presiding Officer (Mr. KYL) appointed Mr. MACK, Mr. BENNETT, Mr. HATFIELD, Mrs. MURRAY, and Ms. MIKULSKI conferees on the part of the Senate.

The PRESIDING OFFICER. Who yields time?

Mr. PACKWOOD addressed the Chair.

Mr. BURNS. I yield to the Senator from Oregon for the purpose of an announcement.

#### ANNOUNCEMENT OF COMMITTEE MEETING

Mr. PACKWOOD. Mr. President, the Finance Committee has not yet had its hearing of Lawrence Summers to be Under Secretary of the Treasury. We will be convening the Finance Committee as soon as the last vote is over. I would appreciate it if Members can get there reasonably promptly. It is a controversial nomination. I hope it will not take a long time. We will be taking it up at about a quarter to 1, whenever we finish with the vote. I thank my friend from Montana.

#### MILITARY CONSTRUCTION APPROPRIATIONS, 1996

The Senate continued with the consideration of the bill.

Mr. BURNS. Mr. President, I think we have 4 minutes equally divided. I yield 1 minute to the Senator from Idaho, [Mr. KEMPTHORNE].

The PRESIDING OFFICER. The Senator is recognized.

Mr. KEMPTHORNE. Mr. President, I rise in opposition to the Bingaman amendment. During a hearing before the Armed Services Committee earlier this year, Defense Secretary Bill Perry testified that under the present budget, it will take over 50 years to renovate many of the family housing units currently in use by the armed services of America. We know we are falling behind in readiness. The military construction projects that will be canceled by the proposed amendments will help address these quality-of-life and readiness problems.

We have just gone through three difficult rounds of the base closure process. The bases and the facilities that have survived are the keepers. We need to make investments to maintain the infrastructure that literally serves as the foundation of our armed services. Therefore, Mr. President, I urge my colleagues to vote to table the Bingaman amendment.

Mr. REID. Mr. President, I yield 1 minute to the Senator from Kentucky.

Mr. FORD. Mr. President, I join my cochairman of the State National

Guard Caucus, Senator BOND of Missouri, and our colleagues in opposing the Bingaman amendment. The military construction funds this amendment seeks to delete are not frivolous. They are necessary to the very backbone of our military.

In my State alone, these funds go to build barracks to move our soldiers out of the World War II clapboard barracks. Why is it not a Pentagon priority to replace these barracks and provide a better quality of life for our soldiers?

The citizens of this country are well aware of the military drawdown in this country, but they have not asked our young men and women to stop volunteering their services, whether it be full-time active duty or part time as a reservist or guardsman.

Mr. President, I have watched them leave our communities, and many of them do not come back. I watched the best surgeons in my State and scrub nurses go to the Persian Gulf, and they did their job. Let us not turn our back on these people now. Vote to table this amendment.

The PRESIDING OFFICER. The Senator from New Mexico has 2 minutes.

Mr. BINGAMAN. Mr. President, first, I ask unanimous consent that Senator FEINGOLD be added as a cosponsor on the amendment.

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

Mr. BINGAMAN. I yield 1 minute to my colleague from Arizona, who is also a cosponsor.

Mr. MCCAIN. Mr. President, the fact is that these are nice projects. They are in the 5-year plan of the Pentagon, but they are not required at this time. There is simply additional spending that is not necessary. There are far higher priorities for us to be able to meet our national security challenges than adding money for military construction at this time. They are good projects. They are not needed at this time, and if we are going to spend \$300 million additionally, I could find seven other areas that are much higher in priority than this one. If we are going to show some fiscal responsibility, we ought to start now.

Mr. BINGAMAN addressed the Chair.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. BINGAMAN. Mr. President, we are spending extra time voting on this amendment since we just voted to rescind \$16.4 billion in domestic spending. I think that was a courageous vote; it was a hard choice.

What this amendment that we are now considering does is it says that we will allow \$474 million of add-ons to military construction, but we will not allow an additional \$300 million above that. This is not a question of funding the National Guard. There is plenty of money in this bill to fund the National Guard needs. This is not a question of family housing. There is plenty of money in this bill to fund the family housing needs of the military.

What we are saying is deficit reduction has to matter, even when you are