

those bills to benefit some. The question is, Why would the President not have the line-item veto if all of us agree that he should?

Congressman BOB LIVINGSTON, chairman of the House Appropriations Committee, said, "We may not want to give it to this President"—speaking of the line-item veto—"right at the outset, but let's give it to him eventually." Those are his words. We may not want to give the line-item veto to this President at the outset.

Speaker GINGRICH, on February 6, before the House passed the line-item veto, said this:

We have a bipartisan majority that is going to vote for the line-item veto. For those who think this city has to always break down into partisanship, you have a Republican majority giving this to a Democratic President this year without any gimmicks, an increased power over spending which we think is an important step for America, and therefore it is an important step on a bipartisan basis to do it for the President of the United States, without regard to party or ideology.

More recently, he said, "My sense is we won't get to it this year."

There was a fervent debate by those who wanted the line-item veto. Somehow that ardor has cooled. Somehow the line-item veto is less important now.

The Speaker has been on a book tour. There is plenty of time to do that all across America and, apparently, to write two books this year, and to earn a bunch of money. But, apparently, there is not enough time to get to the line-item veto—appoint conferees and get to a line-item veto.

Well, Mr. President, there is an old saying, "You can put your boots in the oven, but that doesn't make them biscuits."

The Speaker can talk about the Contract With America and the line-item veto, but if he is not prepared to appoint conferees so that we can pass a line-item veto, then he continues to stall. I suppose the reason for that is he wants his own spending to be written into these bills, or so you would think from this kind of report—"Gingrich Gets \$200 Million in New Pork."

Well, I hope that we can come to a bipartisan consensus that the House ought to appoint conferees, that the Senate and House should have a conference this week, and that the conference should report back the conference report at the end of this week. That way we can pass the line-item veto.

Tomorrow, I intend to offer a sense-of-the-Senate resolution on the line-item veto to the State Department authorization bill. My amendment would say: It is the sense of the Senate that the Speaker of the House should move to appoint conferees on S. 4 immediately, so that the House and Senate may resolve their differences and we can pass a conference report.

I do not understand what this is all about if it is not dragging your feet to protect more Federal spending that

you want for your district in this bill. I thought we had decided on a bipartisan basis that a line-item veto was good for this country. We voted for it, believed in it, and wanted to give it to this President. I voted for it with Republican Presidents in office and I voted for it again. I would like this President to have it. So I intend tomorrow to offer a sense-of-the-Senate resolution and ask Senators to vote to send a message to the Speaker that if you have plenty of time to run around the country on a book tour, you have time, in my judgment, to appoint conferees.

How do you do it? Simple. Think of the names of a few of your friends and then pick some. That is not rocket science; that is just appointing conferees, which we do every day in the House and Senate.

There will be a bill coming to the floor in a few days that authorizes Defense spending. That bill includes a type of spending that is especially, in my judgment, appropriate for a line-item veto. We have something called star wars in this country. It has a better name now; it is not star wars, or ABM, antiballistic missile defenses; now it is BMD, ballistic missile defense system. That is a new acronym for the same old boondoggle. It is something that costs \$30 or \$40 billion, and it will protect against an adversary that no longer exists. But each one of these missile defense programs has a constituency that somehow seems unable to shut the program down. The Soviet Union is gone. That was the antagonist for which the ABM system was designed. The Soviet Union does not exist anymore. But the people who want to build a star wars program continue to plug away.

They added in the Senate Armed Services Committee \$300 million extra for national ballistic missile defense, and then they said let us essentially change the ABM treaty, abrogate the treaty, No. 1 and, No. 2, let us go for accelerated interim deployment in the year 1999 and final deployment by 2002. Well, this \$300 million is a perfect example of what the President ought to use a line-item veto on.

I intend to offer an amendment on the floor of the Senate to strip this \$300 million out of the Defense authorization bill. It does not make any sense to spend \$300 million we do not have on a project we do not need. This is exactly why this President ought to have a line-item veto. The notion that we do not have enough money for an entitlement for a poor kid to have a hot lunch in school, but we have enough money to stick \$300 million extra in a bill for star wars—I do not know what people are thinking about around here.

So I want to alert my colleagues that I am going to offer an amendment to cut this national missile defense funding. But more generally, this provision is exactly why we need a line-item veto.

MERGERS AND TAKEOVERS

Mr. DORGAN. Mr. President, I noticed this morning that there is a news report out that Disney Corp. is intending, for some \$19 billion, according to the news reports, to purchase Capital Cities/ABC. Now, it would be the second largest takeover in U.S. history if the Disney Corp. purchases Capital Cities/ABC. I am concerned when I hear, day after day and week after week, new proposals—friendly or hostile proposals—to merge America's largest businesses into larger and larger enterprises. We have seen merger mania in this country before, a wave that came and went, but it now seems to be coming again.

You only have to pick up a newspaper these days to see who is buying whom, some with leveraged buyouts, some in hostile takeover proposals, and others simply friendly mergers. But it is inevitably true in this country that when two corporations become one larger corporation, especially in multibillion-dollar deals, it impedes competition.

You have less competition in this country as you have more concentration. Nobody seems to care very much about it. We have a thousand attorneys working in the Federal Government on antitrust issues. Under the leadership of Anne Bingaman down at Justice, they are more active now, and I salute them for that.

We need to get more and more active to make sure that these mergers are in the public interest. We need to ensure that a decision by two corporations to combine to make a larger corporation, and grab a larger market share, does not impede the competition that drives the free market system.

I have a list of the large proposals for mergers just in the last week and months, large financial institutions, large manufacturing institutions. Frankly, I think we in the Congress ought to take a close look at this practice. I intend to ask the committees of jurisdiction to do that.

If a person goes downtown and buys a shirt or a blouse at a department store, you will be required to pay a sales tax, a tax for the transaction. I, personally, think we ought to have a fee that is supplied to those who want to buy corporations.

We had a \$25 billion acquisition several years ago in which KKR purchased Philip Morris. I think they should have paid a fee. That fee ought to be used as a resource bank of funds for investment capital for small businesses. When big businesses combine and provide less competition and more concentration, we ought to get a fee from that that is used as seed money and seed capital for small businesses, which represent the development of more competition.

I hope that in the coming weeks we will be able to discuss this in relevant committees. I do not have any notion about what the proposed merger between Disney and Capital Cities/ABC is

all about. I do not know whether it is good or bad. I say when we see, day after day, week after week, more and more megamerge proposals in this country for large corporations to combine to become larger, inevitably it cuts away at this country's free enterprise system, because this system works based on competition. Concentration means less competition. It is something we ought to be concerned about and ought to care about.

ACTION NEEDED ON LINE-ITEM VETO

Mr. DORGAN. Mr. President, finally, I hope this week we can get the Speaker of the House to appoint conferees, have a conference and get a conference report, and get a line-item veto in the hands of this President. Again, if we have time for book tours and writing books and doing a lot of other things, we ought to have time, it seems to me, to be able to pick a few friends to be on a conference committee and be serious about the things many Members of Congress campaigned on.

If they believe in a line-item veto, let us decide to give that to this President right now and see if we cannot cut some of the pork in the appropriations bills moving through the House and Senate, including all kinds of lard now stuck to these bills for the districts of folks who have been bellowing the loudest about the problems of Federal spending. The problems of Federal spending seem to stop when this is their district and their appropriations bill, and it also seems to stop when it comes to getting serious about sending to this President a line-item veto that would be put in the hands of this President. I yield the floor.

ENERGY AND WATER DEVELOPMENT APPROPRIATIONS, 1996

The PRESIDING OFFICER. Under the previous order, the Senate will now proceed to consideration of H.R. 1905, which the clerk will report.

The assistant legislative clerk read as follows:

A bill (H.R. 1905) making appropriations for energy and water development for the fiscal year ending September 30, 1996, and for other purposes.

The Senate proceeded to consideration of the bill, with amendments; as follows:

(The parts of the bill intended to be stricken are shown in boldface brackets and the parts of the bill to be inserted are shown in *italic*.)

H.R. 1905

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 1996, for energy and water development, and for other purposes, namely:

TITLE I

DEPARTMENT OF DEFENSE—CIVIL DEPARTMENT OF THE ARMY CORPS OF ENGINEERS—CIVIL

The following appropriations shall be expended under the direction of the Secretary of the Army and the supervision of the Chief of Engineers for authorized civil functions of the Department of the Army pertaining to rivers and harbors, flood control, beach erosion, and related purposes.

GENERAL INVESTIGATIONS

For expenses necessary for the collection and study of basic information pertaining to river and harbor, flood control, shore protection, and related projects, restudy of authorized projects, miscellaneous investigations, and, when authorized by laws, surveys and detailed studies and plans and specifications of projects prior to construction, **[\$129,906,000]** *\$126,323,000*, to remain available until expended, of which funds are provided for the following projects in the amounts specified:

[Norco Bluffs, California, \$375,000;
[Indianapolis Central Waterfront, Indiana, \$2,000,000;
[Ohio River Greenway, Indiana, \$1,000,000;
and
[Mussers Dam, Middle Creek, Snyder County, Pennsylvania, \$300,000]
Norco Bluffs, California, \$375,000;
Indianapolis Central Waterfront, Indiana, \$1,000,000;
Kentucky Lock and Dam, Kentucky, \$2,500,000; and
West Virginia Port Development, West Virginia, \$300,000.

CONSTRUCTION, GENERAL

For the prosecution of river and harbor, flood control, shore protection, and related projects authorized by laws; and detailed studies, and plans and specifications, of projects (including those for development with participation or under consideration for participation by States, local governments, or private groups) authorized or made eligible for selection by law (but such studies shall not constitute a commitment of the Government to construction), **[\$807,846,000]** *\$778,456,000*, to remain available until expended, of which such sums as are necessary pursuant to Public Law 99-662 shall be derived from the Inland Waterways Trust Fund, for one-half of the costs of construction and rehabilitation of inland waterways projects, including rehabilitation costs for the Lock and Dam 25, Mississippi River, Illinois and Missouri, Lock and Dam 14, Mississippi River, Iowa, Lock and Dam 24, Mississippi River, Illinois and Missouri, and GIWW-Brazos River Floodgates, Texas, projects, and of which funds are provided for the following projects in the amounts specified:

[Red River Emergency Bank Protection, Arkansas and Louisiana, \$6,600,000;
[Sacramento River Flood Control Project (Glenn-Colusa Irrigation District), California, \$300,000;
[San Timoteo Creek (Santa Ana River Mainstem), California, \$5,000,000;
[Indiana Shoreline Erosion, Indiana, \$1,500,000;
[Harlan (Levisa and Tug Forks of the Big Sandy River and Upper Cumberland River), Kentucky, \$12,000,000;
[Williamsburg (Levisa and Tug Forks of the Big Sandy River and Upper Cumberland River), Kentucky, \$4,100,000;
[Middlesboro (Levisa and Tug Forks of the Big Sandy River and Upper Cumberland River), Kentucky, \$1,600,000;
[Salyersville, Kentucky, \$500,000;
[Lake Pontchartrain and Vicinity (Hurricane Protection), Louisiana, \$11,848,000;

[Red River below Denison Dam Levee and Bank Stabilization, Louisiana, Arkansas, and Texas, \$3,800,000;

[Broad Top Region, Pennsylvania, \$4,100,000;

[Glen Foerd, Pennsylvania, \$200,000; and
[Wallisville Lake, Texas, \$5,000,000]

Homer Spit, Alaska, repair and extend project, \$3,800,000;

McClellan-Kerr Arkansas River Navigation System, Arkansas, \$6,000,000: Provided, That \$4,900,000 of such amount shall be used for activities relating to Montgomery Point Lock and Dam, Arkansas;

Red River Emergency Bank Protection, Arkansas and Louisiana, \$6,600,000;

Sacramento River Flood Control Project (Glenn-Colusa Irrigation District), California, \$300,000;

Winfield, Kansas, \$670,000;

Harlan (Levisa and Tug Forks of the Big Sandy River and Upper Cumberland River), Kentucky, \$12,000,000;

Williamsburg (Levisa and Tug Forks of the Big Sandy River and Upper Cumberland River), Kentucky, \$4,100,000;

Middlesboro (Levisa and Tug Forks of the Big Sandy River and Upper Cumberland River), Kentucky, \$1,600,000;

Salyersville, Kentucky, \$500,000;

Lake Pontchartrain and Vicinity (Hurricane Protection), Louisiana, \$11,838,000;

Ouachita River Levees, Louisiana, \$2,300,000;

Red River below Denison Dam Levee and Bank Stabilization, Louisiana, Arkansas, and Texas, \$2,000,000;

Roughans Point, Massachusetts, \$710,000;

Ste. Genevieve, Missouri, \$1,000,000;

Broad Top Region, Pennsylvania, \$2,000,000;

Glen Foerd, Pennsylvania, \$200,000;

Wallisville Lake, Texas, \$5,000,000;

Hatfield Bottom (Levisa and Tug Forks of the Big Sandy River and Upper Cumberland River), West Virginia, \$200,000; and

Upper Mingo (Levisa and Tug Forks of the Big Sandy River and Upper Cumberland River, West Virginia, \$2,000,000: Provided, That the Secretary of the Army, acting through the Chief of Engineers, shall transfer \$1,120,000 of the Construction, General funds appropriated in this Act to the Secretary of the Interior and the Secretary of the Interior shall accept and expend such funds for performing operation and maintenance activities at the Columbia River Fishing Access Sites to be constructed by the Department of the Army at Cascade Locks, Oregon; Lone Pine, Oregon; Underwood, Washington; and the Bonneville Treaty Fishing Access Site, Washington.

FLOOD CONTROL, MISSISSIPPI RIVER AND TRIBUTARIES, ARKANSAS, ILLINOIS, KENTUCKY, LOUISIANA, MISSISSIPPI, MISSOURI, AND TENNESSEE

For expenses necessary for prosecuting work of flood control, and rescue work, repair, restoration, or maintenance of flood control projects threatened or destroyed by flood, as authorized by law (33 U.S.C. 702a, 702g-1), \$307,885,000, to remain available until expended.

OPERATION AND MAINTENANCE, GENERAL

For expenses necessary for the preservation, operation, maintenance, and care of existing river and harbor, flood control, and related works, including such sums as may be necessary for the maintenance of harbor channels provided by a State, municipality or other public agency, outside of harbor lines, and serving essential needs of general commerce and navigation; surveys and charting of northern and northwestern lakes and connecting waters; clearing and straightening channels; and removal of obstructions to navigation, **[\$1,712,123,000]** *\$1,696,998,000*, to remain available until expended, of which such sums as become available in the Harbor Maintenance Trust Fund,