

Clinton is playing games. He is misleading the American people.

This year the Congress, in a bipartisan fashion, cut its own spending by nearly 9 percent. A cut of this magnitude has not occurred in 40 years, I might say, the last time the Republicans controlled the Congress.

The legislative branch bill has not been vetoed since 1920. Let me outline a couple of the specifics about what we have done: An overall reduction of \$206 million; reduction of Senate committee budgets by 15 percent; elimination of the Office of Technology Assessment; a 2-year, 25-percent reduction in the budget of the General Accounting Office.

This is part of what the President had to say today:

[The Congress] is way behind schedule on virtually every budget bill . . . but one bill, wouldn't you know, is right on schedule—the bill that funds the Congress, its staff, and its operations. I don't think Congress should take care of its own business before it takes care of the people's business.

If you listen to that statement, there is an implication there that they have increased spending in the legislative branch. This is one of the most misleading statements that I have heard.

The President likes to talk about common ground and solving the fiscal crisis responsibly, but when it comes to spending cuts he is totally absent. We are leading by example. Candidate Clinton is leading by rhetoric. It is disappointing and bodes poorly for finding the common ground he claims to embrace.

We hear a lot of talk about a train wreck coming in October. President Clinton likes to talk about avoiding it. But when it comes time for demonstrating good faith, President Clinton takes a walk and candidate Clinton comes into play. It may make good politics, but President Clinton is not being served well by candidate Clinton, and neither are the American people.

The American people elected us to cut spending. We are doing it, and Bill Clinton is standing in the way.

I yield the floor.

#### ENERGY AND WATER DEVELOPMENT APPROPRIATIONS

The Senate continued with the consideration of the bill.

AMENDMENT NO. 2057

Mr. DORGAN. Mr. President, am I correct that amendment 2057 is now pending?

The PRESIDING OFFICER. That is correct.

Mr. DORGAN. Mr. President, I offer this amendment for myself, and Senators KOHL, BREAUX, FORD, ROBB, BRADLEY, WELLSTONE, and HARKIN.

Mr. President, if you will notify me when I have used 3 minutes, I would appreciate that.

This is a very simple amendment. Many of us feel that the President—any President—ought to have a line-item veto. I voted for the line-item

veto when President Bush was in office and when President Reagan was in office, and I have voted for the line-item veto now that President Clinton is in the office of the Presidency.

On February 6, the U.S. House passed a line-item veto bill. The next month, on March 23, the U.S. Senate passed a line-item veto bill. A great amount of time has intervened, and there has not even been a conference. The House has not even appointed conferees.

Many of us feel that a line-item veto is a good policy, that it will help in reducing the deficit, that it will certainly help in trying to take out, from some of the legislation that moves through the Congress, special projects that have not previously been authorized or heard or substantially discussed. Many of us believe that we ought to see a line-item veto conference report passed by the House and the Senate and given to this President before the appropriations bills hit his desk and before the reconciliation bill comes to this President.

If a line-item veto is good policy—and, indeed, in my judgment it is—then it seems to me that the Speaker of the other body ought to appoint conferees. Let us have a conference, let us pass the conference report, and let us give this President the line-item veto to be able to use it to reduce the Federal deficit.

I do not understand why this is not a matter of high priority for a House that on February 6 passed a line-item veto bill but now in August has not even been able to find time to appoint conferees. This amendment is very simple. It explains what I have just said, and it says it is the sense of the Senate that the Speaker of the House should move to appoint conferees on S. 4 immediately—that is, the line-item veto bill—so that the House and the Senate may resolve their differences on this important legislation. I at least believe that the line-item veto in the hands of this President—any President—makes sense in terms of public policy, and I hope he has the line-item veto before the appropriations bills and the reconciliation bill come to his desk.

That is the purpose of this amendment.

Mr. President, let me yield 3 minutes to the Senator from Wisconsin, Senator KOHL, who is a cosponsor.

The PRESIDING OFFICER. The Senator from Wisconsin is recognized.

Mr. KOHL. Thank you very much.

Mr. President, I am an original cosponsor of this bill, and I believe very strongly that it can be a very useful, in fact, perhaps decisive tool in order to avoid the budget impasse and a breakdown of the whole process, in order for us to avoid having the kind of a "train wreck" that will not allow us to pass a budget come this fall.

It was in the Contract With America. Not only Democrats but also Republicans are very supportive of the line-item veto. And there is a suspicion

that the only reason we are not going to pass it right now is because we have a Democrat in the White House instead of a Republican. That is not the way to conduct budget policy in this country. That is the way to conduct politics. I think it is the kind of Government that the American people are sick and tired of. They do not want to see a continuation of it. They are supportive in overwhelming numbers of the line-item veto. It is something that we can do. It is something that will contribute to an effective budget come this fall.

I think we are all winners. There are no losers if we pass the line-item veto.

So I support this amendment by the Senator from North Dakota. I think that we, as a body, should encourage the House to appoint their conferees so that we can resolve the minor differences between the House and the Senate on the line-item veto and get on with the important work in behalf of the American people.

Mr. President, as I said, I am an original sponsor of the pending sense-of-the-Senate amendment, and it states simply that the House of Representatives should move to appoint conferees on S. 4, the line-item veto bill, and that we should not send appropriations bills to the President until we pass line-item veto legislation.

It may seem odd to see two Democratic Senators calling for action on the line-item veto, one of the most popular plans in the Contract With America. But as long time supporters of the line-item veto, we are unhappy that such an important tool for budget discipline has apparently been lost in the bog of balanced budget politics.

We ought to move the line-item veto legislation because it is a tool that can trim the fat of Government and highlight the spending choices that must be made if we are going to balance the budget. We ought to move the line-item veto legislation now because it is a tool that could save us from the budget impasse that we may be facing.

Many now speculate about the coming budget train wreck. The President has already threatened to veto six of the appropriations bills passed by the House. Veto override vote counts are taking place on a tax bill that hasn't even been drafted. And White House Chief of Staff Panetta is drawing up plans for the anticipated shut down of the Government at the beginning of the fiscal year.

It does not have to happen this way, and it should not happen this way.

The 104th Congress could be remembered as the Congress where balanced budget changed from a slogan to the status quo. The House passed a balanced budget constitutional amendment; the Senate is one vote away from doing so.

The Republican majority passed a Budget Resolution that balances the budget. The Democrats proposed an alternative that does the same, and a vast majority of our party voted for it. The President has his own balanced

budget plan on the table. No longer is the debate over whether we should balance the budget—we are now talking about how we will balance the budget.

This remarkable change in business-as-usual could all be lost if the debate shifts away from budget priorities and toward budget politics. Passing the line-item veto is one way to stop that from happening.

If the President has the line-item veto, he does not have to shut down whole agencies because he disagrees with one or two riders in the bills that fund those agencies. He can line-item veto out the pork or the politics and send just those items back to Congress for further debate. No unnecessary show down—just a straightforward debate on spending priorities.

Similarly, if the President has the line-item veto, he doesn't have to veto an entire tax bill because he objects to specific items. He can line-item veto his objections, send them back to Congress for another vote, and again force a clear national debate on spending priorities.

Balancing the budget means hard choices about where taxpayer dollars should go and should not go. It is debate about what we are as a nation and what we will become. It is a serious debate—not one that ought to disintegrate into a chaotic Government shut down. Giving the President line-item veto will focus the debate on priorities and away from political points.

So I urge my colleagues to support this amendment and send a strong message to the House: Pass the line-item veto that was in the Contract With America. Pass the line-item veto that passed the House and the Senate. Don't let budget politics keep us from doing what most of us believe is good budget policy. Give the President the line-item veto.

I thank the Chair. I yield the floor.

The PRESIDING OFFICER. Who yields time?

Mr. COATS addressed the Chair.

The PRESIDING OFFICER. The Senator from Indiana.

Mr. COATS. Mr. President, I yield 5 minutes to the Senator from Arizona.

The PRESIDING OFFICER. The Senator from Arizona is recognized.

Mr. McCAIN. Mr. President, I want to thank the Senator from North Dakota for bringing this amendment to the floor.

There is no doubt that many people are surprised that, after describing the line-item veto along with a balanced budget amendment as the crown jewels of the Contract With America, we still have not had a single conference on the bill, the line-item veto.

The House passed it, I believe, in January and the Senate in February. Recently, there have been indications that the House would appoint conferees after their recess begins, which, of course, would preclude any mention of a full conference until after the August recess. And there has been no meeting of the conferees that have been appointed on the line-item veto.

I think maybe for a change we ought to talk about reality here, Mr. President; that is, there are significant forces afoot who do not want the line-item veto sent to the President's desk until after the 13 appropriations bills are dispensed with. I do not agree with that.

For 8 years that I have come to the floor of this body in support of the line-item veto, I said that I would support the line-item veto whether it was a Democrat or a Republican in the White House. I think it is wrong of us to delay. But I am afraid it is going to be delayed, and I believe that it is wrong of us to do so.

Senator COATS and I were often accused—and we brought this bill up time after time—of saying, well, you would support this bill only if there was a Republican in the White House. We steadfastly maintained that was not the case. I still maintain that is not the case. I urge my colleagues to make every effort they can to see that conferees are appointed.

Mr. President, I want to point out one other aspect of this issue; that is, that it has been said that there are significant differences between the Senate-passed and the House-passed bill. Yes, that is true, but it is mainly in the vehicle. The fundamental aspect of the line-item veto that takes a two-thirds vote to override a Presidential veto is there.

I do not think there is any doubt that Senator COATS and I would be more than willing to accommodate the House in practically whatever desires they may have, especially since the House version more closely resembles our original proposal than that which finally emerged from the U.S. Senate.

Mr. President, speaking as a Member of this body from this side of the aisle who for 12 years has been involved in this issue, I think we are doing a great disservice to the American people in the things we promised them last November—we Republicans promised them last November—by delaying final passage of this very, very significant change in the way that the Government in Washington does business. It is supported by 73 percent of the American people.

Therefore, I am grateful that the Senator from North Dakota has brought this bill up. I want to assure him that I and the Senator from Indiana and others will continue to do everything in our power to see that this bill is moved along. Very frankly, if someone accuses us of dragging our feet on this issue, there is some legitimacy to that accusation, and I regret very much to have to admit that on the floor of the Senate.

Mr. President, I yield the remainder of my time.

Mr. DORGAN. Mr. President, I yield 3 minutes to the Senator from Louisiana.

The PRESIDING OFFICER. The Senator from Louisiana.

Mr. BREAU. Mr. President, I thank the Senator. I congratulate the Sen-

ator for bringing this to our attention, not only to the Members of this body but hopefully to the Members of the other body, as well as to the attention of the American public.

Do any of us remember the big public display and the big publicity gathering they had on the steps of the Capitol when the Contract With America was announced? There was a huge public display, and it made all the evening news.

One of the key plans in that Contract With America was action to be taken on the line-item veto. What happened to it? Where is it? Where are the conferees from the other body who were willing to sit down and finish this incredibly important part of the contract?

Nineteen Democrats over here voted for it, and Republican colleagues here supported it. The Senate appointed the conferees. We found 18 willing souls to sit down with the other body and work out the differences. Cannot the House find 18 Members who are willing to sit with the Senate, Republican and Democrats, and work out the differences between the House- and Senate-passed bills?

Sometimes what people do in this business, they give a great political speech and then they sort of forget and hope everybody else forgets what they said because this is, in effect, what is happening. They make this great political announcement and pronouncement on the steps of the Capitol that the line-item veto was absolutely essential to Western civilization, and then the House passes it and the Senate passes it and the House will not appoint the conferees.

We can send them 18 names and say, "Here, pick one of these or pick anybody you want to pick. Just pick somebody to sit down and meet with the Senate."

If this was so important and it justified being put in their Contract With America, is it not still important in August to find 18 House Members who can sit down with the Senate and talk with us? Is it that difficult to do? Or is maybe there is another reason? Maybe the reason is that all these appropriations bills are now working their way through the House and the Senate.

I have heard some of them say, "Well, we may do this after we finish with the appropriations bills and they have already been signed."

That is after the fact. The whole purpose of a line-item veto is to say that some items in an appropriations bill should not become the law of the land. And they are saying, "Well, we want to do the appropriations bills first and then maybe sometime next year we will appoint the conferees."

The time is now. The American people do remember what politicians say on the steps of the Capitol, and I suggest that our House conferees should be appointed. We can send them a list and they can pick. We can send them 435 names and just pick 18. It is not that

difficult. Start with A and just go right down the list. When we get 18, stop, send us the names, we have a meeting, and we can work this out. If it is important enough to put in the contract, it is important enough to at least finish the job.

The PRESIDING OFFICER (Mr. INHOFE). Who yields time?

Mr. COATS addressed the Chair.

The PRESIDING OFFICER. The Senator from Indiana.

Mr. COATS. I yield myself 5 minutes.

Mr. President, I wish to join in the commendation of the Senator from North Dakota and support that he has received in bringing forth this resolution. I wish to thank him as well as the Senator from Wisconsin for their support when the issue was before the Senate.

This obviously is an effort which involves the Members from both sides of the aisle because it deals with a very fundamental, important principle, and it is a principle underlying the way in which decisions are made that affect the way in which taxpayers' dollars are spent.

We had what many would consider a historic debate on this issue. This effort to provide the President with line-item veto power had been tried numerous times dating well into the last century, always failing to gain a majority of support in necessary votes in both Houses of the Congress to send to the President for his signature.

We accomplished that goal this year, and it was a historic vote. We fundamentally altered the balance of power between the legislative branch and the executive branch in terms of how dollars are spent. The Congress had forfeited the power that it held, gave it to the executive branch. In doing so, it made the statement and the commitment to the American people that business as usual, that is, attaching unrelated, unnecessary spending items to otherwise necessary appropriations bills, was going to end, or at least we would provide a vehicle to end that practice. We would shed light on that practice. And Members would have to come to the floor and defend the particular item, so-called pork barrel item, that was attached to a particular appropriations bill.

Therefore, what I think the voters have asked of us, that is, that our yeas be yeas and our nays be nays on the specific item in question be cast as a vote in this Chamber, so that we no longer would hide spending from the direct public scrutiny and from the accountability that ought to fall to each of us in terms of where we stood on a particular spending item involving their tax dollars.

So we passed that historic legislation but in two very different forms. The form that the Senate used was a very different form than what the House used. In fact, the House used a form that Senator McCain and I originally had used on a number of occasions. We have led this effort over the last sev-

eral years, coming ever closer to a majority and finally had the breakthrough this year, for which we were grateful. But in doing so, we adopted what many would say is a somewhat convoluted vehicle to deliver the substance of line-item veto.

Reconciling the two differences between the House and the Senate, while it appears on its face to be a very complicated matter, really is not that complicated, because the underlying substance of the legislation is the same. It is simply the vehicle which delivers that substance that is different. Senator McCain and I have said repeatedly that we are willing to negotiate that substance and sit down with our colleagues from the House of Representatives and work out an acceptable vehicle to accomplish that very end.

Now, the House has not yet appointed conferees. The Senate has. Senator McCain and I have urged the leadership in both the Senate and in the House to accomplish this fact. Discussions have been held with the leadership, and I know that the majority leader is committed to moving forward. I know that has been communicated to the House.

Obviously, this is an extraordinary year. Our plates are full as they never have been before. We are dealing with an extraordinary level and degree of complex legislative changes. We are redefining the role of Government. We are redefining how we spend the taxpayers' dollars, and so there is a great deal before us. That has, unfortunately, delayed the process of getting some of these conferences together to resolve some of this legislation that has passed both Houses of the Congress. But we do, I believe, have a commitment from both Houses now to move forward with this legislation, to appoint conferees, to meet as soon as is possible and bring back to both bodies the line-item veto in a form that is acceptable and that can be given to the President for his signature, which I believe he has indicated he would sign.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. COATS. Let me say, Mr. President, if I could ask unanimous consent for 30 seconds, there is no objection to acceptance of the sense-of-the-Senate resolution that has been offered by the Senator from North Dakota. If he is willing to accept that, we do not feel it is necessary to have a vote. Obviously, that is the decision the Senator has to make, but it is perfectly acceptable to our side. It is a good resolution, and I am proud to support it.

Mr. DORGAN. Mr. President, I yield 3 minutes to the Senator from Kentucky.

The PRESIDING OFFICER. The Senator from Kentucky.

Mr. FORD. I thank my friend from North Dakota. Let me compliment him, Senator KOHL, Senator COATS, Senator BREAUX, and Senator McCain for the effort that is being put forth this evening.

I wish to associate myself with the comments that have been made by my

colleagues on both sides of the aisle. As I voted for line-item veto when it passed the Senate, I believe in March, I said I did not like the procedure, and I think my friend from Indiana agreed with that.

The underlying legislation is there. We just need to refine the procedure. And I think it will get there. This is good policy. I used it as Governor of Kentucky, as other Governors have used it. It works. You just line the item, send it to the legislature with a message, and they either approve it or disapprove it. It is good policy. It ought to come sooner than later.

So it is ironic to me that after we have been pounded, if I can use that word, by those on the other side for years now to pass line-item veto, now that we have an opportunity and we have joined together in a bipartisan fashion, we cannot get it done. We cannot arrive at the conference for purely political reasons. They do not want to give this President an opportunity to have the line-item veto as appropriations bills come, as the reconciliation bill comes. Now that we are on the verge of passing this into law, the Speaker says I do not have time to do it. But as we have heard, he can write two books. He can go out on the trail and sell his books. But he does not have time to sit down and pick a handful of friends to get on a conference committee and let us work it out. I think the Speaker should listen to his colleagues on the Senate side of the same party that are sending the same message.

We need to get this done. But, Mr. President, as we try this bipartisan effort, when we talk about everything being bipartisan, we run into a bump. Mr. President, I believe we have finally found who runs the political agenda on Capitol Hill. And that is the Speaker of the House. I yield the floor.

Mr. DORGAN. How much time is remaining?

The PRESIDING OFFICER. Five minutes remaining.

Mr. DORGAN. Let me yield 2 minutes to the Senator from Virginia, Senator ROBB.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. ROBB. Thank you, Mr. President.

I thank my colleague from North Dakota for offering this amendment. I join with others that have already spoken on this particular amendment in support. I particularly want to commend our Republican colleagues, because this is a situation where it might be in their interest to take a little different course of action.

During the time when we had a Republican President and a Democratic majority in the Congress, I took the same position that I do now. I sometimes kidded colleagues on this side of the aisle suggesting that if we were to give this particular request to the then-Republican President of the United States, it might not be a gift that was enjoyed to the extent that remarks might have suggested it would be.

In this particular case, it puts the burden directly on the President to make some of the very difficult decisions that Members of the legislature frequently want to find a way not to have to make. So I strongly encourage colleagues to vote in support of this. And I encourage those in the other body to encourage the Speaker to make those appointments so we can get on with the business. It does not make sense to suggest that it is an amendment that only makes sense if you have a certain majority and a certain party in the Presidency. And I hope that very shortly the Speaker will find time to make these appointments.

Mr. President, I thank the Chair, and I yield the floor.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. What is the status of the time on this amendment?

The PRESIDING OFFICER. The Senator from North Dakota has 3 minutes 19 seconds. And the other side has 5 minutes.

Mr. DORGAN. Mr. President, I intend to use only another minute or so. If the Senator from New Mexico wishes to comment, I would be happy to have him comment. I will ask for 1 minute and then a recorded vote.

Mr. DOMENICI. I yield back our time.

Mr. DORGAN. Let me then use 1 minute and then yield back our time and ask for a recorded vote at the end.

I would like to say that I offer this amendment because I think there are some who have said very strongly that they favor a line-item veto, but they have become lost in the wilderness somehow on this issue. There is an old saying, "There's no prevailing wind that favors a ship that does not know where it is going." So we would like to help those who we think are lost in the wilderness get found today. We would like to provide a prevailing wind to help them move toward a line-item veto conference, bring the line-item veto back to the House and the Senate, and then send the President the line-item veto—this President, and every President, Republican or Democrat.

I say to my friends, Senator COATS and Senator MCCAIN, no one, in my judgment, will, with good cause, ever suggest that they have stalled on this issue. They have been consistent for years on this issue, as have I and others, who for years have voted for the line-item veto, no matter who is in the White House, because we think it will measurably help deal with some of the problems that exist in appropriations bills and authorization bills and fiscal policy. And we just think it is the right thing to do.

So I very much appreciate the comments that have been made today by Senator MCCAIN and Senator COATS, and especially by Senators KOHL, BREAU, ROBB, and FORD on our side of the aisle. And with that, I hope the Senate will register a strong expression today that we would like to see those

who are stalling to stop stalling, stop dragging their feet, help us get a line-item veto passed; appoint conferees, have a conference and give this President the line-item veto. In my judgment, it is good for the country.

Mr. President, with that I yield back the remainder of my time.

Mr. President, I ask for a recorded vote.

Mr. DOMENICI addressed the Chair.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. I reclaim 30 seconds of my time.

Mr. President, I did not participate in the debate. It was a good and interesting discussion. But I think that there might be other reasons that the House has for not having appointed conferees. I understand they have some rules that are difficult in terms of how long they can be in conference before certain other rules take effect. And, frankly, I have no understanding that they are peculiarly delaying this because they did not want the line-item veto.

Nonetheless, this ought to serve as a useful tool in reminding everyone to get on with the bill that is highly touted and was debated here in the Senate in a very adequate and thorough manner.

I yield back any of my 30 seconds.

I join in asking for the yeas and nays.

The PRESIDING OFFICER. The motion has been properly seconded.

Mr. DOMENICI addressed the Chair.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. I ask that I be permitted, at the request of the majority leader, to seek the following unanimous consent, which I understand is satisfactory with the other side. And then we will proceed to vote.

Could I do that, Mr. President?

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

Mr. DOMENICI. Mr. President, I ask unanimous consent that the following amendments be the only first-degree amendments in order to H.R. 1905; that they be limited to relevant second-degree amendments and the excepted committee amendment be agreed to and considered as original text for the purpose of further amendments. I will state the amendments: Senator Byrd, relevant; Harkin, hydroresearch; Grams, Appalachia Regional Commission; Feingold, TVA; Wellstone, water level and reservoir; Pressler, water authorization; Brown, salary cuts—I believe that is resolved. We will strike salary cuts. Bumpers, SCSC close down; Dorgan—we just did that. And the managers' amendment, which we will do jointly. In addition, Senator Burns, Flat Head Indians irrigation; Hatfield, relevant; Specter, an amendment regarding a medical center.

That is the extent of it.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. DOMENICI. Mr. President, there is one penciled in I did not see. Senator BOXER from California, Corps of Engineers offices.

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

Mr. DOMENICI. I thank the Chair.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from North Dakota, amendment No. 2057.

The yeas and nays have been ordered. The clerk will call the roll.

The legislative clerk called the roll.

Mrs. BOXER (when her name was called). Present.

Mr. LOTT. I announce that the Senator from Texas [Mr. GRAMM] is necessarily absent.

Mr. FORD. I announce that the Senator from Nebraska [Mr. EXON] is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 83, nays 14, as follows:

[Rollcall Vote No. 348 Leg.]

#### YEAS—83

Abraham	Ford	McCain
Akaka	Frist	McConnell
Ashcroft	Glenn	Mikulski
Baucus	Graham	Moynihan
Bennett	Grams	Murkowski
Biden	Grassley	Murray
Bingaman	Gregg	Nickles
Bond	Harkin	Packwood
Bradley	Hatch	Pressler
Breaux	Heflin	Pryor
Brown	Helms	Reid
Bryan	Hollings	Robb
Bumpers	Hutchison	Rockefeller
Burns	Inhofe	Roth
Campbell	Inouye	Santorum
Chafee	Kassebaum	Shelby
Coats	Kempthorne	Simon
Cohen	Kennedy	Simpson
Conrad	Kerrey	Smith
Craig	Kerry	Snowe
D'Amato	Kohl	Specter
Daschle	Kyl	Stevens
DeWine	Lautenberg	Thomas
Domenici	Leahy	Thompson
Dorgan	Levin	Thurmond
Faircloth	Lieberman	Warner
Feingold	Lott	Wellstone
Fenstein	Lugar	

#### NAYS—14

Byrd	Gorton	Moseley-Braun
Cochran	Hatfield	Nunn
Coverdell	Jeffords	Pell
Dodd	Johnston	Sarbanes
Dole	Mack	

#### ANSWERED "PRESENT"—1

Boxer

#### NOT VOTING—2

Exon Gramm

So, the amendment (No. 2057) was agreed to.

Mr. DOMENICI. Mr. President, I move to reconsider the vote.

Mr. JOHNSTON. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

(Later the following occurred:)

AMENDMENT NO. 2057

Mr. BYRD. Mr. President, I voted against the amendment today by Mr.

DORGAN and other Senators which expresses the sense of the Senate as being 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 on this important legislation.

Mr. President, I voted against this amendment for a number of reasons, one of which is, I think we ought to do everything we can to improve the comity between the two Houses rather than taking actions that will undermine that comity. I say this without casting any reflection on any of the Senators who cosponsored or voted for the sense-of-the-Senate amendment today dealing with the conference on the line-item veto.

Mr. President, I have been in the Senate now going on 37 years and I was in the House 6 years prior to that. In these nearly 43 years, I have seldom seen one body taking action to tell the other body how it should conduct its business. I do not think this is good. I feel that most Senators would certainly not like to see the House pass amendments or resolutions that called upon the Senate to take certain actions.

Both Houses in which I have served have been very careful over the years to observe the responsibilities, the duties, the prerogatives, each of the other. Each House has been conscious of that.

I have been disturbed in recent times that Senators, on this floor, have called the names of House Members from time to time and in some cases were critical of what House Members had done or how they had voted.

Mr. President, I do know that in the last Congress the Speaker of the House, at least the leadership, called to the attention of a Member or Members of that body the rules against referring to Members of the Senate by name.

And so for a number of reasons I voted against the amendment. I did not speak against it, but I told the chief sponsor that I would vote against it and told him why.

I feel I should state for the RECORD, now that the vote has occurred, my opposition to the amendment. As I say, I do not believe that the Senate should involve itself in the internal matters relating to the other body. It is my opinion that the House is perfectly capable of determining what it wishes to do and when it wishes to do it in relation to the appointment of conferees on the line-item veto bill or any other bill. Even had I supported the amendment, I would have had reservations about addressing the business of the other body. I think we should restrain ourselves from doing such things.

Another reason why I opposed the amendment was because I did not agree with paragraph (b)(2) which, as I understood it, read that the Congress should pass the conference report.

Now, that paragraph may have been stricken from the amendment.

I understand that paragraph was stricken from the amendment.

The reconciliation bill will be the vehicle used by the Republican majority to include massive tax cuts. There were those who said we ought to give the President this line-item veto; there were others who said that the reasons they did not want to give the President a line-item veto now, was because we have President Clinton—a Democrat—in the White House, and they did not want him to veto line items in the reconciliation bill.

I have said all along it does not make any difference as to what party has a person holding the office of President of the United States, he should not be given a line-item veto. We ought to be on guard, always protecting the constitutional responsibilities and functions and prerogatives of this, the legislative branch.

Apparently some of our friends on the other side of the aisle have now seen fit to delay acting on the conference report because they are concerned that President Clinton might utilize the veto power to line item certain matters out of the appropriations bills.

On our side of the aisle, there are those who say we should send it to him now, not hold back, because he is a Democratic President at a time when the Republicans are in control of the House and Senate.

Mr. President, I might have a little sympathy for that approach if it were not for the fact that the President on May 8 of this year wrote a letter to the Honorable NEWT GINGRICH, Speaker of the House, in which the President wrote as follows:

DEAR MR. SPEAKER: I am writing to urge that Congress quickly complete work on line-item veto legislation so I can use it—this year—to curb wasteful tax and spending provisions.

We must not let another year go by without the President having authority to eliminate special interest provisions, such as the tax benefits that were targeted to individual businesses earlier this year in H.R. 831.

I am disappointed that six weeks after the Senate passed its version of line-item veto legislation, neither body has appointed conferees. As you may recall, I commended the House and the Senate last month for passing line-item veto legislation. However, the job is not complete until a bill is sent to my desk that provides strong line-item veto authority that can be used this year.

I have consistently urged the Congress to pass the strongest possible line-item veto. While both the House and Senate versions would provide authority to eliminate wasteful spending and tax provisions, the House-passed bill is much stronger—and more workable.

I appreciate your making passage of line-item veto legislation a priority. I look forward to working with the Congress to enact the line-item veto quickly.

Sincerely,

BILL CLINTON.

Just a few days later, on June 7, 1995, the President wrote another letter to the Honorable ROBERT DOLE, majority leader of the Senate, in which the President stated:

DEAR MR. LEADER: I am deeply alarmed by today's press report that some Republicans

in the House and Senate want to continue to hold back the line-item veto so that I don't have it during this year's budget process. The line-item veto is a vital tool to cut pork from the budget. If this Congress is serious about deficit reduction, it must pass the strongest possible line-item veto immediately, and send it to my desk so I can sign it right away.

This is not a partisan issue. Presidents Reagan and Bush asked Congress for it time and again, and so have I. It was part of the Republican Contract with America. It has strong support from members of Congress in both parties and both houses. No matter what party the President belongs to or what party has a majority in Congress, the line-item veto would be good for America.

If Congress will send me the line-item veto immediately, I am willing to pledge that this year, I will use it only to cut spending, not on tax expenditures in this year's budget. I have already put you on notice that I will veto any budget that is loaded with excessive tax breaks for the wealthy. But I need the line-item veto now to hold the line against pork in every bill the Congress sends me.

The American people have waited long enough. Congress should give them and the Presidency the line-item veto without further delay.

Sincerely,

BILL CLINTON.

So what we have is a letter from the President to the Speaker of the House on May 8 saying, in essence, "Give me the line-item veto."

Now, again I quote from that letter:

We must not let another year go by without the President having authority to eliminate special interest provisions, such as the tax benefits that were targeted to individual businesses earlier this year in H.R. 831.

And then lo and behold, 1 month later, lacking 1 day, the same President pledges—pledges—to the majority leader of the Senate that if Congress will send the President that line-item veto legislation, the President will not—will not—use it on tax expenditures; he will only use it "to cut spending."

Mr. President, I have difficulty following that line of reasoning. It is obvious that the President intended to use the line-item veto authority to eliminate tax expenditures in the first letter. I was dismayed by the sudden reversal by the President in his June 7 letter. That was a 180-degree turn by the White House on matters which are of the utmost importance to the American people in terms of fairness relating to how the deficit will be reduced. And it should leave all thinking Members of Congress and the American people wondering why this administration would make such an outrageous pledge.

Why should we Democrats butt our heads against the wall urging that the Speaker appoint conferees on a measure so that the President would have the line-item veto authority, which the President has pledged not to use against tax expenditures? Since the President pledged to avoid lining out any new tax expenditures, that meant that any new goodies in the form of tax writeoffs would be in place from now on, further exacerbating our deficit problem for years to come.

So, this unwise pledge by the President is just one reason why this Senator is not in any hurry to see a line-item veto enacted this year. The President says he will use the authority only on appropriations bills, not on tax expenditures. In other words, he will continue to cut domestic discretionary programs—not defense. He is, to the contrary, recommending that military spending go up. Apparently, he is going to cut nondefense discretionary programs, which are already being severely cut.

I note also that, in a statement made this morning in the briefing room at the White House, the President says:

One of the most interesting things that has achieved not too much notice in the last few days is that while Congress has been taking care of the special interests, it's also taking care of itself. It is way behind schedule on virtually every budget bill, in the hope, apparently, of enforcing a choice at the end of this fiscal year between shutting the government down and adopting extreme budget cuts which will be bad for our country, bad for our economy, and bad for our future.

This may, indeed, confuse a lot of people. First the President says, "Give me a line-item veto with which I can cut." Then he says today that Congress is making cuts that are bad for our country:

Apparently, they don't even plan on letting the American people see their planned Medicare cuts until the last possible minute. But one bill, wouldn't you know it, is right on schedule—the bill that funds the Congress, its staff, and its operations.

I don't think Congress should take care of its own business before it takes care of the people's business. If the congressional leadership follows through on its plan to send me its own funding bill before it finishes work on the rest of the budget, I will be compelled to veto it.

Mr. President, if I were in the leadership today I would say, "Let us send it to him. Let him veto it. He can veto it; he can let it become law without his signature; or he can sign it."

The reference is made to Congress "taking care of its own business." Mr. President, the Constitution, in article I, creates the legislative branch. And in the very first sentence of article I it provides for the making of laws and vests all power to make laws in the Congress. In article I, section 9, it vests the appropriations power in the Congress. The Constitution created the legislative branch. We have to pass laws to appropriate moneys for the legislative branch. I do not see that as "taking care of its own business." The legislative branch has to operate.

So I hope that the President will sign the legislative appropriation bill if it goes to him first. There is no design here on the part of the Members or on the part of the leadership to send to the President the legislative appropriations bill first. There was no design. That is not by calculation or by intention. We have been marking other appropriations bills up in the Appropriations Committee. Another appropriations bill has been before the Senate today, the energy-water appropriations

bill, and we hope to pass it today. So there are other appropriations bills that are being acted upon. But now we hear the threat that if the legislative appropriations bill is the first to be sent down to the White House, the President will be inclined to veto it, because those people up there take care of themselves first.

Mr. DOMENICI. Will the Senator yield for an observation?

Mr. BYRD. Yes.

Mr. DOMENICI. I note there is another thing the President said in that letter that does not seem to me to be consistent with the way business is done and has been done for a long time and done properly.

He says the appropriations bills are way behind schedule; all budget bills are behind schedule. It is my understanding we do not have to get the appropriations bills passed until October 1. We started in August, did we not? That is 2 months. I have been around here a while, not as long as the Senator from West Virginia has, but the House has done a pretty good job. They are through with all but two, and we have not yet reached August. They finished all but two before August arrived. I have been here many years, and we do not get all the appropriations done until 16, 17, 18 September. That is not unusual.

So I think the President is making a false argument even there about us being far behind.

Mr. BYRD. Well, in many instances in past years, appropriations bills have not been passed until or after the beginning of the next fiscal year.

Mr. DOMENICI. That is correct.

Mr. BYRD. I think the Congress is doing very well. The beginning of the next fiscal year is October 1, as the Senator has pointed out. We are well ahead of that. We have plenty of time before the beginning of the fiscal year. I hope we will pass all appropriations bills and have them on the President's desk by or before the beginning of the fiscal year. But I also hope that if the President is going to veto appropriations bills, he will do so on the basis of the merits, not on the basis of some grand strategy to veto appropriations bills for political purposes.

As one member of the Appropriations Committee, I take a bit of umbrage at this statement that the legislative appropriations bill is being passed first because Congress is "taking care of itself."

Mr. DOMENICI. He did not mention, did he, that we also significantly reduced the cost of the legislative branch of Government in that bill?

Mr. BYRD. It has been significantly reduced, I believe.

Mr. DOMENICI. Ten percent.

Mr. BYRD. Mr. President, I will not belabor the point any longer. I think it is unwise to adopt amendments such as the Senate adopted today instructing or urging the Speaker of the House to appoint his conferees, and so on. As I said, it does not make for good will,

good feeling, or good comity between the two bodies.

I would not have voted for the amendment if for no other reason than that reason. I hope that we will slow down a little bit and not adopt such resolutions, or else we will meet such resolutions coming back from the other body, and they will not be entirely to our liking.

I yield the floor.

(Conclusion of later proceedings.)

Mrs. BOXER. Mr. President, on the Dorgan amendment stating the sense-of-the-Senate that the House should appoint conferees on the line-item veto bill and a conference should occur, I voted "present."

Although I have always opposed the line-item veto, because I believe it is an unwarranted transfer of power from the legislative branch to the executive branch, I do agree with Senator DORGAN that the Republican Congress should not refuse to conference the bill simply to embarrass the current President, who happens to be a Democrat.

Mr. GRAMS. Mr. President, on behalf of myself and my good friend from Arizona, Senator MCCAIN, and my friend from Wisconsin, Senator FEINGOLD, we intend to offer a bipartisan amendment to the energy and water appropriations bill, which would reduce funding for the Appalachian Regional Commission, ARC, by \$40 million.

First, I will explain some of our reasons for offering this amendment.

In his inaugural address 35 years ago, President Kennedy challenged the American people to "ask not what your country can do for you, ask what you can do for your country." Just five years later, however, those words seemed to have been forgotten with the establishment in Congress of the ARC, the ultimate expression of "what can I get out of my government?"

The goal of Congress in creating the ARC was to bolster economic development in a 195,000 square-mile region which presently encompasses 13 States. Over the course of the past 30 years, we have spent more than \$7 billion in the Appalachian region, much of it for pork-barrel projects, trying to stimulate economic growth there.

Today, many of the ARC's programs duplicate activities funded by other Federal agencies. In fact, Appalachian corridor construction, under which the Senate energy and water appropriations bill justifies the \$40 million increase in funding from the House, also falls under the jurisdiction of the Transportation Department's Federal highway program.

Representative SCOTT KLUG of Wisconsin put it this way:

What the Appalachian Regional Commission does is essentially allow 13 states in this country to double dip into infrastructure money, money to do economic development, and money also to do highway and water construction and projects like that.

Now, clearly, Mr. President, the Appalachian Regional Commission has become a vehicle to justify continued

pork-barrel spending which duplicates the efforts of many other Federal programs. That is hardly what President Kennedy had in mind 35 years ago.

While the ARC allocates funds for the poor, rural communities of Appalachia, these areas are no worse off than rural communities in Minnesota, Arizona, or the 35 other States that do not benefit from the ARC. In fact, in my home State of Minnesota, 12.8 percent of my constituents live below the poverty level.

That is a troubling statistic for a state which considers itself not a poor State, but a proud State. It is higher than many states which benefit from ARC funding—such as Virginia at 9.4 percent, Maryland at 11.6 percent, Pennsylvania at 11.7 percent, and Ohio at 12.6 percent.

Do Minnesotans have a Federal program designed just for them? Of course not. To pay for something like the ARC on a nationwide basis would require billions of dollars, either from cutting more from other programs, borrowing money from our children, increasing the deficit, or raising taxes. The first option is unlikely—the remaining three are completely unacceptable.

Already, for every dollar the taxpayers of my State contribute to the Federal Treasury, they receive only 82 centsworth of government services. That is 82 cents on the dollar. The States which receive ARC funding receive, on average, \$1.21 for every tax dollar they contribute.

Now, Minnesota has been a good neighbor and has contributed more than its fair share.

But when Minnesotans see \$750,000 of ARC funds spent on a summer practice stadium for the National Football League's Carolina Panthers, this is a slap in the face. Clearly, the ARC's priorities do not reflect the priorities of the taxpayers.

While there have been some improvements in the Appalachian region, these have generally followed the health of the economy in general. In the 1980's, there was strong growth in the area which mirrored the economic growth of the country at large.

During this time, ARC funding was reduced by 40 percent, roughly the level appropriated by the House bill this year. Did the region suffer? On the contrary. Taxes were cut and unemployment rates in the region fell by 38 percent.

That is how President Kennedy created jobs in the 1960's. That is how President Reagan created jobs in the 1980's. That is how we need to create jobs as we approach the year 2000.

The ARC is a classic example of how pork barrel projects are dished out in Washington. If ARC programs only benefitted two or three States, the Commission probably would not have lasted as long as it has. But when you cobble together several hundred counties, in 13 different States, with 26 Senators representing them, you have a built-in political constituency that

will make sure funding is perpetuated forever and ever.

Mr. President, the ARC is a relic, a thing of the past. We need to look toward the future, toward a balanced budget, tax cuts, and job creation. These benefits would far outweigh the additional \$40 million in taxpayers' money the Senate wants to appropriate.

Earlier this year, Congress agreed to phase out the ARC in the balanced budget resolution which passed both chambers. Our amendment does not zero out funding for the ARC this year—it simply reduces the level of funding to that approved by the House, \$142 million. That means \$40 million that goes back to the taxpayers, either in the form of deficit reduction or tax cuts.

I urge my colleagues to vote for the Grams-McCain amendment and support us in this effort to cut government waste. Show the taxpayers that we will keep our word and make the tough choices necessary to balance the Federal budget and bring economic growth and prosperity to every region across this Nation.

President Kennedy was right—Ask not what your country can do for you. Ask what you can do for your country.

Mr. McCAIN. Will the Senator yield for a question?

Mr. GRAMS. I yield.

Mr. McCAIN. Is the Senator aware that two of the poorest counties in the nation are located on Indian reservations in South Dakota—Rosebud Sioux and the Pine Ridge Sioux?

Mr. GRAMS. No, I did not know that.

Mr. McCAIN. Is the Senator aware that South Dakota is not part of Appalachia or countless other areas of poverty on Indian reservations in urban areas and rural communities?

I wonder if my colleague is aware that as part of the Appalachian Regional Commission, \$750,000 was spent for the Carolina Panthers football facility, money was spent for the Alabama Music Hall of Fame, money was spent for a program to attract German travelers to West Virginia, money for an access road to a Pennsylvania ski resort, money for a limestone cave display in Georgia, \$1.2 million for the National Track and Field Hall of Fame, money for the NASCAR Hall of Fame, funding for a study on the migration of the elderly, funding for a grant to train workers for a BMW plant in South Carolina.

I wonder if the Senator from Minnesota is aware of all of those uses that the Appalachian Regional Commission has spent money on, and how far the Appalachian Regional Commission—which, by the way, was a temporary commission when it was set up in 1965—has gone. And is the Senator aware that the Federal Government has countless programs that provide economic development assistance for everyone in America: community development block grant programs, housing development block grants, social

service block grants, community service block grants, Economic Development Agency grants, farmers home loans, small business development loans and grants, rural electrification loans, highway aid, and the list goes on and on.

In addition, as we know, the individual States have many similar programs. The rest of the Nation that is outside of the Appalachia region has to rely on those programs in order to achieve funding to help people who are poor and deprived.

I am very proud of the economic advancement that my State has made. I am very proud our standard of living is very high and that our economy continues to grow. I am also deeply distressed, as I know many of my fellow citizens are, that there are still extremely poor places in my State, places where Native Americans live in holes in the ground, places where there is no running water or sanitation. I believe, frankly, these people, along with the people, the Rosebud Sioux and the Pinewood Sioux, need help as much as anyone else.

For us to somehow perpetuate a commission that has spent, now—\$5 billion?

Mr. GRAMS. It is \$7 billion.

Mr. McCAIN. Mr. President, \$7 billion—that was originally set up as a temporary commission, I think, is an argument, frankly, that it has outlived its original purpose.

Finally, I wonder if my colleague will respond to the following statement. In 1994, the American people said they want us to reduce spending. In 1994, the American people said that they want us to do business in a different way, that the tax dollars that they send to Washington, DC, they want wisely and efficiently spent.

If we cannot cut \$40 million out of a commission that was recommended to be abolished by President Reagan and that the original House budget proposal was to do away with, if we cannot cut \$40 million and cut it down to only \$142 million, I ask my colleague where he thinks we might really be in the commitment that we made to the American people to balance the budget and reduce this \$5 trillion debt that we have laid on future generations of Americans?

I suggest the answer is we are not going to go very far in that direction if we cannot make this very modest reduction that my colleague and friend from Minnesota is making.

So I ask my colleague if he believes that this amendment might be a strong indicator of what is to come in our battles to reduce unnecessary spending on the part of the Federal Government.

Mr. GRAMS. I would just like to say, I know this might sound like just a small step, only \$40 million in a city where we talk in billions and trillions, but I think about how many taxpayers in Minnesota would I have to put in a line to put \$40 million into the Treasury. There are a lot of people in Minnesota to whom I would have to say,



"Your money is going to fund a music hall of fame in Alabama, a practice stadium for a professional football team in North Carolina, a NASCAR Hall of Fame.

I have to say, I am one of the biggest fans of NASCAR racing in the country, but I do not know if Minnesota taxpayers want to be asked to spend some of their tax money for that, when I know in Minnesota there are needs for \$850,000 to keep flooding out of a town in Marshall, \$3 million request for a highway, 610. But these are going by the wayside because there is not enough money to fund projects like this. But yet we continue to ask for money that is being spent for such as the Appalachian Regional Commission.

I just wanted to mention one other thing. It is always great to say we are going to help somebody. But we are always using somebody else's money to do it. We are asking the taxpayers of this country to pony up for the money we want to spend on pet projects.

I want to recount a story of a lady back in Minnesota, Natalie Wolstad, Coon Rapids. I have used this story before, but I would like to recount it again.

She wrote me a letter saying she had gone to the bank with a realtor trying to buy their first home, a young couple. After they went through all the process, the bank said, "I am sorry but you do not qualify for a loan."

She said she and her husband went home that night and went through their checkbook and all their bills because they wanted to see what were they doing wrong with their money that they could not afford to buy a home. After they figured up all the bills, they found out they were not doing something wrong, but as they went through it they noticed, really for the first time, how much money was coming out of their paycheck to go for taxes. So it was the tax bite that was keeping them from qualifying for a loan.

Like I say, we always want to do something good for somebody else, but we want to use somebody else's money. Those dollars come from taxpayers. Those taxpayers have faces and names, like Natalie Wolstad. So before we take more money out of their pockets to spend as we think would be needed—and as my good friend from Arizona said, there are many, many poor counties in this country that could use this type of funding but they are not supplied with dollars from commissions like the ARC. There is no MRC, there is no Minnesota Regional Commission that will provide these types of dollars that would help Natalie Wolstad and her family. So I think we should think twice about asking the taxpayers whether they want to spend money for projects like this.

AMENDMENT NO. 2058

(Purpose: To reduce the level of funding for the Appalachian Regional Commission to that enacted by the House of Representatives)

Mr. GRAMS. Mr. President, I now call up amendment 2058 at the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Minnesota [Mr. GRAMS] for himself, Mr. MCCAIN, and Mr. FEINGOLD proposes an amendment numbered 2058.

On page 32, line 13, strike "\$182,000,000" and insert "\$142,000,000."

Mr. WARNER. Mr. President, I rise today in opposition to the Grams amendment to reduce funding for the Appalachian Regional Commission.

During debate on the budget resolution, I supported the McConnell amendment to ensure that the essential services provided by the Appalachian Regional Commission are continued for some of this Nation's most destitute areas. The McConnell amendment was agreed to on the Senate floor by a vote of 51-49, and was included in the approved conference between the House and Senate.

Under the budget resolution, the Appalachian Regional Commission would adjust spending levels to assume funding of \$1.154 billion for the Appalachian Regional Commission over fiscal years 1996-2002. The Energy and Water bill that we have before us follows the budget resolution allocating \$182 million for fiscal year 1996.

At a time when we are correctly terminating or scaling back outdated Federal programs, I believe the Appalachian Regional Commission is the type of Federal initiative we should be encouraging. It is important to recognize that the ARC uses its limited Federal dollars to leverage additional State and local funds. This successful partnership enables communities in Virginia to have tailored programs which help them respond to a variety of grassroots needs.

In the Commonwealth of Virginia, 21 counties rely heavily on the assistance they receive from the Appalachian Regional Commission. Income levels for this region of Virginia further indicate that on average my constituents who reside in this region have incomes which are \$6,000 below the average per capita income for the rest of the Nation.

In 1960, when the ARC was created, the poverty rate in Virginia's Appalachian region was 24.4. In 1990, the poverty rate statistics of 17.6 show improvement which can be attributed to the effectiveness of the ARC. However, we are still a long way from achieving the United States average poverty level of 13.1 and also the regional poverty level of other ARC-member States of 15.2.

With these statistics in mind, I would like to offer some specific points one should keep in mind regarding the effectiveness of ARC programs, its rela-

tionship with the Commonwealth of Virginia, and the direct impact that this relationship has on the private sector.

In recent years, a significant portion of ARC funds have been dedicated to local economic development efforts. Were it not for this assistance, the LENOWISCO Planning District and Wise County would not have been able to complete construction of the water and sewage lines to provide utility services to the Wise County Industrial Park at Blackwood. These lines were financed by a \$500,000 grant from the ARC and a \$600,000 grant from the U.S. Economic Development Administration. The construction of these utilities to serve a new industrial park has attracted a major wood products manufacturing facility which has created 175 new jobs for the community.

The Fifth Planning District serving the Alleghany Highlands of Virginia is a prominent example of leveraging other State and local funds and stimulating economic development with partial funding from the ARC. For fiscal year 1995 with \$350,000 from the ARC, the Alleghany Regional Commerce Center in Clifton Forge, VA was established. This new industrial center already has a commitment from two industries bringing new employment opportunities for over 220 persons.

The ARC funds for this project has generated an additional \$500,000 in State funds, \$450,000 from the Virginia Department of Transportation, \$145,000 from Alleghany County and \$168,173 from the Alleghany Highlands Economic Development Authority. As a result of a limited Federal commitment, there is almost a 4-to-1 ratio of non-Federal dollars compared to Federal funds.

In many cases these funds have been the sole source of funding for local planning efforts for appropriate community development. For example, such funds have been used to prepare and update comprehensive plans which are required by Virginia State law to be updated every 5 years in revise zoning, subdivision and other land use ordinances. In addition funds are used to prepare labor force studies or marketing plans in guide industrial development sites.

Mr. President, the mission of the Appalachian Regional Commission is as relevant today as it was when the program was created. This rural region of our Nation remains beset with many geographic obstacles that have kept it isolated from industrial expansion. It is a region that has been attempting to diversify its economy from its dependency on one industry—coal mining—to other stable employment opportunities. It is a program that provides essential services and stimulates the contributions of State and local funds.

I urge the Senate to follow the budget resolution and oppose the Grams amendment.

Mr. ROCKEFELLER. Mr. President, I rise in strong opposition to this hostile



amendment that tries to weaken and retreat from the important work of the Appalachian Regional Commission. It is with great pride that I join the senior Senator of West Virginia in explaining to my colleagues why this amendment should be rejected.

Senators listening to this debate may think this is an amendment that deserves the votes of every Senator representing a State other than the 13 States which comprise the Appalachian region. I hope our case will be heard so that this will not be the conclusion of our colleagues.

The people of every State have a stake in the economic strength of the rest of the country. When floods ravage the Midwest or the gulf States; when a major defense installation or space center is located in a State like Texas or Alabama; when payments are made to farmers in Minnesota or Wisconsin for dairy support, for crop losses, and for basic support; when billions are spent to shore up S&L institutions in certain States; when special aid is given to cities or to California after its riots or earthquakes; when research labs get special funds in New Mexico or Massachusetts—when any of this support and assistance is extended, it is the country's way of investing in each region and in the futures of Americans everywhere.

The Appalachian Regional Commission is the Nation's effort to help a part of this country overcome tremendous barriers. In many parts of the region, major progress has been achieved. But the ARC's job is not finished, and the agency should not be abolished until it is.

Whenever the Senate considers appropriations bills or other budget measures, the question is whether the spending proposed is a sound investment in the Nation or another form of waste. In this case, the answer is that the funding in this bill is a vital investment. The bill's architects already made the required cut so that the Appalachian States are doing our share of deficit reduction. Digging deeper is mean-spirited, and it's a foolish way to abandon the progress made by ARC over recent years that should be continued. If we can't finish the basic links to economic development and growth, like water and road systems, my State and the region cannot make the contributions we want to or build the life our people deserve.

The ARC's partnership with West Virginia and the Appalachian region should not be severed. We need to finish the economic development being built on top of the foundation being laid by the ARC—and that's essential in our States for more growth, more jobs, and more hope for our people.

As a former Governor, and now as a U.S. Senator from West Virginia, I know—vividly—the value of the ARC and how it improves the lives of many hard-working citizens. Whether the funding is used for new water and sewer systems, physician recruitment,

adult literacy programs, or the Appalachian Corridor highways, it has made the difference in West Virginia, Kentucky, Virginia, and the other Appalachian States.

The highways are the most visible and best known investments made by the ARC for the people of Appalachia. As of today, over two-thirds of the ARC highway system have been completed. But if this amendment to cut ARC so severely prevails, the job will not be completed. What a waste of taxpayers' money to pull out before a road system is finished.

At this very moment, some of these highways are called highways halfway to nowhere, because they are just that—half built, and only halfway to their destination. The job has to be completed, so these highways become highways the whole way to somewhere. And that somewhere is called jobs and prosperity that will benefit the rest of the country, too. Appalachia simply wants to be connected to our national grid of highways. Parts of the region weren't lucky enough to come out as flat land, so the job takes longer and costs more. But it is essential in giving the people and families in this part of the United States of America a shot—a chance to be rewarded for a work ethic and commitment with real economic opportunity and a decent quality of life.

I won't speak for my colleagues from other Appalachian States, but West Virginia was not exactly the winner in the original Interstate Highway System. And Senators here represent many States that were. As a result, areas of my State have suffered, economically and in human terms. Without roads, people are shut off from jobs. That's obvious. But without roads, people also can't get decent health care. Dropping out of school is easier sometimes than taking a 2-hour bus ride because the roads aren't there.

The structure of the ARC makes it more efficient and effective than many other agencies. The ARC is a working, true partnership between Federal, State, and local governments. This structure expects responsibility from citizens and local leaders, Federal funding is designed to leverage State and local money for any activity. According to the ARC, throughout its lifetime, it has contributed less than half of the total amount of project funds. Administrative costs have accounted for less than 4 percent of total costs over ARC's lifetime.

Long before it was fashionable, ARC used a from-the-bottom-up approach to addressing local needs rather than a top-down, one-size-fits-all mandate of the type that has become all too familiar to citizens dealing with Federal agencies. It works, too.

I urge everyone in this body to keep a promise made to a region that has been short-shrifted. Each region is unique. Solutions have to differ, depending on our circumstances. When it comes to Appalachia, a small agency

called the Appalachian Regional Commission should finish its work. Slashing the support for such a targeted, effective commitment to a region that was excluded from economic progress for so long will only create more problems and more costs that should be avoided. I urge my colleagues to vote against an amendment that asks the Senate to give up on an investment that will benefit all Americans.

#### CUTS TO ARC APPROPRIATIONS

Mr. McCONNELL. Mr. President, I rise in strong opposition to the amendment offered by my colleague. This amendment targets the Appalachian Regional Commission [ARC] for an unfair and disproportionate burden of budget cuts. I have worked with the officials of ARC to pare back the budget and duties of the ARC. The approach we have crafted is balanced, fair, and meets the new budget parameters while continuing to provide essential assistance to the people of Appalachia.

I want to assure my colleagues that the ARC budget proposal does not preserve the status quo. The funding level for the fiscal year 1996 budget of \$182 million is \$100 million less than what was appropriated in 1995. This represents a 35-percent cut in overall funding.

It has been a mere 2 months since the Senate approved my amendment to reform the ARC. My amendment outlined a blueprint to reform the ARC and set it on a glide path of reduced spending that falls within the guidelines of a balanced budget by the year 2002. I would like to remind my colleagues that this amendment, which passed the Senate, established the fiscal year 1996 funding levels contained in this bill.

Mr. President, I ask that a copy of that vote be included in the RECORD at the end of my statement.

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

(See exhibit 1.)

Mr. McCONNELL. Mr. President, I understand why the Senator from Minnesota has offered this amendment. To him, the ARC is a program that benefits only Appalachian States. I might share his views if I didn't see first-hand the impact this program has had on an area that is burdened by high levels of unemployment and economic dislocation.

The ARC is very important not only to Kentucky, but also to a great number of other States. This program has proven to be effective in providing targeted assistance to those who need it most without wasting millions of dollars on administrative expenses.

Although the ARC has made a significant impact in improving the economic opportunities and quality of life for people living in Appalachia, there continues to be a real need for assistance in this region. Poverty, outmigration, and high levels of unemployment are especially prevalent in central Appalachia, which includes some of the poorest counties in the Nation.

The ARC serves parts of 13 States, totaling 399 counties from New York to

Mississippi. This is a region that lags behind the Nation in most, if not all, major economic measures. Chronically higher unemployment levels, substantially lower income levels, and perniciously high poverty rates plague most of Appalachia. In eastern Kentucky, for example, the poverty rate stood at 29 percent in 1990—16 percent higher than the national average.

Of the 399 counties served by ARC, 115 of the counties are considered distressed. This means that these counties suffer from unemployment levels and poverty rates that are 150 percent of the national average and have per capita incomes that are only two-thirds the national average.

The ARC was designed to specifically address the unique problems of this region—which has been afflicted by over a century of exploitation, neglect, geographic barriers, and economic distress. These are not problems born of cyclical economic fluctuation, but are the result of years of unremitting underdevelopment, isolation, and out-migration.

The good news is that the ARC has worked hand-in-hand with each of the 13 States in its jurisdiction to develop flexible and effective programs, tailored to the specific needs of each community or region.

And there's more good news. The ARC is unusually lean, as Federal agencies go, with respect to administrative and personnel expenses. Total overhead accounts for less than 4 percent of all expenditures. This is largely achieved through close cooperation with the individual States.

State Governors contribute 50 percent of the administrative costs as well as the full cost of their own regional ARC offices. In fact, I would urge my colleagues to look to the ARC as a model of efficiency, cost sharing, and State cooperation for other Federal programs.

The ARC is not a traditional poverty program, but an economic development program, with a lot of work still ahead of it. The fact is, that Appalachia receives 14 percent less per capita spending from the Federal Government than the rest of the country—and that includes funding received through ARC. While this may not seem like a lot, this amounts to \$12 billion less for the Appalachian region annually.

Like many of my colleagues, we are all taking a close look at each and every program to find areas where we can eliminate wasteful spending. I worked with the ARC to ensure that this program was reduced to its most essential function—economic development.

The best way we can achieve this is quite simple. First, we start with a 35-percent reduction from the current funding level for ARC. There's no question that this is a considerable cut, and it will have an impact on the ARC's ability to fully serve its target areas. But I think it underscores how serious we are about preserving the vital purposes of this agency.

The 35-percent cut in the first year is just a start. If the reforms I have proposed are implemented, funding levels will continue to decline through 2002. Overall, if we use, as a baseline, a hard freeze at 1995 funding levels, my proposal would achieve a 47-percent reduction in spending. This amounts to \$925 million in savings over 7 years.

With regard to my colleague's concerns regarding the difference between the House and Senate spending levels for ARC, I suggest that the Senate has already spoken on this matter and endorsed this funding level on two occasions. Once as an amendment that passed the Senate on May 24, and the second when this body approved the budget resolution. I would also point out that this spending level was also included in the chairman's mark of the budget resolution for fiscal year 1996.

I might also point out to my colleague, that the reconciliation of these spending differences should be worked out in conference.

Mr. President, I have worked hard to develop a reform plan that is responsible both to the people of eastern Kentucky, and the taxpayers of this Nation. If my colleagues believe that eliminating the ARC will save money, they are sadly mistaken. The poverty and economic distress of central Appalachia will only deepen, imposing higher cost on other Federal programs. On the other hand, if we keep ARC alive, we can help this region to help itself, and save a lot more money in the long run.

I urge my colleagues to reject this amendment and maintain this level of funding for the Appalachian Regional Commission.

#### EXHIBIT 1

The PRESIDING OFFICER. The question is on agreeing to the amendment.

Mr. MCCONNELL. Mr. President, I ask for a rollcall vote.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll.

The result was announced—yeas 51, nays 49, as follows:

[Rollcall Vote No. 188 Leg.]

#### YEAS—51

Abraham	Ford	McConnell
Akaka	Frist	Mikulski
Biden	Glenn	Moseley-Braun
Breaux	Harkin	Nunn
Bryan	Hatch	Pell
Burns	Heflin	Pryor
Byrd	Helms	Reid
Coats	Hollings	Robb
Cochran	Hutchison	Rockefeller
Coverdell	Inouye	Santorum
Craig	Johnston	Sarbanes
Daschle	Kerrey	Shelby
DeWine	Leahy	Snowe
Dodd	Levin	Specter
Dole	Lieberman	Stevens
Exon	Lott	Thurmond
Feinstein	Lugar	Warner

#### NAYS—49

Ashcroft	Bond	Bumpers
Baucus	Boxer	Campbell
Bennett	Bradley	Chafee
Bingaman	Brown	Cohen

Conrad	Inhofe	Murray
D'Amato	Jeffords	Nickles
Domenici	Kassebaum	Packwood
Dorgan	Kempthorne	Pressler
Faircloth	Kennedy	Roth
Feingold	Kerry	Simon
Gorton	Kohl	Simpson
Graham	Kyl	Smith
Gramm	Lautenberg	Thomas
Grams	Mack	Thompson
Grassley	McCain	Wellstone
Gregg	Moynihan	
Hatfield	Murkowski	

So the amendment (No. 1148) was agreed to.

Mr. FORD. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. BYRD. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. BYRD. Mr. President, I rise in opposition to the amendment which proposes to alter the Committee's recommendation regarding funding for the Appalachian Regional Commission. The Committee recommendation is a responsible one and should be supported. The ARC is funded just below the President's request, and is well below last year's level. The amendment by the Senator from Minnesota would reduce the Committee's recommendation to the House level.

Mr. President, the ARC has already contributed to the deficit reduction occurring in this appropriations bill. The ARC is recommended at a level of \$182,000,000, which is \$100,000,000, or 35 percent, below the fiscal year 1995 enacted level. Let me repeat—ARC is already funded 35 percent below last year's level. We do not need to drain it any further. Given that the non-defense portion of the 602(b) allocation assigned to this appropriation bill is down just 13 percent below a freeze, I contend that the ARC is already bearing more than its fair share of the reductions in this bill. Cutting below the Committee recommendation will impede upon the ability of ARC to address its core mission—maintaining an effective regional development program that will create economic opportunity in distressed areas so that communities are better positioned to contribute to the national economy.

As I indicated, Mr. President, ARC has already been subjected to a significant reduction—35 percent—below the FY 1995 level. Can the same be said for other accounts in this bill? Bureau of Reclamation funding is down 7.3 percent; energy supply, research and development is down 15.6 percent, which is less than half of the reduction imposed on ARC. Atomic energy defense activities are up \$1.3 billion, or 13 percent; the regional power marketing administrations are increased by nearly 15 percent. So if the concern is about funding, I suggest that Senators look closely at which programs are already bearing more than their fair share of the reductions in this bill.

Mr. President, the funding recommendation for ARC contained in this appropriations bill is absolutely consistent with the budget resolution

approved earlier this summer by the House and Senate. The budget resolution assumed that ARC would be reduced below the FY 1995 level, and this budget does exactly that. The recommendation in this appropriation bill is consistent with the position taken by 51 senators when they voted to fund the ARC during consideration of the budget resolution in the Senate initially. The budget resolution conference agreement adopted the Senate position on ARC. In its consideration of this appropriations bill, the House sought to eliminate all funding for the ARC and voted overwhelmingly, by a 3:1 margin (319-108), to support continued funding for the Appalachian Regional Commission. So the Congress has been clear—the programs of ARC are important, and they should be continued.

For those who contend that the Senate should not fund ARC at a level different than the House, the 602(b) allocation for non-defense activities in the energy and water development bill is above the House allocation. I will attempt to speak on behalf of the Chairman of the Appropriations Committee, but I believe this allocation is consistent with the long-standing commitment to the infrastructure development funded in this bill. ARC is but a part of that infrastructure—just as the investments in the Corps of Engineers and Bureau of Reclamation programs benefit economic activity, so too do the programs of the ARC. Mr. President, this bill is in compliance with its allocation and is already doing its part for deficit reduction.

The presumption behind this amendment is that the benefits of the ARC are limited to a particular geographic region. Mr. President, that can be true of many programs throughout the government, which don't happen to have the name of their geographical region in the program name. For example, in the Interior appropriations bill, we fund a program called "Payments in Lieu of Taxes". There is nothing geographical in that name. However, it benefits primarily those western states where the Federal government happens to own land. In that program, we will spend \$100 million in FY 1996, of which 67 percent benefits just 8 states. But we don't propose to terminate that program in the Interior bill because it benefits a select few.

Mr. President, the tradition of this Congress is to come to the aid of regions of this country that are in need. We have responded to the earthquakes in California, the floods in the Midwest, hurricane recovery in South Carolina and Florida, volcano eruptions in Washington, and winter storm damages in the Northeast. Some might say "well, those are in response to natural occurrences—events that were totally unpredictable." To that, Mr. President, I would respond that the geography that defines Appalachia was beyond the control of man, and that the programs of the ARC are designed

to respond to those challenges. The natural topography has created isolation in many parts of Appalachia—it is through programs such as ARC that communication and transportation links are enhanced so that access to markets, diversity and opportunity can grow. And by investing in the human component of Appalachia, through better education and health, the region is able to provide the workforce necessary to meet these challenges.

The programs of the ARC have contributed to improvements in the ability of the region to address the disparity in poverty and income levels between Appalachia and other parts of the country. Despite the progress in recent years, the income level in Appalachia is 17 percent below the national average. The poverty rate in Appalachia is 16 percent above the national average. When it comes to U.S. expenditures on a per capita basis, in fiscal year 1994, Appalachia had 8.2 percent of the U.S. population, but received just 7.5 percent of U.S. expenditures. So even with the investments from ARC's programs, the funding provided to this area is not out of proportion to the needs or economic circumstances.

Mr. President, at a time when many people are demanding a leaner, more efficient government that is closer to the people it serves, the ARC should be held up as a model. ARC operates with a small staff—about 50 people—and spends only about 4 percent of its budget on overhead. The decisions on the expenditure of its funds are made after consulting with the governors of the region. This Congress has repeatedly urged that more attention be paid to the input of the governors as we seek to make programs more responsive. This is exactly what ARC is all about.

Mr. President, the governors of the 13 states are represented on the Commission. This is not a Federally-run, top-down type of operation. It is very much driven by the local requirements, as represented by the governors. All 13 governors—8 Republicans and 5 Democrats—have supported the continuation of the Appalachian Regional Commission.

So, Mr. President, I urge Senators to table this amendment. This agency is already funded 35 percent below the FY 1995 level. Cuts are already being imposed on the ARC. Eliminating this agency will not solve the problems of the Federal budget. The Senate has already voted earlier this year to sustain the ARC. The Senate should stand by its earlier vote and stand by the budget resolution.

The PRESIDING OFFICER. The Senator from Louisiana.

Mr. JOHNSTON. Mr. President, the business of cutting budgets is a matter of shared sacrifice. We want to be fair in the way we cut our budgets. The Appalachian Regional Commission has suffered from last year a \$100 million cut, from \$282 million to \$182 million, a 35 percent cut, which is more than most programs in this country.

With any program you can point out little incidents that are less than the best. And over a period of, what, 30 years or so, they have pointed out very few with the Appalachian Regional Commission.

The fact of the matter is that in the 13 States that comprise the Appalachian Regional Commission, they do very excellent work and needed work, most of it in highways, which is ongoing, and to cut 35 percent from that budget I believe is enough. To cut \$100 million off of what last year was \$282 million I believe is fair enough and more than, indeed, enough, more than a fair share for the Appalachian Regional Commission. This is not an important program in most States, certainly not in mine. But in those States that comprise the heart of Appalachia, it is very important.

And suffice it to say, we should be prepared to stay here for a long time if we do not table this amendment. I hope we do because I believe that they have done enough, that we have done enough to cut the Appalachian Regional Commission.

So, Mr. President, I move to table 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.

Mr. DOMENICI. Mr. President, might I state to the Senate, at the request of the Republican leader, even though some other issues may be concluded and votes may be asked for, we are going to try to stack votes now until 8:30. So everybody should know that. We will try to do that after this vote, I say to my friend.

The PRESIDING OFFICER. The question is on the tabling motion of the Senator from Louisiana.

The yeas and nays have been ordered.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. LOTT. I announce that the Senator from Texas [Mr. GRAMM] is necessarily absent.

Mr. FORD. I announce that the Senator from Nebraska [Mr. EXON] is necessarily absent.

The result was announced—yeas 60, nays 38, as follows:

[Rollcall Vote No. 349 Leg.]

YEAS—60

Akaka	Feinstein	Moseley-Braun
Baucus	Ford	Moynihan
Bennett	Frist	Murkowski
Biden	Glenn	Murray
Bingaman	Gorton	Nunn
Boxer	Graham	Pell
Bradley	Harkin	Pryor
Breaux	Hatfield	Reid
Bryan	Hefflin	Robb
Bumpers	Hollings	Rockefeller
Burns	Inouye	Santorom
Byrd	Johnston	Sarbanes
Cochran	Kennedy	Shelby
Conrad	Kerry	Simon
Coverdell	Leahy	Simpson
Daschle	Levin	Specter
DeWine	Lieberman	Stevens
Dodd	Lott	Thurmond
Domenici	McConnell	Warner
Dorgan	Mikulski	Wellstone

## NAYS—38

Abraham	Grams	Lautenberg
Ashcroft	Grassley	Lugar
Bond	Gregg	Mack
Brown	Hatch	McCain
Campbell	Helms	Nickles
Chafee	Hutchison	Packwood
Coats	Inhofe	Pressler
Cohen	Jeffords	Roth
Craig	Kassebaum	Smith
D'Amato	Kempthorne	Snowe
Dole	Kerrey	Thomas
Faircloth	Kohl	Thompson
Feingold	Kyl	

## NOT VOTING—2

Exon	Gramm
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So the motion to lay on the table the amendment (No. 2058) was agreed to.

(Ms. SNOWE assumed the chair.)

Mr. BYRD. Madam President, I move to reconsider the vote by which the motion was agreed to.

Mr. JOHNSTON. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. DOMENICI. Madam 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. DOMENICI. I ask that the quorum call be rescinded.

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

Mr. DOMENICI. I understand Senator HARKIN wants to speak a moment, and then we will have a colloquy with reference to a program he is very interested in.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. HARKIN. Madam President, I thank the chairman for agreeing to a little colloquy. Before we do that, I would like to spend a few moments talking about an issue dealing with energy that I care very deeply about and which in one form has passed the other body with an overwhelming vote, and that is the issue of hydrogen energy.

Madam President, I would like you to imagine a future energy scenario based on a totally sustainable energy system. Imagine a car that runs so clean that you could drink the effluent from the tailpipe because the only output from this car would be pure, clean water. Imagine a small electrical power plant sitting next to all major buildings, factories, shopping centers, apartment houses quietly, very quietly, producing electrical power and heat or air-conditioning, with over twice the efficiency of current power plants, but with absolutely no pollution.

I know it sounds incredible. But it is possible and it is possible today using hydrogen and fuel cells.

Hydrogen is the ideal environmental fuel. Burning hydrogen produces no acid rain, no greenhouse gas emission, no smog, no ozone-depleting chemicals and no radioactive waste.

And if the hydrogen is made from renewable energy, that is solar, wind or biomass, then there is absolutely no pollution, no greenhouse gases, and no resource depletion, a totally sustain-

able energy system. One key to the renewable hydrogen future is the fuel cell. A fuel cell is an electrochemical device with no moving parts, much like a car battery. A fuel cell produces electricity when supplied with hydrogen and oxygen and when the hydrogen and oxygen combine, then the output is, of course, H<sub>2</sub>O, pure water. Now, we have experience with fuel cells because they provide the electrical power for our astronauts on the space shuttle. Plus it also produces pure, clean water.

So hydrogen is the latest breakthrough. Unlike electricity which it complements, hydrogen can be stored and piped long distance with no energy loss. So we think of hydrogen not so much as a source of energy, but as a transmittal of energy. It is the carrier we can use.

One of the problems with solar energy is, of course, it is OK when the Sun is shining but it is not too good when it is cloudy or raining or it is nighttime. The same is true of wind. Wind energy is fine, but it is not too good when the wind is not blowing. And so we can use those forms of energy to electrolyze water. And this is the perfect cycle. You use biomass or you use wind or you use solar or you use hydro-power, for example. To make electrolyzed water, you get the hydrogen and oxygen, and you then take that hydrogen and you combine it back with oxygen in fuel cells. You get the electricity. You get heat also that can be used also for air-conditioning. And then what you get is water. So you start with water and you end with water. And it is a perfectly pure fuel cycle.

Hydrogen is not just a pipedream. It is already being used. These fuel cells that use hydrogen can efficiently convert the hydrogen back to electricity. In fact, buses right now are running on hydrogen-fed fuel cells in Vancouver and other cities. These buses have the pickup and the range of fossil fueled buses. But there is no pollution, and they are as energy efficient.

Furthermore, there is no reason why the hydrogen buses should not eventually cost any more than any other bus. And I believe this will be true for automobiles also. But much more work needs to be done to bring hydrogen energy to the point where it can be used on a wide-scale basis.

A recent House measure just passed the other body that was sponsored by Congressman BOB WALKER from Pennsylvania, who chairs the Science and Technology Committee in the House. I have worked with Congressman WALKER often in the past. I served on the committee with him when I was a Member of the House. And I know of his long and deep commitment to getting funds in for hydrogen energy research. And it comes out of his long study, as I said, of science and of technology. As I said, he is now the chair of that committee in the House. The bill that he introduced, I have introduced with bipartisan sponsorship here in the

Senate. It is now introduced. It has, as I said, sponsors from both sides of the aisle.

It calls for a \$25 million authorization next year for hydrogen energy research. I might point out that the House has already passed that bill and the Appropriations Committee in the House added money to this line to bring the total amount for hydrogen research to \$15 million.

I am quite well aware that the administration only asked for \$7.5 million. The Jeffords amendment, which was adopted earlier, provided, if I am not mistaken, another \$1.5 million. That brings it up to \$9 million total. That is still less than what we spent last year.

So for a very promising energy resource, for one that holds a great deal of promise for cutting down on pollution and for providing a clean renewable source of energy, both for electricity for buildings, for stationary uses, but also for use in transportation, this is the wrong way to go in cutting down the research.

As I said, the House upped it to \$15 million. I had offered the amendment in the full Committee on Appropriations to bring that up to \$15 million. I must admit, I lost on an 11-to-10 vote. I think if all the people had been there, maybe I would have won. I do not know. Not everybody was there. It was a very close vote. It was 11 to 10, and it was bipartisan. There were people on the Republican side and people on the Democratic side both voting for and against it. So it was a very close vote.

I do not want to take a great deal of time of the Senate. I know everybody wants to get out of here this evening. I have spoken with the chairman about this. I am hopeful that when the committee goes to conference, they will look kindly upon the mark that the House put in. I want to assure the chairman that he will have my support. I can assure him of the support of the people who are cosponsors of the bill and I, again, would like to ask the chairman what his intentions might be when they go to conference on this one item of hydrogen research.

Mr. DOMENICI addressed the Chair.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Madam President, Senator HARKIN's request has been partially granted by the Jeffords amendment which added \$1.5 million to this program as part of his larger amendment regarding solar energy and other things.

I want to make it clear to Senator HARKIN that since the House has a higher number—I think they have \$15 million; we are going in with \$9 million—we will do our very best to work with them so we do not return with anything less than \$12 million, and that is what the Senator originally asked for. We will be there, or higher than that, when we come out of conference.

I urge that the Senator consider that as a great victory. He has my word, and

certainly he is going to come out of it fairly well.

Mr. HARKIN. Madam President, when the Senator from New Mexico gives me his word, I take it to the bank. I appreciate his consideration of this. He has been a strong supporter of research in new energy. I compliment him for that.

This is another one of the elements, I think, that helps us to provide the energy we are going to need in the future.

I thank the chairman for his consideration of this. I will give him whatever support I can in getting this item up in conference. I thank the chairman.

Mr. DOMENICI. Madam President, I am reviewing the list with the ranking member. I will tell the Senate we are, believe it or not, perilously close to having this bill done. As a matter of fact, I ask if Senator WELLSTONE's and Senator Grams' offices would contact me. I think it is the WELLSTONE amendment with reference to water reservoirs. It is the only one still pending that needs to be discussed. So if we can get some word on that. And then we have the managers' amendment cleaning up the bill and agreeing to a number of amendments that have been presented that we both agree on. Obviously, they are going to be in order, and we are going to adopt them. I say to Senator WELLSTONE, Mr. President, that we need to know what his intentions are.

I yield the floor and 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. WELLSTONE. 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. WELLSTONE. Madam President, I want my colleagues to know I am ready to go forward with a discussion on this amendment. The Senator from New Mexico is waiting for my colleague from Minnesota. The reason for this delay is we are waiting for my colleague from Minnesota, and I am reluctant to go forward. I think we will be ready to go in a few moments.

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. JOHNSTON. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

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

VITIATING ADOPTION OF COMMITTEE  
AMENDMENT ON PAGE 12, BEGINNING ON LINE 17

Mr. JOHNSTON. Madam President, I have a group of cleared amendments now.

I ask unanimous consent to vitiate the action of the Senate adopting the committee amendment on page 12, beginning on line 17 through line 18 on

page 13, striking House text regarding Manistique Harbor, MI. The adoption of this request will restore the House language.

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

Mr. LEVIN. Madam President, I am pleased that the managers of the energy and water development appropriations have agreed to keep the House language regarding a federally designated harbor of refuge in Michigan. The provision will allow the implementation of a U.S. Environmental Protection Agency administrative order addressing contaminated sediments in Manistique River and Harbor.

In early July, immediately after the House's favorable action on the Stupak amendment, I requested that an identical provision be included in the Senate Appropriations Subcommittee on energy and water development bill for fiscal year 1996. I understand that the Environment Committee has no objection to the substance of the language in question, particularly since it does not affect policy or require Federal funds.

I appreciate the cooperation of the managers and the Environment Committee. There are special time constraints at work in the Manistique case. The EPA, the Army Corps of Engineers, the local community, and the interested parties, would like to begin implementation of the remediation action this summer to prevent further contaminants from entering Lake Michigan. I ask unanimous consent that a letter from the EPA Region V Administrator be included in the RECORD, following my statement.

As some of my colleagues may know, winter comes early to the Upper Peninsula. Therefore, it is urgent that action occur during our limited construction season. If H.R. 1905 should become bogged down for some unlikely reason in the conference process or on the floor, I hope my colleagues will bear with me as I seek to move this language on another vehicle or as an individual bill. This is not a controversial matter. We should move it quickly.

Mr. BRADLEY. Mr. President, I understand that the House has included language in its report accompanying the Energy and Water Appropriations bill which would have an impact on the Central Valley Project Improvement Act of 1992 (CVPIA). I am very concerned that an appropriations bill would be used for this purpose and I urge my colleagues who will be conferees on this bill to reject these attacks on the CVPIA.

The House report attempts to delay a study of the San Joaquin river that was established in law through the CVPIA. As the author of that act, I am surprised by the action of the House. The study is specifically ordered in the 1992 Act and, in fact, has a statutory deadline for action by the Secretary. Clearly, this statute is unaffected by any Committee Report language and

the law remains binding on the Secretary.

The House also includes report language which bears on the repayment for the Kesterson Reservoir Cleanup Program.

I understand that there is no Senate report or legislative language concerning repayment responsibilities for the Kesterson Reservoir Cleanup Program and the San Joaquin Valley Drainage Program.

Mr. JOHNSTON. That is correct.

Mr. BRADLEY. I also understand that the taxpayers have spent tens of millions of dollars for the cleanup of the Kesterson Reservoir which was built to collect the drainage water from farms in the Bureau of Reclamations' San Luis Unit within the Central Valley project.

The Kesterson facility is so contaminated with selenium and other chemicals that it was closed on March of 1985 by the Department of Interior. Many migratory birds using Kesterson Ponds were killed in violation of the Migratory Bird Treaty and Congress has appropriated tens of millions of dollars to clean up Kesterson.

Mr. JOHNSTON. The Senator is correct.

Mr. BRADLEY. It is my further understanding that absent legislative language, the repayment for Kesterson cleanup is reimbursable and the Secretary of Interior is obligated by law to collect reimbursable costs.

Mr. JOHNSTON. That is correct.

Mr. BRADLEY. Now is not the time to be spending additional taxpayer funds on cleanup which should be paid by water contractors whose drainage caused such problems at Kesterson.

With regard to the San Joaquin River comprehensive plan, I understand that the House committee report recommends that \$1 million be moved out of the San Joaquin River Basin initiative and into the Shasta temperature control device. This would have a devastating effect on the San Joaquin River comprehensive plan, a study required under the 1992 statute which is due for completion next year. Is there language on these funds in the Senate bill or report?

Mr. JOHNSTON. No.

Mr. BRADLEY. I thank the Senator for these clarifications. Nothing in the CVPIA required Friant water users to give up any water. The San Joaquin comprehensive plan is only a study.

AMENDMENTS NO. 2059 THROUGH 2065

Mr. JOHNSTON. Madam President, I send a group of amendments to the desk and ask unanimous consent that the amendments be considered and agreed to, en bloc.

Mr. President, these amendments are as follows: An amendment by Senator BINGAMAN to reduce the energy costs of Federal facilities; an amendment by Senators BRADLEY and LAUTENBERG, within available funds, to provide for the use of funds for the Tokamak fusion test reactor; an amendment by Senator DASCHLE, within available

funds, to provide \$300,000 to complete a feasibility study of alternatives for meeting the drinking water needs on the Cheyenne River Sioux Reservation under the Bureau of Reclamation; an amendment by Senator BAUCUS to provide \$2 million, within available funds, for Indian energy resource projects, for Crow Indian projects; an amendment by Senator BYRD respecting Petersburg, WV, revising a cost ceiling on an authorized Corps of Engineers project; an amendment by Senator FEINGOLD to provide spending limitations on the TVA Environmental Research Center; an amendment by Senators BOXER and BAUCUS with respect to reporting requirements.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Louisiana [Mr. JOHNSTON], proposes amendments No. 2059 through 2065.

The PRESIDING OFFICER. Without objection, the amendments are agreed to.

So the amendments (No. 2059 through 2065) were agreed to, en bloc, as follows:

At the appropriate place, insert the following:

**SEC. . ENERGY SAVINGS AT FEDERAL FACILITIES.**

(a) REDUCTION IN FACILITIES ENERGY COSTS.—The head of each agency for which funds are made available under this Act shall take all actions necessary to achieve during fiscal year 1996 a 5 percent reduction, from fiscal year 1995 levels, in the energy costs of the facilities used by the agency.

(b) USE OF COST SAVINGS.—An amount equal to the amount of cost savings realized by an agency under subsection (a) shall remain available for obligation through the end of fiscal year 1997, without further authorization or appropriation, as follows:

(1) CONSERVATION MEASURES.—Fifty percent of the amount shall remain available for the implementation of additional energy conservation measures and for water conservation measures at such facilities used by the agency as are designated by the head of the agency.

(2) OTHER PURPOSES.—Fifty percent of the amount shall remain available for use by the agency for such purposes as are designated by the head of the agency, consistent with applicable law.

(c) REPORT.—

(1) IN GENERAL.—Not later than December 31, 1996, the head of each agency described in subsection (a) shall submit a report to Congress specifying the results of the actions taken under subsection (a) and providing any recommendations as to how to further reduce energy costs and energy consumption in the future.

(2) CONTENTS.—Each report shall—

(A) specify the total energy costs of the facilities used by the agency;

(B) identify the reductions achieved; and

(C) specify the actions that resulted in the reductions.

Mr. BINGAMAN. Madam President, when it comes to controlling Government spending, nothing stands out in my mind more than the billion dollars that the Federal agencies toss out the window every year in energy waste.

The Federal Government is our Nation's largest energy waster. This year

agencies will spend almost \$4 billion to heat, cool and power their 500,000 buildings.

Both the Office of Technology Assessment and the Alliance to Save Energy, a nonprofit group that I chair with Senator JEFFORDS, have estimated that Federal agencies could save \$1 billion annually.

To achieve these savings, agencies just need to buy the same energy saving technologies—insulation, building controls, and energy efficient lighting, heating and air conditioning—that have been installed in many private sector offices and homes.

Why, because there are now businesses, known as energy service companies, that stand ready to upgrade Federal facilities at no up-front cost to the Government—That's right, at no up-front cost to the Federal Government.

These companies offer what are called energy saving performance contracts which provide private sector expertise to assess what energy saving technologies are most cost effective, provide nongovernmental financing to make the improvements, install and maintain the equipment and guarantee the energy savings will be achieved.

Agencies pay for the service over time using the energy costs they have saved—if they do not see the saving they do not pay for the service—its that simple, that is the guarantee.

This type of contract is used every day in the private sector and State and local government facilities. For instance, Honeywell Corp. has entered into these energy saving arrangements with over 1,000 local school districts nationwide, allowing schools to reinvest \$800 million in savings in critical education resources rather than continuing to pay for energy waste.

Unfortunately, even though Congress first authorized Federal agencies to take advantage of this innovative business approach in 1986 agencies have been dragging their heels.

To help get things moving, the Department of Energy recently prepared streamlined procedures to encourage their use.

Now is the time for Congress to put the agencies feet to the fire on financial reform of Government energy waste. Agencies should enter into these partnerships with the private sector.

That is why, today I am proposing an amendment calling for each Federal agency covered by this bill, to reduce Government energy costs by 5 percent in 1996. I am also asking that agencies report back to us by the end of 1996 to ensure that they have actually taken action to reduce their energy costs.

You know, we are often called upon up here to make really hard controversial decisions that please some and anger others. This is a winner for everyone. If 1,000 local school boards have examined it and are reaping the savings, I say its time we got our Nation's biggest energy waster on track, too.

With this one, simple reform, we will create thousands of job and business

opportunities in every one of our States, improve the environment by reducing air pollution and save ourselves hundreds of million of dollars every year, at no up-front cost to taxpayers. As my kid would say, "Dad, its a no brainer".

AMENDMENT NO. 2060

(Purpose: To provide for the use of funds for the Tokamak Fusion Test Reactor)

On page 20, lines 22 and 23, after "expended" insert ", of which amount within available funds \$56,000,000 may be available to continue operation of the Tokamak Fusion Test Reactor (for which purpose, the Secretary may use savings from reducing general administrative expenses in accordance with the Department of Energy's strategic alignment and downsizing effort, but none of the savings used for this purpose shall come from programmatic accounts within this title)".

Madam President, I rise in support of the pending amendment. This amendment is a smart one because it makes use of existing Department of Energy resources. It is also a no-cost amendment. It does not increase any account in this bill. And it does not take one cent from any other Department of Energy research program.

Last year's conference report on the energy and water bill contained language calling for an expert commission to report to Congress on what the future of the fusion program should be. This report was done by the President's Committee on Advisors on Science and Technology or more commonly known as PCAST.

This report was written by energy research experts within Government, the private sector, universities, and the national laboratories.

The PCAST report anticipated that the fusion program would have to live with fewer resources in the next few years. Despite the dwindling resources envisioned by the PCAST, they strongly recommended that the existing Tokamak fusion test reactor [TFTR] at Princeton University operate for another 3 years.

And the statement of administration policy accompanying this bill reiterates support for the PCAST report in general and TFTR specifically.

However, the current language in the energy and water bill is ambiguous about the TFTR machine. Therefore, this amendment seeks to clarify that the Secretary of Energy will have the authority to keep TFTR effectively operating for another 3 years. And it accomplishes exactly what the PCAST report called for with regard to TFTR.

Madam President, the fusion program has been a success for this country. The TFTR machine at Princeton University has broken world records of fusion power in the last 2 years. Furthermore, the TFTR at Princeton is the only machine in the world that uses deuterium-tritium fuel, which is the type of fuel that might one day be used in a commercial fusion machine.

Madam President, at this time I would like to tell my colleagues about some of the potential advantages to developing fusion energy. Fusion energy

holds the promise of an abundant, clean burning, inexpensive energy alternative for the next century.

The byproducts of fusion energy are thousands of times less dangerous than fission. The byproducts also cannot be converted into nuclear weapons. Finally, fusion energy has no chemical combustion products and therefore, would not contribute to acid rain or global warming.

It is clear that fusion energy is an environmentally sound energy source worth the investment of Federal resources.

Despite all of the promise and success of the fusion program in the last 2 years, its budget has been cut deeply this year. It has been cut by 40 percent which is much more than other energy research programs. For example:

Nuclear energy was only cut by 6 percent.

Biological and environmental research was only cut by 4 percent.

General sciences was only cut by 1 percent.

Nuclear physics was only cut 8 percent.

And some part of the energy research budget actually received increases in this bill:

High energy physics received a 2-percent increase; and

Basic energy science got a 6-percent increase.

Madam President, I understand that some of the cuts in the fusion program and in other programs in this bill are necessary. The allocation for this bill is less than it was last year. The managers of this bill have had to make some tough decisions and I commend them for their hard work in putting this bill together.

However, I believe that adopting this amendment will improve this bill while not increasing its tight allocation.

This amendment simply allows the Secretary of Energy the flexibility to operate the TFTR machine to complete all the ongoing experiments at Princeton. The Federal Government has already invested over \$1 billion in the fusion facility at Princeton. It would be shortsighted to stop these continuing research activities at Princeton, especially since the machine will be ending its operations in 3 years.

This amendment does not cut the core fusion program or the international fusion activities funded in this bill. Nor does it cut any other energy research activities funded in this bill. It simply allows the fusion research on the TFTR machine at Princeton to continue.

Madam President, in 3 years the fusion program will be at a turning point. At that time, we must decide whether or not we will make the long-term investment in developing fusion energy. We may or may not have the resources at that time to go forward. But we should move the fusion program forward until that day comes. We should make the best use of the facilities and human resources that we have invested so much into over the years.

Madam President, I urge my colleagues to support this no-cost amendment.

I yield the floor.

Mr. BRADLEY. Madam President, today Senator LAUTENBERG and I are offering an amendment to insure the continuation of the tokamak fusion test reactor, or TFTR, at the Princeton Plasma Physics Laboratory. Without increasing any account in the bill or cutting any other Department of Energy research program, the amendment insures that the TFTR and its valuable research will proceed for another year.

I agree that we need to make significant appropriations cuts, however, we should not forget that some cuts hurt more than others. Shutting down a major research lab like TFTR is doubly damaging. First, we lost the important research it might have provided into cleaner, safer sources of nuclear power. But even worse, we make it that much harder to restart research when times get better financially but scientists have moved on to other, more secure, fields of study.

The Princeton lab is the world leader in fusion research and the only tokamak in the world using deuterium-tritium fuel, the most likely fuel for a future commercial fusion reactor. In December 1993, when this fuel was first injected into the machine, the TFTR began setting world fusion power records. Over the next few years, researchers plan to double the production of fusion power at TFTR. And as reported last week in Science magazine, Princeton scientists have made a recent breakthrough in fusion research which has great promise for removing some of the biggest obstacles to power production.

TFTR was authorized by Congress in 1976 and began operations in 1982 at a time when fusion machines could produce only a 10th of a watt of fusion power. The device has now produced more than 10 million watts of fusion power—an increase of more than 100 million times. TFTR has achieved or surpassed its initial design objectives and has higher performance standards and capabilities than any other existing device.

When power generation options for the next century and beyond are severely limited, we cannot afford to waste precious resources by abandoning important research work like the TFTR.

#### AMENDMENT NO. 2061

(Purpose: To ensure the completion of the feasibility study of alternatives for meeting the drinking water needs on the Cheyenne River Sioux Reservation and surrounding communities)

On page 15, line 17, add: "Provided further, That within available funds, \$300,000 is for the completion of the feasibility study of alternatives for meeting the drinking water needs on the Cheyenne River Sioux Reservation and surrounding communities."

#### AMENDMENT NO. 2062

(Purpose: To provide that funds shall be made available to the Crow tribe for energy resources programs under title XXVI of the Energy Policy Act of 1992)

On page 20, lines 22 and 23, after "expended" insert "Provided further, That within the amount for Indian Energy Resource projects, \$2,000,000 may be made available to fund the Crow energy resources programs under title XXVI of the Energy Policy Act of 1992 (25 U.S.C. 3501 et seq.)."

#### AMENDMENT NO. 2063

At the appropriate place in the bill (suggested page 12, after line 16) insert the following:

SEC. . The project for flood control for Petersburg, West Virginia, authorized by section 101(a)(26) of the Water Resources Development Act of 1990 (P.L. 101-640, 104 Stat. 4611) is modified to authorize the Secretary of the Army to construct the project at a total cost not to exceed \$26,600,000, with an estimated first Federal cost of \$19,195,000 and an estimated first non-Federal cost of \$7,405,000.

#### AMENDMENT NO. 2064

(Purpose: To limit funding for the Tennessee Valley Authority Environmental Research Center)

On page 38, lines 1 and 2, after "\$110,339,000, to remain available until expended" and insert "Of the funds appropriated under this heading, not more than \$25,000,000 may be expended for the Tennessee Valley Authority Environmental Research Center in Muscle Shoals, Alabama, in the event that the Center expends less than \$25 million, such amount not expended shall be returned to the U.S. Treasury and the Tennessee Valley Authority appropriation reduced accordingly and the Tennessee Valley Authority shall take steps to obtain funding from other sources so as to reduce appropriated funding in the future and, not later than January 1, 1996, submit to Congress a preliminary plan securing funding from other sources."

Mr. FEINGOLD. Madam President, the manager's amendment includes an amendment relating to funding for the Tennessee Valley Authority which I authored. I appreciate the willingness of Members concerned with the issue to work out an acceptable amendment. This amendment is simple, and structured in such a way to gain acceptance from the Senate, including those from the Tennessee Valley Region. It limits and targets funds for the Tennessee Valley Authority and moves TVA forward on a path of becoming less reliant upon appropriated funds.

This amendment directs that no more than \$25 million of the funds appropriated for TVA may be spent for TVA's Environmental Research Center in Muscle Shoals, Alabama. The House Energy and Water bill zeroes out funding for the Research Center. The Senate Report explains that the Committee restores funding for the Center, but proposes to reduce the Center's funds by 22 percent, from its current appropriations of \$32 million to \$25 million. My amendment would explicitly codify the Senate Report language and cap the amount that the Research Center could receive at \$25 million. It provides that if less than \$25 million is expended on the Center, the amount shall be returned to the Treasury and the TVA



appropriation reduced accordingly. Senate Committee Report recommendations relative to transitioning the Environmental Research Center to dependence upon funds other than appropriated funds for the conduct of its research program. I was pleased to see that the Committee made such a recommendation, and I am moving forward with this amendment to ensure that the TVA receives explicit legislative direction to achieve such a transition.

Finally, my amendment adds a new requirement for the Environmental Research Center. Consistent with the mandate to reduce dependence upon appropriated funds, the amendment directs TVA to report to Congress a plan for achieving a transition away from appropriated funds at the Environmental Research Center. That report should serve as a baseline for next year's fiscal year 1997 appropriations process and I am hopeful that the recommendations will clarify the source and type of funds that support the Environmental Research Center's program, and help TVA to plan for reductions in appropriated funds.

Madam President, I recently met with the Director of the TVA Environmental Research Center. Ongoing work in poultry litter utilization, ozone mitigation, and agricultural pollution prevention all are important areas of investigation—and all affect my home State of Wisconsin. After my meeting, I did feel that the work in which the Center is engaged is valuable, but it raised two issues to me. First, I question, given the character of the Center's work, whether this work needs to be done within the regional context, especially if it has national implications. Second, was the question of whether the Center has a proper institutional fit within TVA. Certainly, this Center, given its capable staff, has the ability to attract and complete research projects that are reimbursable.

Madam President, I understand the role that TVA has played in our history. I also know that we face an uncertain budget future. I believe that TVA discretionary funds should be on the table, and that the fiscal year 1996 funds should be structured and targeted to achieve further reductions in the future. I believe my amendment is a reasonable approach to address these concerns, and makes a logical compromise between the House and Senate approaches. I believe that the overall House level of funding for TVA, which amounts to a 25-percent cut in the TVA budget is appropriate in these tight budget times and I hope the conferees will accept that figure. However, I believe in making that cut, we should seek to direct an appropriate transition to non-federal funds.

The amendment caps the Center's funds at \$25 million, making the Senate Committee report suggestions hard numbers by codifying them. I believe that this is an amendment that can be supported by Senators interested in re-

ducing federal spending, including those within the TVA area.

Madam President, this amendment seeks to move TVA and its various projects closer toward reduced dependence on federal funding. In this time of severe pressure on the federal budget and the need to reduce the federal deficit, it is essential that some programs, like TVA, which have served an important purpose in the past, begin to transition away from reliance on federal funding. This transition should be done in a careful, planned manner, but the process toward transition off of reliance on federal funding must begin now. This amendment takes us a step further in that direction and I appreciate the support of the manager and interested Senators in reaching an agreement in the language of my amendment.

#### TVA'S ENVIRONMENTAL RESEARCH CENTER

Mr. HEFLIN. Madam President, I rise today to urge my colleagues to reject any amendments that would reduce or eliminate funding for the Tennessee Valley Authority's Environmental Research Center.

TVA's Environmental Research Center was once the Nation's most effective laboratory for developing new fertilizer and nutrient technologies that fueled the legendary gains in food and fiber production in the United States and around the world. Because of this work, TVA is largely responsible for the tremendous success of U.S. agriculture.

During the decades TVA conducted its fertilizer and agricultural research programs, it built a strong base of expertise in chemistry, chemical engineering, process engineering, agronomy, and other related agricultural and nutritional sciences. Now TVA is capitalizing on this expertise in developing technologies to solve environmental waste problems in the Tennessee Valley as well as across the Nation.

Today, TVA's Environmental Research Center is on the threshold of discovering new ways to prevent or reduce pollution of the air, land, and water from agricultural, municipal, and industrial operations. For our Nation to achieve agricultural and economic sustainability, we must have innovative technologies to operate our farms, factories, utilities, and cities in environmentally acceptable ways.

The research and development underway at the Environmental Research Center will help us avoid a crisis in disposing our agricultural, municipal, and industrial wastes. In fact, some of the Environmental Research Center's technologies are already in use throughout the country in cleaning up contaminated sites, reducing pollution from agricultural, and converting wastes into value-added products.

Let me cite a few examples of the impact that the Center's environmental and waste conversion work is already having across the country. These will serve as examples of the potential the

Center has to fulfill the Nation's substantial environmental technology needs in the future:

#### POLLUTION PREVENTION IN AGRICULTURE

The Environmental Research Center's scientists have already developed pollution prevention technologies that are being used across the country. The Center is providing technical assistance in 70 agrichemical demonstration projects in 27 States.

It is a tribute to the Environmental Research Center's work that 15 of the Center's demonstrators have won State and regional awards for excellence in environmental stewardship.

A spinoff of the pollution prevention demonstration work with agricultural chemical suppliers is the impact that these retailers are having on farmers. The Center's demonstration sites are providing agri-dealers with information that they are using in promoting environmental stewardship with their farmer customers. These retailers are providing environmental services to their customers—services which will go a long way in helping solve the Nation's nonpoint source pollution problem.

#### ANIMAL WASTE MANAGEMENT

The technologies developed at the Environmental Research Center offer practical solutions to help manage the Nation's animal waste problems. The Center conducts 37 animal waste management projects in 10 States including high-tech composting for poultry wastes and poultry by-products. Research at the Center's constructed wetlands complex also contributes to solving severe pollution problems associated with the poultry and livestock industries. The animal and meat production industries are rapidly growing throughout the Nation to keep up with consumer demands. More than 20 States list poultry and poultry products as one of their top four agricultural income generators. But the downside of this \$30 billion dollar a year industry is the tremendous volume of poultry litter and other wastes that must be disposed of or used in the environmentally acceptable way. The poultry waste issue is a serious problem for farmers and for the environment. The Center has research underway to develop technologies to convert poultry litter and other wastes into usable products.

The Center's compost research and development facility will demonstrate innovative ways to use composting of poultry litter as an industrial process. The process will generate products with controllable properties and designated uses.

The Center's researchers are making progress in investigating the use of nutrient-enhanced broiler litter as an organic-based plant food for turf. And poultry waste by-products are being evaluated as a feed source for ruminant animals and as a substitute in potting mixes for horticultural plants. Poultry litter also has potential for production of methane. The Center is exploring

the commercial opportunities in this area.

Some cutting-edge research underway at the Center is determining the potential of mixing poultry litter with heat-loving microorganisms to remediate PCB contaminated soils. This development can benefit many regions of the country where cost-effective technologies are needed to clean up contaminated soils.

The Center has joined forces with USDA, EPA, and the poultry industry to establish a poultry water quality consortium. Together, these public and private organizations are promoting innovative ways to manage and convert poultry wastes to assure that surface and groundwater quality are protected.

It is essential that this work continue. The Center has the expertise and research facilities to speed the development of needed technologies for animal waste management practices throughout the country.

#### ENVIRONMENTAL TECHNOLOGIES

There is a national concern over reducing ozone concentrations in urban as well as rural areas of the country. America has spent billions of dollars on emissions reductions during the past decade. But we still have serious problems. Ninety-six urban areas affecting 63 million people were identified in 1990 as having ground-level ozone problems. Ozone in the upper atmosphere is good, but at ground level it causes respiratory problems, reduces agricultural crop production, and hinders business growth.

The southeastern United States is especially susceptible to ozone exposure because of the region's warm temperatures, abundant sunshine, and high frequency of air stagnation, in addition, to the large percentage of forest land.

To address this concern, the Center helped establish the southern oxidants study, a unique partnership of Federal agencies (TVA, EPA, NOAA, the National Park Service, NASA, and DOE), universities, industry, and regulatory agencies. The research conducted by this group has significantly improved our understanding of the factors that control ozone formation. This public-private partnership is recognized as an excellent example of the efficient use of limited Federal resources. Research results from the southern oxidants study have significant application to many other parts of the country.

The Center has developed a genetically-engineered microbe that feeds on PCBs. This is a low cost way to clean up PCB-contaminated soils and will save millions of dollars annually in cleanup costs. The Center's constructed wetlands research facility is showing how to use this technology for more effective and low-cost cleanup of industrial, municipal, and animal wastes.

The Center is working on an economical way to filter and remove industrial air pollutants from manufacturing plant emissions. For example, the system is removing 99 percent of

styrene, and industrial pollutant, from the emissions of a boat manufacturing facility.

The Center is working with the Department of Defense to clean up hazardous waste sites on military bases. Many defense sites have hazardous materials containing elemental phosphorus. The Center has found a way to clean up this problem economically.

Let me briefly highlight additional environmental technologies the Environmental Research Center is developing to benefit the Nation:

The Center is developing methods to predict environmental impacts of agricultural practices on nonpoint source pollution on a watershed scale.

The Center's scientists are seeking ways to use waste materials from fossil fuel-fired electricity producing plants in the United States. These fossil fueled plants today generate 120 million tons annually of coal combustion wastes. The Center is making progress in developing uses for these wastes, such as in soil amendments, plastics, paint fillers, and construction materials. These and other uses for such wastes will significantly reduce the amount of coal-combustion wastes going to landfills or other storage areas.

The Center is conducting research to detect, track, and remediate wastes and contaminants. These include organics and toxic metals in waste water from industrial, power generation, and municipal operations; oily contaminants to surface water (ponds, streams, and rivers); organic and inorganic contaminants in soil and groundwater; and chemical emissions to the air.

The Center's scientists project that 40 percent of the remediation and restoration needs of the Nation can be handled by bioremediation technologies. These technologies use living organisms to destroy pollutants such as PCBs; and, these bioremediation technologies are more cost-effective than many of today's cleanup methods. The Center's biotechnical research technologies will help reduce the Nation's cost for hazardous waste remediation and site restoration which is estimated to be \$1.7 trillion over the next 30 years.

Mr. President, and my colleagues in the Senate, TVA's Environmental Research Center is addressing many of the concerns of the Nation in the environmental and waste management areas. As this chart shows, the Center is involved directly in environmental and waste management projects in 41 States. And the technologies being developed have significance for all the States, and indeed, the whole world.

It makes no sense to cut funding for this effective, problem-solving research laboratory. Our Nation is at a crossroads. We have the unique responsibility today to manage the fragile balance between sustainable economic development and environmental protection. The Welfare of our generation and fu-

ture generations will be affected by what we do today and in the early years of the 21st century.

#### AMENDMENT NO. 2065

(Purpose: To require the Secretary of the Army to submit the plan to reduce the number of division offices within the Army Corps of Engineers to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives)

On page 9, line 24, insert "(including the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives)" after "(Congress)".

Mr. JOHNSTON. Mr. President, I move to reconsider the vote.

Mr. DOMENICI. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. DOMENICI. Madam President, I have a series of amendments that I will offer, en bloc. I might state to the Senate that I think that the only thing left after this is accomplished is the disposition of the Wellstone amendment. I might say that Senator WELLSTONE is here waiting. Senator ROD GRAMS of Minnesota is on his way. He thought we had nothing going until 8:30 because that is what I had announced. But he will be here shortly, and we will discuss the Senator's amendment and see what we can work out, if anything, then.

Mr. WELLSTONE. I thank my colleague from New Mexico. We can wait and see what we can work out.

Mr. DOMENICI. Senator HUTCHISON has an amendment on Cooper Lake, Corps of Engineers; Senators GRAMS and WELLSTONE have an amendment on Marshall, MI, Corps of Engineers; Senator WARNER has an amendment on Virginia Beach hurricane protection; Senator BROWN has two amendments on Delaware Basin and Susquehanna River Basin Commissions; Senators CRAIG and KEMPTHORNE have an amendment on Idaho Chemical Processing Plant at the Idaho Engineering Laboratory. They have a statement they wish to be included following this action. Senators PRESSLER and DASCHLE have an amendment on Lake Traverse, South Dakota and Minnesota, which has been cleared on both sides; Senators DOLE and KASSEBAUM have an amendment on Arkansas City flood control project; Senator HATFIELD has an amendment on Coos Bay.

#### AMENDMENTS NOS. 2066 THROUGH 2075

Mr. DOMENICI. Madam President, I send a group of amendments to the desk and ask unanimous consent that the amendments be considered and agreed to, en bloc.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from New Mexico [Mr. DOMENICI] proposes amendments numbered 2066 through 2075.

The PRESIDING OFFICER. Without objection, the amendments are agreed to.

The amendments (Nos. 2066 through 2075) were agreed to, en bloc, as follows:

AMENDMENT NO. 2066

(Purpose: To provide for the donation of land to the Army Corps of Engineers and the United States, the development of a recreation center, and the designation of land for mitigation)

On page 13 insert the following new section after line 23:

SEC. . (a) The Secretary of the Army is authorized to accept from a non-Federal sponsor an amount of additional lands not to exceed 300 acres which are contiguous to the Cooper Lake and Channels Project, Texas, authorized by the River and Harbor Act of 1965 and the Water Resources Development Act of 1986, and which provide habitat value at least equal to that provided by the lands authorized to be redesignated in subsection (b).

(b) Upon the completion of subsection (a), the Secretary is further authorized to redesignate an amount of mitigation land not to exceed 300 acres to recreation purposes.

(c) The cost of all work to be undertaken pursuant to this section, including but not limited to real estate appraisals, cultural and environmental surveys, and all development necessary to avoid net mitigation losses, to the extent such actions are required, shall be borne by the donating sponsor.

AMENDMENT NO. 2067

On page 6, after line 11, add: “; For Marshall, Minnesota, \$850,000;”.

AMENDMENT NO. 2068

On page 6, between line 11 and line 12 insert the following: “Virginia Beach Erosion Control and Hurricane Protection, Virginia, \$1,100,000;”.

AMENDMENT NO. 2069

(Purpose: To limit the use of funds for the Delaware River Basin Commission)

On page 33, strike line 5 and insert the following: Commission, as authorized by law (75 Stat. 716), \$440,000, *Provided*: that the U.S. Commissioner (Alternate Federal Member) shall not be compensated at a level higher than General Schedule level 15.

AMENDMENT NO. 2070

(Purpose: To limit the use of funds for the Susquehanna River Basin Commission)

On page 37, strike line 14 and insert the following: \$280,000, *Provided*: that the U.S. Commissioner (Alternate Federal Member) shall not be compensated at a level higher than General Schedule level 15.

AMENDMENT NO. 2071

Page 26, line 16, insert the following before the period: “; *Provided*, that within available funds, \$4,952,000 is provided for electrical and utility systems upgrade, Idaho Chemical Processing Plant, Idaho National Engineering Laboratory, project number 96-D-463”.

Mr. CRAIG. Madam President, I want to thank the bill managers for agreeing to my and Senator KEMPTHORNE's amendment that provides \$4.9 million for safety upgrades to the Idaho Chemical Processing Plant. I strongly support this proposal, the electrical and utility systems upgrade [EUSU] project, that will upgrade the Idaho Chemical Processing Plant utility systems.

This project will correct high risk environmental, health and life safety de-

ficiencies at the plant. As the Department of Energy has stated in their field budget request, “Correction of these deficiencies will reduce health and safety risks and provide safe and reliable utilities to support the ICPP mission.” These facilities are outdated, overloaded and not in compliance with State regulations, DOE orders or national codes and standards. This project includes upgrades to normal and standby power electrical systems, sanitary sewer systems and water systems.

Madam President, there are spent nuclear fuels stored at the Idaho Chemical Processing Plant and it is essential they be stored safely. Madam President, this amendment will assure that goal is met.

I thank the managers.

Mr. KEMPTHORNE. Madam President, I am pleased to join Senator CRAIG in cosponsoring this amendment.

Madam President, this amendment provides funding, as called for in the President's budget request, for electrical and utility upgrades at the Idaho Chemical Processing Plant at the Idaho National Engineering Laboratory. The funding, \$4.9 million, would come from the \$1.45 billion provided for the nuclear materials and facilities stabilization program within the \$5.9 billion provided for the Defense Environmental Restoration and Waste Management account.

This project was previously identified as a safety concern by the Nuclear Facilities Safety Board. The Idaho Chemical Processing Plant is one of the facilities at INEL that stores large volumes of highly radioactive spent nuclear fuel.

According to the Defense Nuclear Facilities Safety Board report of October 12, 1994, “The electrical systems at ICPP, including CPP-603, are outdated and overloaded, and are not in compliance with state regulations, DOE orders, National Electric Codes and Standards and IEEE Standards.” This report also states that these problems “present potential health and safety risks during continued operation and maintenance of these systems. Upgrades to these systems are required but have been delayed for many years.”

Likewise, the fiscal year 1996 DOE budget submission states “Upgrades to the ICPP electrical and utility distribution system are essential to: First, provide safe operation of site facilities vital to the ICPP mission, second, provide a safe work place for employees, third, minimize risk of property damage as well as damage to the environment, and fourth, provide adequate capacity to support the DOE mission.”

I am sure the chairman and ranking member understand the importance of this project and I regret that I did not bring this project to their attention sooner. I want to thank Senator DOMENICI and Senator JOHNSTON for agreeing to accept this amendment.

Finally, I want to thank Senators DOMENICI and JOHNSTON for this overall

level of funding for the DOE clean up program provided by this bill. As the managers of the bill know, this is a very important program to the States and communities that host DOE facilities. In light of our very difficult budgetary situation, I am pleased by the level of funding for defense environmental restoration and waste management provided by this bill.

I want to once again thank the managers of the bill for their help and consideration.

AMENDMENT NO. 2072

(Purpose: To require the Army Corps of Engineers to take such actions as are necessary to obtain and maintain a specified elevation in Lake Traverse, South Dakota and Minnesota)

At the appropriate place in title I, insert the following:

SEC. 1 . WATER LEVEL IN LAKE TRAVERSE, SOUTH DAKOTA AND MINNESOTA.

(a) IN GENERAL.—Subject to subsection (b), notwithstanding any other law, the Secretary of the Army, acting through the Chief of Engineers of the Army Corps of Engineers and using funds made available under this Act, shall, to the greater extent practicable, take such actions as are necessary to obtain and maintain an elevation of 977 feet above sea level in Lake Traverse, South Dakota and Minnesota.

(b) LIMITATION.—No action taken under subsection (a) shall result in flooding at Mud Lake, South Dakota and Minnesota.

Mr. PRESSLER. Madam President, today I and Senator DASCHLE are offering an amendment to correct a problem in South Dakota that has resulted in severe flooding along the shores of Lake Traverse over the last several years. Lake Traverse lies on the far northeast section of South Dakota and in parts of western Minnesota. In fact, the boundary line between South Dakota and Minnesota goes through the middle of the lake.

Two out of the last three years, Lake Traverse has faced a major disaster due to high water levels. Shorelines were destroyed. Some small businesses lost money and proprietors were placed in financial jeopardy. Farmland was damaged and homes, cottages and other structures were damaged or destroyed. And if this is not enough, the environment and subsequent erosion wreaked havoc to the local land. Thousands of trees are under water and are dead or dying. Something must be done.

According to the U.S. Army Corps of Engineers, Congressional approval is needed before they can take steps to correct the high water level and erosion problems. The Corps is managing the lake with arcane rules that are half a century old. That is unacceptable. My amendment would give the Corps the necessary authority to better manage water release at Lake Traverse and control erosion.

The amendment would direct the U.S. Army Corps of Engineers the needed authority to obtain and maintain an elevation of 977 feet above sea level at Lake Traverse. The amendment also assures that should the Corps take action, such action would not result in flooding at Mud Lake.

There is strong public support for this action. I have held two meetings in South Dakota on this issue. At both of these meetings over 250 citizens were in attendance. Such turnout clearly indicates that South Dakotans believe something needs to be done. This amendment achieves their goal.

AMENDMENT NO. 2073

(Purpose: To provide funds for a flood control project)

On page 5 insert the following between lines 16 and 17: "Arkansas City flood control project, Kansas, \$700,000, except that for the purposes of the project, section 902 of Public Law 99-662 is waived;"

AMENDMENT NO. 2074

On page 13, insert the following after line 23:

SEC. . Using funds appropriated herein the Secretary of the Army, acting through the Chief of Engineers, is authorized to undertake the Coos Bay, Oregon project in accordance with the Report of the Chief of Engineers, dated June 30, 1994, at a total cost of \$14,541,000, with an estimated Federal cost of \$10,777,000 and an estimated non-Federal cost of \$3,764,000.

AMENDMENT NO. 2075

(Purpose: To require the Army Corps of Engineers to take such actions as are necessary to obtain and maintain a specified elevation in Lake Traverse, South Dakota and Minnesota)

At the appropriate place in title I, insert the following:

**SEC. 1 . WATER LEVEL IN LAKE TRAVERSE, SOUTH DAKOTA**

(a) IN GENERAL.—Subject to subsection (b), notwithstanding any other law, the Secretary of the Army, acting through the Chief of Engineers of the Army Corps of Engineers and using funds made available under this Act, shall, to the greatest extent practicable, take such actions as are necessary to obtain and maintain an elevation of 977 feet above sea level in Lake Traverse, South Dakota and Minnesota.

(b) LIMITATION.—No action taken under subsection (a) shall result in flooding at Mud Lake, South Dakota and Minnesota.

Mr. DOMENICI. I move to reconsider the vote.

Mr. JOHNSTON. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. DOLE. Madam President, we are down to one amendment on this bill. It seems to me that rather than call everyone back for one vote, if there is a vote on this, we could have that vote tomorrow morning. There is no request for a vote for final passage, as long as we have one on the conference report—either one on the bill or one on the conference report.

If that is satisfactory with the Senator from Minnesota, then I am willing to say—and the managers, of course—that there will be no more votes tonight, but we would have opening statements on DOD authorization yet tonight.

Mr. JOHNSTON. Madam President, I think that is an excellent idea.

I wonder if we could get unanimous consent to close out all other amendments other than the Wellstone amendment.

Mr. WELLSTONE. Madam President, I want to say to the majority leader

that anything I can do to accommodate colleagues is fine with me. I am hopeful my colleague and I can work this out. It would be fine to have the vote tomorrow morning, if that is what we need.

Mr. DOLE. If it is all right with the Democratic whip, who is on the floor, Senator FORD, I announce there are no more votes this evening. If there is a vote required on the Wellstone amendment, maybe 9 o'clock in the morning.

Mr. DOMENICI. Madam President, reserving the right to object, and I will not, we might want to make sure, because I do not know what Senator GRAMS' desires are. He may want to amend the amendment. I think he ought to be permitted to do that.

The only thing left is your amendment and the possible second-degree amendment to it, if any.

Mr. DOLE. Whatever the disposition is—

Mr. FORD. Madam President, would the majority leader yield for a question?

Mr. DOLE. I am happy to yield to the Senator.

Mr. FORD. I understand the Senator is trying to move this along and get Members out. Did we get a unanimous-consent agreement that Senator Wellstone's amendment would be the only remaining amendment, or a second-degree to that amendment, that has already been offered?

Mr. DOLE. That was in the original list. We could make that request.

Mr. DOMENICI. There were no others allowed anyway, Madam President.

Mr. FORD. I wanted to be sure. There will be amendments in the second degree.

Mr. DOLE. I make that request, that the Wellstone amendment plus any second-degree amendments be the only amendments in order.

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

Mr. FORD. I thank the majority leader.

One further question: Should the Wellstone amendment be worked out and no final passage vote requested, that we could finish this bill tonight, and there would not be any left for tomorrow, could that be understood?

Mr. DOLE. That would be understood. Obviously, if we finish tonight without a vote, I am sure the managers would be happy to do that.

Mr. DOMENICI. Delighted.

Mr. FORD. One, no more votes this evening; and two, probably no votes on this bill tomorrow. We will go to DOD authorization tonight with opening statements.

Mr. DOLE. In the event there is a vote, we request it be put over until tomorrow. In the event we complete action without it, obviously that is desired.

Mr. DOMENICI. Madam President, I just noticed on this list there are two Senators that I have not formally asked. I believe there will be no amendment, but we must check with Senator BURNS right now and Senator SPECTER.

We have nothing else pending. We have to wait for Senator GRAMS now.

Mr. WELLSTONE. Very briefly, I wanted to thank my colleagues, both Democrats and Republicans alike. The managers' amendment includes funding for a flood control project in Marshall, MN, which was flooded three times in 1993.

This has been a project that for some time now, is very, very important to the people in Marshall. I know that the elected leadership of the people will be very, very grateful for the action that we have taken.

I thank my colleagues for their support. I yield the floor. 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. ASHCROFT. I ask unanimous consent that the order for the quorum call be rescinded.

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

### WELFARE IN AMERICA

Mr. ASHCROFT. Madam President, I take this opportunity to raise important issues relating to a set of concerns which will be before the Senate next week, or perhaps even late this week.

I am talking about our responsibility to reform a welfare system, a welfare system which has been a tragic failure. All too frequently, we speak of this tragic failure as if it is a tragic failure in terms of dollars and cents. The tragedy of this failure is compounded. It is not just dollars and cents, or not even most importantly dollars and cents.

The tragedy of this failure is it is a failure in terms of human lives, the lives of children, the lives of families. It is a failure not only in terms of a single generation, but it is a failure that extends to lives that will exist in the future.

I will talk a little bit about that story. I have been talking about different stories in the welfare system, and the tragedies, the human face of this tragedy, for the last several days.

I might point out, you might think these are special cases I have somehow gained access to. The cases which I am addressing are cases which have appeared in the mainstream media. The first case was recorded in detail in the Chicago Tribune. Yesterday's case was reported in detail in the Boston Globe.

These cases are cases which have been a part of the mainstream reporting. A case which I will talk about today is the story of Rosie Watson and her successful 18-year endeavor to get welfare benefits for all seven members of her family. This is a story that is a vivid illustration of how the system entices people to try to game the system, even to be industrious in working the system, instead of working in the productive arena of American culture.

The Baltimore Sun reported in January that Rosie Watson, her common-