

Without objection, it is so ordered.

The amendment (No. 2356), as modified, is as follows:

On page 8, line 13, strike out "Act." and insert in lieu thereof "Act: *Provided further*, That of the funds provided under this heading, \$500,000 may be available for the Life Sciences Equipment Laboratory, Kelly Air Force Base, Texas, for work in support of the Joint Task Force—Full Accounting."

Mr. STEVENS. 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. BYRD. 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 President, I ask unanimous consent that the order for the quorum call be rescinded.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. FORD addressed the Chair.

The PRESIDING OFFICER. The Senator from Kentucky.

#### REGULATION OF TOBACCO

Mr. FORD. Mr. President, the President of the United States just held a press conference as it relates to the regulation of tobacco. I will make a few remarks in response to that.

The President's announcement today is very disappointing. After weeks of attempting to arrive at a solution with the White House, offering proposal after proposal, my farmers lost out to the zealots. We had agreed to almost everything the White House proposed, with ways to put teeth into that agreement. I know that, because I have been attempting to negotiate since day one. No one, to my knowledge, was attempting to block the President's position of reducing underage smoking. We were offering a fair and enforceable way to get there.

Mr. Kessler wanted a scalp on his belt, and the White House was determined to give it to him. Even Representative RON WYDEN of Oregon, a strong antitobacco advocate, asked the President to basically agree with our offer. The administration has chosen litigation over compromise, delay over action. The President has chosen a press conference instead of a negotiating conference. He has chosen a process that reaches his goals later rather than sooner.

I am not only disappointed, Mr. President, but I am hurt. My first thought was to be vindictive, use every means I have available to me—and there are several—to get back at the White House. But I have decided not to take that course. I will, however, try to seek out people of reason to help work through this problem.

I have never been one who thought it wise to appoint a person to your administration from another, especially if he or she was of a different party. Mr. Kessler is a carryover from the Bush administration, and I am not sure he is doing this administration any favors.

The President said he wants to work to pass legislation that would accom-

plish these goals. I will introduce such a bill when we return in September and believe it will be acceptable to the White House. The FDA is so far behind now in making important decisions and with the attempt to acquire additional work, I believe the people of this country will be ill-served to a much greater degree by this decision.

Mr. President, I have five grandchildren. Three of those grandchildren are teenagers. None of my grandchildren smoke, thanks to their parents, because they have seen to it that they did not.

I am not advocating teenage smoking. All I am trying to do here is to put into place an agreement with the White House so that we may proceed and do those things that are necessary, because today suits have been filed all over the country as it relates to the proposed regulations. So now we have confrontation where we could have had an agreement. I am very hopeful that when we come back in September, those who are reasonable and fair will join with me in accomplishing the purpose of reducing or eliminating smoking among teenagers and do it in a very fast and appropriate manner.

I yield the floor.

Mr. BINGAMAN addressed the Chair.

The PRESIDING OFFICER. The Senator from New Mexico is recognized.

Mr. BINGAMAN. Mr. President, I ask unanimous consent that the pending amendment be temporarily set aside.

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

#### DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 1996

The Senate continued with the consideration of the bill.

#### AMENDMENT NO. 2390

(Purpose: To meet the highest priority of the Secretary of Defense for additional funding, namely, funding for ongoing operations in Iraq, Cuba, and Bosnia, and to save \$111,900,000 for the taxpayers by postponing procurement of the LHD-7)

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

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from New Mexico [Mr. BINGAMAN], for himself, Mr. LAUTENBERG, Mr. EXON, and Mr. KERREY, proposes an amendment numbered 2390.

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

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

The amendment is as follows:

On page 81, strike out lines 16 through 23, and insert in lieu thereof the following:

SEC. 8082. (a) In addition to the amounts appropriated in title I for military personnel, funds are hereby appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 1996, for purposes and in amounts as follows:

(1) For military personnel, Army, an additional amount of \$9,800,000.

(2) For military personnel, Navy, an additional amount of \$39,400,000.

(3) For military personnel, Marine Corps, an additional amount of \$6,000,000.

(4) For military personnel, Air Force, an additional amount of \$61,200,000.

(5) For reserve personnel, Navy, an additional amount of \$2,700,000.

(b) In addition to the amounts appropriated in title II for operation and maintenance, funds are hereby appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 1996, for purposes and in amounts as follows:

(1) For operation and maintenance, Army, an additional amount of \$171,300,000.

(2) For operation and maintenance, Navy, an additional amount of \$210,400,000.

(3) For operation and maintenance, Marine Corps, an additional amount of \$8,000,000.

(4) For operation and maintenance, Air Force, an additional amount of \$645,100,000.

(5) For operation and maintenance, Defensewide, an additional amount of \$25,800,000.

(6) For operation and maintenance, Navy Reserve, an additional amount of \$1,000,000.

(c) In addition to the amount appropriated in title VI under the heading "DEFENSE HEALTH PROGRAM", funds are hereby appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 1996, for expenses, not otherwise provided for, for medical and health care programs of the Department of Defense, as authorized by law, an additional sum in the amount of \$7,400,000 for operation and maintenance.

(d)(1) The total amount appropriated in title III under the heading "SHIPBUILDING AND CONVERSION, NAVY" is hereby reduced by \$1,300,000,000.

(2) None of the funds appropriated in title III under the heading "SHIPBUILDING AND CONVERSION, NAVY" may be obligated or expended for the LHD-1 amphibious assault ship program.

Mr. BINGAMAN. Mr. President, I ask unanimous consent that the amendment reflect that Mr. LAUTENBERG, Mr. EXON, and Mr. KERREY from Nebraska are listed as cosponsors of the amendment.

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

Mr. BINGAMAN. Mr. President, this amendment does several things. Let me describe what those are. It provides over a billion dollars—in fact, \$1.63 billion—for ongoing military operations which the Secretary of Defense stated was his highest priority for funding if we were able to find any additional funds to use this year in addition to the President's requested budget. It does so by striking the expenditures in the bill by \$1.3 billion for the LHD-7 amphibious assault ship. It also, Mr. President, strikes two other provisions of the bill, which I think need to be stricken, and which I will explain as I go forward.

Mr. President, prior to the Armed Services Committee markup of the bill, we had a breakfast in the Armed Services Committee with Secretary Perry and General Shalikashvili to discuss what the needs of the Department of Defense were. The Secretary at that time told the committee that he would need \$1.188 billion in fiscal year 1996 to fund ongoing operations in Iraq—on

Iraq's borders, that is, and at Guantánamo Bay and in Bosnia. He stated that if these operations were not funded in the authorization and appropriations bills that we pass this year, then he would be forced to come back to Congress with a supplemental next year asking for this exact amount of money—at least this amount of money. He indicated that he knew for a fact we were going to have to be spending this much in these different areas.

Mr. President, this chart, I think, captures the essence of what the Secretary has asked for. Under Iraq, we have two ongoing activities there at the present time which are well known to those who follow the news in that part of the world. We have what we call the "provide comfort" activity in northern Iraq and the "southern watch" activity in southern Iraq. The first of those, the Secretary indicated, will cost a minimum of \$143 million in 1996. The second of those in southern Iraq will cost a minimum of \$504 million in the next fiscal year.

So, in addition to Iraq, we have ongoing refugee support at Guantánamo. We are all aware of the fact that the military is having to expend funds to deal with the refugee problem in Guantánamo. The figure the Secretary gave us—again, this is a minimum figure as he presented it to us—is that the Department of Defense will have to expend \$178 million, minimum, in the next fiscal year to carry through as they were directed by the President.

In Bosnia, if we do nothing more than we are presently doing—and there has been criticism on the Senate floor that we are doing too little—if we do nothing more than we are presently doing, that is, offering humanitarian support and the "deny flight" activity there, the estimate the Secretary gave us is that we will spend a minimum of \$363 million next year.

Quite frankly, Mr. President, I think these are low figures. The Secretary himself indicated he thinks these are low figures. But he says he knows for a fact that we are going to have to spend at least this much on ongoing operations. These are not contingencies; these are not things which might or might not happen; these are ongoing. It is not an emergency that we are responding to here. We know for a fact that these are expenses we are going to have in the next fiscal year.

Despite the Secretary's plea to us, Mr. President, the authorization committee chose to meet only \$125 million of the Secretary's request. That is about enough to fund these operations for 37 days and get us through to the 7th of November. The funding which the Secretary proposes for the operations was a minimum, as I indicated. We have added to this bill \$7.1 billion above what the Pentagon requested. The Pentagon's request was \$245.8 billion. We added \$7.1 billion to that. But in adding all of that money, we have not funded what the Secretary says is his top priority request for additional funding.

Last fall, and earlier this year, the issue of near-term readiness of our active duty forces was the central issue in the defense debate. I heard many Senators coming forward and saying we have to do more about readiness, we have to do better by our troops. President Clinton, at Secretary Perry's urging, added funding to the defense budget to address the problem, and both the Armed Services Committee and the Appropriations Committee have now essentially endorsed the Pentagon's operations and maintenance budgets for the next year. However, because of a long history, which I understand began during the Vietnam war—it goes back at least that far—the Pentagon did not include in its original request the necessary operations and maintenance for these ongoing operations.

So that is what we are trying to correct with this amendment. Secretary Perry has promised in all future years to include the minimum cost that he can see for ongoing operations in the budget request that is sent to the Congress at the first of the year. Funding for new contingencies is not discussed in my amendment. Certainly, I agree with those who will say we do not know what additional costs we might have in Bosnia. I would be amazed, Mr. President, if we got through 1996 only spending \$363 million in Bosnia. I think most of us would be amazed. If Saddam Hussein again makes a feint toward Kuwait, obviously, we will need additional expenditures there. If the United States has to deploy ground forces in Bosnia, clearly, that will be a very, very major expense for which the Secretary would have to come back to Congress with a request.

But, Mr. President, I think for us to add \$7 billion to this bill and still not provide the funds the Secretary and administration have asked for for ongoing operations is really dishonest with the American people, because we know that we are going to have to pay for these items. There is no question about that. We ought to go ahead and pay for them in this bill, and that is what I am trying to get accomplished with this amendment.

Now, the offset that I have identified is the LHD-7. This is an amphibious assault ship which is not in the Navy's budget request until the year 2001. A great deal is being made of the fact that it is in the FYDP. For those people who have been around Washington too long, they know what that means. The FYDP is the 5-year defense plan that the military gives us each year. They say this is what we want next year and, by the way, here are the things we would also like in the 4 years after that. That changes every year. Things that are in the 5th year of the 5-year plan may not be in next year's 5-year plan, or they may. We just do not know.

But the committee has chosen, in the case of this amphibious assault ship, the LHD-7, to move the procurement from 2001, where it appears in the long-

term plan of the Defense Department, up to next year. I think that is a mistake. I think the question that we need to be addressing in this amendment, and we are addressing in this amendment, is: Should we fund the top priority of the Secretary of Defense for next year, or should we begin next year to buy a ship which the Secretary says he may in fact want us to buy for the Navy in the year 2001? To my mind, it is very clear that we should go ahead and put this money in these ongoing operations instead.

There was a discussion we had before the Armed Services Committee earlier this year and General Sheehan, who is the commander of USA Com said in that discussion, "The force that we have in the inventory right now is a quality force."

This was his response to questions being raised by my colleague from Mississippi, Senator LOTT. "The real issue is what we can afford. This Nation very frankly has got to manage risk in a better way than we have in the past because we just cannot afford to buy everything we need."

Mr. President, that is why my argument with regard to the LHD-7—I am not opposed to buying another amphibious assault ship at some stage if the need is still there, and I understand also the argument which will be made by the proponents of maintaining that funding, that we can save money if we buy it now.

Mr. President, when I first came to Washington I was startled to see that they were having enormous sales out at all of the department stores one weekend. On Friday I picked up the paper and it seemed to me that every major department store was having a great big sale that next day. I thought how fortunate I am to have discovered or to have been in town on the day when all these department stores are having a sale.

Now I have been here 13 years, and I notice every Friday they are having enormous sales at all the department stores the next day. That is exactly what we are faced with here.

The contractor on this project has indicated they will give us a better price if we go ahead and buy this now than in the year 2001. I say that there is no defense contractor that has ever been in business that would not make a similar pledge in order to get business committed at an early stage.

Mr. President, I need to make another point which I think is obvious to most who try to follow defense-related issues. We have in this bill, and it is admitted in the committee report accompanying the authorization bill, we have in this bill more defense than we are able to afford under the budget resolutions, the budget plan, that has been adopted in this Congress for the next 7 years.

It is clear to me that we do not have the resources and are not going to have

the resources in these outyears to buy everything that is in these defense bills.

I think it is also clear to those who are proponents of this additional LHD-7 amphibious assault ship, that they know that the getting is better now than it is likely to be 2 years from now or 4 years from now, and they want to get this ship authorized and appropriated now while there is still money to be had in the defense budgets.

Mr. President, as I say, I have no particular dislike for that ship. I think it is a question of priorities. I think it is clear that if this amendment is adopted we will do several things: We will fund the ongoing operations which the Secretary of Defense has said is his top priority for any additional funding that we can find.

We will save taxpayers over \$100 million because, in fact, the savings by not going ahead and purchasing this ship next year, will fund all of these ongoing operations and, in addition, save us \$111 million. That is the estimate I have been given. It does those two things.

Let me say there is also another very good part of my amendment which I want to call to the attention of my colleagues.

When looking at this bill which we are now dealing with, there are some provisions in there, Mr. President, which I have great difficulty understanding, and I propose to strike those provisions out.

I call my colleagues' attention to section 8082 on page 81 of the bill. It provides "None of the funds available to the Department of Defense shall be available to make progress payments based on costs to large business concerns at rates lower than 75 percent on contract solicitations issued after enactment of this act."

That is one provision, Mr. President. Let me just focus as to what this language means. I am proposing in my amendment to strike that language. I want to tell people why.

Essentially, that is saying that the present practice of paying 75 percent progress payments of total amount due as progress payments, that is going to be changed in the case of large businesses, large defense contractors, up to 85 percent.

In other words, the government is going to start paying money faster to large contractors. Not to all of its contractors, but just to those that meet this definition of large business—whatever a large business is.

Mr. President, I certainly am not arguing that we should not pay our bills. We should pay our bills. We should pay them promptly. There is no doubt about that.

I have great difficulty understanding why we need to be paying 85 percent of progress payments instead of 75 percent as we historically have.

I have tried to keep some general knowledge about the financial performance of some of our defense contrac-

tors. I am pleased to say that they are doing very well, thank you. I have here a chart that is entitled "Financial Performance of Top 20 Department of Defense Contractors for the First Quarter of 1995."

We can go right down the list. McDonnell Douglas reports profits of \$189 million; Lockheed Martin, \$137 million; General Motors, \$2.154 billion; Raytheon, \$173 million.

Each of these companies is doing quite well in its profit reports and its financial performance, Mr. President. I wish them well. I think it is important that we have successful, profitable, defense contracts in this country.

I cannot understand why we are putting a provision in law here saying we have to pay them 85 percent progress payments rather than 75 percent progress payments.

Let me also focus my colleagues' attention on the other provision that I am proposing to strike as part of this amendment. That is section 8083. It says in this provision "Notwithstanding any other provision of law, the Department of Defense shall execute payment in not more than 24 days after receipt of a proper invoice."

Mr. President, the practice throughout the business community as far as I am aware and the practice throughout government as far as I am aware is to pay your bills within 30 days. I think that is a reasonably good practice. I certainly believe we should pay our bills and do so promptly.

I cannot understand why we are separating out the Department of Defense for a different standard and saying, no, no, when we are dealing with defense contractors, we do not want to use the general provision that applies to all other contractual arrangements the Federal Government makes. When we are dealing with defense contractors, instead of paying them in 30 days we have to pay them in 24 days. That is exactly what this provision calls for.

Mr. President, I have proposed to strike the provision in the bill that says we have to go to 85 percent progress payments rather than 75. I have also proposed to strike the provision which says that we have to go to 24 days for payment of all of our bills, rather than 30 days.

I have proposed to fund all of the ongoing operations, the remainder of the ongoing operations that the Secretary of Defense has indicated are his top priority for funding and which we all know—every Member of this body—knows that we are going to pay the bill that is being identified here.

It is a question of whether we do it in a straightforward above-board way in this bill or whether we put it off until next year and come back to the American people and say, by the way, we had an emergency, unexpected contingency came up and we will have to spend this money.

The truth is, we know we have to spend this money. The Secretary of Defense has said it is his top priority. Mr.

President, I urge my colleagues to support the amendment. I think it is a very straightforward amendment which will return over \$100 million to the taxpayers of the country.

In addition, we will see to it that our priorities are straight in this legislation.

With that, Mr. President, I yield the floor.

The PRESIDING OFFICER (Mr. SANTORUM). The Senator from Alaska.

Mr. STEVENS. Mr. President, I am about ready to make a motion to table. Is the Senator from Mississippi wishing to talk for a while?

Mr. COCHRAN. Can I make a couple points?

Mr. STEVENS. Can we have an agreement on time? Can I yield to the Senator from Mississippi for 5 minutes and then I be recognized again?

The PRESIDING OFFICER. Is there objection?

Mr. STEVENS. I am easy to yield, but I want to get to this motion to table soon. Upon the completion of that, if someone else wants time for a reasonable period, I will be glad to do it.

Mr. BINGAMAN. I did not hear the request.

The PRESIDING OFFICER. The request was to yield to the Senator from Mississippi for 5 minutes and then move to table.

Mr. STEVENS. No, to come back to me, that I be recognized at that point.

Mr. BINGAMAN. If there is a request, I ask I be given 5 minutes to summarize my arguments before we go to a final vote.

Mr. STEVENS. I will be more than willing to enter into a time agreement on the amount of time between now and the time we would vote. I intend to make a motion to table.

I see the Senator from Nebraska. Could I inquire how much time these Senators wish?

Mr. EXON. Mr. President, 4 minutes is adequate.

Mr. BINGAMAN. I would like 5 minutes to sum up my position before we go to a final vote.

Mr. STEVENS. Mr. President, could we have it, then, 12 minutes on a side? I might want to make a comment myself before I make the motion to table. I ask unanimous consent there be 12 minutes on a side controlled by Senator BINGAMAN on his side and by me on my side. Is that agreeable?

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

Mr. STEVENS. I yield 5 minutes to the Senator from Mississippi.

The PRESIDING OFFICER. The Senator from Mississippi is recognized for 5 minutes.

Mr. COCHRAN. Mr. President, my remarks are going to be directed to the issue of taking the funds that are appropriated in this bill for the LHD-7 and transferring them to the account suggested by the Senator from New Mexico.

The Senate should understand that the funds in this bill for this ship have

been authorized by the bill as reported from the Senate Armed Services Committee. They have also been funded fully in this bill. And the reason is simple. It is to try to save about \$700 million in the costs of our shipbuilding program.

Right now, the Navy has a contract, an agreement to construct this ship. If it does not fund and complete the construction of this ship, it is going to cost, according to the Secretary of the Navy in a memorandum he sent to the Secretary of Defense the other day, the sum of \$415 million in constant-year dollars.

This is a cost-effective provision in this bill. According to Admiral Boorda, the Chief of Naval Operations; General Mundy, then Commandant of the Marine Corps when he testified before our committee; the Secretary of Defense; the Secretary of the Navy—this is a ship the Navy wants, the Navy needs, in order to fill out the 12 amphibious battle groups that rely upon this ship as its centerpiece.

This is the amphibious ready group that is called upon in case of serious problems that may break out anywhere in the world. They are the ones that are called on to provide the quick—quick response.

Senators will remember, last May, for example, it was the U.S.S. *Kearsarge*, LHD-4, that provided the force that launched the mission to rescue Capt. Scott O'Grady after his F-16 had been shot down over Bosnia.

In Haiti, last August there was the U.S.S. *Inchon* that led an amphibious ready group to that area just a matter of a couple of weeks, 2 weeks, after coming back from spending 6 months off Bosnia and then Somalia. It was an amphibious ready group that stood off the coast of Somalia, that guaranteed the safe withdrawal of U.N. forces from Somalia.

There is no doubt about it, according to the testimony from senior military and Navy officials, the LHD-7 is an essential part of our fleet, and it ought to be constructed as soon as possible. The additional funds that are provided in this bill are sufficient to fund the construction of this ship. The budget did not request it for this year because of the fact that the budget simply did not have the funds that were then provided in the budget resolution that passed the Congress, that was approved by the Congress.

So it makes sense to use these funds. It saves the Government substantial sums. The ship is needed, according to everybody's testimony, to sustain the ability of our country to provide the forward presence and the war-fighting capability that we need.

I urge the Senate to reject this amendment.

Mr. President, I ask unanimous consent to have printed in the RECORD a memorandum for the Secretary of Defense from John Dalton, dated August 2, 1995.

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

THE SECRETARY OF THE NAVY,  
Washington, DC, August 2, 1995.

Memorandum for the Secretary of Defense.  
Subject LHD 7.

1. I am following up on your question to me concerning Congressional action on the LHD 7. Both the Senate Armed Services Committee and the Senate Appropriations Committee have recommended funding the LHD 7 in fiscal year 1996.

2. As you know, the Future Years Defense Program (FYDP) contains funding for buying the LHD 7. Because of funding limitations, we were not able to buy the LHD 7 until the end of the FYDP. By accelerating the procurement of the LHD 7, we will be able to avoid an expensive break in production and save an estimated \$415m in Constant Year Dollars. Bringing forward the program will also free up shipbuilding funds at the end of the FYDP which we will need to resource submarine construction and other shipbuilding requirements.

3. There is no question we do need to procure the LHD 7 at some point in order to sustain twelve Amphibious Readiness Groups (ARGs). The LHD 7 is the last of the LHD 1 WASP class amphibious assault ships planned to meet the 12 "Big Deck" (LHA/LHD) amphibious ships necessary to meet the Defense Planning Guidance and the CINCS' requirements.

JOHN H. DALTON.

The PRESIDING OFFICER. Who yields time?

Mr. BINGAMAN. Mr. President, I yield 4 minutes to the Senator from Nebraska.

The PRESIDING OFFICER. The Senator from Nebraska is recognized for 4 minutes.

Mr. EXON. Mr. President, I rise as a cosponsor of the Bingaman amendment. The amendment takes the funds added into the Defense appropriations bill for an unrequested \$1.3 billion LHD-7 assault ship and shifts them to the readiness accounts to cover the cost of ongoing United States operations in Bosnia and Iraq.

As I stated earlier in my opening remarks on the defense authorization bill, the cost of the 1996 defense budget to the taxpayer is not complete at the committee-passed funding level of \$264.7 billion. Members of the Senate as well as those at home watching this debate should be aware that there is a built-in cost overrun in the appropriation bill before the Senate. In the rush to fund unrequested and unnecessary weapons programs totaling billions of dollars, the committee did not fund the anticipated expenses for ongoing Department of Defense operations in crisis spots such as Iraq and Bosnia. This unfunded expense, the cost of which will in the mean time come out of Pentagon operations accounts, will come due next calendar year and I warn my colleagues to not be surprised when this \$1 billion cost overrun is covered in part by more domestic spending cuts.

Ironically, this built-in cost overrun is nearly identical to the cost of the LHD-7 assault ship added on to the administration's budget request. I find to

interesting that the so-called readiness debate we used to hear so much about is dead after only 1 year. This year, the funding increases in the bill are going to new ships, planes, and weapons systems the administration has not asked for. The operation and maintenance accounts we watched so many in Congress wring their hands over last year are now being undercut in this year's multibillion-dollar arms spending spree. The committee decided to short-change the Pentagon's readiness funding in order to feed the large appetite of home State defense contractors. I believe this is fundamentally wrong. I support the Bingaman amendment because it corrects this upside-down order to defense funding priorities. The Bingaman amendment places the operations funding of our troops in the field above the cost of building an unneeded naval vessel, as is appropriate.

We have heard that the LHD-7 is part of the Pentagon's future years defense program and therefore is a legitimate requirement. We have also been told that by buying the LHD-7 earlier than anticipated it will cost us less. Both of these points are true.

But this is true of everything we ever buy. If we buy it now, it is going to be cheaper than if we buy it next year. That is because of inflation. It is common sense that this money will be saved by buying something today rather than 5 years from now—it is just not sound budgeting. Does that mean we should accelerate the funding for every future ship in the 1996 budget, under the assumption and for the reason that if we buy it now, we will save money in the future? That is like my wife going to a sale and being forced to buy a dress because of the amount of money she has saved. Of course, such a proposal would be foolish. So the question remains, why the \$1.3 billion LHD-7?

The present 6-year shipbuilding would have us purchase the LHD-7 in the year 2001, 5 years from now. Under the committee bill, we are leapfrogging it over all other ships to be bought during this time period. Also, why should this accelerated purchase and the resulting \$1.3 billion add-on to the budget request take precedence over the readiness needs of our troops overseas, in the field, participating in ongoing operations in Iraq and Bosnia. In my opinion, first things first. We should fund the readiness needs of our military before we start looking into next century and start picking out pet projects for certain home States and buying them well in advance of their military need.

Mr. President, I simply say the amendment offered by the Senator from New Mexico is a very sound one. Ordinarily I would be for these additional ships as needed on down the line but I do see no reason whatsoever to be moving them up in the priorities now, especially when we would definitely be hurting readiness.

I urge Senators to vote for Bingaman amendment and eliminate the billion-dollar cost overrun hidden in this bill.

Mr. President, I yield the floor.

Mr. LOTT. Mr. President, will the Senator yield some time?

Mr. STEVENS. Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. The Senator has 9 minutes remaining.

Mr. STEVENS. I yield the Senator 6 minutes.

Mr. LOTT. Mr. President, I thank the distinguished Senator from Alaska for yielding this time.

Mr. President, the Bingaman amendment has three problems:

First, it creates an authorized slush fund for ongoing military operations in Iraq, Cuba, and Bosnia—operations Congress has not approved; removes funding for a ship that we need and is in the Defense Department's procurement plan; and will ultimately require additional \$700 million to buy the ship in 2001;

#### CONTINGENCY FUND

Second, Congress should not preauthorize money for military operations. We did not do this for Somalia or Haiti—and we should not do it now.

Creating a preauthorized slush fund creates a huge outlay imbalance. Ship construction money pays out over 5–7 years. The Bingaman amendment will outlay \$1.2 billion almost immediately.

#### REQUIREMENT FOR THE SHIP

Third, a valid military requirement exists for this ship. Military leadership across the board has endorsed the need for the ship.

Adoption of the Bingaman amendment will increase the cost of the ship by \$700 million. Competitively awarded firm fixed-price contract option exists for the LHD now. If you wait until 2001, the price increases \$700 million.

The Secretary of Defense does not support using LHD funds for military contingency funding.

#### LHDS AND RECENT EXPERIENCE

LHD-3 U.S.S. *Kearsarge* rescue of downed pilot, Capt. Scott O'Grady in Bosnia—June 1993; LHD-2 U.S.S. *Essex* March 1995 Somalia withdrawal; and LHD-1 U.S.S. *Wasp* September 1994 Haiti operations.

#### LHD CAPABILITIES

Carries 2,000 marines; 14 tiltrotor aircraft; 8 Harrier jump jets; 7 Sea Stallion helicopter; 5 Cobra helicopters, and 2 Huey helicopters.

It also has a 600 bed hospital, 6 operating rooms, 22,000 square feet of vehicle space, and 100,000 square feet of cargo space.

#### CONCLUSION

Someone once said: "To be always ready for war is the best way to avoid it."

Buying the LHD-7 now makes sense. We need it and should buy it when it costs the least.

As General Wilhelm commander of marine forces in the Atlantic said, the LHD-7 "can be regarded as either a ship of war or a ship of peace, with a

degree of versatility absolutely unrivaled by any other ship afloat."

Buying the LHD-7 is one of the best ways to ensure that the United States is always ready to fight and win. Being ready to fight is perhaps the best way to avoid it.

Mr. President, I rise in opposition to the Bingaman amendment. This matter was considered in the Armed Services Committee. We had a considerable debate about what to do with these contingency funds for the ongoing operations, and the committee really felt that we should not authorize these slush funds for ongoing or anticipated military operations whether they be in Iraq, Cuba, or Bosnia.

Congress has this one way of keeping the control and insisting on information about what is happening with these ongoing operations or future operations.

Not since Vietnam—I want to emphasize that to my colleagues on the other side of the aisle. That is when this funding in advance of activities was really stopped. We have not done this sort of thing. We should not move into a program now where we give hundreds of millions of dollars in sort of a honey pot to be used for these ongoing operations. We need to keep a close check on what is happening with this money, and what is happening with these operations.

Conversely, the Bingaman amendment removes funding for a ship that we need, and is in the Department of Defense procurement plan for the future. If we delay this acquisition, it will cost us hundreds of millions of dollars more to buy a ship that we must have. Congress should not get into this position of preauthorizing money for military operations, and we should not take an action to pay for it that will wind up costing us even more money.

I have before me letters from the administration emphasizing how strongly they feel about the LHD, one from the Secretary of the Navy, John Dalton, in which he says:

The LHD-7 is the last of the LHD-1 WASP class amphibious assault ships planned to meet the 12 "Big Deck" . . . amphibious ships necessary to meet the Defense Planning Guidance and the CINC's requirements.

Then there is a letter received by the Senator from New Mexico from Secretary of Defense Perry who responded through Comptroller John Hamre to this effect. He said:

Secretary Dalton correctly relayed to the Secretary that the LHD-7 is in our future year defense plans.

And:

If offsets are needed in your amendment, we would ask that you first consider those programs the Committee added that are not in our future year defense plans.

So I think that this amendment should not go forward. I thought we would probably have a chance to consider it as a part of the authorization bill. But that has been delayed. Now here we are considering it on an appropriations bill.

The leaders of this committee have done excellent work. The Senators from Alaska and Hawaii have come up with a proper balance for shipbuilding and for the future defense of our country. They are very hesitant to get into funding these operations before we even know exactly what is happening with them.

And, therefore, I urge that we defeat this amendment overwhelmingly.

I yield any time I might not have used back to the distinguished Senator.

Mr. STEVENS. Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. The Senator has 5 minutes and 45 seconds.

Mr. STEVENS. I ask unanimous consent that we add about 5 minutes on each side because we have had an additional request for time.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. STEVENS. Mr. President, on that basis, does the Senator wish to use his time now?

Mr. BINGAMAN. I defer to the Senator from South Carolina.

Mr. STEVENS. Mr. President, how much time remains altogether?

The PRESIDING OFFICER. Ten minutes and twenty-six seconds.

Mr. STEVENS. I yield 4 minutes each to the Senator from South Carolina and the Senator from Maine, if I may.

Mr. THURMOND addressed the Chair.

The PRESIDING OFFICER. The Senator from South Carolina is recognized for 4 minutes.

Mr. THURMOND. Mr. President, in April of this year I sent a letter to the distinguished chairman of the Senate Budget Committee, Senator DOMENICI, in which I expressed my concerns about this year's defense budget and requested additional funding for a number of specific initiatives. Among other observations, I noted a continuing decline in procurement funding over the past 10 years and highlighted its current level, the lowest since 1950. I also commented on the unfortunate consequences. Critical new systems had been pushed into the future, while aging equipment imposed relentlessly increasing demands for maintenance support.

The observations of this letter evolved into markup guidance for the subcommittee chairmen. Evaluating the markup results, I think that the Seapower Subcommittee followed this guidance with great care. Its recommendation to authorize the amphibious assault ship, LHD-7, is a case in point.

There is clearly a commanding requirement for this ship, justified by a series of studies and testimony by a long list of senior defense officials and military commanders. Despite this compelling requirement and an opportunity to buy LHD-7 now at a good price or pay \$700 million more under the future years defense plan, funding constraints have kept it in the out years. The superb capability that the

LHD class can bring to bear was amply demonstrated by U.S.S. *Kearsarge* (LHD-4), whose embarked marines rescued Capt. Scott O'Grady after he was shot down in Bosnia.

Conversely, because it has been unable to procure LHD-7, the Navy has been forced to keep an old ship, USS *Guam*, in service well beyond its scheduled retirement date at a great cost in terms of lost capability and maintenance. *Guam* and her sister ships were built in the mid-1960's, are manpower intensive, have an inadequate command and control capability by today's standards, and for years have imposed an inordinate maintenance burden to keep them operational.

While I do not deny that ongoing contingency operations with which Congress concurs should be funded, there are established procedures to obtain it that begin with submission of a supplemental request by the Department of Defense. No such request has been received. I acknowledge the letter that the Secretary of Defense sent immediately prior to our markup. However, it has no formal standing with our Senate Appropriations Committee, which, as you all know, is very sensitive that established procedures should be followed. It is a fact that the \$125 million that we added for support of such contingency operations during our markup was not supported by the Appropriations Committee in its markup. Until the Department of Defense has been able to work out an agreement with Congress that revises existing procedures, there is no reason to believe that the diversion of funds proposed by this amendment would not meet a similar fate.

Mr. President, on the one hand I have the committee markup, which matches available resources to an urgent requirement for procurement of LHD-7. On the other hand I have an amendment that would ship them off to an uncertain future, leave the requirement for an amphibious assault ship unsatisfied, and cost the taxpayer at least \$700 million more in the long run. I have no difficulty with that choice. I strongly urge my colleagues to join me in opposing this amendment.

Mr. President, I yield the floor and yield back any time.

Mr. STEVENS. Mr. President, I yield time to the Senator from Maine. I am trying to save 2 minutes.

Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. The Senator has 6½ minutes.

Mr. STEVENS. Mr. President, I yield 4½ minutes to the Senator from Maine.

The PRESIDING OFFICER. The Senator from Maine is recognized for 4½ minutes.

Mr. COHEN. Thank you, Mr. President.

Mr. President, the argument has been made to support this amendment that this ship is not in the President's budget. The fact is that the President's budget is lower than the budget ap-

proved by the U.S. Senate. So, because the President's budget is smaller, the argument is we have to reduce down what we think is required for the national security interests of this country. We fundamentally disagree with the President on this issue. We think we have to do more in the way of procurement, not less. We cannot continue to go on any kind of a procurement holiday, as some in the military have expressed. We have had a shortfall in readiness. We have tried to measure up to that shortfall. But we are now compromising on procurement. In fact, our procurement budget as a percentage of that budget is lower now than it was back 45 years ago. We cannot go down any lower. So we decided that we have to do more.

Some have argued that this is like buying a dress. We are not talking about dresses. We are talking about warships. We are talking about war-fighting capability. This is a war-fighting capable ship. It is the kind of ship that we are going to have to deploy to those amphibious operations that we are talking about off the coast of Iraq, or Iran, or the Mediterranean, the Persian Gulf and Haiti, and elsewhere; Bosnia. Those are the kinds of deployments that this ship is going to be used for.

Is there no need for this ship? The President says there is a need in the 6-year plan. They just do not want it in this year's plan.

So that is the argument made by my colleagues from Mississippi. We can buy this now, and the reason to buy it now and not later is to save \$700 million. That is the reason we are buying it now. We are not buying an unneeded dress, or an unneeded ship. We need the ship, and we provide the money to pay for the ship.

So the notion somehow that this is unnecessary, this is simply window dressing, so to speak, that we do not really need this kind of capability is absurd. We need the ship. We ought to pay for it this year. We can save money in doing so. There is not a person in this country who said if you have a requirement for it that you ought not to buy it at the best possible price. This is the best way to achieve savings for the American people.

Mr. President, I hope that when it comes time for this motion to table that we will listen to the Senator from Alaska, who has looked at this, and to the Senator from Hawaii who has looked at this, and the Armed Services Committee which has looked at this and said this is a requirement that the Navy has. It has expressed this. Two consecutive CNO's have said we need this capability. What the Senate would like to do, if you follow this amendment, is to defer it to the future. Well, if you defer it to the future, there is a chance you might not have the money in the future.

If you defer it to the future, it is going to cost you another three-quarters of a billion dollars. That is the

kind of economics I think has brought this country to a point where it no longer is willing to support what is necessary for strong national defense.

So I hope at the conclusion of the debate the Senator from Alaska makes a motion to table and our colleagues will resoundingly move to table and defeat the amendment.

Mr. STEVENS. How much time remains?

The PRESIDING OFFICER. The Senator from Alaska has 2 minutes and 13 seconds.

Mr. STEVENS. I yield 1½ minutes to my friend from Hawaii.

The PRESIDING OFFICER. The Senator from Hawaii is recognized for 1½ minutes.

Mr. INOUE. Mr. President, I support my chairman, and I am opposed to this amendment. No. 1, the Marines want it and need it. It is of the highest priority. No. 2, the master plan of the Defense Department calls for the acquisition of this 12th LHD. And No. 3, there is no question that we have a good deal at this time. If we do not buy according to the contract of this day, we purchase it in the year 2000, we are looking at a \$2 billion tab.

The PRESIDING OFFICER. Who yields time?

Mr. BINGAMAN. Mr. President, how much time remains on my side?

The PRESIDING OFFICER. The Senator from New Mexico has 12 minutes and 41 seconds.

Mr. BINGAMAN. Mr. President, how much remains for the opposition?

The PRESIDING OFFICER. The opposition has 2 minutes and 24 seconds.

Mr. BINGAMAN. I yield myself all but 2½ minutes.

The PRESIDING OFFICER. The Senator is recognized for 10 minutes.

Mr. BINGAMAN. Mr. President, we have heard a great many arguments as to why this amendment should not be adopted.

Let me try to go through several of them. First, the argument has been made that this ship is sorely needed by the military.

I earlier erred when I was describing the request of the Department of Defense. I thought they had asked for this in the last year of the 5-year plan. It used to be they referred to the 5-year plan. The FYDP was an abbreviation for the 5-year defense plan. They have now gone, I am informed, to a 6-year defense plan, and now the FYDP stands for future year defense plan, and this ship is not requested in the 5 years; it is requested in the 6th year of the 6-year plan. So clearly there is a request, but it is way in the future, as far in the future as you can get and still be requesting.

As I understand it, we just had the launching of one of these amphibious ships in February of this year. We have two more that are under construction at this very time. This will be the 12th of these amphibious ships if we go ahead and fund it as proposed in the bill.

Mr. President, I do not doubt that in a perfect world it would be nice to buy a 12th amphibious assault ship and to do so in 1997 rather than the year 2001. But we have to exercise some discipline in this body and some sense of priorities. The priorities of this administration are to put the funds in ongoing operations where the Secretary of Defense has said we need them.

Here is a quotation from the letter that the Secretary sent to our chairman of the Armed Services Committee, Senator THURMOND. He says, "I suggest that you fund these contingencies first if you decide to increase the DOD budget this year."

Mr. President, we have decided, the Congress has decided to increase the DOD budget this year by over \$7 billion, and yet we are not funding these ongoing operations. Not only are we not funding them first, we are not funding them. We are saying to the American people, "Do not pay attention; we will come back next year and ask for this money next year, and we will tell you then that it is an emergency. And so, then you ought to be willing to accept it."

Mr. President, that is not responsible. We should not be doing that. We should go ahead and pay for those things we know need to be paid for in this bill.

I also want people to recognize that the debate has shifted very dramatically in this Senate on defense spending. I remember when we started the year I heard a drumbeat from my colleagues on the other side of the aisle about how we had a shortfall in readiness, how we had been neglecting readiness, how the Clinton administration had not asked for enough money for readiness and the operations and maintenance of our troops.

Mr. President, the administration is asking for funding for readiness. Anyone who votes against this amendment needs to desist from further requests for funding for readiness, because, quite frankly, we have a very direct request here, and anyone who is not willing to fund it is being given a very good chance to do so.

Let me just summarize what we are doing in the amendment. I think it should be clear to my colleagues, but let me summarize it again. We are adding \$1.188—\$1,188,000,000—to pay for known bills for ongoing operations in northern and southern Iraq, in Cuba, and in Bosnia. This is not a honeypot that we are creating here. I heard my colleague from Mississippi say we are creating a honeypot. These are ongoing operations. These bills are coming due every day, and they will be coming due every day as we get into this new fiscal year as well.

So we need to provide these funds. We are providing the \$1.3 billion for the LHD-7 amphibious assault ship not because it is a good ship but because it has been requested in year six of the future year defense plan, and it is something we need to put off until

someday when we can afford it. We cannot afford it this year.

In addition, this amendment strikes two provisions of the bill which I believe really cannot be justified. I have noticed that none of the comments on the other side in opposition to the amendment have even addressed these issues because there is really no argument to be made.

I am striking two provisions in the bill that increase outlays by \$1.238 billion by forcing the Pentagon to pay large contractors 85 percent rather than 75 percent progress payments and to pay bills in 24 days instead of 30 days. We do not require that anywhere else in the Government. We do not require it of any other Department of Government. We are saying to the Department of Defense, you have to pay these defense contractors faster than you have paid them in the past. You have to give them a higher progress payment than you have given them in the past or than we give to anyone else who does business with the Government.

General Sheehan when he testified to our committee did not equivocate on this. He said it would be nice to buy these things, but we cannot afford everything. And that is essentially the point of our amendment here today. We cannot afford everything.

The claim that we are going to save \$700 million by going ahead and buying this LHD-7 right now is pure speculation. Nobody knows what the bidding climate is going to be in the year 2001. I tend to think that there may be some defense contractors out there who are very willing to give us a good deal in the year 2001 just like they are willing to give us a good deal this year. So I do not buy the argument that we are saving money and we are necessarily going to have to spend more later if we put this off as the Department of Defense is requesting.

There are higher priorities for this country this year than buying a 12th amphibious assault ship. One of those priorities—in fact, the first of those priorities in the eyes of the Secretary of Defense—is to fund these ongoing operations. That is what we are trying to do in this amendment. I think it is clearly the responsible thing to do. It is what the American people want us to do.

I urge my colleagues to take this opportunity to put our priorities in order in this legislation, to go ahead and adopt the amendment, fund the ongoing operations which all know have to be paid for, and then do so by putting off, as the Department of Defense requested, any funding for this additional ship.

Mr. President, how much time remains on my side?

The PRESIDING OFFICER. The Senator has 4 minutes 50 seconds.

Mr. BINGAMAN. Is there any additional discussion on the other side? I will ask the Senator from Alaska if he wishes to conduct any at this time.

Mr. STEVENS. My answer is no.

Mr. BINGAMAN. Mr. President, let me just summarize very briefly.

I think the first question you ask when you go to put a defense budget together, or any budget, is, what is your top priority? Here we know what the top priority of the Secretary of Defense is if there is any additional money for defense. He has made it very clear. I am just arguing that we should do the responsible thing and fund that top priority.

It will be dishonest, Mr. President, for us to put this off and then come back to the American people next year and say, Surprise. All of a sudden we have discovered that it costs us money in 1996 to operate this operation down in Guantanamo. Surprise. We find it is costing us money to do these activities over in Iraq. Surprise. We find it is costing us some money to do what we are doing in Bosnia, and, therefore, we have got an emergency and we need to pass a supplemental appropriations bill to add to the defense bill that we passed last year.

So it is not just what the President requested for the 1996 defense bill. Is not just that. It is not just the \$7 billion extra. It is that plus the \$7 billion, plus what we ask for in the supplemental which we know is going to come if we turn down this amendment.

Mr. President, I urge my colleagues to adopt this amendment, pay our bills as we go. You hear a lot of talk about the importance of pay as you go around here. That is what we are asking people to do: Pay as we go; fund the top priority of the Department of Defense, and do so by putting off the purchase of this ship, which we will have 5 more years in which to consider whether or not we want to go ahead with this 12th amphibious assault ship. I think during that time we can make a much better judgment than we are making today.

Mr. President, how much time remains on my side?

The PRESIDING OFFICER. The Senator from New Mexico has 2 minutes 33 seconds.

Mr. BINGAMAN. Mr. President, I reserve the remainder of my time.

Mr. STEVENS. I now ask unanimous consent that the time remaining on each side be carried forward and it be in order for me to move to table the amendment.

It was the request of Senator BYRD, and others, that we have some time in between these stacked votes so that the proponents and opponents might be able to explain just briefly the subject matter for those who are not on the floor at the time. That is the reason for the request.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. BINGAMAN. Mr. President, I ask for the yeas and nays on the tabling motion.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

Mr. STEVENS. I thank the Senator from New Mexico for his courtesy.

Mr. President, I note the Senator from Colorado is on his feet. I know he has an amendment. I would like to inquire if he would consider a time limitation before action is taken in regard to his amendment.

Mr. BROWN. Mr. President, I will be happy to agree to a time limitation. I will be guided by what the distinguished chairman wants. My belief is the problems have been worked out on this and it will not require an extended debate.

Mr. STEVENS addressed the Chair.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. STEVENS. I am slightly without words because I do not know what the subcommittee involved. This is an amendment which really should be placed on the foreign assistance bill. It pertains to the Department of State; am I not correct?

Mr. BROWN. Well, the reason the initial NATO Transition Act was on this bill last year was because it was specific with the military aspects of it. And I believe this is the place that we always planned to offer it. I think it does work out. It is specifically with NATO transition in the military that appears therein.

Mr. STEVENS. I will just do this, Mr. President.

If I may put the Senate on notice that this is an amendment that has very broad impact on the NATO forces, as I understand it. I am prepared to listen to the Senator from Colorado and determine what the position of our committee would be with regard to taking it to conference. I have discussed it with my friend from Hawaii.

We are prepared to have a time limitation of 15 to 20 minutes on a side, if that is acceptable to the Senator from Colorado.

Mr. BROWN. That would certainly be acceptable to me.

Mr. INOUE addressed the Chair.

I just heard from the leadership that it now requires the attention of Senator NUNN and Senator PELL.

Mr. STEVENS. It would be my intention to move to table the amendment at the end of that time. If we lose, we lose. But would the Senator like to wait for the time limitation, too?

Mr. INOUE. Yes.

Mr. STEVENS. I ask the Senator if he wishes to proceed. We can discuss the time limitation at a later time.

Mr. BROWN. I will proceed. I will be happy to observe the guidance of the Chair and do not want to monopolize the time on the bill.

The PRESIDING OFFICER. The Senator from Colorado.

AMENDMENT NO. 2391

(Purpose: To amend the NATO Participation Act of 1994 to expedite the transition to full membership in the North Atlantic Treaty Organization of European countries emerging from Communist domination)

Mr. BROWN. Mr. President, I rise to offer an amendment and I ask for its immediate consideration.

The PRESIDING OFFICER. Is there objection to setting aside the pending Bingham amendment?

Without objection, it is so ordered.

Mr. BROWN. I offer this on behalf of myself, Senator SIMON, Senator DOLE, Senator MIKULSKI, Senator SANTORUM, Senator LIEBERMAN, Senator ROTH, Senator MCCAIN, Senator MCCONNELL, Senator WARNER, Senator NICKLES, Senator CRAIG, Senator HUTCHISON, Senator INHOFE, and Senator DOMENICI.

The PRESIDING OFFICER. The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from Colorado [Mr. BROWN], for himself, Mr. SIMON, Mr. DOLE, Ms. MIKULSKI, Mr. SANTORUM, Mr. LIEBERMAN, Mr. ROTH, Mr. MCCAIN, Mr. MCCONNELL, Mr. WARNER, Mr. NICKLES, Mr. CRAIG, Mrs. HUTCHISON, Mr. INHOFE, and Mr. DOMENICI, proposes an amendment numbered 2391.

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

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

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

Mr. BROWN. Mr. President, this amendment is a followup to the NATO Participation Act which was enacted last year as an amendment to this bill. It follows up with further clarification on the process of including the Central European powers, specifically Poland, Hungary, the Czech Republic, and the Slovak Republic, in NATO, defining their transition and dealing with the kind of transition assistance and cooperation that is essential to completion of that process.

In the process of developing this amendment, we held extensive discussions with Members of the Senate and others, and the administration. In that process, a number of Members had suggestions, and the suggestions boiled down to a variety of ones by the administration to expand the discretion given to the President in this process. Those are principally embodied by Senator LUGAR.

We had a number of members in the Foreign Relations Committee make recommendations in that area. And to respond to that, to answer those concerns, an amendment to the bill, or this concept, was produced. Senator LUGAR was the primary contributor to this, and it contains much of his work.

Mr. President, so that we could incorporate those changes that Senator LUGAR suggested and that other members of the Foreign Relations Committee suggested, I offer a second-degree amendment to my amendment at this time.

This amendment is proposed by myself, Senator SIMON, Senator DOLE, Senator LUGAR, Senator MIKULSKI, Senator MCCAIN, Senator MCCONNELL, Senator DOMENICI, Senator WARNER, Senator NICKLES, Senator CRAIG, Senator HUTCHISON, Senator INHOFE, Senator SANTORUM, and Senator JEFFORDS.

Mr. President, I offer that second-degree amendment, and ask for its immediate consideration.

The PRESIDING OFFICER. Is there objection to offering the second-degree amendment?

Mr. STEVENS. Reserving the right to object, Mr. President.

I am just going through this amendment, and I want to put the Senator from Colorado on notice and the Senate on notice, I think this is getting into a very wide area and, if it leads to extended debate, could really lead us to being here next week.

Mr. BROWN. If I might—

Mr. STEVENS. I want to reserve the right to object later. I do not know how I am going to do it. Right now I cannot object to offering a second-degree amendment, but I do think this is a very broad issue to get involved in.

The PRESIDING OFFICER. The Chair informs the Senator, you cannot reserve the right to object.

Mr. STEVENS. I understand that. But somehow in the RECORD I want the Senate to understand we are getting to a very broad subject now dealing with foreign assistance, coming out of an appropriations that is not subject to our subcommittee. This is subject to a point of order. And I really think—I hope my friend from Colorado will understand that it is inappropriate for us to get into this now.

This is a very broad-range foreign assistance program, some \$60 million out of a bill I do not manage. I am very uneasy about that. If the Senator wishes to offer his amendment, again, I hope the Senate will stand by the managers of the bill to keep this bill clean of things that involve controversy that will take us into next week. I cannot object at this time.

The PRESIDING OFFICER. Is there objection?

Mr. BINGAMAN. Mr. President, I object.

The PRESIDING OFFICER. Objection is heard.

Mr. BROWN. If I might inquire of the Senator before a final determination is made on his part, the perfecting amendment that is offered is one that is designed to suit the concerns of a number of Members on his side of the aisle. It was put together primarily by Senator LUGAR, and it reflects the concerns the administration had. So the perfecting amendment is meant to respond to the concerns that people had. It is not meant to strengthen the amendment. It is meant to make it acceptable to both sides. I have offered it in this fashion, that is the first amendment and the second, so Members might understand that what is offered is a compromise.

Mr. BINGAMAN. Mr. President, in response to my friend from Colorado, I still need to object. The Democratic leader has asked that we protect the rights of people to offer second-degree amendments. This would block that, if I understand what is being requested.



AMENDMENT NO. 2391, AS MODIFIED

Mr. BROWN. Mr. President, I appreciate the point the Senator has made. I believe there is an easy way to accommodate that point. It certainly would not be my intention to block second-degree amendments if anyone should have them. I am not aware of them. I appreciate the Senator's point. I believe there is an easy way to handle that. Therefore, I modify my first-degree amendment with the changes that have been sent to the desk, and I ask unanimous consent that such modification be allowed.

The PRESIDING OFFICER (Mr. THOMPSON). Is there objection to the request?

Mr. STEVENS. I only object to state that, as I understand it, the Senator has a right to modify his amendment at any time. I will state, though, to my friend, we have now contacted the chairman of the Foreign Operations Subcommittee, who is a sponsor with the Senator from Colorado, and he indicates to this Senator that this matter will be dealt with in the markup of the Foreign Operations Subcommittee in the first week of September, and he intends to support it there.

I urge the Senator not to bring it to our bill. The chairman of the Foreign Ops Subcommittee is prepared to hear this the first week we are back in September. It is something foreign here, and I just smell a controversy coming at me. I also smell fish coming into the Alaska rivers, and I want to get home. This is not consistent with finishing this bill before tomorrow evening.

The PRESIDING OFFICER. The Senator has a right to modify his amendment. His amendment is so modified.

The amendment (No. 2391), as modified, is as follows:

At the appropriate place in the bill, insert the following new title:

**TITLE —NATO PARTICIPATION ACT  
AMENDMENTS OF 1995**

**SECTION 1. SHORT TITLE.**

This title may be cited as the "NATO Participation Act Amendments of 1995".

**SEC. 2. FINDINGS.**

The Congress makes the following findings:

(1) Since 1949, the North Atlantic Treaty Organization (NATO) has played an essential role in guaranteeing the security, freedom, and prosperity of the United States and its partners in the Alliance.

(2) NATO has expanded its membership on three different occasions since 1949.

(3) The sustained commitment of the member countries of NATO to mutual defense of their security ultimately made possible the democratic transformation in Central and Eastern Europe and the demise of the Soviet Union.

(4) NATO was designed to be and remains a defensive military organization whose members have never contemplated the use of, or used, military force to expand the borders of its member states.

(5) While the immediate threat to the security of the United States and its allies has been reduced with the collapse of the Iron Curtain, new security threats, such as the situation in Bosnia and Herzegovina, are emerging to the shared interests of the member countries of NATO.

(6) NATO remains the only multilateral security organization capable of conducting ef-

fective military operations to protect Western security interests.

(7) NATO has played a positive role in defusing tensions between NATO members and, as a result, no military action has occurred between two NATO member states since the inception of NATO in 1949.

(8) NATO is also an important diplomatic forum for the discussion of issues of concern to its member states and for the peaceful resolution of disputes.

(9) America's security, freedom, and prosperity remain linked to the security of the countries of Europe.

(10) Any threat to the security of the newly emerging democracies in Central Europe would pose a security threat to the United States and its European allies.

(11) The admission to NATO of European countries that have been freed from Communist domination and that meet specific criteria for NATO membership would contribute to international peace and enhance the security of the region.

(12) A number of countries have expressed varying degrees of interest in NATO membership, and have taken concrete steps to demonstrate this commitment.

(13) Full integration of Central and East European countries into the North Atlantic Alliance after such countries meet essential criteria for admission would enhance the security of the Alliance and, thereby, contribute to the security of the United States.

(14) The expansion of NATO can create the stable environment needed to successfully complete the political and economic transportation envisioned by European states emerging from communist domination.

(15) In recognition that not all countries which have requested membership in NATO will necessarily qualify at the same pace, the accession date for each new member will vary.

(16) Nothing in this title should be construed as precluding the eventual NATO membership of European countries never under communist domination, namely, Austria, Finland, and Sweden.

(17) The provision of NATO transition assistance should include those countries most ready for closer ties with NATO and should be designed to assist other countries meeting specified criteria of eligibility to move forward toward eventual NATO membership.

(18) The evaluation of future membership in NATO for countries emerging from communist domination should be based on the progress of those nations in meeting criteria for NATO transition assistance and evolving NATO criteria, which require enhancement of NATO's security and the approval of all NATO members.

**SEC. 3. UNITED STATES POLICY.**

It should be the policy of the United States—

(1) to join with the NATO allies of the United States to redefine the role of the NATO Alliance in the post-Cold War world;

(2) to actively assist European countries emerging from communist domination in their transition so that such countries may eventually qualify for NATO membership; and

(3) to work to define the political and security relationship between an enlarged NATO and the Russian Federation.

**SEC. 4. REVISIONS TO PROGRAM TO FACILITATE TRANSITION TO NATO MEMBERSHIP.**

(a) ESTABLISHMENT OF PROGRAM.—Subsection (a) of section 203 of the NATO Participation Act of 1994 (title II of Public Law 103-447; 22 U.S.C. 1928 note) is amended to read as follows:

“(a) ESTABLISHMENT OF PROGRAM.—The President is authorized to provide expanded security assistance and other related assist-

ance to countries designated under subsection (d) to facilitate their transition to full NATO membership.”.

(b) ELIGIBLE COUNTRIES.—

(1) ELIGIBILITY.—Subsection (d) of section 203 of such Act is amended to read as follows:

“(d) DESIGNATION OF ELIGIBLE COUNTRIES.—

“(1) PRESIDENTIAL REVIEW AND REPORT.—Within 60 days of the enactment of the NATO Participation Act Amendments of 1995, the President shall transmit to the Congress an evaluation of Poland, Hungary, the Czech Republic, Slovakia, as well as Estonia, Latvia, Lithuania, Slovenia, Bulgaria, Romania and Albania, in accordance with the criteria in paragraph (3) and specifically designate one or more of these countries to be eligible to receive assistance under the program established in subsection (a). The President shall provide a report of the country-by-country evaluation as well as an evaluation of each designated country's progress toward conformance with criteria for full NATO membership.

“(2) OTHER EUROPEAN COUNTRIES EMERGING FROM COMMUNIST DOMINATION.—In addition to the country or countries designated pursuant to paragraph (1), the President may designate other European countries emerging from communist domination. The President may make such a designation in the case of any such country only if the President determines, and reports to the designated congressional committees, that such country meets the criteria specified in paragraph (3).

“(3) CRITERIA.—The criteria referred to in paragraph (2) are, with respect to each country, that the country—

“(A) has made or is making significant progress toward establishing—

“(i) shared values and interests;

“(ii) democratic governments;

“(iii) free market economies;

“(iv) civilian control of the military, of the police, and of intelligence services;

“(v) adherence to the values, principles, and political commitments embodied in the Helsinki Final Act of the Organization on Security and Cooperation in Europe; and

“(vi) more transparent defense budgets and is participating in the Partnership For Peace defense planning process;

“(B) has made public commitments—

“(i) to further the principles of NATO and to contribute to the security of the North Atlantic area;

“(ii) to accept the obligations, responsibilities, and costs of NATO membership; and

“(iii) to implement infrastructure development activities that will facilitate participation in and support for NATO military activities;

“(C) is not ineligible for assistance under section 563 of Public Law 103-306, with respect to transfers of equipment to a country the government of which the Secretary of State has determined is a terrorist government for purposes of section 40(d) of the Arms Export Control Act; and

“(D) could, within five years of the determination of the President under paragraph (1) or (2), be in a position to further the principles of the North Atlantic Treaty and to contribute to its own security and that of the North Atlantic area.

“(4) PROHIBITION ON FUNDING FOR PARTNERSHIP FOR PEACE ACTIVITIES OR ON FUNDING FOR THE WARSAW INITIATIVE.—Effective 60 days after the date of enactment of the NATO Participation Act Amendments of 1995, no funds authorized to be appropriated under any provision of law may be obligated or expended for activities associated with the Partnership for Peace program or the Warsaw Initiative until the President has designated at least one country to participate in the transition program established under subsection (a).”.

**(2) CONFORMING AMENDMENTS.—**

(A) Subsections (b) and (c) of section 203 of such Act are amended by striking "countries described in such subsection" each of the two places it appears and inserting "countries designated under subsection (d)".

(B) Subsection (e) of section 203 of such Act is amended—

(i) by striking "subsection (d)" and inserting "subsection (d)(2)"; and

(ii) by inserting "(22 U.S.C. 2394)" before the period at the end.

(C) Section 204(c) of such Act is amended by striking "any other Partnership for Peace country designated under section 203(d)" and inserting "any country designated under section 203(d)(2)".

(c) **TYPES OF ASSISTANCE.**—Section 203(c) of such Act is amended—

(1) by redesignating paragraphs (1) through (4) as subparagraphs (A) through (D), respectively; and

(2) by inserting after subparagraph (D) (as redesignated) the following new subparagraphs:

"(E) Assistance under chapter 4 of part II of the Foreign Assistance Act of 1961 (relating to the Economic Support Fund).

"(F) Funds appropriated under the 'Non-proliferation and Disarmament Fund' account".

"(G) Assistance under chapter 6 of part II of the Foreign Assistance Act of 1961 (relating to peacekeeping operations and other programs).

"(H) Authority for the Department of Defense to pay excess defense articles costs for countries designated for both grant lethal and nonlethal excess defense articles.

"(I) Authority to convert FMF loans to grants, and grants to loans, for eligible countries."

(3) by inserting "(1)" immediately after "TYPE OF ASSISTANCE.—"; and

(4) by adding at the end the following new paragraphs:

"(2) For fiscal years 1996 and 1997, in providing assistance under chapter 5 of part II of the Foreign Assistance Act of 1961 for the countries designated under subsection (d), the President shall include as an important component of such assistance the provision of sufficient language training to enable military personnel to participate further in programs for military training and in defense exchange programs.

"(3) Of the amounts made available under chapter 5 of part II of the Foreign Assistance Act of 1961 (relating to international military education and training), \$5,000,000 for fiscal year 1996 and \$5,000,000 for fiscal year 1997 should support—

"(A) the attendance of additional military personnel of countries designated under subsection (d)(1) or (d)(2), particularly Poland, Hungary, the Czech Republic, and Slovakia, at professional military education institutions in the United States in accordance with section 544 of such Act; and

"(B) the placement and support of United States instructors and experts at military educational centers within the foreign countries designated under subsection (d) that are receiving assistance under that chapter."

**SEC. 5. ASSISTANCE FOR NATO PARTICIPATION ACT DESIGNEES.**

The President is authorized to obligate and expend \$60,000,000 from funds made available under the Foreign Assistance Act of 1961 in support of countries designated to receive transition assistance under section 203(a) of the NATO Participation Act, as follows:

- (1) Poland: \$20,000,000.
- (2) Czech Republic: \$10,000,000.
- (3) Hungary: \$5,000,000.
- (4) Slovakia: \$5,000,000.

(5) Other European countries designated under subsection (d)(1) or subsection (d)(2): \$20,000,000.

**SEC. 6. TERMINATION OF ELIGIBILITY.**

Section 203(f) of the NATO Participation Act of 1994 (title II of Public Law 103-447; 22 U.S.C. 1928 note) is amended to read as follows:

"(f) **TERMINATION OF ELIGIBILITY.**—(1) The eligibility of a country designated under subsection (d) for the program established in subsection (a) shall terminate 60 days after the President makes a certification under paragraph (2) unless, within the 60-day period, the Congress enacts a joint resolution disapproving the termination of eligibility.

"(2) Whenever the President determines that the government of a country designated under subsection (d)—

"(A) no longer meets the criteria set forth in subsection (d)(2)(A);

"(B) is hostile to the NATO alliance; or

"(C) poses a national security threat to the United States,

then the President shall so certify to the appropriate congressional committees.

"(3) Nothing in this Act shall affect the eligibility of countries to participate under other provisions of law in programs described in this Act.

(b) **CONGRESSIONAL PRIORITY PROCEDURES.**—Section 203 of such Act is amended by adding at the end the following new subsection:

"(g) **CONGRESSIONAL PRIORITY PROCEDURES.**—

"(1) **APPLICABLE PROCEDURES.**—A joint resolution described in paragraph (2) which is introduced in a House of Congress after the date on which a certification made under subsection (f)(2) is received by Congress shall be considered in accordance with the procedures set forth in paragraphs (3) through (7) of section 8066(c) of the Department of Defense Appropriations Act, 1985 (as contained in Public Law 98-473 (98 Stat. 1936)), except that—

"(A) references to the 'resolution described in paragraph (1)' shall be deemed to be references to the joint resolution; and

"(B) references to the Committee on Appropriations of the House of Representatives and to the Committee on Appropriations of the Senate shall be deemed to be references to the Committee on International Relations of the House of Representatives and the Committee on Foreign Relations of the Senate.

"(2) **TEXT OF JOINT RESOLUTION.**—A joint resolution under this paragraph is a joint resolution the matter after the resolving clause of which is as follows: 'That the Congress disapproves the certification submitted by the President on \_\_\_\_\_ pursuant to section 203(f) of the NATO Participation Act of 1994.'"

**SEC. 7. REPORTS.**

(a) **ANNUAL REPORT.**—Section 206 of the NATO Participation Act of 1994 (title II of Public Law 103-447; 22 U.S.C. 1928 note), as redesignated by section 5(1) of this Act, is amended—

(1) by inserting "**ANNUAL**" in the section heading before the first word;

(2) by inserting "annual" after "include in the" in the matter preceding paragraph (1);

(3) in paragraph (1), by striking "Partnership for Peace" and inserting "European"; and

(4) by striking paragraph (2) and inserting instead the following new paragraph:

"(2) In the event that the President determines that, despite a period of transition assistance, a country designated under section 203(d) has not, as of January 10, 1999, met criteria for NATO membership set forth by the North Atlantic Council, the President shall transmit a report to the designated congressional committees containing an assessment of the progress made by that country in meeting those standards."

**SEC. 8. DEFINITIONS.**

The NATO Participation Act of 1994 (title II of Public Law 103-447; 22 U.S.C. 1928 note), as amended by this Act, is further amended by adding at the end the following new section:

**"SEC. 207. DEFINITIONS.**

"For purposes of this title:

"(1) **NATO.**—The term 'NATO' means the North Atlantic Treaty Organization.

"(2) **DESIGNATED CONGRESSIONAL COMMITTEES.**—The term 'designated congressional committees' means—

"(A) The Committee on International Relations, the Committee on National Security, and the Committee on Appropriations of the House of Representatives; and

"(B) the Committee on Foreign Relations, the Committee on Armed Services, and the Committee on Appropriations of the Senate.

"(3) **EUROPEAN COUNTRIES EMERGING FROM COMMUNIST DOMINATION.**—The term 'European countries emerging from Communist domination' includes, but is not limited to, Albania, Bulgaria, Czech Republic, Estonia, Hungary, Latvia, Lithuania, Moldova, Poland, Romania, Slovakia, Slovenia, and Ukraine."

Mr. BROWN. Mr. President, let me say to the distinguished chairman, it is my intent to cooperate with him in every way possible. It is not my intent to add controversy to the bill. I believe the problems and concerns have been met and modified. I believe it is the kind of policy of which the Senator would be very strongly supportive.

Let me simply outline quickly what has changed in the effect of this amendment.

The original version, before the establishment of the program for NATO transition, the compromise that is before the body now simply authorizes that. The difference is, this is simply an authorization so the President can move ahead with it if he wishes.

Second, the original version determined that Poland, Hungary, the Czech Republic, and the Slovak Republic were members of the program; that is, the transition program. The compromise version requires the President to evaluate those countries but does not require that they be named in the transition program. It also gives the President the option then to name those that he would like to have participate in the transition program.

Third, the original amendment did not authorize funds in response to the administration and others. This does authorize funds for countries at the transition level that are included in the transition level, and it is basically comparable to what was included in the President's Warsaw initiative in terms of those powers.

Last, Mr. President, this measure urges participation of the old version, which urged participation of the North Atlantic Council countries in NATO. That is deleted in the compromise version. I believe every concern that has been raised or expressed, that we are aware of, has been dealt with in the compromise version. It is clearly a step forward.

Mr. President, let me last of all indicate this. This does clearly relate to NATO and military matters and the

matters before the body. While this does not divert the funding priority that the distinguished committee has put forward, it does carry a very significant symbolic message, and that message is this: That we believe that countries who believe in democracy and will stand up for freedom in Central Europe that were subject to the horrors of World War II and the horrors of Soviet domination in the cold war, if they want to join free men and women in standing up for freedom, that we ought to welcome them.

This is not simply a technical issue; it is an issue that goes right to the heart of what free men and women want for their lives, for their children and for their future. These are people who want to join arms with us and want to stand up for freedom and want to pledge their security with our security. They want to join hands with us.

Mr. President, at the end of World War II, this country turned to the countries in Europe and Japan, and we did a number of things. First, we not only extended a hand of friendship, but we extended a hand of assistance.

Second, we opened up our trade markets to let them earn their way out of the tragedy that had befallen them.

And third, and most significant of all, we extended an umbrella of protection for their mutual security.

What happened at the end of the cold war to those countries that had been victimized by Soviet occupation was that the European Economic Community did not open their markets to them, although they are in negotiations to do so. That move to open their markets, which would have done more for the Central European countries than perhaps any single thing that can be done, is still being worked out, and, frankly, membership in NATO is viewed as a key way to accomplish that objective. If you look at the transition for Greece and others who joined the common market, it was exactly the door of NATO that helped bring them in.

So opening markets was not done for Central Europe. And frankly, assistance was not done, although there have been some minor programs and they have not pushed hard for it, but the kind of assistance we gave with the Marshall Plan has not been offered and not really asked for.

Last, and maybe most important, we have not done that which they ask for the most, and that is to join hands with them in pledging mutual protection for each other.

Those three things that were so important for turning Japan and Europe around have not been done for Central Europe. This would move forward in terms of allowing those people to join hands with us in transitioning to NATO membership. The idea and the concept and the symbol are terribly important for the security of Central Europe.

Mr. President, I ask unanimous consent to add Senator HELMS as a cosponsor of the amendment.

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

Mr. BROWN. Mr. President, I retain the remainder of my time.

I ask unanimous consent to print in the RECORD letters supporting this amendment from former Secretary of State Henry Kissinger and from President Carter's National Security Adviser, Mr. Brzezinski.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

HENRY A. KISSINGER,  
July 27, 1995.

Hon. HANK BROWN,  
*Senate Foreign Relations Committee,  
Hart Senate Office Building, Washington, DC.*

DEAR SENATOR BROWN: Thank you for bringing to my attention the Brown-Simon "NATO Participation Act Amendments of 1995".

In my view, continuing security in Europe hinges upon a stable NATO alliance open to early membership by countries like Poland, Hungary, and the Czech Republic. Ambiguous Western security arrangements for the heart of Europe will not serve the cause of peace there. Rather, they will generate uncertainty and instability.

As you know, I was solidly in favor of the 1994 NATO Participation Act. It sent a strong indication of United States support for the countries emerging from communist domination in Central and Eastern Europe. Accordingly, I was disappointed by President Clinton's decision not to act on his authority. A valuable opportunity was missed to enhance the security of Europe.

The "NATO Participation Act Amendments of 1995" seek to correct this mistake by requiring the Administration to extend to these fledgling democracies some of the most important security benefits U.S. law extends to existing NATO members. This action will speed their transition into NATO. Furthermore, this measure sends a clear signal in part from its specific designation of Poland, Hungary, the Czech Republic, and Slovakia as eligible countries.

I strongly support the Brown-Simon amendment and urge your colleagues of both parties to join in passing them at the earliest opportunity.

Sincerely,  
HENRY A. KISSINGER.

CENTER FOR STRATEGIC & INTERNATIONAL STUDIES,  
Washington, DC, July 31, 1995.

Hon. HANK BROWN,  
*U.S. Senate,  
Hart Senate Office Building, Washington, DC.*

DEAR SENATOR BROWN: Thank you for notifying me about the Brown-Simon "NATO Participation Act Amendments of 1995" and your intention to offer them as amendments.

From my perspective, the United States and her allies have arrived at a unique juncture in history. An excellent opportunity now exists to contribute to the creation of a stable and secure Europe. An important element to that region's long-term peace is our continued commitment to a strong NATO open to early membership to countries like Poland, Hungary, the Czech Republic, and Slovakia.

For this reason, I strongly support the "NATO Participation Act Amendments of 1995." These proposals would strengthen the 1994 NATO Participation Act by requiring the Clinton Administration to implement a transition program to help eligible countries move closer toward the high standards of NATO membership. This action surely will accelerate the inclusion of these nations into this key security alliance.

I urge your colleagues to join in support of the Brown-Simon amendments.

Sincerely,  
ZBIGNIEW BRZEZINSKI.

Mr. STEVENS addressed the Chair.  
The PRESIDING OFFICER. The Senator from Alaska.

Mr. STEVENS. Mr. President, I can only, once again, ask my friend from Colorado to cooperate by withdrawing the amendment and presenting it as it will be presented in the Foreign Operations Subcommittee bill. If this remains in our bill, when we get to conference with the House, we have to conference with two separate subcommittees. They will not conference with us on the foreign operations matters when we have the Defense Subcommittees meeting.

This is going to delay getting us our bill. I happen to be one who is in the forefront in support of what the Senator from Colorado is doing. I believe in expansion of NATO. I believe we may have some trouble with regard to the extent of our capabilities to provide the assurance that we will come to the defense of any of these nations in the current circumstance over there, but I am more than willing to explore how we can do that, because I think it is right to do. But I believe it is going to open up this bill now to a very wide-ranging debate and that every Senator is going to want to talk about it and we are going to be here tomorrow morning.

I urge the Senator to listen to the chairman of the Foreign Relations subcommittee, who has committed that it will be brought up at his subcommittee in the first week of September and be carried through from there. It does not belong on this bill. We are not capable of handling this in conference. I hate to take something to conference which means that when we are in conference, we have to step aside and let other subcommittee members from either side come in and handle an issue not within our competence. I do not believe it ought to be on this bill.

I urge the Senator—he made his point, and I think there will be an overwhelming support for his proposition once everyone has expressed their point of view here today, probably. But it does not belong on this bill.

Mr. BROWN. Mr. President, let me respond to the very thoughtful concerns of the chairman. Let me assure him that if this becomes a burden for his bill or untimely delays it, I am going to be with him in trying to find another avenue for it. I hope the Senator does not feel compelled to oppose this effort if indeed we have addressed those concerns.

Mr. President, I at this point ask that Senator MOSELEY-BRAUN from Illinois be added as a cosponsor of the amendment.

I believe Senator SIMON at this point would like the opportunity to address the measure. I will yield to him.

Mr. STEVENS. Mr. President, that is the problem. Every Senator wants to

talk about this amendment that does not belong on my bill. We ought to find some way to test this. It is my intent to make a motion to table this amendment very soon, because I say we are going to go home, and the way we are going to get home is not standing here talking about something that belongs on another bill.

The Foreign Relations subcommittee will report their bill the second week in September, and that is when it should be considered. The Senate is going to have a chance to make up its mind whether it is going to finish this day or not. I am not going to make the motion now. I want to confer with the Senator from Colorado. I believe we ought to be listened to. This is not something that belongs on this bill. We are not capable of handling the subject matter. We cannot conference with the Defense subcommittee on the other side.

While I support the intent, it is not something we ought to be dealing with. It is legislation on an appropriations bill, and it should not be here. The way to answer that is to either make a point of order against it or move to table it. I will do one or the other before too long.

Mr. SIMON. Mr. President, I will just take 2 minutes. I want to assure the Senator from Alaska that in terms of making a point of order, that precedent has been set and this is in order. There is no question about that.

The question is, Is this significant enough that we ought to put this on this piece of legislation? And I think the answer is yes. It will add to stability in Central Europe. I think the answer is clearly yes. The language is so couched that I hope we can accept it very quickly.

I want to get out of here as much as the Senator from Alaska wants to get out of here. A simple way of getting out of here is to accept this amendment and move forward. I think this is in everyone's best interest.

Let me add one other point. There are those who say somehow this will offend Russia. The reality is that the time may come when Russia can become a part of NATO. Ultimately, the threat to Russia does not come from the West, it comes from China, in the long term.

So I think this does make sense, and I am pleased to support the amendment of Senator BROWN.

Mr. HELMS. Mr. President, the distinguished Senator from Colorado [Mr. BROWN], has demonstrated his customary fine leadership in offering his amendment to bring a possible NATO membership one step closer for friends of the United States in Central Europe.

Now, nations from Latvia to the Czech Republic have bitter memories of the period following World War II when they were left in a security vacuum. Some 50 years of Communist captivity ensued.

I ask unanimous consent to be identified as a cosponsor on the Brown amendment.

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

Mr. HELMS. Mr. President, the amendment provides incentive for continued reform in countries of that region by offering closer integration with the West for countries that meet the fundamental criteria of democracy and economic reform.

While some countries have taken more steps than others in fulfilling the criteria outlined in the Brown amendment, reform efforts are so fluid and governments evolve so often that I do not believe it is fair to prejudge any one country, or set of countries, for that matter, at this time. It would certainly not be honest to make the judgment that Slovakia, for example, has made more progress in fulfilling the criteria in this bill than have Estonia or Slovenia. While I support Slovakia's independence and the people of that country, the Government of that country has backed away, I am sorry to say, from privatization and has interpreted democracy to mean total control by the ruling political party of the country.

The Brown amendment offers a real blueprint for forging closer relations with the free nations of Central Europe. We should not content ourselves with the Clinton administration's tepid approach to our victory in the cold war. To this day, the administration has failed to define the process by which Central European countries can become NATO members. The Brown amendment will right this unfocused approach by concentrating our assistance on those countries taking brave steps to reform their political, economic and military systems and tie their future to NATO.

I firmly believe that NATO enlargement to countries which prove themselves capable of contributing to the NATO Alliance is in the U.S. national interest. Spreading NATO ideals to Central Europe at this time aligns these countries in a defense-oriented posture which must be more comforting to Russia than the current undefined security situation in Central Europe.

I would encourage the President to take the bold step of making all the countries in this bill eligible for much of the NATO transition assistance provided in this amendment.

I urge the adoption of this amendment.

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. ROTH. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

#### NATO ENLARGEMENT

Mr. ROTH. Mr. President, I rise today as one who has been a long-

standing supporter of NATO. For this reason, I am a cosponsor of the Brown amendment, the NATO Participation Act Amendments of 1995.

Mr. President, no other issue is more crucial to European security than NATO's relationship with Central and Eastern Europe. Today, we are in the midst of an historical era, an era of transition, the so-called post-cold-war era. It is a phase in which the strategic landscape of Europe is particularly malleable. It is a phase that will not last forever and which will end sooner rather than later.

How the alliance manages its relationship with the nations of this region during this period will determine whether or not Europe will ultimately benefit from an enduring and stable peace.

Careful, gradual, but undeterred enlargement of NATO should be the geopolitical priority of America's Europe policy. The alliance is uniquely qualified to provide the institutional foundation for regional security and peace. No other institution, including the European Union and the Organization for Security and Cooperation, combine the two necessary requisites to serve in this role: a transatlantic dimension and proven operational capability.

The Brown amendment explicitly endorses and facilitates a process of NATO expansion. If passed, this amendment would authorize the President to establish programs to facilitate the integration of Poland, the Czech Republic, Slovakia, and Hungary as well as other Central and Eastern European nations into the alliance.

Passage of this amendment would be an important step toward establishing a system of European security consisting of two pillars: an enlarged NATO and a strategic partnership between the alliance and Russia.

With the end of the Cold War, Central and Eastern Europe once again find themselves outside of any viable security structure. The region is, in essence, a security vacuum between NATO's eastern frontier and Russia. Both recent- and long-term history show us that the region's strategic vulnerability has been a source of instability on the continent—with calamitous consequences that drew the United States into two World Wars.

Extending the alliance's membership to the nations of Central and Eastern Europe, beginning with the nations of Poland, Czechia, Slovakia, and Hungary, will help transform this region from a source of instability into a cornerstone of peace.

NATO enlargement would help facilitate the economic and political integration of this region into the West. The absence of a stable security environment only exacerbates fears and insecurities that jeopardize the political and economic reform necessary for integration to occur.

NATO enlargement would project greater stability into Eastern and Central Europe and thereby enable the