

and \$45.6 billion in new outlays to fund most of the programs of the Department of Agriculture and other related agencies.

All of the funding in this bill is nondefense spending.

When outlays for prior-year appropriations and other adjustments are taken into account, the final bill totals \$63.2 billion in BA and \$52.7 billion in outlays for fiscal year 1996.

The subcommittee is at its 602(b) allocation for both budget authority and outlays.

The Senate Agriculture Appropriations Subcommittee 602(b) allocation totals \$63.2 billion in budget authority [BA] and \$52.8 billion in outlays. Within this amount, \$13.3 billion in BA and \$13.6 billion in outlays is for discretionary spending.

For discretionary spending in the conference report, the bill is essentially at the subcommittee's 602(b) allocation for both BA and outlays.

The bill is \$1.6 billion in BA and \$1.1 billion in outlays below the President's budget request for these programs. It is essentially at the House-passed bill level in BA and \$26.5 million below the House bill in outlays. The conference report is \$405.7 million BA and \$759.4 million in outlays below the 1995 level.

The conference report includes mandatory savings of \$389 million in BA and \$249 million in outlays which are used to offset discretionary spending. Some of the savings duplicate those in the reconciliation bill.

The Congress is currently working on an omnibus budget reconciliation bill that seeks to achieve a balanced Federal budget by the year 2002. Congress must work to minimize the double counting of mandatory savings in the appropriations bills and the reconciliation bill in order to reach a balanced Federal budget.

Mr. President, I ask unanimous consent that a table displaying the Budget Committee scoring of the final bill be printed in the RECORD.

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

AGRICULTURE SUBCOMMITTEE—SPENDING TOTALS—
CONFERENCE REPORT

[Fiscal year 1996, in millions of dollars]

	Budget authority	Outlays
Nondefense discretionary:		
Outlays from prior-year BA and other actions completed		3,751
H.R. 1976, conference report	13,310	9,814
Scorekeeping adjustment		
Subtotal nondefense discretionary	13,310	13,566
Mandatory:		
Outlays from prior-year BA and other actions completed	501	3,337
H.R. 1976, conference report	49,277	35,791
Adjustment to conform mandatory programs with Budget:		
Resolution assumptions	64	49
Subtotal mandatory	49,842	39,177
Adjusted bill total	63,152	52,743
Senate Subcommittee 602(b) allocation:		
Defense discretionary		
Nondefense discretionary	13,310	13,608
Violent crime reduction trust fund		

AGRICULTURE SUBCOMMITTEE—SPENDING TOTALS—
CONFERENCE REPORT—Continued

[Fiscal year 1996, in millions of dollars]

	Budget authority	Outlays
Mandatory	49,842	39,177
Total allocation	63,152	52,785
Adjusted bill total compared to Senate Subcommittee 602(b) allocation:		
Defense discretionary		
Nondefense discretionary		- 42
Violent crime reduction trust fund		
Mandatory		
Total allocation		- 42

Note.—Details may not add to totals due to rounding. Totals adjusted for consistency with current scorekeeping conventions.

Mr. MCCAIN. Mr. President, I want to express my great disappointment with a key provision of the conference report for H.R. 1976, the fiscal year 1996 Agricultural appropriations bill. I deeply regret that important funding for the tribally controlled community colleges in the United States was largely cut from the bill.

During the Senate debate on H.R. 1976, I was successful in offering an amendment which provided \$4 million in extension and academic improvement funds to our nations tribal colleges. I was greatly assisted by Senators BINGAMAN, CONRAD, DOMENICI, and INOUE all joined me in this worthy effort.

While a relatively small amount compared to the over \$1 billion that will be spent at other universities throughout the United States, this \$4 million appropriation would have been a great boost to our long-neglected tribal colleges. They receive virtually no State or local funding, and are in desperate need of Federal assistance.

This conference report represents an unhealthy dose of the status quo in this regard. There are hundreds of millions of dollars for large State universities, and a few token dollars metered out to Indian colleges and universities.

Of course, the students educated at these tribal colleges, over 20,000 nationwide, are striving to build a future for themselves after growing up in the poorest communities in America. The level of poverty that faces native Americans would astound most of their fellow citizens.

The funds that I and a group of my concerned colleagues were seeking for tribal colleges were fully authorized in 1994 by legislation which gave partial "land grant status to tribal colleges and institutions. This designation was long overdue, for tribal colleges reside in largely rural areas, and Indian reservations are comprised of tens of millions of acres of agricultural land. Agricultural programs at tribal colleges would be a solid investment in Indian students and their communities.

For over a century the U.S. Department of Agriculture has provided large amounts of funding to State land grant colleges and historically black colleges. These funds support agricultural research, education, and extension services. It is time we recognized the vital mission of America's tribal col-

leges as well. This conference report was a prime opportunity to do so, yet we have faltered again.

Deleting the \$2.55 million that the Senate version of H.R. 1976 contained for extension programs at tribal colleges was unfair and unnecessary. It is yet another example of how little attention or concern is often given to the needs of native Americans by this body. At a time when several universities in the United States will receive over \$20 million each from the Department of Agriculture—and others have received as much as \$40 million in a single year—the managers of this bill cut the extremely modest amount provided to tribal colleges.

Let me make it quite clear that there was no reason for these funds to be revoked, except perhaps for the Senate to maintain its record of consistent inattentiveness to the plight of many native Americans. I oppose the conference report for this unnecessary and harmful deletion of funds. I will renew my efforts to assist our Nation's tribal colleges and Indian students at each appropriate opportunity in the upcoming year.

The PRESIDING OFFICER. Is there further debate?

The question is on agreeing to the conference report.

The conference report was agreed to. Mr. COCHRAN. Mr. President, I move to reconsider the vote.

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

The motion to lay on the table was agreed to.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. ABRAHAM). Without objection, it is so ordered.

CUBAN LIBERTY AND DEMOCRATIC
SOLIDARITY [LIBERTAD] ACT OF
1995

The Senate continued with the consideration of the bill.

AMENDMENT NO. 2898

Mr. GRAHAM. Mr. President, am I correct that the pending business is the amendment offered by Senator DOLE as a substitute to H.R. 927?

The PRESIDING OFFICER. That is correct.

Mr. GRAHAM. I thank the Chair.

Mr. President, it is my purpose today to reiterate my support as an original cosponsor of legislation introduced by Senator HELMS, now the substitute amendment offered by Senator DOLE, to the Cuban Liberty and Democratic Solidarity Act.

I was the Senate sponsor in 1992 of the Cuban Democracy Act.

This legislation reiterated the policy of the United States relative to the

Castro regime in Cuba and emphasized that the United States had no ill feeling for the people of Cuba, in fact, that the United States citizens shared in the pain of the people of Cuba and desired to reach out to them in ways that would ease that pain while facilitating a transition from their authoritarian regime.

The Cuban Democracy Act of 1992 was a continuation of the spirit of bipartisanship which has characterized United States policy toward Cuba since the emergence of the dictator, Fidel Castro. Through Democratic and Republican Presidents and Congresses we have had a consistent policy of political and economic isolation of the Castro regime. And particularly since the fall of the Soviet Union and the end of the significant subsidy which the Soviet Union had supplied to the Cuban regime, we have had a bipartisan policy of reaching out directly to the people of Cuba.

The adoption of the Cuban Democracy Act of 1992 sent a clear and concerted message of common purpose with the people of Cuba. The Cuban Democracy Act helped force an economic crisis for Castro's government, a crisis which has reached the point that he has now begun to contemplate economic reforms. There is some evidence that he is beginning to ease some of the restrictions which he holds on the Cuban people.

Unfortunately, it has not resulted in any movement toward liberalization of his political regime in terms of steps toward democratic government, nor has it resulted in any significant improvement in human rights. In fact, in areas such as the treatment of human rights activists, the treatment of journalists, in just the past few months, the Castro regime seems to have increased its attempts to control its people.

This legislation that is before us today continues the two-track policy of restraint on the regime through the embargo, isolation, economically and politically, of the Castro regime and, on the second track, an effort to reach out to the Cuban people. This legislation strengthens the embargo and at the same time indicates our continued admiration and desire to see the day when freedom and democracy will be available to the Cuban people.

This legislation increases the pressure on the Cuban Government by tightening the embargo. It prohibits the Cuban Government from profiting from confiscated property. This legislation has already deterred the flow of foreign capital to the Castro regime as investors who are anxious to enter into business partnerships with the Castro government have been closely monitoring this legislation awaiting action by the United States.

For the Cuban people, this bill reaches out to demonstrate our common purpose. As an example, in the area of strengthening radio and television Marti, this legislation will fa-

cilitate the exchange of information from the United States to the Cuban people with the aim of fostering dialog and stimulating activism at the grassroots level.

The Cuban Liberty and Democratic Solidarity Act builds an apparatus for the peaceful transition of a post-Castro Cuba to a free, democratic society. By conditioning United States assistance to Cuba's commitment to change, this legislation helps prevent another dictator from ascending to power in Cuba.

President Clinton's recent actions, actions of just last week, were consistent with the purposes of the Cuban Democracy Act and consistent with the purposes of the bill before us today. The President's actions followed on the two-track approach. It stepped up the enforcement of the embargo by strengthening the Office of Foreign Asset Control both here in Washington and, as the Cuban Democracy Act provided, the Office of Foreign Asset Control in Miami. These offices monitor and enforce the embargo.

As part of the effort to foster democracy at the grassroots level, President Clinton has taken the following actions: He has allowed United States nongovernmental organizations, such as Freedom House, to work in Cuba to promote human rights and democratic actions; he has permitted transfer of communications equipment to Cuban nongovernmental organizations so that they will have an opportunity to communicate among themselves and with the rest of the free world, exchange of news bureaus, authorizing the issuance of licenses for United States news bureaus in Cuba; and permitted travel on a case-by-case basis for humanitarian, religious, and educational purposes. All of those initiatives are part of the effort to demonstrate to the Cuban people our common resolve.

This legislation is a continuation of a consistent, bipartisan Cuban policy and a bold step toward the goal of a democratic, free Cuba. This vote is a measure of our resolve not to aid or abet the government of Fidel Castro. We are unwavering in our commitment to freedom and democracy in the Western Hemisphere. We are anxious for the day when this last holdout of authoritarianism within our own hemisphere is eliminated.

Congress has a great opportunity to send a message, to send a message to Fidel Castro and to the rest of the world, that the United States stands firm in its conviction against totalitarian regimes. We all await with hope the day that a free and independent Cuba will have a normal and friendly relationship with the United States. Until that day, we must firmly let Fidel Castro know that we are not interested in contributing to his oppressive rule and remain vigilant to the threat that he poses.

Thank you, Mr. President. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. CRAIG. 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. CRAIG. Mr. President, I stand this afternoon in support of the Cuban Liberty and Democratic Solidarity Act of 1995. This is the next step in a long road leading toward releasing Castro's dictatorial ties that have bound the people of Cuba for so many years.

This legislation includes a number of provisions which would strengthen international sanctions against the Castro government in Cuba, develop a plan to support a transition government leading to a democratically elected government in Cuba, and enact provisions addressing the unauthorized use of United States citizen-owned property confiscated by the Castro government.

I agree with the intent of this legislation, which is to help bring freedom and democracy to Cuba. Mr. President, Libertad is a comprehensive bill designed to increase the pressure on Fidel Castro and bring about fundamental political and economic reforms. This is not a case of Americans forcing a solution on Cuba. Instead, it is Cubans who are crying for this assistance to which we are responding.

It is my understanding that 47 dissident leaders who are currently inside Cuba have, at great personal risk, publicly endorsed the Helms bill. This support came in a letter sent to the chairman from Havana and organized by dissident leader Elizardo Sampredo Marin of the Democratic Solidarity Party.

The letter reiterates the need to not only maintain but strengthen the current embargo, and the letter states:

The economic embargo maintained by subsequent administrations has begun to make its effects felt not against the people, but against those who cling to power. Those effects are felt after the downfall of the socialist camp, which forced the Havana regime to improvise economic moves, waiting for the miracle to pull them out of a very difficult situation.

Mr. President, those who are inside fighting for freedom and democracy in Cuba support the efforts of this legislation and see it as the best path toward democracy for Cuba. In addition, we should address Castro's needs for hard currency to continue to prop up his dictatorship.

It is my understanding that a number of press reports indicate that the mere existence of this legislation and pending passage have had an impact on Castro's efforts to generate that hard currency. His efforts to tempt foreign investors into Cuba by auctioning off properties that were illegally confiscated without compensation from Americans must be curtailed.

To assist the Cuban people to regain their freedom and prosperity is the first goal of this legislation.

The second is to strengthen international sanctions against Cuba. The

third is, this bill should provide for the national security of the United States. Fourth is, to encourage free and fair elections in Cuba. Fifth is, to provide a policy framework for United States support to the Cuban people during a transition to democracy. Sixth is, to protect American nationals against confiscatory taking and unauthorized use of their confiscated property.

Mr. President, there has been a great deal of debate on title III of this bill, and, certainly, I have had my own concerns as well. However, I appreciate the efforts of the chairman. He has worked hard at offering this bill and clarifying the intent of the legislation to ensure that certified claimants have priority in all events to assets of the Cuban Government in settling property claims.

In closing, I just add that we must not lose sight of the overall intent of this legislation. Embracing Fidel Castro at this time is not going to lead to freedom and democracy in Cuba. Therefore, I hope my colleagues will support this very important piece of legislation that Chairman HELMS and the committee have labored long and hard at providing.

Would the Senator from North Carolina entertain a question?

Mr. HELMS. I would be glad to respond to the distinguished Senator from Idaho.

Mr. CRAIG. Some of my constituents have raised questions as to whether this legislation will unleash a wave of thousands of lawsuits tying up our courts and establishing, in effect, a new Cuban claims program for Cuban-Americans to the detriment of certified claimants. Are these fears, in any way, justified?

Mr. HELMS. I am very glad the Senator asked that question because it appears that there has been organized fearmongering regarding this legislation by a few who, are not content to wait until it is lawful for Americans to deal with a free and independent Cuba. Instead, these people seem intent on cutting their own early deal with the evil dictator, Castro, at the expense of the Cuban people. I have previously said that I am expecting to hear soon that the Libertad bill is the cause of the common cold.

There is nothing in this bill which disadvantages certified American claimants; on the contrary, there is much that enhances their status. And there is nothing in this bill that will result in a wave of lawsuits that will burden our courts.

In the first instance, this bill particularly recognizes and restricts the U.S. Government's espousal responsibilities to certified claimants. The Libertad bill also specifically ties the President's authority to provide foreign assistance or to support international credit to a new government in Cuba to that government's public commitment and initiation of a process to respond positively to the certified claimants' property claims.

The bill advantages certified claimants by restricting the right of action—the right to sue foreigners for compensation—to require that recoveries from traffickers will reduce the amount recovering claimants can otherwise obtain from the U.S. Government's espousal. And it is not a possible to obtain default judgments against the current government in Cuba under this bill, thus assuring that additional claims will not burden the new government.

Title III also protects the settlement amount of all certified claims by denying a claim to, participation in, or interest in any settlement proceeds by: First, those who were not eligible to file under the International Claims Settlement Act of 1949 but did not do so; second, those who were not eligible to file under the International Claims Settlement Act; or third, any Cuban national, including the Cuban Government. Such an exclusive provision does not now exist. The Libertad bill will make it clear, in a statute, who can receive the benefits of any settlement of certified property claims with the Cuban Government. In short, it is the bill's intent that certified claimants have priority to assets of the Cuban Government in settling property claims.

The President is authorized to suspend the right of action when a transition government comes to power, and he is already authorized under existing law to terminate any lawsuits then underway. Thus, this statute will not impede the President's authority to negotiate with a transition Cuban Government.

The right of action is itself an important weapon for certified claimants to assure their property will still be intact when freedom comes.

Let me point out some other reasons why the Libertad will not result in a flood of litigation. The bill provides a 180-day grace period, beginning on the bill's date of enactment, for traffickers to stop their violation of our citizen's property rights. There is an additional 30-day notice required before exemplary additional damages can be sought. Furthermore, the jurisdictional requirements mandate that the plaintiff must be a U.S. citizen with a claim to commercial property valued in excess of \$50,000 that is being unjustly exploited by a third party. The bill requires that the defendant must be properly found within the jurisdiction of U.S. courts. The bill denies the use of the right of action when a property claim has been traded or transferred into U.S. jurisdiction after the bill's enactment.

As I have previously stated, it also discourages suits against the present government in Cuba and requires that the defendant be proven to have knowingly and intentionally trafficked in the property after the 6-month period following the bill's enactment. The Congressional Budget Office has estimated that only a few cases would

qualify under these stringent requirements.

The point of these requirements is to ensure that only commercially significant cases are filed and adjudicated. I hope you will agree that we have accomplished our goal and that this will reassure your constituents that they have been falsely informed regarding what this bill does.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

MEDICARE CUTS IN THE RECONCILIATION BILL

Mr. LAUTENBERG. Mr. President, I rise today to begin some comments on the upcoming reconciliation bill. The Republican reconciliation bill simply, in my view, puts the question to this body: Whose side are you on? I think that is the basic question. Are you on the side of middle-class Americans? I think that is the defining precept. Or are you on the side of our senior citizens, middle-class families who are trying to send their children to college, and lower income working families? Or are you on the side of the wealthy and the special interests?

The Republican reconciliation bill is a bonanza for the well-off and the powerful, while senior citizens, students, and working-class families get stuck footing the bills.

In my view, this is plain wrong. While the Republicans lay down for the wealthy and the special interests, Democrats stand up for the middle-class, working Americans who are struggling to hang on and to build a better life for their children.

The Senate will soon consider the biggest reductions in the history of the Medicare program—reductions in services, that is. Regrettably, the Senate will not have much time to consider these severe cutbacks thoroughly or thoughtfully. The debate on the reconciliation bill is limited to a total of 20 hours. That is quite incredible when you think about it, because reconciliation bill language is kind of arcane for most of our citizens. So, simply put, it is how we balance the books, how we reconcile income with expense. It is a question that families deal with and a question that businesses deal with. And here we have virtually the whole budget for the fiscal year for the Federal Government, and we are going to deal with this in 20 hours—quite incredible. But those are the rules and we have to play by them.

Therefore, I want to take this chance to join with other colleagues on this day to talk about what we see as the faults in the reconciliation bill, before