

There is one bill that has eluded us, and that is the Labor-HHS appropriations bill upon which the Senate has not acted. I want to say further that as we consider the continuing resolution, if this one is passed and vetoed or if the next one is passed and agreed to, we have to have a benchmark in relation to how we are going to fund Labor-HHS.

Up until now, the other side of the aisle has not permitted us to move to bring up the Labor-HHS to be considered here on the floor.

So I think in order that we as the members of the Appropriations Committee—I speak at least for myself—I would like to be able to conclude our job on the Senate side. It has to go to conference, of course, with the House-passed bill.

I would like to propound a unanimous-consent agreement at this time. I ask unanimous-consent that the majority leader, upon consultation with the minority leader, be authorized to call up H.R. 2127, the Labor-HHS appropriations bill for 1996.

Mrs. BOXER. Reserving the right to object.

The PRESIDING OFFICER. Is there objection?

Mrs. BOXER. Reserving the right to object.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. There are a number of provisions that are troubling to a number of Senators who believe in a woman's right to choose, and that is one of the reasons why we have had trouble agreeing to bringing up the bill. So I would have to object, unless I knew that those provisions were being handled. So I would object.

The PRESIDING OFFICER. Objection is heard.

#### DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 1996— CONFERENCE REPORT

Mr. DOLE. Madam President, I submit a report of the committee of conference on H.R. 2126 and ask for its immediate consideration.

The PRESIDING OFFICER. The report will be stated.

The assistant legislative clerk read as follows:

The committee on conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 2126) making appropriations for the Department of Defense for the fiscal year ending September 30, 1996, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses this report, signed by a majority of the conferees.

The PRESIDING OFFICER. Without objection, the Senate will proceed to the consideration of the conference report.

(The conference report is printed in the House proceedings of the RECORD of November 15, 1995.)

Mr. DOLE. Madam President, it is my understanding that this will not

take any great length of time. I am also advised that about 400,000 civilians, who might be affected by the Government shutdown, are affected by this bill. Maybe we can pass this bill and get it down to the President.

Unless I misunderstand it, it would be about half the total. It seems to me that it is something we should do as quickly as we can. I do not know the President's intentions with reference to this bill. At least it will be another major appropriations bill that we can send to the President.

I also understand that we have the legislative appropriations bill and the Treasury, Post Office bill, which have been completed, which I think would be sent to the President if there was some indication that he would sign those bills. Again, that would help in some areas, and some of the people who are not essential could come back to work.

In the meantime, I will be discussing the pending legislation with the Democratic leader.

Mr. DASCHLE. Madam President, this is acceptable to our side. I think, also, the foreign operations bill is prepared to be sent. So we are making progress on some of these bills. I think it is important that we get as many done as we can. Some of them are going to be vetoed. This may be one of them. I think it is important to keep the process moving along, and this will accommodate that need.

I yield the floor.

Mr. STEVENS. Madam President, I might state, for the Senate's knowledge, that we have 2½ hours. I do not think we will use the whole 2½ hours. I expect the vote to take place some time right after 6, depending on who else might want to speak.

Just to set the record straight, I had reminded the majority leader of the number of people in the Department of Defense that were affected by the furlough process, and it was our estimate that it was approximately 400,000 that could be affected. I am told that it is somewhere around 260,000 that actually have been furloughed so far. He was correct that approximately 400,000 would be affected by the bill in the long run.

We believe it is in the best interest of all concerned to get the bill passed. I am hopeful that we will get word from the President that he will sign it so we can expedite delivery of the bill to the President.

This is now the conference report on H.R. 2126, the Department of Defense Appropriations Act for 1996. I first want to start off by applauding the House for the expeditious move on this bill today, and I appreciate the support of both leaders for allowing us to bring the bill to the Senate now.

Senator INOUE and I have sought to move this conference report prior to the commencement of the fiscal year on October 1. The original conference report, however, was rejected by the House. That resulted in a substantial delay in bringing the bill before the

Senate, and I take part of the responsibility for that. We have been negotiating for a period of time on one particular issue.

Before proceeding further, however, I do want to express my high regard and thanks to the chairman of the House Defense Subcommittee, Congressman BILL YOUNG, for the work he has done on this bill. This has been the first year that he has been the chairman of that subcommittee, and he was the chairman of our conference, and he has shepherded this large and complex bill through the House and then the conference with great skill. His determination to meet the needs of the men and women of the Armed Forces shows throughout the legislation.

I think Members should become aware of this bill because it is a very different defense appropriations bill.

I also recognize the hard work and cooperation of the ranking member on the House side, Congressman JACK MURTHA. Senator INOUE and I have worked with Mr. YOUNG and Mr. MURTHA for many years now, and we appreciate their willingness to work with us on the tough issues in this bill this year.

Madam President, the conference report before the Senate now closely matches the bill previously filed under the report No. 104261. That report has been available to all Senators since September 25. On that basis, I do not intend to take the Senate's time to detail the contents of the report. Instead, I want to speak to the Senate today on why we need this bill now and why I feel the President should sign this bill.

This pending bill provides about \$1.7 billion more for defense than was appropriated in the fiscal year 1995. Taking inflation into account, this amount represents a decline in real spending for the Pentagon. That is the reality of this bill. It really continues, in terms of real dollars, a downward trend in real defense spending for another year.

This further decline in real defense spending comes in the face of increased commitments of the United States overseas, increased deployments overseas, and the determination by the Joint Chiefs that we need more money for modernization for the Department of Defense.

Let me speak first about those overseas deployments. Today, there are 241,000 U.S. military personnel permanently stationed overseas. That does not reflect their dependents. This is military personnel. It also does not reflect the contingency deployment to Bosnia, Iraq, or Haiti. These are the day-to-day demands on the men and women of the Armed Forces. They face these demands constantly.

Last September, we took a trip and met with some of our military people in the British Empire, in London. We found, in many instances, that our pilots, for instance, have been deployed in several different places within 1 year. We are stretching these people to the nth degree almost daily now, in

terms of the demands that face the Armed Forces in the United States and throughout the world.

Added to these actual permanent commitments are the additional unplanned and unauthorized contingency missions that the Commander in Chief has sent our military people on.

I ask unanimous consent to have printed in the RECORD a table that shows the current overseas military deployment.

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

ACTIVE DUTY, U.S. MILITARY PERSONNEL  
OVERSEAS

241,000 soldiers, sailors, Air Force personnel and Marines including:

212,000—ashore  
29,000—afloat

U.S. MILITARY PERSONNEL IN EUROPE AND  
EUROPEAN WATERS

121,000 soldiers, sailors, Air Force personnel, and Marines including:

76,000—in Germany  
12,800—in the United Kingdom  
11,500—in Italy  
7,400—afloat  
3,100—in Turkey  
2,800—in Spain  
2,000—in Iceland  
1,700—in Belgium  
1,000—in Portugal  
734—in The Netherlands  
620—in Macedonia  
490—in Greece

These totals include the following ongoing operations:

Deny Flight—Bosnia No Fly Zone

Provide Promise—humanitarian airlifts into Bosnia

Sharp Guard—sanctions enforcement in the Adriatic Sea

Able Sentry—Macedonia border observers

Provide Comfort—humanitarian aid to Kurds in Iraq

U.S. MILITARY PERSONNEL IN EAST ASIA, THE  
PACIFIC REGION AND PACIFIC WATERS

92,000 soldiers, sailors, Air Force personnel, and Marines including:

39,600—in Japan  
35,800—in Korea  
15,600—afloat  
320—in Australia

These totals include the following ongoing operations:

Joint Task Force Full Accounting—to determine the fate of American POW's and MIA's

Cope North and Annulex—U.S. and Japanese forces naval and air defense exercises

Foal Eagle—U.S. and Korean forces training exercise

U.S. MILITARY PERSONNEL IN THE NEAR EAST,  
NORTH AFRICA AND SOUTH ASIA AND RELATED WATERS

6,100 soldiers, sailors, Air Force Personnel, and Marines including:

1,400—afloat  
1,200—in Egypt  
1,050—in Saudi Arabia  
900—on Diego Garcia  
460—in Bahrain  
435—in Kuwait

These totals include the following ongoing operations:

Southern Watch—Southern Iraq No Fly Zone  
Vigilant Sentinel—detering another Iraq invasion of Kuwait

Arabian Gulf Maritime Interdiction Operations—enforcing U.N. sanctions against Iraq

Bright Star—U.S. and Egyptian forces training in Egypt

U.S. MILITARY PERSONNEL IN THE WESTERN  
HEMISPHERE AND RELATED WATERS

17,000 soldiers, sailors, Air Force personnel, and Marines including:

8,000—in Panama  
4,600—at Guantanamo Bay Naval Station, Cuba  
2,500—in Haiti  
1,400—afloat

U.S. MILITARY PERSONNEL IN SUB-SAHARAN  
AFRICA AND RELATED WATERS

3,500 soldiers sailors, Air Force personnel and Marines.

Mr. STEVENS. This is a very interesting chart. I invite Members of the Senate to look at that. I know we cannot print the map. I will not ask to put it in the RECORD.

We have soldiers, sailors, airmen, and marines in Germany, in the United Kingdom, Italy, afloat on the seven seas, in Turkey, Spain, Iceland, Belgium, Portugal, Netherlands, Macedonia, and Greece.

We are continuing such as: Deny Flight to the Bosnia no-fly zone; Provide Promise to the humanitarian airlifts in Bosnia; Sharp Guard—this is the sanctions enforcement of the Adriatic Sea; Able Sentry to the Macedonia border; Provide Comfort and humanitarian aid to the Kurds. We have soldiers in Japan, Korea, and afloat in the Pacific.

We have 320 in Australia. We have a whole series of movements going on with regard to North Korea.

In the Near East, Asia, South Asia, 1,400 are afloat; 1,200 are in Egypt; soldiers and sailors and marines are in Saudi Arabia and Diego Garcia, Bahrain, and Kuwait. Southern Watch, the no-fly zone in Iraq, and another deployment to deter a further Iraqi invasion in Kuwait has our men and women serving where they are needed. The Arabian Gulf Maritime Interdiction Operations that enforce the U.N. sanctions on Iraq, and Bright Star, the United States and Egyptian forces that are training in Egypt are just another example.

We have additional forces in Panama and Guantanamo Bay Naval Station in Cuba, Haiti, and another 1,400 afloat down in the Western Hemisphere and related waters. Another 3,500 soldiers and sailors and Air Force personnel are in the sub-Sahara in Africa and other areas in that part of the world.

Now, Madam President, that ought to tell anyone that we are dealing with a situation now that has never been faced before in peacetime. We are the last superpower in the world, and we are acting like one. We have our Armed Forces deployed around the former Yugoslavia, in the Caribbean, in Southwest Asia, and Korea. I am told by the Pentagon, we have 14 ongoing contingency operations.

Just last week five Americans died in Saudi Arabia, the victims of another terrorist attack. Our forces, as I said, are in Saudi Arabia and will remain there because of our commitments for some time.

In my judgment, we cannot have it both ways. We cannot be the world's only remaining superpower and continuously reduce the amount of money available to the men and women who carry out these chores for us around the world. We cannot respond to every world crisis, to every humanitarian crisis with this military force. These forces have to be carefully allocated, and it has to be thought over where we send them, Madam President.

The President has committed United States military personnel to operations in Somalia, Rwanda, the Middle East, Northeast Asia, the Caribbean, and now to the Balkans. But nevertheless, this President has consistently pressed to reduce our military forces, reduce the money for modernization, and reduce the spending for defense.

Madam President, this is a bill that will determine whether or not that stops. Despite its downward trend, we have to turn the corner on modernization in this bill.

We have critics of this bill who say we have too much money. One is the President of the United States. We significantly increased the amount of money that is available to procurement and research and development for the Department of Defense in this bill. We did so to meet the specific priorities identified by the service chiefs themselves. Every significant procurement item in this bill is included in the military's modernization plans except the B-2. I am including the F-22, the F-18, the LHD-7 amphibious assault ship, the third DGG-51 destroyer, the Army's M1-A2 tank upgrade, the Comanche Scout helicopter and multiyear procurement of the Longbow Apache.

We did not come up with these programs. They were not added and thought up by me. The Pentagon has requested them.

Now, what we have done with our modernization initiative is to save taxpayers hundreds of millions of dollars over the next 10 years.

Think of this: In the LHD-7 alone, we are going to save \$700 million by continuing that procurement in 1996 rather than postponing it for 4 years. Now, by continuing the ongoing line, we will have another LHD-7 and save \$700 million.

More importantly, we are providing equipment to meet military needs now for the people who are being deployed overseas. We are doing this now rather than waiting 10 years to try and modernize the equipment that they are currently using.

Some in the House claim this bill exceeded the amounts requested by the military and the Joint Chiefs. What we have learned since we passed this bill in September is we actually did not go far enough.

Recent press reports indicate that General Shalikashvili's chairman's program assessment for the Department's 1997 budget has determined we should be spending about \$60 billion for procurement. The budget presented to

the Congress by the President was \$39 billion; this bill is \$44 billion for procurement. We have increased the President's request, but we are still considerably below the amount that is listed as being the minimum by the Chairman of the Joint Chiefs.

The Chairman's assessment—and this is General Shalikashvili's chairman's program assessment—reflects the decisions by our national military leaders on what we need to meet our defense obligations and to provide the men and women of the Armed Forces the equipment they need to minimize casualties.

Let me add, in my judgment, this is not a political document. I am talking about the Chairman's program assessment. Every member of the Joint Chiefs and every vice chief was appointed by this administration. I, for one, am willing to accept and advocate their judgment.

On this matter, I ask unanimous consent that recent articles from the Washington Post and the Los Angeles Times be printed in the record following my remarks.

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

(See Exhibit 1.)

Mr. STEVENS. Madam President, for these reasons alone, in my judgment, the President has no alternative but to sign this bill. In our work on this bill the conferees have sought, to the maximum extent possible, to accommodate the concerns of the administration on this bill.

Now, we referred repeatedly to the statements of the administration policy at the request of the Joint Chiefs as we accommodated the President's and his appointees' priorities. In the case of funding for the Nunn-Lugar program, we preserve \$300 million for 1996. We have sustained \$195 million for the technology reinvestment program, which was a program terminated by the House.

One exception was that the conference provided \$493 million to provide one last consideration of additional production of the B-2 bomber. The Senate bill did not, when we passed the bill here before, include funding for the B-2.

We have not voted on the B-2 since the control of the Senate changed to our side of the aisle. The House sustained funding for the B-2 on three separate votes. They were adamant that this bill come back approving their position on the B-2.

While I have some concerns about the affordability of the B-2 in the next few years, this funding permits the President to make a final decision in the 1997 budget. He, of course, has the right to ask for a rescission if he does not want the money in this bill.

An important initiative included in this bill and supported intensely by Secretary Perry is funding for contingency operations. This year, we had to pass a mid-year rescissions bill that realigned over \$3 billion to pay for overseas contingency operations. That was

because they were not funded in the bill that covered 1995.

In this bill, for the first time, we are providing money at the beginning of a fiscal year for these operations. Madam President, \$647 million is funded in this bill for operations in Iraq and Southwest Asia. The Department readily concedes that no moneys were requested in the President's budget for 1996 to pay for these ongoing missions. Everyone agrees we must pay the bills, and we decided to include the money now rather than wait for some supplemental process next year.

Madam President, in my judgment, as I said, this bill must be enacted into law. Looming ahead of us is the potential deployment of United States military forces to Bosnia. This bill makes no provision for that deployment but expresses the strong concern of the conferees about the merit of this mission and the belief that the President should consult and seek the authorization of Congress for any such deployment.

Simply put, however, without the money in this bill, there is no way that the Department of Defense or the President could send 25,000 ground troops to Bosnia.

We cannot have it both ways, Madam President. We cannot be against this bill and also want to send troops to Bosnia without money.

In the view of this Senator, I cannot conceive of the circumstances where the Senate would vote to endorse a deployment of United States forces to Bosnia if there were no funds available to support that mission. This is especially true if those funds were not available for the Department through the 1996 bill that we have before the Senate now.

According to the Pentagon, a full-year mission to Bosnia will cost in excess of \$2 billion, and only with the money that is in this bill could that be possible.

Again, we are not crossing that bridge. I, for one, do not support that deployment. However, I do believe we must be up front about it. Let me point out that those who do want to support a deployment of forces to Bosnia ought to realize it would not be possible but for the funding and the way the money is divided in this bill for the functions of the Pentagon.

Let me close with this, Madam President. I hope we can sustain the longstanding tradition of bipartisan action on these defense issues. This bill poses no severe policy issues. It provides funding consistent with the congressional budget resolution and the Appropriations Committee's 602(b) allocation to this subcommittee for the Department of Defense.

Senator INOUE and I have fought to present this bill on a nonpartisan basis and this conference report reflects that determination. The cooperation and partnership of my friend from Hawaii is still a very essential ingredient to this bill. I have worked with him in the

past, and he with me. We have rotated as being chairman of this subcommittee. I continue to thank him for his work and his commitment to the people in the armed services.

I would like to recognize the work of the subcommittee staff. It is a very interesting staff, which enjoys substantial stability as far as professional competence is concerned. They are professional staff. The Senate has benefited from this approach, in my opinion. Jay Kimmit, Peter Lennon, Mary Marshall, John Young, and Mazie Mattson have been stalwarts on the committee staff for several years.

Some of them I brought on the staff when I was chairman before. The Senator from Hawaii maintained them as professional staff, and we have continued with them. They are real professionals.

With the transition this year, Jim Morhard and Sid Ashworth have come from the minority. Susan Hogan and Justin Whedde have joined the subcommittee staff. All have made contributions to the bill and to the subcommittee. This has been especially true during the conference.

In addition, we have had the assistance of two detailees, Mr. Joe Fenglar and Ms. Sujata Millick.

I might point out, in 1982 Charlie Houy joined the staff of the subcommittee when I was the chairman. His counsel to Senator INOUE and the members of the subcommittee is invaluable. He now works with Senator INOUE. It shows the professionalism that we all still value in our relationships. His contribution is invaluable and it is a pleasure to work with him in this new assignment as the minority chief clerk.

Madam President, this is a good bill. I do think it will meet the needs of the men and women of the Armed Forces and our national security. One of the reasons it is a good bill is because of the continued assistance that I have from my good friend, the chief of the majority staff for the subcommittee, Steve Cortese, who is here with me today.

Our bill passed with a strong bipartisan support in the House. In my judgment, the Senate should adopt this bill now and permit the work of the Department of Defense to move forward. The majority leader has made the decision to bring it up now because of its impact on those who have been furloughed under the existing hiatus. I, too, hope the President will sign this bill if we get it to him as soon as possible.

#### EXHIBIT 1

[From the Washington Post, Nov. 11, 1995]  
PENTAGON LEADERS URGE ACCELERATED 50  
PERCENT BOOST IN PROCUREMENT

(By Bradley Graham)

The uniformed leaders of the armed forces, worried about aging weapons and equipment after a decade of declining procurement, have recommended a roughly 50 percent jump in spending on purchases over the next two years.

Clinton administration plans call for spreading the same rise over four years. But top military officers are skeptical about ever seeing all the money, noting that past projections have rarely been realized.

So to highlight what they see as an urgent problem, the military chiefs have asked that the Defense Department set a goal of boosting annual defense procurement from about \$40 billion at present to \$60 billion by fiscal 1998, not 2000 as the administration has proposed. "We now don't expect it to go up like the projection shows it will. It never has before, I don't expect it to now," said Adm. William A. Owens, vice chairman of the Joint Chiefs of Staff. "And secondly, 2000 is too late.

"So our view is, you have to get to \$60 billion as soon as you can, and 1998 would be a good year."

The recommendation was included in a budget assessment submitted last month by Gen. John Shalikashvili, chairman of the Joint Chiefs of Staff, to Defense Secretary William J. Perry. It reflected heightened concern about a potential erosion of military capabilities unless purchases are accelerated. It also marked a shift in focus from last year, when the Pentagon, intent on shoring up the current readiness of military units, reduced procurement to cover higher-than-expected operational and maintenance costs. Procurement spending has fallen to its lowest level since 1950, forcing the military services to defer buys of jet fighters, helicopters, ships, trucks and other assets to replace earlier models entering, in some cases, their fourth or even fifth decade of use.

"We are significantly underfunded in the procurement line," Owens said. "Our thrust is to say we must do something, we've got to fix it."

He said the military chiefs are concerned not just about low procurement but a rising "bow wave"—the piling up of postponed programs.

At the same time, Owens indicated the message from the chiefs was not intended to be confrontational or divisive with the Pentagon's civilian leadership, and may have been aimed less at Perry than at the military services themselves. By committing all the chiefs to an ambitious new procurement goal, the memorandum is especially useful to Shalikashvili and Owens in their nascent effort to exercise more central discipline over individual service plans.

The memo, which represents the consensus view of the chiefs and vice chiefs of the Army, Navy, Air Force and Marine Corps as well as regional commanders in chief, is said by Pentagon officials to be short on details about just how to bolster procurement and on what to spend the extra funds. "It's a broad statement, expressing a broad sense of concern," said a senior defense official. "But the details get a little thin."

Shalikashvili makes clear the chiefs do not expect the added funds for modernization to come from higher overall defense spending but rather through cuts in some programs under development and other savings. Even with a Republican-controlled Congress committed to boosting the defense budget, the military leaders are assuming little if any growth in military spending.

Nor are the chiefs suggesting reversing the priority given last year to readiness over procurement—that is, draining funds from the operational and maintenance accounts that support current readiness to pay for more modernization. Rather, the biggest adjustments proposed in the Shalikashvili memo would involve cutting back on competing service programs in such development areas as theater missile defense and unmanned aerial vehicles and reducing modeling and simulation activities.

Even so, these recommended savings would not come close to providing the roughly \$20 billion increase in annual procurement the chiefs would like to see between now and 1998. "We acknowledge the answers are not all there," Owens said.

But he expressed confidence that substantially more funds for procurement can be found by eliminating redundant systems, embracing economical high-tech innovations and realizing Pentagon plans to farm out more defense activities to the private sector. Significantly, the chiefs have decided not to look for more savings by shrinking troop levels below the 1.45 million active duty service members called for in the administration's plan.

In its 1996 budget proposal to Congress, the administration provided for \$39 billion in military procurement, a drop of 71 percent in inflation-adjusted dollars from the 1985 peak. House and Senate defense appropriation committees have tentatively agreed to raise procurement to \$43 billion, but their conference report has yet to win floor approval.

The administration's five-year budget plan envisions a 47 percent increase in modernization spending between 1996 and 2001. But much of that is not projected to materialize until the turn of the century—and assumes still uncertain savings from military base closings and reforms in Pentagon buying procedures. Responding to Shalikashvili in an Oct. 24 memo, Perry agreed that \$60 billion in annual procurement "is an appropriate goal" and offered "to work closely with you to accelerate" reaching it.

But Shalikashvili's initiative, known formally as the chairman's program assessment, has come late in the 1997 budget cycle. A final defense budget proposal is due at the White House next month. Perry suggested major adjustments in Pentagon plans would have to wait until next year and depend largely on what more the services have to offer. "I will be particularly interested in seeing your specific program recommendations for achieving efficiencies and funding reductions in programs of lower priority from a warfighting perspective," the secretary wrote. For the chairman of the Joint Chiefs to be weighing into the Pentagon budget debate with his assessment is indicative of an increasingly assertive Joint Chiefs' role in coordinating individual service plans and articulating a consensus view of military requirements. The Shalikashvili memo emerged from the deliberations of the Joint Requirements Oversight Council, a panel headed by Owens and including the services' vice chiefs. Over the past year and a half, Owens has strengthened the panel's role in formulating common investment objectives and reducing overlap among service programs.

[From the Los Angeles Times, Nov. 12, 1995]

#### JOINT CHIEFS SEEK MORE FUNDS TO UPDATE ARMS

(By Art Pine)

WASHINGTON—Reflecting growing concern over recent reductions in defense spending, the nation's top military leaders have warned that the Pentagon must boost its budget for weapon modernization sooner than planned or risk eroding military preparedness.

In a memo to Defense Secretary William J. Perry, the military service chiefs recommend increasing the modernization budget to \$60 billion a year by fiscal 1998, rather than fiscal 2000, as currently anticipated. The budget now stands at \$39 billion.

The unusual move by Gen. John M. Shalikashvili, chairman of the Joint Chiefs of Staff, and the heads of the four individual services, is intended to serve as a warning

flag, both to the Clinton Administration and to the top generals and admirals involved in putting together the military budget.

Although President Clinton has promised to restore some of the recent defense spending cuts by fiscal 2000, the services say they are being squeezed and have had to use funds from their modernization and procurement budgets to help maintain military readiness.

There has been no immediate indication that the Administration would adopt the Joint Chiefs' recommendation in the fiscal 1997 budget, which is due out early next year. Clinton is already under pressure to hold down spending levels, and an increase of that size would be difficult to grant.

Although Perry pledged in a return memo to Shalikashvili and the other chiefs to "work closely with you to accelerate" the budget increase, officials said the memo has come so late in the budget preparation process that any serious consideration is likely to have to wait until next year.

Military leaders have been warning for months that many of the weapon systems and types of equipment in need of upgrading or replacement were not being modernized on schedule, but there has been little extra money available.

As a result, all four services have put off purchases of a wide array of new and replacement weapons and equipment, from fighter aircraft and helicopters to ships, tanks and trucks. They also have begun falling behind on maintenance.

Clinton asserted last winter that the squeeze on modernization would be temporary and pledged to restore much of the earlier cutbacks by the turn of the century. With pressures on overall federal spending mounting daily, however, military leaders have been skeptical that the White House can come through.

In the fiscal 1996 budget that it sent Congress last January, the Administration requested \$39 billion for procurement—a drop of 71% from the 1985 peak, after adjustment for inflation. The Republican-controlled Congress raised that to \$43 billion, but the House and Senate bills are stalled in a conference committee.

The Administration and the Joint Chiefs want the individual services to provide at least some of the difference by saving money in other areas, such as eliminating unnecessary programs and transferring some jobs to civilian contractors, but the effort is not yielding much.

Senior military officials insisted that the memo, while strongly worded, is not intended to provoke a confrontation with the Administration.

Critics have been contending for months that the Administration has not been budgeting enough to finance the size of military force that it has said it wants to maintain. The White House insists that it can find the money through savings coming from procurement reforms, but so far those gains have been elusive.

Mr. INOUE. Madam President, the conference report is before the Senate for its consideration because of the extraordinary leadership and wisdom demonstrated by our chairman, the Senator from Alaska. If it were not for his leadership I think we would still be back in H-140, the conference room.

Madam President, this is a good bill. But before I proceed with my statement, pursuant to the consent agreement reached by this body, I am pleased to provide 20 minutes to the Senator from North Dakota [Mr. DORGAN].

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. DORGAN. Madam President, I appreciate very much the courtesy. I want to say at the outset I understand it is far easier to be critical and to oppose. I regret very much, for that reason, that I cannot vote for this conference report. I have voted for a number of conference reports, defense appropriations, and defense authorization bills. But I want to explain, during this period of time, why I cannot vote for this one.

Before I do that, I would like to respond to something the Senator from Alaska said earlier when I was not on the floor, because it will relate to something I am going to talk about in this conference report. I had spoken about the juxtaposition of Star Schools and star wars. I just used it as a metaphor of the choices that we often make.

I pointed out in the continuing resolution that we were about to consider, there is a 40-percent cut in funding in the small Star Schools Program, which is I believe a \$25 million program whose funding will be cut to \$15 million, a 40-percent cut.

The Senator from Alaska said, since this is forward funded, these schools are not going to be cut. My point was, when you cut something from \$25 million to \$15 million, the Senator may be right, if they are forward funded they are not cut this year but if you cut the funding, sometime they are going be cut.

The reason the 40 percent was included in the CR, 40-percent cut, 40 percent of funding, was because the House has determined they want to kill the Star Schools Program.

The only reason I raise the point on the floor was, in the priorities that we are involved with here in Congress, it is choosing one versus another. Can we fund this or that or the other thing? What can we afford? What can we not afford?

The point I was making is the star wars program, which I am going to talk about at some length here, is juxtaposed against star schools. One we can afford; we have plenty of money for. The other we decide we either want to kill or we want to cut it back. The CR does take it from \$25 million to \$15 million. At some point in the funding cycle, that is going to affect someone. That was the point I was making.

Let me come to the point of my appearance on the floor on this piece of legislation. We are talking a lot about balanced budgets and spending and a lot of it is theory and debate. But the steps that you take, albeit baby steps, to deal with budget deficits, is when you start spending real money on the floor of the Senate. That is what we are talking about with respect to this bill. This is a spending bill. This is not theory. This is not idle debate. This is a decision about whether we spend money and how we spend money.

Now the question is, Who are the big spenders? Who on this floor wants to cut back on spending? Resist waste? Cut spending where it is inappropriate

and unneeded? Let us see. Let us review.

This is the Defense Department. The men and women in our Armed Forces are critically important to preserving liberty in defense of this country. I understand that and salute them. I think they deserve our praise every single day. But all of us know there is waste in the Pentagon. Why else would we hear about \$700 hammers and \$500 ash trays and \$1,800 toilet seats? I know those are some older stories, but there are legendary stories about procurement problems, even in recent times.

But let us talk about the procurement in this bill. This bill is for defense. The Pentagon said, with respect to T-39 trainers, they did not want to buy any. The Congress said, "I am sorry, you are wrong about that. You might not want to buy any but we insist, we want to spend \$45 million and we insist you buy 17 T-39 trainers."

The Pentagon said, "We do not need any EA-6 strike aircraft modifications." We said, "We are sorry, you are wrong about that. We insist you spend \$165 million."

The Pentagon said, "We do not need two amphibious assault ships." The Congress said, "Well, we must need one." And then the Congress said, "Let us buy two, while we are at it. Let us buy two, one for \$900 million and one for \$1.3 billion. The sky is the limit. Let us buy two." So you add \$2.2 billion.

F-15 fighters. Let us buy six of those. The Pentagon said they did not want to buy any. We said, "Pentagon, you are wrong about that. We insist you buy them."

"F-16 fighter aircraft," we said, "You ought to buy six." We are going to spend money for six of them. The Pentagon did not ask for them. Cargo aircraft, three, \$133 million.

Let me get some of the big ones. Black Hawk helicopters, Longbow helicopters. I could go on. M-1 tank upgrades, heavy tactical vehicles. I come from a small hometown. We do not use those terms. It is called trucks; heavy tactical vehicles, trucks, trucks the Pentagon said they did not want, trucks the Pentagon did not order, and the trucks the Pentagon did not need. But guess what? The Congress said let us buy some trucks. Spend the money because we have a credit card. By the way, we want to talk about cutting spending, but we want to buy trucks that nobody asked for.

That is not really the reason I came to the floor. I came to the floor to talk about two big items, the B-2 bombers and star wars. B-2 bombers—the administration says let us keep the production line open. Let us keep the production line open. Congress says let us start buying more B-2's. We have 20 of them. Let us buy 20 more. Let us obligate ourselves to spend over \$30 billion on B-2 bombers the Pentagon did not ask for.

That is trouble enough. That is not really the reason I came to the floor of

the Senate. The reason I came to the floor of the Senate is to talk about star wars. The cold war is over. There is no Soviet Union. This afternoon as I speak we are crushing missiles over in the old Soviet Union, drawing down launch vehicles, and destroying warheads as a part of our arms control agreement. But the cold war is not over everywhere. It is not over in this Chamber. The appetite to build things we do not need with money we do not have rests right here on this little line, "national missile defense," albeit star wars, ABM. The only one built in the free world was built in North Dakota, my home State. A couple of billion dollars was spent, and 30 days after it was opened and was declared operational it was mothballed. That is the way it works sometimes.

Now that there is no Soviet Union, we are involved in arms control. We are destroying missiles and weapons on both sides. We have a Congress that says to the Pentagon, by the way, we insist that you start deploying a star wars program. We insist that you deploy missiles in the ground by 1999 on an accelerated basis with a space-based component and multiple sites, which will abrogate the ABM Treaty, among other things.

What is this? I do not understand. I guess I missed something. We have people here who say we are out of money and in debt up to our neck. We want to pass an amendment to the Constitution to require us to balance the budget. The very same people bring to the floor of this Senate an unending appetite to spend the public's money—as long as it is not on milk or shelter for kids—to spend the public's money on something called star wars. I think people can be excused for wondering what kind of air is being breathed in these Chambers. This makes no sense at all.

I mentioned earlier the juxtaposition of priorities. I do it again because—let me remind people what we are talking about this year. If you say it is not related, you do not understand the process. We only have a certain amount of money to spend. Of 55,000 kids, every single one has a name who is going to be told, "We are sorry. You will get kicked out of the Head Start Program." If you come from a low-income family, from a circumstance of disadvantage, tough luck. "We do not have any money for you. No Head Start Program for you, Timmy, Tommy, or James." There are 600,000 kids, low-income, disadvantaged city kids, will be told, "We are sorry. No summer jobs. We cannot afford it. Tough luck." And 2.2 million Americans will be told, "We are sorry. I know we have a low-income home heating program to help you pay the heating bills in the winter in States where you have harsh bitter cold." We say, "We are sorry. Home heating is a luxury. You can do without it."

I wonder if those who say that have been in these sheds or shacks where people sit on the floor with diapers and

kids ill-clothed and the wind is howling through the cracks in the walls, and have seen the desperate condition, especially on Indian reservations and elsewhere. Then would you say to these people, "We are sorry. When it is 25 or 30 below, low-income home heating help does not matter. You can do without."

There are dozens and dozens of those kinds of choices. Then we say, "By the way, even though we cannot afford those things—which I happen to think are necessary—the sky is the limit when it comes to ships, planes, and submarines and helicopters that the Pentagon did not order."

But especially galling to me is the resurrection of the star wars program, to decide that we want to start building a monument that will cost \$48 billion—\$48 billion for a star wars program. We had people bring on the floor of the Senate charts that show us that North Vietnam is a big threat, and Libya is a threat, and Iraq is a threat. Lord wonders how they can sleep at night. Maybe that might be the problem. Maybe those who are so frightened by Qadhafi and others simply are not sleeping, and the result is a proposal to build a star wars program.

Everybody in here who thinks that ought to understand that a far greater threat to this country, if in fact there is a nuclear threat by a rogue nation, is not from a sophisticated intercontinental ballistic missile. It is the threat from a nuclear bomb packed into a suitcase, or put in the trunk of a Yugo car and parked at a New York City dock. Everybody understands that is a much higher potential threat than some rogue nation getting an ICBM. Or what about a glass vial about that big full of the most deadly biological agents known to mankind? Or what about somebody that rents a truck and builds a fertilizer bomb? Do you all think that some rogue terrorist nation is going to get an ICBM and a nuclear tipped warhead so we can spend \$48 billion we do not have? Look, this is an appetite that simply cannot be satisfied.

I would vote for this conference report if there were several changes. But I am not going to vote for a conference report at a time when this country is out of money. This country is choking on debt. This country is saying to everybody, tighten your belts. And then we say to those folks who are building a star wars program that we have been planning for 15 years, we know the world has changed, we know the cold war is over, we know there is no Soviet Union, but guess what? The appetite to build a star wars program goes unabated. Frankly, probably one of the locations for the star wars program will be in my home State. I have some folks pretty upset with me. "Why don't you support this? This is jobs." It is not jobs. It is waste. I support things that defend this country, that represent strength and represent the ability to preserve liberty.

But I think when we start making choices, real choices on spending and come to the floor of the Senate with these kind of add-ons—I know the Senator from Arizona was going to talk about some others—but especially add-ons like the B-2 bomber program and a star wars program, I just wonder what people are thinking about.

Again, let me say we will probably be in session tomorrow, Saturday, Sunday, and the rest of the week, over whether you balance the budget in 5 years, 7 years or 10 years. You know, those who want to do that deal with the theory of it. They might just as well get a pipe, eat a croissant with their feet up and ruminate forever about it.

The way you balance the budget is bring spending bills to the floor that cuts spending. This bill adds \$7 billion to the President's request for defense, and explained where it is added. But the most significant thing this bill does is it commits this country to two areas of spending—the B-2 bomber and the star wars program that will bleed tens and tens of billions of dollars in the next 5 and 10 years from the taxpayers' pockets in this country for something we do not need.

I am anxious for those who support this bill, for those who say we have plenty of money for star wars but not enough for Head Start, plenty of money for star wars, a star wars program the Secretary of Defense did not ask for, the star wars program the President says we do not need—I am just anxious to see those folks who say we have plenty of money for star wars but not enough for star schools come to the floor again and talk about their appetite to cut spending. If there is an appetite to cut spending, this is a good place to start. We do not have to wait until January. We do not have to wait until December 1. A good time to start would be today at 5:30, if we can get a chance to vote—maybe adding close to \$400 million for star wars. It does not seem like a lot of money to some. But if you grow up in a town of 400 people and graduate from a high school class of nine and do not understand much about \$400 million, then understand they say we just cannot afford these other little programs that would help folks that are in need, help folks send their kids to college, and help folks do the right thing. Then we start thinking maybe this is not just about the old theoretical debates. Maybe it is once again the same old debate we have every time we discuss money on this floor. Big interest and little interest, and little interest be damned. The big interest, guess what? Start smiling, because in our envelope behind door No. 1 is the big prize for you.

I regret that I cannot vote for this conference agreement. But it seems to me, if all of the angst and all of the energy and all of the anxiety we have heard on the floor of the Senate now for the last several weeks about spending is indeed real, then those who ex-

press it should come to this floor and auger in on questions like the B-2 bomber and like the star wars program, and, yes, like the other programs where we have added planes, ships, submarines and helicopters that were not ordered, were not needed, were not asked for. Come to the floor, stand up, and proudly pull up their suspenders and say, "Count me in. I want to cut spending." Or will they come to the floor and just button their suit and say, "Well, here we go. I sure like this kind of spending. Let's add to it. Let's take 7 billion bucks and stuff the Pentagon's pockets and let's decide that is our priority. Not star schools, star wars. That is our priority."

It is, with all due respect to those who believe it is the right thing, a warped priority for this country's future. And I hope that when the dust settles on all of this debate, the American people will understand when some waive their arms and raise their voices and boast to the heavens that they are the ones who are against all the big spending, they are the ones who are between the taxpayers and calamity because they are the ones who want to cut the deficit, they are the ones who want to balance the budget, I hope they will take a look at how they voted on this, an obligation for my kids and yours to ante up \$48 billion for a star wars program that does nothing to add security to this country.

Madam President, how much time is remaining?

The PRESIDING OFFICER. The Senator has 3 minutes and 31 seconds.

Mr. DORGAN. I would like to reserve the 3 minutes.

Mr. INOUE addressed the Chair.

The PRESIDING OFFICER. The Senator from Hawaii.

Mr. INOUE. Pursuant to the consent agreement, I am pleased to yield 15 minutes to the Senator from New Mexico.

The PRESIDING OFFICER (Mr. ABRAHAM). The Senator from New Mexico.

Mr. BINGAMAN. Mr. President, I thank you and I thank the Senator from Hawaii for his constant courtesy and helpfulness to all of us here in the Senate.

I also regret that I must rise in opposition to this conference report on the Defense appropriations bill. It is clear to me that the bill should be vetoed, and that the President is going to veto it.

Let me quote from a letter that the President sent to Congressman LIVINGSTON dated October 18. It said:

However, by appropriating \$6.9 billion more than I requested, the conference report did not address my fundamental concerns about spending priorities. As the bill now goes back to conference following its defeat on the House floor, it is important that the conferees understand where I stand. Absent a broader agreement with Congress that adequately funds crucial domestic programs in other appropriations bills, I will veto any defense appropriation bill that adds extra billions for defense programs not in my request.

Mr. President, the conferees did not address the President's fundamental concern about misplaced priorities in their second conference. And this conference report, like its predecessor, is full of unrequested, unneeded, and unsustainable add-ons. As for funding of crucial domestic programs in other appropriations bills, particularly the Labor, HHS, the VA-HUD and the Commerce, State, Justice bills, it is absolutely clear that we have made virtually no progress since the President wrote.

The fiasco of closing down the Government has only widened the gulf between the majority party and the President on what our domestic priorities should be. Indeed, the majority party's interest in cutting programs for education, the environment, civilian research, heating assistance for low-income citizens, national service, Indian programs, and many others seems to grow as we proceed through this budget debate.

I voted against the bill when the Senate passed it early in September. I thought it was worthy of a veto then. In my view, the conference has not improved it. In fact, it has made it worse.

This bill has truly become a weapons-for-everybody bill. When it left the Senate, the bill was \$6.45 billion above the President's request. It is now \$6.9 billion above the President's request. But that figure alone understates the net addition because, according to press reports, the conference report that we are here considering takes back \$1 billion that the National Reconnaissance Office, [NRO] had accumulated in unspent funds. That money was spent on unneeded, unrequested, unsustainable weapons that were not in the Senate version of the bill, just as the other \$6.9 billion were. If you adjust for the NRO money, this bill is in fact about \$8 billion above the President's request, not \$7 billion.

The conferees had enough money to buy ships, planes, trucks, helicopters of every description, some of which—like a \$20 million Cyclone class patrol craft—were in neither bill prior to going to conference.

The total add-on package is in the range of \$10 billion. There are offsets in the range of \$2 billion as well.

The obvious question is what is it that justifies this extraordinary increase in defense spending, and I for one cannot point to a threat.

We spend twice as much as all of our potential adversaries combined. If we put together the budgets—our budget with those of our NATO allies and Japan—we and our allies are outspending our potential foes by more than 3 to 1. Of course, it will be argued that much of the additional spending in this bill is somewhere in the Pentagon's budget for the next 6 years. That was the argument that was made for the \$1.3 billion HLD-7 amphibious assault ship that the Senate debated when we passed the bill in August. The Navy planned to buy that ship in the year

2001. That will undoubtedly be the argument that is used to justify the \$900 million LPD-17 amphibious transport dock which the House insisted on in conference. The Navy planned to buy that in 1998.

Mr. President, this is really an extraordinary argument. Essentially those who make it are saying that they can pick and choose anything in the 6-year plan that the Department of Defense has that helps their State or district and that plan when you add it up totals about \$1.6 trillion. Where else in our budgeting this year are we finding the ability to do that? The answer clearly is nowhere. Everywhere but in this case of the Pentagon we cannot find enough for this first year's budget, let alone find money to add \$1 billion projects in the States or districts of powerful members of the Republican leadership.

But worse are the programs that do not even fit in the 6-year plan. Some of these have huge budgetary implications. The B-2, which was not in the Senate bill, has an outyear requirement for tens of billions of dollars. National missile defense, which my colleague from North Dakota spoke about, will require tens of billions of additional dollars not in the 6-year plan. There is certainly no money in future year budgets for the Hellfire-2 and the CBU-87 antiarmor munitions. The Pentagon's own inspector general told Congress that we already had enough of these munitions to cover every target in a 2 major regional contingency scenario, and yet the Senate voted to continue to buy these unneeded weapons, and the conferees agreed to spend tens of billions of dollars on them as well.

There certainly is no money in the 6-year plan for most, if not all, of the member interest add-ons in the research and development budget, which always seems to have an outyear requirement that goes on and on. I have in mind items that the Senator from Arizona has on his earmark list, like the curved plate technology program, the Center for Astronomical Adaptive Optics—which presumably should be funded by the National Science Foundation's astronomy program, if at all—the Pacific Software Research Center. There are many others.

It is frankly disconcerting to me that the Technology Reinvestment Project, which is a competitive and a cost shared program, was cut by \$305 million while noncompetitive, noncost share programs like those I referred to flourish in these supposedly austere budget times. Obviously, austerity stops at the door of the Pentagon as far as this bill is concerned.

Mr. President, we cannot afford these add-ons even under the Republican budget. There is no money in the out-years to sustain the programs. As Congressman OBEY has repeatedly pointed out, the Republican defense budget over the 5-year period from fiscal year 1998 to 2002 is less than the President's. Let me repeat that. The Republican de-

fense budget for fiscal years 1998 to 2002 is less than what the President has asked for. According to an article from the November 6 issue of Aviation Week, the Republican majority is considering reducing the net 7-year addition to the defense budget from \$20 to \$8 billion in the final negotiations over the budget with the President, whenever that negotiation occurs.

I ask unanimous consent that that article from Aviation Week be printed in the RECORD following my remarks.

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

(See exhibit 1.)

Mr. BINGAMAN. Mr. President, whatever figure emerges, this bill is inconsistent with it. This bill assumes future Congresses are going to spend tens of billions of dollars more for defense than the Republican budget resolution allows.

The Senate Armed Services Committee earlier this year made clear in its report that it had not designed the authorization bill to be consistent with the realities of the out-year Republican defense budget totals. The committee said on page 3 of its report:

The Committee remains concerned about the adequacy of funding levels for national defense programs in coming years. \* \* \* Budget levels proposed for future years do not adequately fund even the level of forces required for the Bottom-Up Review Force. \* \* \* The limited progress reflected in this bill cannot be maintained unless future funding is increased.

Mr. President, increasing defense spending above the June budget resolution is not even on the table. Nor should it be. I hear no one in the Republican leadership saying they want to increase defense spending even more. Despite the rhetoric in last year's campaign about the President not spending enough on defense, the fact is all the 7-year Republican defense budget does in its current form is provide a 2-year infusion of pork this year and next followed by 5 years in which Republicans are saying that the President is being a tad too generous to defense. Mr. President, I say we should forgo the pork this year and next. Let us put this money to better use in the domestic appropriations bill, particularly Labor-HHS, VA-HUD, and Commerce-State-Justice, all of which require additional funds to sustain critical programs. I suspect that by the end of this year's budget process, at least some of the unneeded, unrequested, and unsustainable projects will be stripped from this bill.

Mr. President, there are several other provisions which concern me in this bill. When the Senate debated this bill in August, the senior Senator from Arkansas, Senator BUMPERS, offered an amendment to trim the defense export loan guarantee authority in this bill from \$15 to \$10 billion. The vote to table that amendment was 53 to 47. Yet the conferees came back with \$15 billion in loan guarantees for defense exports, to the extent they are authorized. Unfortunately, a loan guarantee



provision is included in both the House and Senate versions of the authorization bill. So if there is an authorization bill, this appropriations bill will put the taxpayers at risk to the tune of \$15 billion for defaults on payments for defense exports.

Mr. President, when Senator KEMPTHORNE started working on this issue a couple of years ago, he sought authority for a trial program to guarantee about \$1 billion in defense exports to a limited number of countries. At that time, it was a subsidized guarantee. Now it is supposed to be paid for by the defense industry itself. But we have moved in 2 short years from a \$1 billion trial program to a full-blown \$15 billion program of defense export guarantees.

Mr. President, we should not be attempting to prop up our defense industry by turning it into the arms merchant for the world. It is our own troops who will too often be facing off against these weapons. Instead, we should be taking the lead in trying to negotiate arms transfer restraints. There is a historic opportunity with the end of the cold war and with nations across the globe attempting to free up funds for economic development and useful infrastructure to scale back regional arms races. This loan guarantee provision is just bad public policy and I regret it was not at least scaled back by the conferees after the close vote on the Bumpers amendment.

Mr. President, I also regret the cuts made in this bill to the technology reinvestment project and SEMATECH. The \$305 million cut in the technology reinvestment project and the \$50.5 million cut to SEMATECH in the last year that it was seeking Federal funds, send precisely the wrong signal to the Pentagon's research bureaucracy. The signal is that rather than leveraging the commercial sector in innovative ways to save the taxpayers' money in developing and procuring dual-use technologies, it is OK to hunker down and pursue duplicative, ultimately dead-end research with a military label on it. In fact, not only is it OK, but it is the preferred approach of the congressional majority.

This is again bad public policy which the Pentagon cannot afford to pursue at a time of limited resources and which will come back to haunt us in the next century if it is not soon reversed.

Mr. President, I could go on and on and cite additional problems with this bill. I think the point is well made. And I will not delay the Senate further in discussing the details of the conference report. I urge my colleagues to vote against the bill. I urge the President to carry out his threat to veto the bill. It reflects a set of priorities with which I for one do not want to associate myself at a time when we are doing so much damage to many vital domestic programs.

Mr. President, as stated by the Senator from North Dakota, this bill does

make a mockery of all the speeches that I have been hearing here on the Senate floor about deficit reduction, about the need to balance the budget, about the need to tighten our belts. The Congress can and must do better than to ratify the misplaced priorities reflected in this bill.

Mr. President, I ask unanimous consent to have the letter to Mr. LIVINGSTON printed in the RECORD.

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

THE WHITE HOUSE,  
Washington, DC, October 18, 1995.

Hon. BOB LIVINGSTON,  
Chairman, Committee on Appropriations, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your letter regarding the conference report on the Fiscal year 1996 Defense Appropriations Act. I want you to know that I appreciate your hard work and leadership on this bill, as well as that of Senators Stevens and Inouye. The Conference Report had many commendable features. For example, a number of policy provisions that raised serious constitutional and national security concerns were satisfactorily resolved in conference, and funding was secured for several programs that were of particular importance to me and to the national security of this country, including the Cooperative Threat Reduction program and the Technology Reinvestment Project.

However, by appropriating \$6.9 billion more than I requested, the Conference Report did not address my fundamental concerns about spending priorities. As the bill now goes back to conference following its defeat on the House floor, it is important that the conferees understand where I stand. Absent a broader agreement with Congress that adequately funds crucial domestic programs in other appropriations bills, I will veto any defense appropriations bill that adds extra billions for defense programs not in my request.

I am ready to work with Congress to ensure that we reach that agreement.

Sincerely,

BILL CLINTON.

#### EXHIBIT 1

[From Aviation Week & Space Technology,  
Nov. 6, 1995]

#### DEFICIT HAWKS GAIN, THREATEN DEFENSE HIKES

(By David A. Fulghum/Washington)

U.S. Republican lawmakers are considering a deal that could cut \$12 billion from promised defense increases—a key element in the party's Contract With America.

Defense boosters and fiscal conservatives are trying to craft compromise budget language that would make the cuts over the next six years. The Republican leadership is attempting to satisfy lawmakers who believe deficit reduction should take priority over defense increases. The compromise is aimed at gaining passage of the Fiscal 1996 reconciliation bill, catch-all budget legislation that funds the entire federal government.

The compromise defense language is still in flux. But if it survives in the overall reconciliation bill, the Republicans' much ballyhooed \$20-billion defense spending hike above the Administration's request could be slashed to only \$8 billion, according to a Democratic congressional aide. But a Republican aide said it is not yet clear if all \$12 billion in cuts "will be directly translated to defense." Complicating matters, the fate of the reconciliation bill is in serious doubt because of White House and congressional

squabbling over the best way to balance the budget.

If the Republican leadership decides for the sake of fiscal peace with its deficit hawks to renege on its promised defense increases, the Pentagon could find it impossible to buy as much new armament as GOP defense hawks would like. That includes C-17 airlifters, B-2 bombers, missile defense, ships and submarines.

Moreover, organized resistance to defense hawks appears to be mounting. A coalition of freshman lawmakers, heavily influenced by Sen. John McCain (R.-Ariz.), has concluded that defense is not a top priority, and they are forming a task force to begin examining the whole issue of defense spending early next year.

"From the reconciliation bill will flow the defense budget top lines," the Democratic congressional staffer said. If there are major cuts, "there will be no money to sustain buying C-17s at a high rate or additional B-2s."

The U.S. military is being unequivocal in its support for purchasing an airlifter fleet made up of 120 McDonnell Douglas C-17s. A plan to buy less expensive C-33/Boeing 747-400 freighters or Lockheed C-5Ds has of late had shrinking support in the Pentagon. However, congressional opponents of purchasing an all-C-17 fleet contend there is still a flicker of interest from the White House in the Boeing 747-400. Consequently, they expect the Pentagon to leave the door open for a mixed purchase at least through the 1996 presidential election.

However, senior defense officials believe that the reasons for buying a mixed fleet have disappeared. The C-141 fleet, which C-17s are to replace, is no longer grounded and is expected to soldier on in decreasing numbers well into the next century. Meanwhile, McDonnell Douglas has transformed the C-17 from a troubled program to an operational and technological success.

Congressional supporters of a mixed fleet point out that a Pentagon recommendation to buy 120 C-17 equivalents is simply an acquisition decision. It does not mean the money is in the long-term defense budget.

"It means they go from standing in the acquisition line to standing in the budget line and that's a whole new ball game," a Democratic staffer said.

Some staffers contend the Air Force can sustain only a \$2.5-billion per year investment in airlifters, which would equal only eight C-17s. At that rate, the U.S. Air Force would actually lose airlift capacity until 2007 because of the retirement of C-141. Airlift could be sustained only by buying some high-payload 747-400s, they said. Some congressional and aerospace industry officials thought the Pentagon might keep the C-33 option alive as a goad to McDonnell Douglas to keep C-17 prices down.

Senior defense officials said they do not believe the Defense Acquisition Board (DAB) will sustain the option, choosing instead to use contractual methods to ensure McDonnell Douglas prices stay low. Moreover, Air Force planners believe the defense budget as now projected will allow them to buy C-17s at a greater rate than eight per year, thus avoiding an airlift shortage.

But, there are indications that defense planning could receive some severe jolts. A senior Air Force official candidly admitted that planners are being forced to "look at the issue with blinders on." They have not made budgetary excursions to project what will happen if, for example, they are forced to buy more B-2s. The requirement is considered a likely inclusion in a compromise Fiscal 1996 defense appropriations bill. If the Republican Congress forces the Pentagon to buy more B-2s without additional long-term



funding, Air Force leaders will have to rebuild their budgets and likely cut or stretch out C-17 purchases.

But in a move guaranteed to keep the airlifter debate alive, Congressional Budget Office researchers have just completed a study that offers compelling arguments for buying a mix of aircraft to meet the Pentagon's requirement for 120 C-17 equivalents.

"Buying 32 more C-17s plus 30 C-3s would provide the same delivery capability as 80 additional C-17s," the CBO report said.

"That option would also be nearly \$8 billion cheaper."

CBO researchers said the mix of C-17s and C-33s would cost about \$28 billion to buy and operate and would be a better deal if there were adequate room on airfields to land and unload the less maneuverable C-33s.

"If, however, U.S. forces were limited to a few airfields that had a small amount of ramp space [such as Macedonia], the [C-17/C-33 mix] option might not deliver cargo as quickly as would 80 more C-17s," the CBO re-

port said. "And such a combination would not provide as much flexibility to handle specific military missions such as strategic brigade airdrops [flowing directly from the U.S. to a foreign battlefield]."

CBO noted that the first 40 C-17s cost about \$300 million each in 1996 dollars but predicted the company light like to achieve a flyaway cost of \$203 million each, without government furnished avionics and engines.

ESTIMATED COSTS IN 1996 DOLLARS OF THREE STRATEGIC AIRLIFT OPTIONS  
[In millions of dollars]

	1997	1998	1999	2000	2001	Total 1997- 2001	Total 1997- 2020
Option 1: Buy 80 Additional C-17s							
Quantity purchased .....	8	8	8	10	12	46	80
Acquisition costs .....	2,510	2,490	2,430	2,670	2,910	13,010	20,730
Operation and support costs .....	0	0	50	140	250	440	15,470
Total costs .....	2,510	2,490	2,480	2,810	3,160	13,450	36,200
Option 2: Buy 65 C5Ds							
Quantity purchased .....	4	10	12	12	12	50	65
Acquisition costs .....	2,420	2,010	1,840	1,780	1,630	9,680	11,690
Operation and support costs .....	0	0	0	120	290	410	15,540
Total costs .....	2,420	2,010	1,840	1,900	1,920	10,090	27,230
Option 3: Buy 32 Additional C-17s and 30 C-33s							
Quantity of C-17s purchased .....	8	8	8	8	0	32	32
Quantity of C-33s purchased .....	1	1	6	6	6	20	30
Acquisition costs .....	2,930	2,660	3,400	3,120	1,170	13,280	15,470
Operation and Support Costs .....	0	0	50	140	290	480	12,850
Total costs .....	2,930	2,660	3,450	3,260	1,460	13,670	28,320

<sup>a</sup> Includes \$850 million for the cost of restarting the C-5 production line.  
<sup>b</sup> Includes \$275 million in costs to develop the C-33.  
<sup>c</sup> Cost declines in 2000 because advanced procurement funds are no longer needed for the C-17.  
Note: All options exclude any costs associated with procuring or operating the first 40 C-17s.  
Source: Congressional Budget Office.

Mr. BINGAMAN. I yield the floor.  
The PRESIDING OFFICER. Who yields time?

Mr. STEVENS. I am prepared to yield some time to the Senator from Maine. But I want to say to the Senator from New Mexico, I am saddened to hear those comments. I wish we had a little more time. I would be glad to disabuse him of some of the comments he made.

To the contrary, I am sure there are New Mexican men and women around the world in some of these deployments we have made. I will be very interested to see how he is going to vote on the deployment to Bosnia, whether he supported the deployment to Somalia, whether he supported the support for the Kurds, the humanitarian assistance to Bosnia that is going on now or the deployment to Macedonia or the Adriatic blockade or the blockade of Iraq.

I do not see how we can send our people, our young men and women, throughout the world, and then complain we are providing them the equipment they need to survive. And in my judgment, the amount of money in this bill is literally a decline from last year in real terms. And I really think that to request the President to veto this bill, and at the same time to consider deploying forces to the Balkans, is just the height of really—well, I do not want to use the word here on the floor of the Senate.

It boggles my mind to think some people will vote against this bill and then vote to deploy forces to the Balkans.

I yield 5 minutes to the Senator from Maine.

Mr. BINGAMAN. Would the Senator from Alaska yield for a question?

Mr. STEVENS. I will be glad to get to the Senator later on. But I want to yield to the Senator from Maine 4 or 5 minutes.

Mr. COHEN. Mr. President, first let me thank both the Senator from Alaska and the Senator from Hawaii for their efforts in trying to negotiate with their House counterparts. I and other Members have been locked in negotiations for weeks now with our House counterparts on the authorization bill, and we have yet to reach success. And so I appreciate the work that the Senators have put in and, especially, in working out the differences in the funding requirements.

One area that troubles me is the B-2 bomber. For several years now I think we have gone on record as saying no more than 20. We decided that several years ago.

At first there was a notion we had to have a penetrating bomber because after we fired off our ICBM's in an exchange with the Soviet Union, we would need the B-2 bomber to penetrate Soviet air defenses, what remained of them, to go in and hunt down mobile missiles. When that became rather impractical, to say the least, when we finally exposed the rationale for that, the Air Force at that point came back and said, well, we do not really need it as a nuclear penetrating bomber, perhaps we can use it as a conventional bomber.

They used to present us with a chart indicating that the B-2 will replace some—I cannot recall the number now—but somewhere from 40 to 50 aircraft. If you have one B-2, you will not need all these other aircraft. This one B-2 can fly back and over. No jamming aircraft needed, no F-15 escorts, and so on. I said, "Fine, take all the B-2's and eliminate all the other aircraft. We do not want that tradeoff," they said. "We want to have the B-2 and all the other aircraft."

But we are now on the eve of this particular conference report, and once again, we find there is roughly \$500 million included for the B-2 bomber. I want to ask a question of my colleague from Alaska as to whether or not it is his and his colleague's intent, the managers of the bill, to open up the B-2 line to start producing more B-2 bombers?

I can tell you why I am concerned about this. We are in the process now of negotiating with the other body. The other body by 3 votes—3 votes—approved additional funds for the B-2 bomber. They want to open up an entire new line to produce another 20 B-2 bombers. That is with life-cycle costs of roughly \$30 billion.

I want to know, where is the \$30 billion going to come from? Now, I could see some are making the case, saying, "Well, maybe we need to do a little more experimentation here on the B-2, that this is, by the way, 1970's technology. We are moving into the 21st century. We may have to update the B-

2 with some new research and development."

I can see the case being made for the purchase of even spare parts for the existing B-2 fleet. But I am really concerned that we might start down the path, an irrevocable path, to build 20 more B-2 bombers, at a cost of \$30 billion, and I do not know where the money is going to come from.

So, I want to know from my friend from Alaska as to whether or not the Appropriations Committee is committing itself and committing this body to opening up this line, to taking the cap off, to starting another process of building at least 5, 10, 20, more B-2 bombers. If that is the case, I would have great difficulty with this measure.

Mr. STEVENS. Mr. President, I would say to the Senator from Maine that, as I made the statement in the opening part of this discussion on the bill, we have provided the money for the continuation of the line. The decision will be the President's as to whether that will go forward, or at least it will be with the Armed Services Committee, because we have no authorizing language in the bill. We have just funded it.

It is not within our province to start a multiyear procurement line with an annual appropriations bill. I will say, though—I am constrained to say that 20 B-2 bombers is equivalent to four *Seawolf* submarines. I have fought every *Seawolf* that has come before the Senate, and yet they are going forward. And we need *Seawolf* submarines a lot less than we need B-2 bombers. At least B-2's are force projections and capable of meeting some of our needs on an international basis. The *Seawolf*, in my judgment, is not needed at all. But I tell the Senator that some of these decisions are not made by individual members of either the Armed Services Committee, on which the Senator serves, or the Appropriations Committee, of which I am pleased to chair the subcommittee.

The answer to the question directly is, we have not opened up this line by the language in this bill.

Mr. COHEN. I thank my friend for his comments. I point out this body has gone on record saying no more than 20. Whether or not the Senator agrees with the need for the *Seawolf*—that is a debatable matter obviously—the fact is that the Senate has gone on record that no more than 20 B-2 bombers should be built. And here we are at least opening up the prospect of a new line of more B-2's at a time when, in the outyears, I do not know where the money is going to come from.

I know that the Senator from Alaska, the Senator from Hawaii, have been creative over the years in coming up with money that is necessary to fund our programs. But if you look past the year 2000, I do not know that even he and the Senator from Hawaii can be persuasive enough for their colleagues

to say we have to appropriate that kind of money.

By the way, looking at the SCN account, the Navy's shipbuilding and conversion account—and the Senator from Alaska can correct me on this—we have roughly \$4 billion in the SCN account. And in order to meet the Navy's needs, by the year 2000, it is going to go up to—

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

Mr. COHEN. Could I have 1 more minute?

Mr. STEVENS. I will be glad to give the Senator 1 more minute, but let me precede that by saying we have provided the money for long lead-time items for the new B-2 line, should the President decide to open it up. We have not funded money for any single B-2.

We have given the administration a chance to revisit the question of keeping the B-2 line open by virtue of making the money available for long-lead-time items for new B-2's should the decision be made to procure them.

Mr. COHEN. I thank my friend.

As I indicated before, we are going to be going in the SCN account, the shipbuilding account, from \$4 billion, roughly, up to \$15 billion in the year 2000 and beyond to get the ships that the Navy indicates it is going to have to have in order to meet its requirements.

I do not know where that money is going to come from. I do not know how we are going to have enough money in the shipbuilding account at the turn of the century, and I am not sure there will be a Congress willing to vote the money to fund it. That is one reason why I raise the issue on the B-2.

I am at least consoled somewhat by the Senator's statement that it is not the intent of the appropriators to open up a new line but rather it is the intent to leave it up to the President to decide whether he is going to overrule his own Secretary of Defense and Chairman of the Joint Chiefs, both of whom indicated they do not need the B-2 or want it given the cost requirements of the program.

I thank the Senator for yielding me this time.

Mr. STEVENS. Mr. President, I thank the Senator from Maine for his contribution and his comments. Although we were criticized by another Senator on the floor, it is a fact that we have saved money by accelerating the decision to buy the LPD and LHD now. That, in fact, will make room for the outlays that are necessary to carry on the ship procurement that the Senator from Maine has mentioned.

But there is severe strain in the Department's budget in the outyears, and both the President and the Congress have noted that in terms of the last 2 years of the 7-year period. It will be a difficult thing to fund the items that are started, both in the shipbuilding and the aircraft procurement accounts. However, there are decisions that are going to be made, I assume, that will

take care of the outyears by the authorizing committee.

Mr. President, the Senator from Arizona has 30 minutes.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. Mr. President, I yield myself such time as I may consume, and I do not think I will consume the entire time allotted to me, I tell my colleagues.

First of all, I paid close attention to the colloquy between Senator COHEN and the distinguished chairman of the subcommittee, who I believe, along with the Senator from Hawaii, has worked very hard on these issues for many, many years.

I note and I think it is an important aspect of what I am about to say, that since 1985, the defense budgets have declined by 35 percent in real dollars, with another 10 percent decline by the turn of the century.

There is no possible way that we will be able to meet a Bottom-Up Review, a modified Bottom-Up Review or anything resembling it with those kind of numbers staring us in the face, which is one reason why I was a strong supporter of the \$7 billion increase in defense spending, because I believe that we are terribly short and facing block obsolescence in items such as sealift, airlift, amphibious capability, tactical air, depot maintenance, that terribly unsexy word, 4 or 5, 6, 10 years behind. Training funds are miserably short. We had a situation not too long ago where the U.S.S. *Inchon* came back from 7 months off the coast of Somalia, was back home approximately 2 weeks and then went out for another 3 months off the coast of Haiti. Mr. President, there is no way you will keep qualified men and women in the military under those kinds of conditions that the crew of the *Inchon* was subjected to.

So, I believe that there is a clear and compelling requirement for us to increase spending, which increases the depth of my bitterness at how we have spent this additional \$7 billion. I can identify, and I will in my statement, \$4.1 billion, or over 60 percent of this total \$7 billion, wasted on projects which do little or nothing to enhance the readiness of our forces today or to modernize our forces to ensure their future readiness.

We live in a very dangerous world. I strongly disagree with the comments of the Senator from North Dakota about the fact, in his view, we do not need to spend money on ballistic missile defense. I think any casual observer of the passing scene will recognize the incredible threat posed by the proliferation of weapons of mass destruction and the means to deliver them. We are finding out that in Iraq, Saddam Hussein was very, very close to having both delivery capability and the weapons needed to have changed that conflict in a most dramatic and significant fashion.

So, I am not arguing for cuts in defense spending, but I am saying this,

and I am saying it as much and as sincerely as I have said anything on the floor of this Senate: If we do not stop wasting these tax dollars, if we do not stop this pork barreling, if we do not stop spending money on projects and programs that have no relevance to the post-cold-war era, the American people will not support a minimum level of defense spending.

One of the problems, I have to tell you, Mr. President, is we no longer have a conceptual framework for the threats that face our national security interest. The Bottom-Up Review, in its day, was an important step forward. It is no longer relevant because it cannot be built. There is no way that we are going to maintain the Bottom-Up Review. But what we have to do is ascertain what the threats are to our national security, which I have been over many times on this floor, and what we need to meet those.

The administration has failed to do it, and we in the Congress have failed to recognize them. So, therefore, it opens the door wide to not only pork barreling of additional projects, but also funding of major weapons systems, major commitments to multibillions of dollars in the future years that have no relevance to the threat.

I, obviously, speak specifically of the B-2 bomber and the *Seawolf* submarine. I was pleased to hear that the distinguished subcommittee chairman said this additional \$493 million for the B-2, which is in this bill, does not commit us to an additional \$36 billion. I have been around here long enough, I have been around here long enough to know that once you get your fist in the tar baby, you do not get out. If we start that line up again, we are not going to shut it down until we have expended an additional \$36 billion, which we simply do not have.

Mr. President, I want to also point out, I find it interesting that the President has threatened to veto this bill on the grounds that much of the spending is unneeded and much of it may be wasteful and unrequested items. If he should have ever vetoed a bill, he should have vetoed the military construction appropriations bill.

Did the President miss the fact that there was \$700 million added on in the military construction bill which was neither requested nor required, items such as hypervelocity ballistic-range facilities, such as fire stations, such as a foundry renovation at Philadelphia Navy Shipyard that is being closed, such as a dining facility at Fort Bliss, a highway overpass at Fort Sam Houston?

Did the President miss all those? If the President was serious, then the President of the United States would have vetoed the MilCon bill in a New York minute.

What we are doing, I will tell you again, and, as I say, I am dead serious and the reason why I risk offending my hard-working colleagues on these appropriations bills is the American peo-

ple in 1994 said they do not want any more of this pork barreling and wasteful expenditures on defense and they will not support it. Everyplace I go, it is almost a joke. I am not going to go through all of these tonight, because I have gone through them so many times before.

Earmarks: \$5 million grant to the Marine and Environmental Research and Training Station in Oregon for "programs of major importance"; \$25 million to the Kaho'olawe Island conveyance, where I am led to understand there is already \$50 million sitting idle, not in either bill, not in either bill, it comes out in the conference; \$3.4 million for private physicians "who have used and will use the antibacterial treatment method based upon the excretion of dead, decaying spherical bacteria" to work with Walter Reed Army Medical Center for a treatment of Desert Storm Syndrome. That may be a valid requirement. Why did we not discuss it? Why did it appear in the final bill?

Authority to provide free medical care at Army medical facilities in Hawaii to citizens of surrounding islands. I visited Hawaii, I understand that there are needs on the islands around Hawaii for medical care. I also know that there are rural places in my State and there are rural places all over America that do not have medical care either. Why do we not provide free medical care for all of them?

Prohibition on downsizing or disestablishing the 53d weather reconnaissance squadron; prohibition on using Edwards Air Force base as the interim airhead for the National Training Center at Fort Irwin. There is a little more to these than meets the eye.

Somebody wants to have a runway extended at Barstow Daggett Airport when the Army has determined that Edwards Air Force Base is the facility that should be used and has plenty of facilities there.

So how do we beat that? We beat it by prohibiting using Edwards Air Force Base for our people to land and then be transported over to Fort Irwin. It goes on and on. Cleanup of the National Presto Industries site in Eau Claire, WI. I have been through before. It was in litigation in the courts. We had no business providing \$15 million for that until the courts had settled it. Then there is \$7 million for the Center of Excellence for Research in Ocean Science; \$6 million for a Pacific Disaster Center; \$1.5 million for the Beaumont Army Medical Center computer support; \$3.5 million for distributed manufacturing demonstration project; over \$200 million in earmarked medical research projects; a natural gas boiler demonstration, \$2 million; earmark for Mississippi Resource Development Center.

Here is one of my favorites: \$5.4 million in unrequested funding to continue ongoing efforts with an established small business development center to be administered as in previous years,

focused on developing agricultural-based services, such as bioremediation. The committee supports targeted research and development projects and agricultural development activities in zones surrounding military installations.

What in the world does that mean? "The committee supports targeted research and development projects and agricultural development activities in zones surrounding military installations."

Next is \$8 million to be "competitive awarded to a qualified Washington, DC, region-based institution of higher education with expertise and programs in computational sciences and informatics capable of conducting research and development that will further efforts to establish an effective metacomputing testbed."

I will not even ask what that means. "The committee urges the Department to provide not less than \$8 million in financial and technical support toward the study of neurofibromatosis. The committee urges the Department to provide not less than \$1 million in financial and technical support toward the study of Paget's and related bone diseases."

Report language calls for \$5 million for instrumented factory for gears; \$2.7 million for standard monitoring control system; \$10 million for FDS-deployable refurbishment and spares procurement.

The list goes on and on and on and on. I saw the Treasury-Postal appropriations bill that we passed yesterday. It was a clean bill, a good bill. It did not have earmarks, it did not have special projects in it, which was a dramatic change from the previous years. It proved to me that we do not have to have this practice in appropriations bills.

Mr. President, we have 50,000 enlisted families in America in our Armed Forces that are eligible for food stamps. I suggest that if we had additional money, maybe we ought to give them a pay raise—the enlisted people. Maybe we ought to do that and take them off of eligibility for food stamps. Maybe we ought to do a lot more in the way of quality of life and make sure that there are enough ships like U.S.S. *Inchon*, so they do not have to spend 7 months at sea and come back and then go out for another 3 months.

Instead, we make sure that the Reserve and National Guard are not only taken care of, but we also earmark funds and a list of specific equipment for them.

The bill also includes \$977.4 million for unrequested Guard and Reserve equipment. While the report allocates the funds among generic categories of miscellaneous equipment for the Reserve components, the report also strongly suggests that priority be given to a long list of specific items. The report also specifies that the funds will be used to buy C-130 and C-126 aircraft, long a staple of congressional add-ons for the Guard and Reserve.

Mr. President, I support the Guard and Reserve. I think the Guard and Reserve are vital components in our ability to defend our Nation. But when we do not have the fundamental basics that our active duty forces need, and the prospects of them getting it any time soon are remote, we have to stop the earmarking.

I want to waste a little more time here on both the B-2 and the *Seawolf*. If this were 1989, before the cold war was over, there would be no stronger supporter on the floor of the Senate than this Senator for both of those programs. The B-2 bomber would have really been a vital and important part of the triad, which I was always supportive of. Now the B-2 bomber is being advertised as some kind of long-range attack weapons delivery system which will be stealthy.

I do not argue that, Mr. President. I really do not argue that at all. I would be curious which commander is going to send an over \$1 billion per copy aircraft anywhere in a conventional scenario. I have long recommended that we not put ejection seats into that plane because the pilot that ejected would be the subject of investigation for the rest of his or her natural life.

The fact is that this is an incredibly expensive weapon system for which there is no relevance today in the post-cold war era. What we need in the post-cold war era, Mr. President, is the ability to project power over long distances with an ability to remain there for a significant period of time and have enough firepower to affect the battlefield equation. The B-2 can do a little of that. But we do not have enough of the tactical aircraft, the carriers, amphibious ships, the airlift that were really the fundamental components of that capability. So we have opened the door to another \$36 billion over the next 20 years to spend on B-2 bombers.

This, interestingly enough, is despite the objection of the Chairman of the Joint Chiefs of Staff, the Secretary of Defense, and even the Chief of Staff of the Air Force. Why does the Chief of Staff of the Air Force, who is a fine and decent man, oppose the B-2 bomber? He opposes it for a broad variety of reasons, and I do not want to put words in his mouth. But one of the reasons is he does not see enough money there in order to fund the F-22, which the Air Force and he believes—and this could be a subject for debate on the floor—are a vital component in our ability to defend the Nation's vital national security interests in the next century. They need a follow-on fighter aircraft. If you siphon off \$36 billion in the next 20 years for the B-2 bomber, it is hard for them to see where you will get the money for the F-22.

As far as the *Seawolf* is concerned, Mr. President, it is well known that during the Presidential primary, President Clinton went to Connecticut and said he would support the *Seawolf* submarine. It is clear that this is a jobs

program. There is no doubt that there have been tremendous cost overruns. We now have two shipyards that can build nuclear powered submarines. We now have two of them. I can envision no scenario in the future where we have a requirement for two shipyards to build nuclear submarines. But perhaps more important, Mr. President, is that we continue to hear this argument that the former Soviet Union, Russia, today, which cannot meet anywhere near its quota of conscription for the year; estimates are between a quarter and a third of those conscripted show up; they have an incipient revolt in Chechnya on their hands, which has cost them the blood of many hundreds of their young fighting men and women; and their officers, which were moved out, and their families, out of Eastern Europe back into Russia, are living in boxcars.

The state of their military establishment, by all objective observers' estimates, is in a terrible and horrendous condition—not to mention the threat that we have of how we are going to dispose of the nuclear weapons that abound throughout the former Soviet Union.

So, Mr. President, what we are supposed to believe, given the conditions and the threats to Russia's vital national security interest, which they see clearly are as they have been for most of its history in the so-called "near abroad," that they are going to spend an enormous amount of money that they do not have on fast, quiet submarines.

Mr. President, they are not. It does not make any sense. It does not make any sense to believe that the Russians are spending billions of dollars on fast, quiet submarines when they cannot even get their officers out of boxcars into houses, when they cannot make their yearly annual conscription to man their armed forces to any degree whatever, when they are fighting a guerrilla war in Chechnya, when they have problems in practically every part of what the Russians call "near abroad."

I do not believe that the Russian defense experts are so naive and so uninformed that they sit around and say, gee, forget all those problems I just articulated, build some fast, quiet submarines.

Mr. President, we are really doing the American taxpayers a great disservice.

I want to say, finally again, I appreciate the hard work that is done by the members of the Appropriations Committee. I know they have difficult issues to wrestle with. I am sure that, in fairness, the chairman of the subcommittee and the ranking member should bring up the legitimate point that the authorizing committee has so far failed to come up with any legislation, so they have had to make many of these decisions. I think that is a very legitimate statement on the part of the appropriators.

I will say, finally, one more time, Mr. President, and the last time, and mark my words, if we keep doing this, if we keep wasting taxpayers' dollars in this fashion, we are going to lose the confidence of the American people and at some point there will be great resistance to adequately fund our defense forces and we may see a threat posed to our national security that we cannot meet because of our failure to articulate to authorize and to appropriate adequate funding to meet the real threats to our vital national security interests.

I reserve the remainder of my time.

Mr. STEVENS. How much time does the Senator desire?

Mr. GRASSLEY. Ten minutes.

Mr. STEVENS. I yield the Senator 10 minutes, but I do want to thank the Senator from Arizona for his contribution. He does not know how often we use his positions in conference in order to achieve savings—which he does not mention.

Some of the items he mentioned, I think, are legitimate complaints. Others I think have legitimate military value. We can discuss that on the floor.

His last comment is the correct one. We did not have the guidance of the Armed Services Committee this time and we just did our best. I think that is because of some of the problems we face here on the floor.

I yield 10 minutes to the Senator.

Mr. GRASSLEY. Mr. President, I would like to speak briefly on the conference report on the Department of Defense [DOD] appropriation bill.

The amount of money provided in this measure is too high.

I argued for a lower figure when we debated the budget resolution.

And I argued for a lower figure when we debated the defense authorization bill.

The cold war is over.

The Soviet military threat is gone.

We are closing military bases. Our force structure is shrinking.

Defense budgets should be coming down—not going up. But we lost that battle.

For unknown reasons, Congress decided on the higher number, and that's that.

Mr. President, I didn't come here to argue about the size of the defense budget.

I come to the floor to thank my friend from Alaska, Senator STEVENS, for his advice and assistance with the DOD unmatched disbursements problem.

Last year, with the help of my friend from Hawaii, Senator INOUE, we began the process of trying to fix the \$30 billion unmatched disbursement problem.

We established thresholds at which DOD must match disbursements with obligations—before making a payment.

This year, Senator STEVENS helped to reenergize and continue that process. He is helping to keep the pressure on.

And DOD Comptroller John Hamre is doing his part. He's helping, too.

In the coming months, both the General Accounting Office [GAO] and DOD Inspector General [IG] will be conducting detailed reviews of DOD's emerging capability to prematch disbursements.

Next year, at this time, I hope we are in a position to lay out a road map for ratcheting down the thresholds.

Next year, I hope we can move the threshold to zero.

Mr. President, as I have said many times, with \$30 billion in unmatched disbursements, there are no effective internal controls over a big chunk of the DOD budget.

That means those accounts are vulnerable to theft and abuse.

Mr. President, we must keep the pressure on and keep moving down the road toward the time when all DOD payments are prematched.

I thank Senator STEVENS, Senator INOUE, and Mr. John Hamre for their help in trying to fix this problem.

Mr. President, I would also like to seek the advice and assistance of the committee's leadership on another issue.

I am concerned about the possible existence of a slush fund at the Central Intelligence Agency [CIA].

Recent press reports suggest that bureaucrats in just one CIA office—the National Reconnaissance Office [NRO]—accumulated a pool of unspent money that totaled between \$1 and \$2 billion.

Now, I know that the committee has taken certain steps in this bill to recover some of the money.

The bill also includes restrictive language governing the availability of CIA appropriations.

The restrictive language is embodied in section 8070 of the bill.

I commend the committee for taking these important steps.

However, in my mind, the action taken in the bill is a short-term fix.

We need to get at the root cause of the problem.

We need to understand the mechanisms that allowed bureaucrats in the NRO—and possibly other CIA offices—to accumulate huge sums of money.

And we need to develop a long-term solution.

Mr. President, we must not allow the CIA to accumulate huge sums of money in a honey pot that lies outside of the law.

The CIA must handle unspent appropriations in ways that are consistent with the requirements of title 31 of the United States Code, and in particular, the M account reform law.

Senator ROTH and I have sent a letter on this matter to the committee chairman, Senator HATFIELD.

Mr. President, I ask unanimous consent to have printed in the RECORD the letter to Senator HATFIELD, along with an article from the Washington Post on the same issue.

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

U.S. SENATE,

Washington, DC, October 3, 1995.

Hon. MARK O. HATFIELD,

Chairman, Committee on Appropriations, U.S. Senate, Washington, DC.

DEAR MARK: We are writing to express concern about the possible existence of a slush fund at the Central Intelligence Agency (CIA) and to seek your help in launching an independent review to determine the origins of the money and root cause of the problem.

The source of our concern is a series of reports that appeared recently in the Washington Post and New York Times. These reports suggest that one office within the CIA—the National Reconnaissance Office—has accumulated "a pool of unspent money" that totals between \$1 billion and \$1.7 billion and that some of these funds may have been used for unauthorized purposes.

In the wake of these disturbing revelations, unnamed intelligence officials readily admitted: "The agency's financial practices were governed by custom, not by written rules. . . . Many of the financial practices were time-honored, but they were not documented. . . . They were just folklore" [New York Times, September 25, 1995, page 11].

On the surface, based solely on these very sketchy news reports, we have to conclude that the CIA's books need more scrutiny. A potential multi-billion dollar slush fund in just one CIA office plus a possible breakdown of discipline and integrity in accounting equals a recipe for abuse.

We must not allow the CIA to accumulate a "pot of gold" that lies outside of the law.

As you may remember, back in the late 1980's, Congress discovered the infamous M account slush fund at the Department of Defense (DOD) and at other agencies as well. The M accounts, which were also known as the "honey pot," were being used by DOD to circumvent the law—primarily the Anti-Deficiency Act (31 USC 1341)—and to fund cost overruns and other unauthorized activities beyond the purview of Congress. DOD, for instance, had stashed at least \$50 billion in these accounts.

After holding extensive hearings that examined abusive M account practices as revealed in audit reports prepared by the Inspectors General and General Accounting Office, Congress took decisive steps to close down the entire M account operation.

The M account reform legislation was signed into law by the President on December 5, 1990. It is embodied in Sections 1405 and 1406 of Public Law 101-510. It closed the M accounts, canceled billions in unspent balances in "merged surplus authority," and placed strict limits on the availability of "unspent" appropriations of the kind described in the above-mentioned press reports. To the best of my knowledge, this law applies to all government agencies, including the CIA.

The M account reform law in combination with all the other laws governing the use of appropriations—as spelled out in Title 31 of the U.S. Code—are supposed to make it very difficult—if not impossible—to create a slush fund within any government institution.

If the CIA is indeed "hoarding" money, as White House Chief of Staff Leon Panetta has suggested, and stashing it away for a rainy day, then Congress needs to know about it. We should know about it because we have passed a law that is designed to prevent bureaucrats from accumulating money outside of the law. If the CIA has succeeded in doing that, then we would like to understand exactly how it was done. There may be a loophole in the law that needs to be plugged.

For these reasons, we are seeking your advice and assistance on how to initiate an independent review of the CIA's accounting records pertaining to balances of unobligated and unexpended appropriations.

We need to know if the CIA is complying with the M account reform act. Toward that end, certain questions need to be answered: Were the agency's merged surplus and M accounts closed and balances canceled as required by law? Are expired appropriation account balances being canceled after five years as required by law? Is the agency protecting the integrity of expired appropriations accounts as required by law? Have the agency's no-year accounts been handled according to law? No doubt, there are other important questions, but these are the ones that immediately come to mind.

Between August 1991 and October 1992, the GAO conducted an audit of residual M account monies throughout the government. The results of this audit were published in a report entitled "Agencies Actions to Eliminate M Accounts and Merged Surplus Authority" in June 1993, Report Number AFMD-93-7. Unfortunately, the CIA was not among the agencies reviewed. The GAO, we are told, cannot get the access needed to audit CIA accounts. The inability of the GAO to audit the CIA's books leaves a gaping hole in our knowledge regarding government-wide compliance with the M account reform law.

Mark, we would like to feel confident that the monies Congress appropriates for the CIA are being controlled and used in ways that are consistent with the requirements for Title 31 of the U.S. Code, and in particular, the M account reform law.

We have never examined a financial management issue at the CIA and need your advice on how to proceed with such a review.

Your assistance in this matter would be appreciated.

Sincerely,

CHARLES E. GRASSLEY,  
U.S. Senator.  
WILLIAM V. ROTH, JR.,  
U.S. Senator.

[From the Washington Post, Nov. 15, 1995]  
DEFENSE GIVES ITS ACCOUNTING SYSTEM A '3'  
(By Dana Priest)

Despite efforts to turn around what the Pentagon concedes is an error-prone, cross-eyed financial accounting system, top Defense Department officials yesterday said that on a scale of 1 to 10, the ability to track where \$260 billion is spent each year rates only a sorry "3."

"We are far short" of being able to produce clean, auditable annual financial statements, Richard F. Keevey, director of the Defense Finance and Accounting Service, told a congressional panel yesterday.

Summoned by a subcommittee of the House Committee on Government Reform and Oversight—called in part to respond to Washington Post articles about the problem in May—the department's top financial officers and investigators from the General Accounting Office and the inspector general's office explained, defended and criticized the way the department manages the money Congress gives it.

Only three members of the subcommittee showed up, and one only briefly, perhaps a testimony to how arcane and complicated the subject can be.

Chairman Rep. Steve Horn (R-Calif.) described the state of Pentagon bookkeeping as something not even up to the standards of "every Mom and Pop store in America."

"What you're telling us today is a disgrace to the American fighting men and women," said ranking minority member Carolyn B. Maloney (D-N.Y.), her voice rising in frustration before she bolted out the door for a quick floor vote. "I'm sorry, I'm a little upset."

What was upsetting to Maloney and Horn was good news to the Pentagon officials who

point out that their accounting problems are decades-old and are only now getting better. For instance:

The accumulated amount of payments that cannot be traced with certainty to particular purchases has fallen from \$50 billion in June 1993 to \$20.5 billion in September.

The department now refuses to pay any bill larger than \$1 million without the proper bookkeeping. The threshold used to be \$5 million, although the higher figure still applies to its major, trouble-plagued Columbus, Ohio, check writing center because contractors there complained that a new standard would dramatically slow payments.

On the other hand, department Inspector General Eleanor Hill testified the financial data "for the vast majority of [Defense Department] funds remain essentially not in condition to audit," according to Hill's written statement.

"The same types of system problems and internal control weaknesses that hamper preparation of annual financial statements," she said, "also impair the efficiency of day-to-day operations."

So concerned is the IG's office about the problems that it is deploying 700 auditors to snoop around the finance and auditing areas at the department. Still, it does not expect a significant turnaround until the year 2000, she said.

Mr. GRASSLEY. We are asking for advice on how to initiate an independent review of the CIA's accounting records pertaining to balances of unobligated and unexpended appropriations.

Mr. President, I would like some assurances from the chairman and ranking minority member that they will work with us in developing an acceptable approach to our request.

Our purpose is simple.

We want an independent review of the CIA's unspent balances.

Are they being maintained and controlled according to law?

But how do we do that?

We need the committee's advice and assistance.

We have been told, in news reports, that CIA Director John Deutch is launching his own investigation to review the NRO's "deliberately obscure fiscal practices."

That is fine and dandy.

But that's not an independent review.

I hope the committee will work with us to find a way to conduct an independent review of the CIA's unspent balances.

The taxpayers of this country have a right to know that their money is being spent according to law.

Mr. President, I would also like to ask the committee's leadership these three questions:

First, could the committee conduct an examination of the CIA's appropriations accounts to determine whether they are maintained and controlled as required by law?

Second, could the committee do the job if assisted by knowledgeable personnel from the DOD IG's office and the GAO?

Third, could the DOD IG do the job?

I just hope my two colleagues help us get to the bottom of sense things. I know you have the same concerns I do.

But I would like to move forward with this, to make sure we are not—my point is, we are not relying just upon internal CIA investigations to make sure this does not happen. We ought to have some sort of independent, outside group, make sure that the job is being done and done correctly.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. STEVENS. Mr. President, I welcome the attention of the Senator from Iowa to what we call the classified annex that discusses some of the problems that are raised with regard to the CIA carryforward funds. Others have referred to them as slush funds. I found no slush funds. I have found carryforward funds that represent program changes, programmatic decisions not to spend money but carry the money into the future, and downsizing that led to savings that were from money that was not limited in terms of years.

We have dealt with that. It is not proper, in my opinion, for us to discuss that here. I direct the consideration of the Senator from Iowa to discussing it with the Intelligence Committee. We take our lead from the Intelligence Committee and Armed Services Committee, but this year we did take an extraordinary initiative in dealing with these funds to make sure they would not be carried forward. It is discussed in our classified annex. I invite my colleague's attention to that.

I do not want to delay, if the Senator from South Carolina wishes some time. I am saddened to hear my friend discuss the needs of the Department of Defense, however, in the terms he has. I wish he would see these needs through my eyes. I get tired of seeing pilots fly C-130 E's that were made in 1964. I get tired of flying in VC-137's that were made in 1938. I get tired of going out and watching the people on the flightline go to fly and train in F-14's that were made in the 1970's, the early 1970's.

The 5-ton trucks we have in our Army were made in the 1960's, and we have not replaced them since. The M-1 tanks were made in the 1970's.

You find me any other part of our economy that is asked to train and live in things that are 30 years old. I remember, when I was a young man, how much General Patton criticized the Army because they were training in the 1940's in things that were made in the early 1930's. Our people pray that they train in things that were made in the early 1990's.

Again, I say to my friend, criticize the amount of this money if you wish, but if you do wish to criticize them, then take action to reduce the commitments of our people abroad. I read earlier today the number of our people who are permanently living abroad now. Almost 250,000 Americans plus their dependents live abroad permanently as members of the armed services. There is just no reason for those

people to live and be in harm's way. Many of them are daily in harm's way, in equipment that is old. We are trying to upgrade our procurement. That is the basic decision we have made. We are trying to upgrade our research and development. That is another basic decision we made.

Senator INOUE and I face a severe amount of criticism concerning the amount of money in this bill. We are now in a 7-year, level-funded concept for the Department of Defense. We reached out and brought some of that, from the late 1990's, into this bill because we can save money. We are doing our best to stretch this money out so it will not make additional demands on the American taxpayers.

At the same time, I ask, how many of us are driving home in 1964 cars? If the American public wants us to have a status as a world power, and we are the only world power left; if we want someone in the world to have the capabilities we have; then we must fund our people so they can carry out their responsibilities and live in doing it. We are losing too many people, now, because they are flying and driving in and on vessels that are too old. We are doing our very best to do it, and I do not like to hear Members of the Senate complain about the amount of money we are spending given the commitments.

If you do not like the commitments, then use your power to stop the deployment of our forces abroad. Consider again deployment of forces to Bosnia. Consider whether we need to still have people in Haiti.

Did you know they were supposed to be out by March? They are still there.

Mr. GRASSLEY. They will be there until after the election, because things are going to blowup if they get out, and it will make the President look bad.

Mr. STEVENS. But you have to finance them. If they are not going to get them back and you have to keep them there, keep them there safe. They are still in Rwanda. Around Iraq, we have a no-fly zone. There are young pilots flying over that country every day to prevent them from launching once again and becoming the second largest Air Force in the world.

I tell you, my friend, I understand the Senator from Iowa with regard to the financial management. Incidentally, those problems came about because we brought all the records into Washington. It used to be if you wanted to audit these things, you could go to Denver, go to San Francisco, go to Panama, go somewhere in the world and find those records.

Five years ago we just consolidated them in Washington. That is still going on. It is true that there are a lot of those disbursements and the record of what was gotten for the disbursements have not been matched up. That is a delay in the computerization program in terms of verifying expenditures once they have been authorized. I agree 100 percent.

We have done more in this bill, I think, than the Senator has ever had done before to meet his objectives, and we agree we ought to have—and by the end of next fiscal year, 1997, I hope we will have—the zero amount there.

We should be able to balance our checkbook. I do not know about the Senator from Iowa, but I still have trouble balancing my checkbook and figuring out what I wrote the check for. I know where I wrote the check that I got something for, but sometimes I do not write down what I write it for. That is what happened at the Department of Defense. No one has brought before us positive fraud or thievery. It is a question of lining up the records of actual acquisitions with regards to authorization for expenditure. We are doing our best to do that.

The other committee which I chair, the Governmental Affairs Committee, will be happy to work with the Senator from Iowa on that matter. I thank him for his consideration. The only thing I wish we would do is look again at the amount of money we need to put up for the armed services, for the people who are doing the job for us to be in harm's way as a superpower. If we do not want to do that, then let us cut the budget. If you want us to do the job we are doing, then you have to fund what these people need, and you have to give them the assistance that will help keep them alive.

Mr. GRASSLEY. Could I please have 2 minutes?

Mr. STEVENS. Yes.

Mr. GRASSLEY. Mr. President, first of all, in Iowa for the benefit of the Senator, I drive a 1961 Oldsmobile 98. So some of us do drive around in old cars.

Mr. STEVENS. Mine is a 1965 Ford.

Mr. GRASSLEY. The second thing is you complimented me for what I was doing on accounting. But you castigated me for what I was saying about the level of expenditures, it seemed to me. My point is they are very, very tied together. It seems to me that before we put more money into the pot, we ought to be able to prove what we are buying, and have a system of accounting that makes sure that every dollar that we put into defense gets us a dollar's worth of defense.

The second thing, and more appropriate to what the Senator from Alaska was saying about the level of expenditure—I think I said this on the floor in the debate originally—but I was told by leaders on military issues in the House of Representatives when we were on the budget—and I am the second senior person on the Budget Committee; so I was involved in those discussions—confidentially they said to me, "CHUCK, you know we have to have about \$6 or \$7 billion more than what the President wants because we have to take care of our Members. We have to take care of our Members."

Mr. STEVENS. Who said that?

Mr. GRASSLEY. I am not going to tell the Senator who said that.

Mr. STEVENS. It was not this Senator.

Mr. GRASSLEY. I am talking about leaders in the other body. "We need \$6 or \$7 billion to take care of our Members," meaning projects that Members had that they wanted in the Defense budget.

That is just exactly the amount of money that we are above the President's figures. So I figure we have about \$6 or \$7 billion in here just to take care of a bunch of pork barrelers.

That is what I am complaining about.

The PRESIDING OFFICER. The Senator's 2 minutes have expired.

Mr. STEVENS. The Senator from South Carolina, if you do not mind, asked us to yield him time. I will do so. Then we would be happy to take care of the Senator from Ohio.

The PRESIDING OFFICER (Mr. BENNETT). The Senator from South Carolina.

How long does the Senator yield?

Mr. STEVENS. Such time as he uses.

The PRESIDING OFFICER. The Senator from South Carolina.

Mr. THURMOND. Mr. President, I want to join my colleagues in complimenting Senator STEVENS, the chairman of the Subcommittee on Defense Appropriations and Senator INOUE, the ranking member of the subcommittee for bringing this conference report to the floor. This has been a difficult conference for them and I congratulate them on their diligence and perseverance in arriving at this conference report.

Mr. President, as I have indicated many times, these conference reports represent compromises made by both the House and Senate. They will never please everyone. There are items in this report that I believe could be better, but on the whole it provides the critical funds to ensure the continued readiness of our forces both in the near term and in the out years.

Mr. President, we may soon have to vote on committing our forces to maintain the peace agreement in Bosnia. Although I may object to sending the forces, I am confident that they will have the means and training to carry out the mission. I am confident of that fact because over the past years the Congress has provided the funds to ensure their capabilities. The conference report that we are considering today provides the funds to ensure our armed services can continue to fulfill their mission and the tasks that are placed on them by our Nation.

Mr. President, I want to thank my good friends, Senator STEVENS and Senator INOUE for their dedication to and support of our Armed Forces. They have brought a sound conference report to the Senate and I urge the Senate to support them and this conference report.

In closing, I want to say this: There is nothing more important to this Nation than to keep a strong defense. It means our very survival. We could do

without a lot of things, many things. But we cannot neglect our defense, if we want to maintain this great Nation. Our Constitution provides this country with the greatest freedom of any nation in the world. It provides us with more justice, more opportunity, and more hope than any people have ever been provided in the history of the world. And we want to keep this. But, to keep this, we have to keep a strong defense.

Again, I compliment Senator STEVENS and Senator INOUE for this fine report.

Mr. President, I yield the floor.

Mr. STEVENS. I reserve the remainder of our time and Senator MCCAIN's time under my control.

Mr. GLENN addressed the Chair.

The PRESIDING OFFICER. Who yields time?

Mr. INOUE. I am pleased to yield 2 minutes.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. GLENN. Mr. President, I wanted to comment on Senator GRASSLEY's concern. His concern is very well taken about the fact that we have an inadequate accounting system over at the Defense Department. But let me carry it beyond defense also.

We also have an inadequate accounting system across all of our Government. Governmental Affairs worked on this going back about 7 or 8 years in the late 1980's, and for the first time—it is unbelievable that up until 1990 there was no requirement in the Federal Government to do a bottom-line audit at the end of the year. Some departments did it. Some agencies did it. Some did not. The Defense Department was one that basically did not. We put through a Chief Financial Officer Act; arcane, people did not even show up at hearings because it was such a boring subject. But once we passed that act, as Charles Bowsher, head of the GAO, said, it was probably the "best financial management act that we passed around here in the last 40 years," to quote his words.

Over in Department of Defense, they are trying to get that under control. But back in the years before that we would not even give them the money to do the upgrades on computers, and so on, to manage their equipment, manage their accounts.

I have been out to the DFAS Center, the Defense Finance and Accounting Service, and have gone through what they go through on trying to decide whether to pay a bill or not. Do you know what they are doing? They go from an office, and they go down the hall to a warehouse. They go down a long line of hundreds of thousands of manila envelopes, folders on metal racks, bring those files back, and lay them out on the table to decide. Yes, we will pay this, or not that, or something else. That is the way much of this work has been done.

They are making great strides. They have even contracted some of this out.



I have been out there. I think we are making great strides and John Hamre deserves a lot of credit for taking this on.

Have we solved the problems yet in the time period to 1990? No, we have not. So we do not have the problem solved yet. But we are making progress. Meanwhile, I can quote horror story after horror story about how contractors have sent back in \$700 million they said we had not sent bills in for, and things like that.

I wanted to add my support for Senator GRASSLEY's concern. I share his concern. I just want everyone to know that we are making progress in this area. I do not think we will have it by the end of next year, as Senator STEVENS said. It is still a big job over there to get done. We are making a lot of progress in this area. We never required that until 1990.

Mr. STEVENS. I said the end of fiscal 1997.

Mr. GLENN. I misunderstood. I am sorry.

Mrs. MURRAY. Mr. President, I rise today in opposition to the conference report on the Department of Defense appropriations bill, and I would like to take this opportunity to outline several of my concerns.

In the coming year, American families across this country will begin to feel the very real effects of the budget cuts this Congress has made in most of the fiscal year 1996 appropriations bills. Programs across the spectrum are being deeply cut or eliminated in an attempt to eliminate this country's spiraling national debt.

Unfortunately, while the Republican spending bills make deep cuts in programs for children, the poor, veterans, and the elderly, defense spending has been insulated from cuts and, in fact, increased dramatically. The bill before us increases defense spending by \$7 billion above the President's request, at a time when we are cutting \$270 billion from Medicare, \$170 billion from Medicaid, \$114 billion from welfare, \$36 billion from nutrition programs, and \$5 billion from student loans.

Mr. President, I have a deep and strong respect for our Nation's military, which is second to none in the world. Our Armed Forces deserve the gratitude of this Nation for the protection and security they provide to the American people. Congress has an obligation to ensure that our military personnel are adequately compensated for their work, and that they have the best tools possible to work with as they undertake their many and difficult missions.

But in this era of shared sacrifice where no one is spared the budget ax—not children, seniors, nor veterans—I cannot support a bill that goes so far beyond the Pentagon's request for defense spending and fails to cancel even a single major weapons program. This bill is a bad deal for the taxpayer and a bad deal for our military, who will have to live with unrequested and

unneeded weapons systems provided for them from a Congress that refuses to take no for an answer.

During the cold war, Americans made sacrifices here at home so that our national resources could be used to defeat communism around the globe. The Berlin Wall fell in 1989, and with it, the Warsaw Pact. The Soviet Union officially dissolved in 1991. We fought the war, and we won.

In the aftermath of the cold war, I believe American families deserve to live in a safer and more stable world. They deserve to know that more of their tax dollars are going to educate their children and police their streets.

Time and again when this body has debated domestic spending bills my Republican colleagues have urged us to have the courage to cut funding for this program or that program—saying they have outlived their usefulness.

So why, Mr. President, does the bill we are voting on today continue funding for several cold war-era programs that have clearly outlived their usefulness? And where, Mr. President, are the calls for courage to terminate programs we cannot afford?

For example, the conference report provides \$700 million as a downpayment on a third *Seawolf* nuclear-powered attack submarine. Nearly everyone acknowledges that this third *Seawolf* is not necessary to meet force structure requirements. This program, as my colleagues know, was designed to combat the "great Soviet Navy"—a Navy that is now in port and in serious need of repair.

Supporters of this program claim that construction of this third *Seawolf* is needed to preserve the submarine industrial base. But Mr. President, overall the *Seawolf* program has cost the taxpayers of this Nation \$12.9 billion. In this budget climate, it is inexcusable to continue funding the *Seawolf*, especially given the lack of mission for this submarine.

Likewise, it is simply unforgivable that the bill before us resurrects funding for the B-2 bomber program, providing \$493 million to keep that program alive. This, despite the fact that several years ago Congress agreed to terminate this program after 20 planes had been built, because Congress recognized that in the aftermath of the cold war, this aircraft lacks a realistic mission.

Nonetheless, it appears that Congress is on a path to fund yet another 20 planes which, according to the Pentagon, will cost \$31.5 billion in the coming years. The Pentagon does not want this program, and clearly cannot afford it.

The Pentagon does not want to take on the immense financial obligations of further B-2 procurement—knowing that this unneeded system will take precious and scarce dollars away from other priorities.

Let's keep these issues in perspective. The unmasked for and unneeded funding this bill provides for the B-2

bomber—the \$493 million—is more than enough money to pay the tuition, room and board, and book costs of all the undergraduates at the University of Washington for their entire 4 years. That's 20,500 students.

And as I've noted, the money provided this year is just a downpayment on the \$31.5 billion that will ultimately be needed to build 20 more planes. For that amount, 1.3 million Washington State residents could get a 4-year education at the University of Washington.

Ironically, the conference report we are considering today fails to fund one program that I believe is a real cost saver for the Pentagon and the taxpayer, and provides an effective response to our Nation's airlift problems. The Non-Developmental Airlift Aircraft Program [NDAA], designated as a pilot program under the Federal Acquisition and Streamlining Act of 1994, is an ideal model that demonstrates how commercial products can support military missions. I am disappointed that the conference committee failed to provide funding for NDAA, which stands to improve our current airlift shortfall and provide several billion dollars in budgetary cost savings.

So, Mr. President, as we ask teachers and students to accept dramatic cuts in education spending, worker training programs, and student loan programs, so too must we find ways to trim our defense budget.

And as we ask preschoolers and their parents to accept deep cuts in Head Start funding, we must find ways to trim our defense budget.

And as we ask rural Americans to accept cuts in mandatory agriculture spending, we must find ways to trim our defense spending.

And as we ask children and the elderly to shoulder billions in Medicare and Medicaid cuts, we must find ways to trim our defense budget. In America today, one in four children, and one in three infants, are covered by Medicaid.

And as we ask our Nation's scientific community to accept millions in cuts for basic research, we must find ways to cut our defense spending.

In the coming years, the Republican budget blueprint increases the veterans' contribution for GI bill education benefits, and freezes funding for the VA's medical system at the 1995 level for the next 7 years, cutting access to health care for veterans around the Nation. Under the Republican proposal, the VA will be forced to close the equivalent of 35 of its 170 hospitals and deny care to over 1 million of our Nation's vets.

Proponents of this bill point to recent declines in defense spending with alarm. While spending for our military is down from the mid-1980's level, we must keep this trend in perspective. The United States today has the largest military budget and the most powerful military force in the world.

The combined military budgets of Russia, Iraq, China, North Korea,

Libya, Iran, Syria, and Cuba total \$95 billion annually. That is one-third the level of U.S. defense spending. Each year, the United States spends more than the next nine of the world's biggest military spenders combined.

In fact, this country spends so much for defense, even the Pentagon can't keep track of it all. According to the GAO and the Pentagon's inspector general, as well as the Pentagon's Controller John Hamre, billions of defense dollars are lost year after year due to poor recordkeeping and lax accounting practices at the Department of Defense.

At the very least, Congress should hold defense spending to the President's level until the Pentagon can fix their payment procedures and bring some accountability to the system. We owe that much to the Nation's taxpayers.

But most of all, in order to project strength abroad, we must gain strength here at home. Our national security, in my view, will not be strengthened by yet more guns and missiles. We need to restore global economic leadership. We must invest in our children and their future—in their education and their health. We must rebuild our cities and our infrastructure, and invest in technology and scientific research.

We must ensure that the economy our children inherit in the next century is sound and growing.

So, in closing, Mr. President, it is with regret and disappointment that I must vote "no" on this bill.

Mr. DOLE. Mr. President I am pleased that we are able to consider the Defense appropriations bill conference report today. I commend Chairman STEVENS and Senator INOUE for their work in hammering out the necessary compromise allowing us to bring this bill to the floor. The Defense appropriations bill, which funds the greatest share of the Nation's defense spending, is one of the most important bills we pass each year.

This year the Republican-led Congress is keeping our promise to the American people to restore our national security. We have turned the corner on defense spending. As a result of the Republican leadership and the hard work of the chairman, Senator STEVENS, we no longer head down the path to a hollow military. Most of the funds Congress added will restore funding for the procurement and research & developments accounts—accounts neglected by the current administration. Without this funding, the armed services face a nearly insurmountable modernization bow wave in the very near future.

The President and administration officials have spoken at length about maintaining readiness, but they've failed to consider the impact of the insufficient funding on the readiness of our forces in the future. This administration has maintained short term readiness at the expense of our future forces. And no one should forget that the President's force plan required sig-

nificant force enhancements. But those enhancements have not been fielded. The bottom line is that under the Clinton administration, our forces have become smaller, but not more capable.

With this bill the Republican-led Congress sends a very clear message. We have fulfilled our responsibility to provide our forces with the most modern equipment available, ensuring their overwhelming superiority on the battlefield. We have taken steps to ensure that our forces, though smaller, maintain the ability to project power around the world—quickly and decisively. This Congress has taken the lead in protecting both our deployed forces and our home land against ballistic missile attack.

The President and many on the other side of the aisle oppose this bill. But the choice is clear. If you vote for this bill, you vote to restore our national defense. If you vote against it, you vote to continue down the path to a hollow force.

In closing, I again commend the chairman and ranking member for their work on this critical legislation and I urge my colleagues to support it.

Mr. LEAHY. Mr. President, providing funds for our national defense is one of the most important functions we in Congress are entrusted with. I take with particular seriousness my duties on the Appropriations Subcommittee on Defense, since we provide taxpayer dollars for weapons, people, and training.

I have the deepest respect for our subcommittee chairman, Senator STEVENS, and for our ranking member, Senator INOUE. For many years, whether the Congress is controlled by Republicans or Democrats, the heads of this subcommittee have provided reasoned, nonpartisan leadership on defense issues.

This bill will spend \$6.9 billion more than the President's request at a time when virtually every other discretionary spending account is being cut. I would support this expenditure if there were an imminent threat to the Nation, or if there were some glaring deficiency in our defenses. Neither of those conditions have been met, in my judgment. While we are cutting Medicare, school loans, and veterans benefits, this bill spends \$493 million for more B-2 bombers that the President didn't request and that the Chairman of the Joint Chiefs of Staff and the Air Force Chief of Staff say they do not want. Twenty more B-2's will cost us \$31 billion, and there are no funds in our 5-year defense plan for these planes. This program is questionable from a defense perspective, and especially irresponsible in the larger context of our pursuit of a balanced budget.

I was also disappointed that the House conferees were successful in including restrictions on a woman's right to choose an abortion at Department of Defense medical facilities. This provision has no place on an appropriations

bill and I am saddened that the Senate has accepted this provision in conference.

There are other aspects of this bill that I disagree with, but the increased funding, additional B-2 bomber procurement, and antiabortion language caused me to respectfully disagree with my chairman and ranking member, and to vote against this conference report.

Mr. BRADLEY. October 1, Mr. President. Every year, we have until October 1 to pass the 13 necessary spending bills that keep our Government running. This year, when it became clear that Congress would not be able to complete floor action on these bills by this deadline, we passed a continuing resolution to keep the Government running until November 13. Still, the additional 6 weeks proved insufficient for Congress to complete action on these bills.

Our Government is now shut down because Republicans in the House and Republicans in the Senate cannot agree with each other on what should and should not be included in these bills. In large part, the appropriations bills presented before us have been seriously flawed, so much so that Republicans themselves cannot agree on them. As Republican House and Senate conferees continue to bicker in back rooms, several hundred thousand Federal employees are home, waiting for a paycheck that is not coming. The so-called faceless, nameless bureaucrat waits, wondering how he or she will put food on the table, make the next mortgage payment, or prepare for the coming holiday season. Thousands of citizens wait to obtain a passport, a visa, file for Social Security, and so on. Congress has once again failed the American people.

It is time to put this budget impasse behind us. We will only be able to do so if the majority party presents us with fair and responsible spending bills to send to the President's desk.

This brings me to the legislation we now face, the Department of Defense appropriations report. As the Republicans claim to want a balanced budget, they now put before us a defense spending bill bloated beyond one's wildest imagination. Let me remind my colleagues on the opposite side of the aisle that the cold war is over. Let me repeat that. The cold war is over.

We must put an end to outdated notions—outdated notions of America's defense needs and outdated notions of the threats to U.S. security. The Defense appropriations bill reported out of the conference committee is designed for the cold war era—an era that has ended. This budget embodies outdated notions and adopts an outdated approach to our national security. I therefore urge that the conference report be rejected.

Rather than focusing on threats that no longer exist, we must begin focusing on the realities of the present day and the fundamental transformations that are shaping the world and our country.

Chief among those transformations are the end of the cold war and our runaway debt. These transformations have enormous political, strategic, and economic implications. They are changing the way we must view the world and the role of the United States in that world.

The end of the cold war, for example, has brought a period of transition. We are no longer faced with a Soviet threat. Rather, we are confronted with a period of transition—a work in progress—as Russia and other countries move to define themselves and their relationships with the United States and the rest of the world. This transition period has brought with it different and very real threats for which we must be prepared. Ethnic conflicts and renegade nuclear proliferation, among others, are threats that must be recognized, met, and defeated.

Economically, these transformations have changed the way that we produce things, the services that are offered and the way that we must compete in global markets to be successful. Jobs have been lost and our enormous debt places very real limits on our spending choices. This has very real implications for U.S. security interests, which obviously depend not only on military power, but on economic power as well. It is crucial that our military power be supported by a strong and vital economy and work force. This in turn requires fiscal responsibility, not the current runaway deficit spending. It also requires difficult choices. In short, we simply cannot afford to waste millions of dollars on outdated programs that will not serve our national security or our economic interests.

But that is precisely what this defense budget does. Rather than directing scarce resources where they are needed, this budget funds exorbitantly expensive and unnecessary programs.

As you will remember, I spoke against the Defense appropriations bill when it was considered by this body in August. Since then, that bill has gone to committee to be reconciled with the House version. What has resulted is even worse than could have been expected. No program was eliminated. Rather, when there were competing budget items in the House and Senate bills, the committee accepted the extravagances of both, never mind that they were redundant or not even necessary in the first place.

Take, for example, the funding of two types of marine amphibious assault ships—the LHD-7 amphibious assault ship included in the Senate bill—a ship that the administration did not even request. In the House bill, funding was provided for the similar PD-17 amphibious assault ship. Rather than choose one or the other, this budget funds both at a cost of almost \$2.3 billion. This is fiscal irresponsibility and it is not in our national security interests.

This budget also provides for increases for the B-2 bomber program—

an increase that the Pentagon doesn't even want. Indeed, the Pentagon-sponsored May 1995 study opposed any further purchases for this system. But throwing such recommendations to the wind, this budget increases funding by \$493 million.

Not only does this budget fund B-2 increases, it provides over \$2.2 billion for the competing F-22—a program that the House appropriations subcommittee zeroed out as long ago as 1989 for its highly unrealistic assumptions about funding levels and possibly unrealizable technical goals. Now, the F-22 is 1,300 pounds overweight, its stealth signature is larger than expected and there are questions about its software. But this budget continues to fund it although both the CBO and GAO found that the lower cost F/A-18E/F could do the job.

This budget also provides \$700 million for a third *Seawolf* submarine that we simply do not need and that is far too costly. Although the Bush administration proposed halting this program in 1992, we have already funded a second one, and this budget would add a clearly unnecessary third.

This budget provides \$757.6 million for the continued development of the V-22 Osprey, a program that the Bush administration tried to kill 4 years ago and whose mission can be performed more cheaply and reliably with the procurement of CH-53E helicopters.

This budget provides \$299 million for the Comanche. Not only is the Comanche unproven and experiencing developmental problems, its air combat missions can be performed at a much lower cost by the Apache. Even the Defense Department had proposed limiting this program to the production of two prototypes. But this budget not only continues to fund those prototypes, it increases funding by \$100 million over the administration's request for full-scale production.

With all these increases, it is not surprising that this budget exceeds the administration's request by nearly \$7 billion. But this increase in funding does not represent an increase in our national security. Rather such fiscal irresponsibility will do more to harm our national security than to improve it.

Too much of this \$243 billion Defense budget represents nothing more than a jobs program. It funds defense contractors for weapons that we simply do not need and increases funding for programs like the B-2 against the Pentagon's own recommendations. It is true that the end of the cold war era has required a substantial drop in jobs in the defense sector. Defense jobs will decline from 7.2 million to 4.2 million by 1996. This job loss in the defense industry clearly must be addressed. However, the answer is not found in funding jobs through unnecessary weapons programs.

This is a budget for a time now gone, not a budget for today, let alone tomorrow. I urge my colleagues to join me in rejecting it.

I yield the floor.

Mr. DOMENICI. Mr. President, I rise in strong support of the conference report accompanying H.R. 2126, the 1996 Department of Defense appropriations bill.

I commend the distinguished chairman and ranking member, and all the conferees, for bringing the Senate a bill that meets the most critical needs of the U.S. military for the defense of our Nation.

The conferees have achieved this significant accomplishment even though the Defense Subcommittee contributed additional defense spending authority to both the Energy and Water Development Appropriations Subcommittee, which I chair, and the Military Construction Subcommittee. These subcommittees also fund vital programs related to our national defense.

Mr. President, the conference agreement on defense appropriations provides a total of \$243.3 billion in budget authority and \$163.2 billion in new outlays for the programs of the Department of Defense in fiscal year 1996.

When outlays from prior-year budget authority and other completed actions are taken into account, the conference agreement provides a total of \$243.3 billion in budget authority and \$242.9 billion in outlays for fiscal year 1996.

The Senate bill is within the subcommittee's revised section 602(b) allocation for both budget authority and outlays.

Mr. President, I ask unanimous consent that a table showing the relationship of the pending bill to the subcommittee's 602(b) allocation pursuant to the 1996 budget resolution be printed in the RECORD.

I thank the conferees for their consideration of several important items that I brought to their attention.

I urge my colleagues to adopt this bill.

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

DEFENSE SUBCOMMITTEE SPENDING TOTALS—  
CONFERENCE REPORT

[Fiscal year 1996, in millions of dollars]

	Budget authority	Outlays
<b>Defense discretionary:</b>		
Outlays from prior-year BA and other actions completed .....	—50	79,678
H.R. 2126, conference report .....	243,087	163,009
Scorekeeping adjustment .....		
Subtotal defense discretionary .....	243,037	242,688
<b>Nondefense discretionary:</b>		
Outlays from prior-year BA and other actions completed .....		40
H.R. 2126, conference report .....		
Scorekeeping adjustment .....		
Subtotal nondefense discretionary .....		40
<b>Mandatory:</b>		
Outlays from prior-year BA and other actions completed .....		
H.R. 2126, conference report .....	214	214
Adjustment to conform mandatory programs with Budget Resolution assumptions .....	0	0
Subtotal mandatory .....	214	214
Adjusted bill total .....	243,251	242,941
Senate Subcommittee 602(b) allocation:		
Defense discretionary .....	243,042	243,472

DEFENSE SUBCOMMITTEE SPENDING TOTALS—  
CONFERENCE REPORT—Continued  
[Fiscal year 1996, in millions of dollars]

	Budget authority	Outlays
Nondefense discretionary .....		40
Violent crime reduction trust fund .....		
Mandatory .....	214	214
Total allocation .....	243,256	243,726
Adjusted bill total compared to Senate Subcommit- tee 602(b) allocation:		
Defense discretionary .....	-5	-784
Nondefense discretionary .....		-0
Violent crime reduction trust fund .....		
Mandatory .....		
Total allocation .....	-5	-785

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

RESEARCH EFFORTS AT HISPANIC-SERVING  
INSTITUTIONS

Mr. DOMENICI. I wonder if I might engage the distinguished chairman in a brief colloquy.

Mr. STEVENS. Certainly. I am always happy to hear from the senior Senator from New Mexico.

Mr. DOMENICI. I thank the chairman. Mr. President, let me begin by acknowledging again the efforts of the chairman and the committee for their diligent and steadfast efforts to produce a fiscal year 1996 Defense appropriations bill.

Furthermore, I would like to acknowledge the committee's support for the historically black college and university and minority institutions [HBCU/MI] account, particularly language within the account that encourages the Department to continue its support for minority institutions, including Hispanic-serving institutions [HSI's], through academic collaborations for research and education related to science and technology. This language carries a considerable amount of importance for the education and research community in my home State of New Mexico.

Three Hispanic-serving institutions in my State; the University of New Mexico, New Mexico State University, and New Mexico Highlands University have teamed up with the University of Puerto Rico, the largest minority institution in the country, to develop an academic program that will foster the growth of Hispanic students in science and technology. This collaboration was created out of the need to strengthen the competitiveness and capabilities of Hispanic students in these fields. Such a collaborative effort will effectively contribute to the development of a critical mass of talent and substantially enhanced research opportunities for DOD that are uniquely available at these institutions. As we look to advance the Department's research capabilities, programs such as the ones established between these fine institutions of higher learning should be encouraged.

Mr. STEVENS. I would note that my colleague makes a strong case in support of this initiative. I, too, understand the importance HBCU/MI programs play in the research efforts and capabilities of the Department.

Mr. DOMENICI. I thank the chairman for his support of the HBCU/MI account and I urge the committee's continued support for future research activities at these institutions related to our national security interests.

BALLISTIC MISSILE DEFENSE ORGANIZATION  
TECHNOLOGY DEVELOPMENT

Mr. DOMENICI. Mr. Chairman, I would like to discuss an item that concerns the Phillips Laboratory.

Mr. STEVENS. I welcome such a discussion with the senior Senator from New Mexico.

Mr. DOMENICI. I am concerned that language in the report accompanying the Senate-passed Defense appropriation bill, specifically Report 104-124, contains language regarding ballistic missile defense that is subject to misinterpretation. The language states the following:

In order to optimize follow-on technology development, the Committee directs BMDO to designate the Army Space and Strategic Defense Command (SSDC) as a center of excellence for technology development. The Committee believes that commonality in requirements offers the potential for cost savings through centralized screening and common, technology development, with SSDC functioning as the executive agent to BMDO, to help assure that duplication is avoided, and efficiencies are maximized.

Mr. STEVENS. We certainly would not want this language to be misinterpreted. Would you elaborate on your concerns?

Mr. DOMENICI. One of the goals of this language is to avoid duplication, save funds, and maximize efficiency. These goals are supported by everyone. However, certain aspects of the language, as written, could be misconstrued to mean that Phillips Laboratory missile defense programs and the associated technologies could be transferred to SSDC.

Mr. STEVENS. It was not the intention to transfer any programs. I am told that SSDC works primarily on ground-based systems, while the Phillips Laboratory works primarily on space-base systems. Furthermore, there are a number of order DOD commands and laboratories which can serve BMDO's technology needs in these and other areas.

Mr. DOMENICI. Yes, I agree with the chairman of the Defense Subcommittee. I sought clarification to make clear that the intent is not to move programs. Thus, the proposed space-based laser, the airborne laser, and the supporting space-related technologies should remain at Phillips Laboratory. The laboratory has made great progress in these areas.

Mr. STEVENS. It was never our intention to do otherwise.

Mr. DOMENICI. I thank the Senator and would just like to clarify one additional point. It is clearly not the intent of this language to give any authority to SSDC or BMDO with regard to any Air Force-funded programs at the Phillips Laboratory. It is only intended to have effect on the SSDC and BMDO Programs. Is that the understanding of the distinguished chairman?

Mr. STEVENS. Yes, that is my understanding of the language's intent.

Mr. DOMENICI. I thank the distinguished chairman for the opportunity to be heard on this issue.

Mr. LEVIN. Mr. President, I had hoped we could avoid a train wreck as we try to wrap up our budget and appropriations work. Now I hope we can work together in a bipartisan way to solve these problems, for that is surely what the public wants. And the public wants us to function with common sense in an intelligent way to keep the Government going as we make these decisions.

But the public also knows it does not make sense to be adding \$7 billion to the defense budget so we can build more B-2 bombers, F-15 and F-16 fighters, and other equipment that the Pentagon doesn't want, and at the same time threaten to cut education, crime prevention, and other programs that are so critical to the security of our people.

And so I rise to indicate that I cannot support this conference report, as I voted against final passage of the Senate bill several months ago. While the conferees have removed some of the provisions of the bill that I opposed, this bill still has far more total funding than the Pentagon needs and more than the Department of Defense asked for.

The President has already indicated that he would veto the bill. On October 18, in a letter to House Appropriations Committee Chairman LIVINGSTON, where he said:

... by appropriating \$6.9 billion more than I requested, the Conference Report did not address my fundamental concerns about spending priorities. ... Absent a broader agreement with Congress that adequately funds crucial domestic programs in other appropriations bills, I will veto any defense appropriations bill that adds extra billions for defense programs not in my request.

I ask unanimous consent that the full text of the President's letter be printed in the RECORD.

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

THE WHITE HOUSE,

Washington, DC, October 18, 1995.

DEAR MR. CHAIRMAN: Thank you for your letter regarding the conference report on the Fiscal Year 1996 Defense Appropriations Act. I want you to know that I appreciate your hard work and leadership on this bill, as well as that of Senators Stevens and Inouye. The Conference Report had many commendable features. For example, a number of policy provisions that raised serious constitutional and national security concerns were satisfactorily resolved in conference, and funding was secured for several programs that were of particular importance to me and to the national security of this country, including the Cooperative Threat Reduction program and the Technology Reinvestment Project.

However, by appropriating \$6.9 billion more than I requested, the Conference Report did not address my fundamental concerns about spending priorities. As the bill now goes back to conference following its defeat on the House floor, it is important that the conferees understand where I stand. Absent a broader agreement with Congress that

adequately funds crucial domestic programs in other appropriations bills, I will veto any defense appropriations bill that adds extra billions for defense program not in my request.

I am ready to work with Congress to ensure that we reach that agreement.

Sincerely,

BILL CLINTON.

Mr. LEVIN. Mr. President, that veto writing has been on the wall even longer. Alice Rivlin, OMB Director indicated 10 weeks ago, when this conference report first went before the House, that the President would veto it. I would ask unanimous consent that her letter to House Minority Leader GEPHARDT of September 29, 1995 be included in the RECORD.

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

EXECUTIVE OFFICE OF THE PRESIDENT,

Washington, DC, September 29, 1995.

Hon. RICHARD A. GEPHARDT,  
Minority Leader, House of Representatives,  
Washington, DC.

DEAR MR. LEADER: I understand that the House may consider the conference report on the FY '96 defense appropriations bill today.

As he has shown in his 10-year plan, the President that we can balance the budget and maintain a strong defense without sacrificing critical investments in education and training, science and technology, environmental protection, and other priorities—all of which are essential to raise the standard of living for average Americans. By providing \$6.9 billion more than the President requested, however, this bill would divert funds from our needed investment in these critical areas.

Now that the House has passed 12 of the 13 appropriations bills and the Senate all but two, the trade-off between defense and domestic investments are all the more clear. In an environment of limited resources, we have to use available funds as prudently as possible. We simply cannot allocate nearly \$7 billion more than we need at this time for defense, and starve our needed investments in education and training and other priorities.

The changes to the bill in conference, while commendable in many instances, do not address the Administration's fundamental concerns about spending priorities. For this reason, in the absence of an agreement between the Administration and Congress resolving these important issues, the President would veto this bill.

Sincerely,

ALICE M. RIVLIN, Director.

Mr. LEVIN. The President's original Pentagon budget provided for a strong defense. It funded the priorities of the armed services and recognized that in the post-cold war world we have to prepare for different threats, not conduct business as usual. We cannot afford to buy equipment that is in excess of our military requirements, or make long-term funding commitments that are not sustainable, like signing up for another \$30 billion or higher tab for 20 more B-2 bombers. If we follow that course, we are actually robbing from our future security, robbing resources that should go into keeping our troops well-trained and keeping our forces in high readiness and high morale, modernizing equipment in areas we ignored for too long, and continuing research

and development on future modernization.

Instead, the conferees have sent us a bill that includes \$493 million as a down-payment on what will be at least a \$30 billion program to build 20 more B-2 bombers not requested by the Pentagon. Secretary of Defense Perry has been saying all year that we should not add funding for more B-2's. He said, as this bill was taking shape in September that the B-2 money "was put in against my explicit advice."

Was Bill Perry, the acknowledged "father of stealth", alone in his judgment? No, that judgment is shared by the General Shalikashvili, by the Joint Chiefs of Staff, and by the President. The Senate bill did not include that money for B-2's. In fact, it was in the original Defense authorization bill mark of the chairman of the Armed Services Committee, and the committee voted to cut it out, by a strong bipartisan vote of 13-8.

What else did the conferees include that was not requested by the Pentagon and not authorized by the Senate? For 6 new F-16 fighters, \$159 million. That is a program we in the Senate have voted to terminate at least three times, including this year. We have a surplus of F-16's in the force; we do not need any more. The conferees included \$311 million for 6 new F-15 fighters, also not requested and not authorized by the Senate this year. For an LHD-7 landing ship \$1.3 billion that was not even in the 5-year defense plan, but was moved forward for purchase in this appropriations bill.

That is not all. The conference report also doubles the Defense Department's request for national missile defense research, from \$370 million to \$745 million, and funds a \$30 million Antisatellite Weapons Program that was not requested by the Pentagon.

What was not funded in the conference report? Ongoing operations, misnamed "contingencies" by the Pentagon, receive some finding, about \$600 million, but not the full \$1.1 billion we know we will have to pay in fiscal year 1996 for ongoing operations that are already in place. This shortfall is a direct threat to readiness, precisely the area that so many in Congress expressed concern about just within the last year. Training and maintenance accounts could end up being the source of funds to pay for these operations and that could hurt the readiness of some divisions.

The Technology Reinvestment Program, which is trying to preserve our cutting edge research capability for the future by supporting dual-use development programs on a cost-shared, competitive basis, was slashed by more than half by the conferees to only \$195 million. And Mr. President, there is much more.

This conference report is not in step with our priority security requirements; not in step with the priorities of the Joint Chiefs, the Secretary of Defense and the President. It is not fis-

cally responsible. We can and should do better.

The PRESIDING OFFICER. Who yields time?

Mr. STEVENS. How much time does the Senator seek?

Mrs. HUTCHISON. Five minutes or three minutes.

The PRESIDING OFFICER. The Senator from Alaska controls 15 minutes and 30 seconds.

Mr. STEVENS. I yield the Senator 5 minutes.

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

Mrs. HUTCHISON. Thank you, Mr. President.

Mr. President, I want to say that I have been watching this subcommittee deliberation on this very important defense authorization appropriations bill. I know how hard it has been to get this bill through. I have watched the negotiations with the House Members. I have watched the negotiations between the Members. I have heard some of the debate on the floor in the last few hours. Of course, there are things that one Member may not think are the priorities for another Member. But there is an equal force on the other side that does not like something else in it. It is very difficult to bring people together.

But the bottom line here in the big picture is that we have put more into defense appropriations this year than the President sent up here, and we did that in a bipartisan effort because so many of us are concerned that we have a false sense of security, that we are in a safe world, that the United States can pare down its military, and we do not have to be the superpower that is ready in any eventuality. That is not the case. I compliment Senator STEVENS and Senator INOUE for bringing the parties together and forging a bill that does spend enough money to make sure that we are going into the next century strong.

It is not as strong as I would like it to be. There are other priorities that I might like to see. I understand the concerns of some of the Senators who have spoken here, but the bottom line is, we are a deliberative body and we have to give and take on priorities as long as we meet the cap that we have put in the budget resolution, and that is exactly what we have done here.

So I compliment the two Senators who are the chairman and ranking member of this very important committee.

I want to say especially that one of the concerns that I have that has been met in this bill is something I hope we are going to talk about in the next few days, and that is the sense of the Senate that is a part of this bill which says that "no funds available to the Department of Defense shall be obligated or expended for deployment or participation of United States Armed Forces in any peacekeeping operation in Bosnia and Herzegovina unless such deployment or participation is specifically

authorized by a law enacted after the date of enactment of this act."

Now, this excludes the kind of operations we have had this year—the air cover, the participation that we have had on the periphery. That is excluded, but it does have a sense of the Senate that we will not spend funds unless we specifically authorize those funds for that kind of peacekeeping operation.

This is just the beginning of the real debate that is going to come on the floor of this Senate in the next few weeks about what the role of our armed services should be in Bosnia. I am going to argue very forcefully that it is not our role to send American troops on the ground in Bosnia. We are starting that debate tonight when we pass this bill.

We are saying it is the sense of the Senate that we must be consulted and we must pass specific authorization and appropriations before we send our troops in, and that that is for a number of reasons. It is because we have not staked out the United States security interest that would require troops on the ground. It is because we have not staked out that this is going to be the death of NATO if American troops are not on the ground. In fact, I think it is the opposite. I think it is important that we have the strength of NATO by saying exactly what our leadership role will be, and there are many things we can do that do not include our troops on the ground.

So, Mr. President, I am just saying that the sense of the Senate will be passed tonight. It is very important, and I hope the President of the United States is listening to this debate. I hope he is listening to the importance to all of us that he come to Congress for enactment before he sends peacekeeping troops to Bosnia.

I thank the two leaders on this bill. I appreciate what they are doing for this country, and I am going to support the bill wholeheartedly. Thank you, Mr. President.

Mr. STEVENS. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

Mr. STEVENS. Mr. President, I yield back all the time on this side.

I ask unanimous consent that following the statement of the Senator from Hawaii, which I understand will take 10 minutes, and I apologize for limiting the time, that the rollcall vote commence at 6:25.

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

The Senator from Hawaii.

Mr. INOUE. Mr. President, the Senator from Georgia, Mr. [NUNN], is unable to be with us this afternoon because of circumstances beyond his control, and he has requested that his statement be made a part of the RECORD.

Before I submit the statement, I would like to read from his second paragraph, and I quote:

This is a good bill, Mr. President, and I believe the Senate should support it and the President should sign it. Senator STEVENS and Senator INOUE have produced a conference report which addresses our national security needs in a fiscally responsible manner.

(At the request of Mr. INOUE, the following statement was ordered to be printed in the RECORD):

• Mr. NUNN. Mr. President, I want to start by commending the Senator from Alaska and the Senator from Hawaii for the all hard work I know they have put in to bring this conference report before the senate.

This is a good bill, Mr. President, and I believe the Senate should support it and the President should sign it. Senator STEVENS and Senator INOUE have produced a conference report which addresses our national security needs in a fiscally responsible manner. Anybody who has known Senator STEVENS and Senator INOUE as long as I have would expect nothing less.

This conference report preserves funding for some of the administration's top priorities, such as the Cooperative Threat Reduction Program, the Technology Reinvestment Program known as TRP, and the third *Seawolf* submarine.

The House bill eliminated funding for the *Seawolf* and the TRP, and cut the Cooperative Threat Reduction Program almost in half, so this conference agreement preserve the Senate position on some key items of interest to the administration. This bill also avoids legislative provisions that try to dictate to the President when or how he can deploy our military forces.

As I have stated on many occasions, I believe the defense budget has been cut too far, too fast. Our forces are simply much busier than I believe anyone really anticipated when the Soviet Union and the Warsaw Pact were dissolving. Today our force structure is much smaller than it was 5 years ago. We all agreed that based on the reductions in the threat and the increased warning time for any kind of global conflict, these reductions were prudent and necessary.

But the smaller force we have left is busier than it has ever been. The fact is we simply cannot keep on reducing the defense budget the way we have been. The people are wearing out. The equipment is wearing out. So I think the budget resolution moved us in the right direction by providing for a small increase for defense over the next few years.

I do not think a lot of people realize how small that increase is. First of all, compared to the baseline concept that we use for entitlement programs, defense is not even getting an increase. The amounts provided for defense in the budget resolution over the next 7 years do not even come close to keeping the defense budget as large as it is

today, after taking account of inflation. We would need to add at least another \$100 billion over the next few years to stay even compared to a so-called current services baseline.

Compared to the administration's plan, the budget resolution increases defense by only \$19 billion over the next 7 years, which is equivalent to a 1-percent increase over the administration plan. That is the defense increase Congress has agreed to. Many of us felt the increase should be larger, especially in the outyears from 2000 through 2002, when defense is projected to be lower under the budget resolution than under the administration's plan. I also recall very well that over the past 5 or 6 years defense was the only part of the budget coming down, so it seems that the principle that defense has to be cut if something else is being cut is not always applied consistently.

Most of the increases in this bill over the administration's plan are in the modernization accounts which are the key to future readiness. We cannot continue to stay in the deep procurement through we have been in for the past few years indefinitely. We have cut procurement deeply to take advantage of the shrinking force structure, but our military can't live off its stock of old capital forever any more than any business could.

I want to briefly discuss the one program that represents two tenths of 1 percent of the funding in this bill, but that seems to get more discussion than the other 99.8 percent of the programs in this conference report. Many people argue, and I am sure they truly believe, that the B-2 bomber is unaffordable. In my view, Mr. President, the argument that the B-2 is unaffordable is No. 1, false, and No. 2, a false issue.

Over and over I have seen people focus on the price of the B-2 without ever hearing a word about the cost of the collection of systems you would need to do the same job without the B-2. People tend to look at it as if the choice were buying the B-2 or doing nothing. They don't look at the whole picture.

The only real argument I hear from the Defense Department against the B-2 is that they would like to have it but they don't want to give anything up to get it. But that is a false issue, because Congress has made more funds available over the next few years specifically for programs like the B-2. It is not necessary to slow down the modernization of one part of our forces in order to modernize our bombers.

I am disappointed that this conference agreement does not fund the Corps SAM program at the requested level as in the Senate bill. The Corps SAM program represents just 1 percent of the funding for the ballistic missile defense program, and I regret that this conference agreement did not contain full funding for this important program on which we have asked for allied cooperation.

While the modernization accounts always get the most attention, this conference agreement also seeks to protect current readiness by partially funding the cost of ongoing operations which were not included in the administration's budget. The conference agreement includes \$647 million to fund the fiscal year 1996 costs of our continuing missions in and around Iraq, operations Provide Comfort in Northern Iraq and Southern Watch in Southern Iraq. This was one of the administration's highest funding priorities, if not the highest. The conferees added nearly \$1 billion to the requested level in the readiness accounts—personnel and operation and maintenance—and much of it was to fund these ongoing operations.

In my view, it made no sense to add substantial funds to the defense budget request without taking account of must-pay bills we know we are going to face either this fall or next spring.

By providing funding for these ongoing operations, Congress has not only attempted to avoid a readiness problem in next year, but it may allow us to actually make some progress in one of reducing the backlog of maintenance and repair on our barracks and other facilities where our forces live and work. The bill adds \$700 million to the request to the reduce the maintenance backlog on barracks and other facilities. This is not the first time Congress has added funding for real property maintenance or depot maintenance.

But what usually happens, and what would most certainly happen this year if we did not set aside funds to cover the cost of these ongoing operations, is that the increases we set aside for maintenance get diverted to cover must pay bills. I hope that the approach the conferees have taken in this bill will allow us to avoid that trap.

Mr. President, this is not a perfect bill. No bill is. But I think this is a good bill, a bill that should be signed, and I once again commend Senator STEVENS and Senator INOUE for their leadership.●

Mr. INOUE. Mr. President, I rise today to offer my support to this conference report. The conference agreement is a good compromise between the interests of the House and Senate. It is truly a bipartisan effort in the long tradition of the Appropriations Committee.

Chairman STEVENS and I worked together with Chairman BILL YOUNG and the ranking member, JACK MURTHA, of the House National Security Subcommittee in formulating the final conference agreement.

It has been a long journey, but the end result is a bill that warrants the support of all my colleagues.

The conference agreement under consideration has three priorities: It protects critical military readiness programs, it fully funds the needs of our men and women in uniform, and also provides a much-needed increase for modernizing our forces.

In total, the conference agreement recommends \$243.3 billion for the Department of Defense, an increase of \$6.9 billion compared to the President's request.

Mr. President, I want to point out to my colleagues on this side of the aisle, that this bill is consistent with the administration's policy objectives. It does not legislate changes in the ABM Treaty or the Missile Defense Act. It contains no limitation on the President in his conduct of foreign affairs.

One of the most contentious issues to be resolved by the conferees was abortion. On September 29, the House voted against the first conference agreement because of abortion language.

For the past 6 weeks we have worked hard to reach a compromise which can pass both Houses. The conferees agreed last night to incorporate language mirrored on that which both the House and Senate passed yesterday on the Treasury-Postal Service appropriations bill.

The language would allow for abortions to be performed in military hospitals when the life of the woman was endangered or in the case of rape and incest.

Most of my colleagues will remember that both the chairman and I have voted against this policy many times over the past two and a half decades. We are recommending it now because it reflects the policy already agreed to by both bodies.

The bill before you provides \$81.5 billion for operation and maintenance to protect the readiness of our forces. This amount is \$700 million more than requested by the President. It supports the military personnel levels requested by the President; it funds a 2.4 percent pay raise for our military personnel and increases their basic allowances substantially—all consistent with Senate recommendations.

The bill also raises procurement spending by nearly \$6 billion, up to \$44 billion.

To those who suggest that the bill provides too much for modernization I would note that, even with these increases, we are still spending less than half of the amount the Senate recommended for procurement 10 years ago.

Throughout this year, Chairman STEVENS and I asked each of the military Chiefs of Staff to meet with the Defense Subcommittee to review the needs of their respective services. The recommendations for procurement spending match these requirements very closely.

Let me also point out that the Joint Chiefs of Staff are reportedly seeking an increase of an additional \$60 billion for procurement in future budgets. That amount is \$16 billion higher than we recommend in this bill. I think my colleagues should realize that recommendations on procurement in this bill are the minimum that must be provided.

Mr. President, there have been reports that the White House might veto this bill. I hope that this is not correct.

The conferees have gone a long way to resolving the objections that were raised by the President when the bills passed their respective Houses. The policy statements on Bosnia, and abortion have been eliminated. Funding eliminated by the House for technology reinvestment, for cooperative threat reduction, and the *Seawolf* submarine have been restored as requested by the President. The conferees have reduced funds from the House-passed level for missile defense. In each case these recommendations are consistent with White House wishes.

Mr. President, I believe it is essential that we invest in the readiness, quality of life, and modernization programs funded by this bill. I am in full support of this legislation. It is a good, fair, and very important bill. I encourage all of my colleagues to support it.

Mr. President, I just wish to spend 9 minutes commenting on statements made by my colleagues in this debate.

One of my illustrious colleagues stated that he sees no threat on the horizon; why are we spending all of this money, which reminded me of the early days of a war that was fought 50 years ago.

Five days ago, we gathered to commemorate the end, the victorious end of this war, but I also recall those years just before December 7. I was young enough to remember that, Mr. President. A year before December 7, because Members of the Congress did not see the threat which many of us thought was just obvious, we nearly defeated the Selective Service law. It passed by one vote. At the moment of its passage, our merchant vessels were being sunk in the Atlantic Ocean by German submarines, the Germans were rampaging all over Europe, London was being bombed, the Japanese were rampaging all over China, Nanking was being raped, Peking was falling and we saw no threat. And December 7 came as a brutal surprise to many of us. Not to me, Mr. President, and thank God for that one vote, we had the draft.

Two years before December 7, the very famous general from Virginia, General Patton, reported for duty at Fort Benning in Georgia. He was told to organize an armored division. When he got there, he saw 375 tanks. At least they looked like tanks. The only trouble is that over half of them would not roll. They were not operational.

This may sound facetious, but it is not. He called up the War Department and said, "I need some money because these tanks need parts, otherwise they won't move." And the War Department said, "Sorry, sir, we have no money."

Fortunately, General Patton was one of the wealthiest men in the United States at that time. He took his checkbook, went to Sears, Roebuck in Atlanta, GA, and bought parts, and that is how we developed the 1st Armored Division in the United States. Thank God somebody had a checkbook.

One of my colleagues also said that some of these activities that we have



funded in this bill were not authorized, were not requested by the President, were not requested by the Senate.

Mr. President, the freedom to criticize, the freedom to disagree, the freedom to discuss, to debate and make decisions are very important in this democracy. This is not a dictatorship. The President does not tell us I want that ship and nothing else.

I want to review history, recent history.

We have been told that the most important weapon system in Desert Storm was the F-117, the Stealth fighter bomber, and if it were not for that, we would have lost lives, many lives, because this Stealth bomber was the one that was able to knock out all of the radar stations, which made it possible for our fighter planes and bombers to go in. It might interest you to know, and I think we should remind ourselves, that the administration and the Pentagon opposed building the F-117. This Congress persisted. I am certain the chairman of the committee remembers that.

Let us take another weapon system that was most important in Desert Storm, the Patriot. If it were not for the Patriots, the casualties on our side would have been at least double. The Patriots were able to knock out the Scuds. Thank God we had the Patriot. The administration opposed it, the Pentagon opposed it, but we in the Congress and in this committee insisted upon it.

In 1978, the President of the United States vetoed a defense appropriations bill that carried the *Nimitz*-class nuclear carrier. It is the most powerful weapon system we have today. Thank God the Congress persisted, and we overrode that veto.

There is another aircraft that my colleague from Alaska is the most knowledgeable expert on, the V-22 Osprey. The Pentagon did not want it. The White House did not want it. This committee insisted upon it. Now everyone wants it.

So, Mr. President, much as we would like to suggest that we are the repository of all wisdom, it is not so. The democracy that we cherish here is made up of many minds, and the wisdom from all of these many minds, hopefully, will reach the right decision. And we would like to believe, Mr. President, that the decision we present to you today is the right decision. I cannot tell you, in all honesty, that there is no pork in this bill. But those who advocate and those who have fought and supported these provisions in their belief that it is essential to our democracy. And, also, I am certain all of us agree that when one enters into a conference, you cannot hope to get everything you want. You can get some of it. You will have to give in to some.

This is the compromise that we have reached. It was not easy, Mr. President. But I think we have done a job that we can stand before our colleagues and say that we have done our best,

and we are presenting our best to the Senate of the United States. I notice that my time is up.

I yield the floor.

The PRESIDING OFFICER. The hour of 6:25 having arrived, under the previous order, the yeas and nays having been ordered, the question is on agreeing to the conference report.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. FORD. I announce that the Senator from Georgia [Mr. NUNN] is necessarily absent.

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

The result was announced—yeas 59, nays 39, as follows:

[Rollcall Vote No. 579 Leg.]

#### YEAS—59

Abraham	Ford	Lugar
Akaka	Frist	Mack
Ashcroft	Gorton	McConnell
Bennett	Gramm	Murkowski
Bond	Grams	Nickles
Breaux	Grassley	Pressler
Burns	Gregg	Reid
Campbell	Hatch	Robb
Chafee	Heflin	Santorum
Coats	Helms	Shelby
Cochran	Hollings	Simpson
Cohen	Hutchison	Smith
Coverdell	Inhofe	Snowe
Craig	Inouye	Specter
D'Amato	Johnston	Stevens
DeWine	Kassebaum	Thomas
Dole	Kempthorne	Thompson
Domenici	Kyl	Thurmond
Faircloth	Lieberman	Warner
Feinstein	Lott	

#### NAYS—39

Baucus	Exon	Levin
Biden	Feingold	McCain
Bingaman	Glenn	Mikulski
Boxer	Graham	Moseley-Braun
Bradley	Harkin	Moynihan
Brown	Hatfield	Murray
Bryan	Jeffords	Pell
Bumpers	Kennedy	Pryor
Byrd	Kerrey	Rockefeller
Conrad	Kerry	Roth
Daschle	Kohl	Sarbanes
Dodd	Lautenberg	Simon
Dorgan	Leahy	Wellstone

#### NOT VOTING—1

Nunn

So the conference report was agreed to.

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

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

The motion to lay on the table was agreed to.

Mr. LIEBERMAN. Mr. President, I have voted today for the Defense Appropriations Conference Report because I believe it is fundamentally a sound and necessary bill which will fund critical defense functions for the current fiscal year. This bill is not perfect. It funds procurement of a few weapons systems which the Secretary of Defense and the military service chiefs have said they do not need or want; I would have preferred that such systems not be funded. But on balance I believe the right programs are funded, critical modernization for our armed forces will take place, and critical skills of defense workers across the country, including in my State of Con-

necticut, will be maintained. At the same time, I am very troubled that this appropriations conference report includes language that prohibits abortions in military facilities. My record of opposition to language that creates unfair barriers to legal abortion services is clear. I see no reason why this restrictive provision needed to be included on a defense appropriation bill and I oppose it. No one should misconstrue my vote today for this important appropriations bill—a bill which is even more critical as many defense workers have been furloughed along with thousands of other Federal employees caught up in our current budget crisis.

#### FURTHER CONTINUING APPROPRIATIONS FOR FISCAL YEAR 1996

The Senate continued with the consideration of the joint resolution.

The PRESIDING OFFICER. The minority leader.

Mr. DASCHLE. Mr. President, parliamentary inquiry, are we back on the continuing resolution?

Mr. FORD. Mr. President, may we have order, please?

The PRESIDING OFFICER. The Senate is not in order. The Senate will please come to order.

The minority leader is correct.

Mr. DASCHLE. Mr. President, I withdraw my amendment and raise a point of order that the bill violates section 306 of the Congressional Budget Act.

Mr. DOLE addressed the Chair.

The PRESIDING OFFICER. The majority leader.

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

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

Mr. DASCHLE. Mr. President, I ask unanimous consent that the point of order be vitiated.

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

Mr. DASCHLE. Mr. President, let me explain. I know it is certainly the intent of colleagues on both sides of the aisle to work through this process and to accommodate what we all want here, and that is an agreement on a continuing resolution at the earliest possible date. It is also my personal view, and the view of most of our colleagues, that the best way to do that, of course, is to send a clean resolution to the President. I offered the point of order in the hope that we could strip away the extraneous matters and get back to what we tried to do this morning, which was to offer a clean continuing resolution.