

issue—if he signed the Defense appropriations bill and did it very quickly and sent the appropriate signal that he was not going to weaken our defense in any way.

The PRESIDING OFFICER (Mr. WARNER). The Senator from Arizona.

Mr. MCCAIN. Before the majority leader leaves the floor—and I know he is involved in very delicate negotiations in trying to get our Government running again—I express my appreciation for again what is clearly a balanced statement. It is one that clearly recognizes the constitutional authority of the President of the United States. But the majority leader's statement also clearly recognizes the constitutional responsibility of the Congress of the United States, and there is nothing in the majority leader's statement nor anything that has been done in this body that would be in abrogation of that constitutional authority the President has. But at the same time, as the majority leader said, we have no greater responsibility than to ensure that if our young men and women are sent into harm's way, we have exercised our responsibility in our role as those who provide the funding and the approval or disapproval.

I think also Senator DOLE's statement clearly sends a signal to the President of the United States that he can send troops, and he does have that constitutional authority, but without the approval of the Congress and the American people that exercise is doomed to failure. When we express our concern about the fragility or the permanence of NATO, nothing could be more damaging to NATO and the Atlantic Alliance than the dispatch of troops and some casualties taken by Americans because it was a peace agreement that did not meet the criteria just laid out in the majority leader's statement, and therefore the American people demand, as they did in Somalia and as they did in Beirut—only this time that crisis would be magnified by a thousandfold—that our American troops be withdrawn because it was a peace that could not be kept. Then I would suggest to our supporters of NATO—and the majority leader and I are members of that group—there is no greater damage that could be done to the Atlantic Alliance than that scenario. So before we send troops, I would hope there would be debate on this floor, debate and discussion, as there was concerning the Persian Gulf.

Again, I recognize how great are the responsibilities the majority leader has at this moment. They are intense and severe. But I think it is very important, since we may be going out of session for this week, that the majority leader make this statement. He reflects the views of the overwhelming majority, I believe, of Members of both sides of the aisle. This statement may be lost in the short term, but we will be balancing what agreement is made, if an agreement is made, with the majority leader's statement, the criteria

and the provisions which were laid out which I think are not only unreasonable but a bare minimum as the criteria for any agreement and any possibility it may have of being permanent.

Again, I do not know exactly how to express the appreciation of lots of people for the role that the majority leader has played in this crisis, especially in his effort to lift the arms embargo. I do not believe we would have lost the tens of thousands of innocent lives if the arms embargo had been lifted at the time the majority leader first tried to achieve that goal, but now we are where we are. Now we are playing the hand we are dealt. I believe that if in the formulation of a peace agreement the criteria and provisions that the majority leader outlined are adhered to, we may have an opportunity to receive the approval of the Congress and the American people and prevent what could possibly be a very serious confrontation between the two branches of Government.

I yield the floor.

Mr. DOLE. Mr. President, again let me thank the Senator from Arizona for his constant assistance and leadership on this issue. I think he is correct. I think we speak for Senator LIEBERMAN and countless Senators on the other side of the aisle. If they were here at this point, they would be speaking out. So this is not a partisan issue. It never has been a partisan issue. It is about what steps should be taken before we decide to commit American forces anywhere under any condition. There are many concerned parents and grandparents around the country as well as young men and women themselves. I think we owe it to them and to their families and anybody in the future to make sure that certain criteria have been met. In my view, these are reasonable. I hope the President will find the criteria outlined in the statement to be reasonable. We will be furnishing a copy to Mr. Lake, the President's security adviser, within the next few moments.

(Mr. MCCAIN assumed the chair.)

Mr. DOLE. We are still working on the agreement. We are very hopeful. So I think unless there is somebody wishing to speak, I would ask we stand—does the Senator from Virginia wish to be recognized?

Mr. WARNER. Yes.

Mr. DOLE. Then would the Senator then go into recess subject to call.

SIGNING OF APPROPRIATIONS BILLS

Mr. DOLE. Mr. President, I indicated earlier the President was about to sign legislative and Treasury. I am now informed he has signed the legislative appropriations bill and the Treasury, post office appropriations bill. So that brings it to a total of six that have been signed, two or three that are still in conference, and one still has not passed the Senate because of objections on the other side, the Labor-HHS bill.

Mr. WARNER. Mr. President, I assume, I say to the distinguished majority leader, if the message has come down those two bills have been signed, that still casts doubt as to the Defense appropriations bill, and both the majority leader and the distinguished Presiding Officer and the Senator from Virginia send this urgent message to the President to sign that key piece of legislation.

UNITED STATES TROOPS IN BOSNIA

Mr. WARNER. Mr. President, I just wish to supplement my remarks by once again commending the Presiding Officer and, indeed, the distinguished majority leader for their leadership on this issue throughout. But I do recall so vividly at the time that President Bush was dispatching our troops into the gulf region he specifically came to Congress. I recall the debate, a very thorough and careful debate went on for 2 days in the Senate, and the final vote was but five votes apart; by a bare margin of five votes the Senate gave its approval, I would say—under the Constitution, of course, the President has the right, but the Senate gave its approval of the President exercising his constitutional right to use the troops that were then already deployed in the gulf region in a role which could involve the use of force of arms.

That same type of resolution—very simple, very straightforward—should be employed in this case if it is the desire of the President to go forward. I am hopeful, as the distinguished majority leader said, that there could be other options. People should recognize that the United States is heavily involved in the air missions.

The PRESIDING OFFICER has given detailed accounts many times on the floor of the Senate of the involvement of the men and women of our air arm and the risks that they have taken. Likewise at sea, the United States is providing the principal naval units for the purpose of the enforcement of certain embargoes that are now in place. And likewise, we have on duty in the Adriatic often a carrier and often other ships supporting the helicopters that are needed for backup for rescue operations, should that be necessary. We saw that, of course, at the time the distinguished Air Force officer was shot down and then eventually rescued.

So, Mr. President, the United States is very heavily engaged at this time. Also, the American taxpayers have footed a bill that exceeds \$1 billion, as we would want to do for humanitarian and medical and other types of humanitarian assistance to people of that war-torn region.

So, I hope tonight we urge upon the President to reflect very carefully before he makes a final decision, and that he regards it essential to come to the Congress, as did President Bush. And, lastly, once again, I am hopeful that he will sign the Defense appropriations

bill. The distinguished Senator from Alaska, Mr. STEVENS, and I did talk earlier today. He has been very active with the White House in giving the reasons, together with Senator INOUE of Hawaii, for the need for the signing of that bill.

RECESS SUBJECT TO THE CALL OF THE CHAIR

Mr. WARNER. Mr. President, seeing no other Senator present, I ask unanimous consent that the Senate stand in recess subject to the call of the Chair.

There being no objection, at 5:41 p.m., the Senate recessed until 6:53 p.m.; whereupon, the Senate reassembled when called to order by the President pro tempore.

The PRESIDENT pro tempore. The able majority leader is recognized.

Mr. DOLE. Mr. President, I am going to propound two unanimous-consent requests. I think they have been cleared by everyone on each side. We have contacted everyone we thought might have questions. Then, I think, after we have reached the agreements, there may be Members who would like to make statements. I think first we would like to get the agreements.

CONTINUING APPROPRIATIONS FOR FISCAL YEAR 1996

Mr. DOLE. Mr. President, I ask unanimous consent that the Senate now turn to consideration of Calendar No. 246, House Joint Resolution 123.

The PRESIDENT pro tempore. The clerk will report.

The legislative clerk read as follows:

A joint resolution (H.J. Res. 123) making further continuing appropriations for the fiscal year 1996, and for other purposes.

The PRESIDENT pro tempore. Is there objection to the immediate consideration of the joint resolution?

There being no objection, the Senate proceeded to consider the joint resolution.

AMENDMENT NO. 3061

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

The PRESIDENT pro tempore. The clerk will report.

The legislative clerk read as follows:

The Senator from Kansas [Mr. DOLE] proposes an amendment numbered 3061.

The text of the amendment is as follows:

Strike all after the resolving clause and insert the following:

That the following sums are hereby appropriated, out of any money in the Treasury not otherwise appropriated, and out of applicable corporate or other revenues, receipts, and funds, for the several departments, agencies, corporations, and other organizational units of Government for the fiscal year 1996, and for other purposes, namely:

TITLE I

CONTINUING APPROPRIATIONS

SEC. 101. (a) Such amounts as may be necessary under the authority and conditions provided in the applicable appropriations

Act for the fiscal year 1995 for continuing projects or activities including the costs of direct loans and loan guarantees (not otherwise specifically provided for in this joint resolution) which were conducted in the fiscal year 1995 and for which appropriations, funds, or other authority would be available in the following appropriations Acts:

The Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1996, notwithstanding section 15 of the State Department Basic Authorities Act of 1956, section 701 of the United States Information and Educational Exchange Act of 1948, section 313 of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (Public Law 103-236), and section 53 of the Arms Control and Disarmament Act;

The Department of Defense Appropriations Act, 1996, notwithstanding section 504(a)(1) of the National Security Act of 1947;

The District of Columbia Appropriations Act, 1996;

The Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1996, notwithstanding section 10 of Public Law 91-672 and section 15(a) of the State Department Basic Authorities Act of 1956;

The Department of the Interior and Related Agencies Appropriations Act, 1996;

The Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 1996;

The Legislative Branch Appropriations Act, 1996, H.R. 2492;

The Department of Transportation Appropriations Act, 1996;

The Treasury, Postal Service, and General Government Appropriations Act, 1996;

The Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 1996:

Provided, That whenever the amount which would be made available or the authority which would be granted in these Acts is greater than that which would be available or granted under current operations, the pertinent project or activity shall be continued at a rate for operations not exceeding the current rate.

(b) Whenever the amount which would be made available or the authority which would be granted under an Act listed in this section as passed by the House as of the date of enactment of this joint resolution, is different from that which would be available or granted under such Act as passed by the Senate as of the date of enactment of this joint resolution, the pertinent project or activity shall be continued at a rate for operations not exceeding the current rate or the rate permitted by the action of the House or the Senate, whichever is lower, under the authority and conditions provided in the applicable appropriations Act for the fiscal year 1995: *Provided*, That where an item is not included in either version or where an item is included in only one version of the Act as passed by both Houses as of the date of enactment of this joint resolution, the pertinent project or activity shall not be continued except as provided for in section 111 or 112 under the appropriation, fund, or authority granted by the applicable appropriations Act for the fiscal year 1995 and under the authority and conditions provided in the applicable appropriations Act for the fiscal year 1995.

(c) Whenever an Act listed in this section has been passed by only the House or only the Senate as of the date of enactment of this joint resolution, the pertinent project or activity shall be continued under the appropriation, fund, or authority granted by the one House at a rate for operations not exceeding the current rate or the rate per-

mitted by the action of the one House, whichever is lower, and under the authority and conditions provided in the applicable appropriations Act for the fiscal year 1995: *Provided*, That where an item is funded in the applicable appropriations Act for the fiscal year 1995 and not included in the version passed by the one House as of the date of enactment of this joint resolution, the pertinent project or activity shall not be continued except as provided for in section 111 or 112 under the appropriation, fund, or authority granted by the applicable appropriations Act for the fiscal year 1995 and under the authority and conditions provided in the applicable appropriations Act for the fiscal year 1995.

SEC. 102. No appropriation or funds made available or authority granted pursuant to section 101 for the Department of Defense shall be used for new production of items not funded for production in fiscal year 1995 or prior years, for the increase in production rates above those sustained with fiscal year 1995 funds, or to initiate, resume, or continue any project, activity, operation, or organization which are defined as any project, subproject, activity, budget activity, program element, and subprogram within a program element and for investment items are further defined as a P-1 line item in a budget activity within an appropriation account and an R-1 line item which includes a program element and subprogram element within an appropriation account, for which appropriations, funds, or other authority were not available during the fiscal year 1995: *Provided*, That no appropriation or funds made available or authority granted pursuant to section 101 for the Department of Defense shall be used to initiate multi-year procurements utilizing advance procurement funding for economic order quantity procurement unless specifically appropriated later.

SEC. 103. Appropriations made by section 101 shall be available to the extent and in the manner which would be provided by the pertinent appropriations Act.

SEC. 104. No appropriation or funds made available or authority granted pursuant to section 101 shall be used to initiate or resume any project or activity for which appropriations, funds, or other authority were not available during the fiscal year 1995.

SEC. 105. No provision which is included in an appropriations Act enumerated in section 101 but which was not included in the applicable appropriations Act for fiscal year 1995 and which by its terms is applicable to more than one appropriation, fund, or authority shall be applicable to any appropriation, fund, or authority provided in this joint resolution.

SEC. 106. Unless otherwise provided for in this joint resolution or in the applicable appropriations Act, appropriations and funds made available and authority granted pursuant to this joint resolution shall be available until (a) enactment into law of an appropriation for any project or activity provided for in this joint resolution, or (b) the enactment into law of the applicable appropriations Act by both Houses without any provision for such project or activity, or (c) November 20, 1995, whichever first occurs. For purposes of this resolution, the period of time covered by this resolution shall be considered to have begun on November 14, 1995.

SEC. 107. Appropriations made and authority granted pursuant to this joint resolution shall cover all obligations or expenditures incurred for any program, project, or activity during the period for which funds or authority for such project or activity are available under this joint resolution.

SEC. 108. Expenditures made pursuant to this joint resolution shall be charged to the