

could happen now during a cease-fire, it certainly can happen later. I have been disturbed for 2 years about this because 2 years ago—and I do not think it served any useful purpose—when I was serving in the other body, serving on the House Armed Services Committee, one of the top individuals came in and said that one of the first things that President Clinton said when he came into office was that he wanted to do airdrops into Bosnia. And I asked the question, in this closed meeting at that time—it is all right to talk about it now—I said, “Well, let me ask you a question. They have been fighting over there with all these rogue elements, with all these factions. How do you know, if we are dropping our stuff in there, if it will be in the hands of the good guys instead of the bad guys?” The answer of this official was, “Well, we don’t know.” Then he hesitated and looked over and said, “You know, I’m not sure we know who the good guys and the bad guys are.”

We have clearly taken sides. We are now saying that we are in a peace implementation posture where we are supposed to be neutral. We are going in with a NATO force that is declared to be neutral, yet we have taken sides clearly against the Serbs. That is where our air attacks have gone. I think it would be very difficult for us to go in and say we are truly neutral in this case.

I guess the reason that I am going to continue talking about this for as long as we are in session is that each hour that goes by, Mr. President, we become more in peril. More of our American lives are endangered because, as we are speaking today, they are taking the troops—the troops that have been trained and the advanced troops who are going in for logistics purposes—and they have already been deployed from Germany up to Hungary, down south toward the Tuzla area that has been assigned to us, having to go through such hostile areas as this part of Croatia, this part of Serbia and, of course, the Posavina corridor which we already talked about.

That means that if it is an hour after this or a day after this, there are going to be several more—how many are there right now? I am embarrassed to tell you, Mr. President, I do not know. I am a Member of the U.S. Senate. I am a member of the Senate Armed Services Committee. I am a member of the Senate Intelligence Committee, and yet I do not know. And it is a highly guarded secret.

We read different articles in the newspapers about how many are over there. We hear calls from people at home that say that they have heard from their son or daughter who is being deployed or was deployed 2 or 3 days ago. And there is no way of knowing.

But we do know this: That the clear strategy of the President of the United States is to get as many American troops over there as possible before there is any vote that takes place in

this Senate so that he will put us in a position of voting against our troops that are on the ground, which he knows we do not want to do. And so he is holding us hostage in Congress.

One thing we have not talked about is the cost of all of this. Talk about being held hostage. We have gone through these humanitarian gestures in Sarajevo and Haiti and all the rest of the things that are part of President Clinton’s foreign policy. And while we do not authorize them, they come around later and say now we have to have an emergency supplemental appropriation. We passed one out of this body a few weeks ago for \$1.4 billion. And that was for the things that were taking place in Haiti and Somalia. And those were exercises that we opposed in a bipartisan way in both the House and the Senate.

So I anticipate that if the President is successful, as it appears he is going to be—it may be a *fait accompli*. Maybe it has already happened. Maybe we cannot stop it. So our troops are going to be sent out over there, not 20,000, not 25,000; we know it will be closer to 40,000 or 50,000, at least. Then we will be faced one of these days with a supplemental appropriation request for not \$1.5 billion but for, according to the Heritage Foundation and some other groups, somewhere between \$3 billion and \$6 billion.

It means if we do not then appropriate that in an emergency supplemental appropriation, it is going to come out of the military budget. And we are already operating our military on a budget that is of the level of 1980, when we could not afford spare parts.

So, Mr. President, I want to impress upon this body that the war is not over over there, that they are killing people today as we speak, that all this hostility is taking place in these areas, along with all we know about in the sector referred to as the northeast U.N. sector where we will have our troops.

I have been up there. I do not think there is one person so far who has been north of Sarajevo and up through Tuzla who says that we should send young American lives into that area. I have never personally seen any more hostile area in my life. I have never seen anything that looks like that.

There is no way we can use the armored vehicles. And it is very easy to understand now, in studying our history of World War II, how the former Yugoslavia was able to, at a ratio of 1 to 8, hold off the very finest that Hitler had because of this very unique area of cliffs and caves, this hostile environment, where the President of the United States is sending our young soldiers.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

SAFE DRINKING WATER ACT AMENDMENTS

The Senate continued with the consideration of the bill.

AMENDMENT NO. 3073

Mr. KEMPTHORNE. Mr. President, I send to the desk an amendment for immediate consideration on behalf of Senators THOMAS and SIMPSON.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from Idaho [Mr. KEMPTHORNE], for Mr. THOMAS, for himself, and Mr. SIMPSON, proposes an amendment numbered 3073.

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

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

The amendment is as follows:

On page 7, line 23 after “(the State).”, add the following: “*Provided further*, in nonprimacy States, the Governor shall determine which State agency will have the authority to establish assistance priorities for financial assistance provided with amounts deposited into the State loan fund.”

Mr. KEMPTHORNE. Mr. President, this amendment simply clarifies that for a State that does not have primacy to manage its drinking water program, the Governor, rather than a State agency, will have authority to establish priorities for the use of the State revolving loan fund. This is applicable to Wyoming, which does not have primacy.

This amendment has been cleared by both sides of the aisle, and I ask for its adoption.

The PRESIDING OFFICER. Is there further debate on the amendment? If not, the question is on agreeing to the amendment.

So the amendment (No. 3073) was agreed to.

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

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

The motion to lay on the table was agreed to.

AMENDMENT NO. 3074

Mr. KEMPTHORNE. Mr. President, I send to the desk an amendment on behalf of Senator BOND and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report the amendment.

The bill clerk read as follows:

The Senator from Idaho [Mr. KEMPTHORNE], for Mr. BOND, proposes an amendment numbered 3074.

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

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

The amendment is as follows:

On page 111, line 22, insert: "except that the Administrator may provide for an extension of not more than 2 years if, after submission and review of appropriate, adequate documentation from the State, the Administrator determines that the extension is necessary and justified".

Mr. KEMPTHORNE. Mr. President, this amendment clarifies that the Administrator may grant up to a 2-year extension to a State that needs additional time to issue drinking water standards in compliance with this act. This authority is discretionary. States must show that the extension is necessary and justified.

This amendment also has been cleared on both sides of the aisle. I ask for its adoption.

The PRESIDING OFFICER. Is there further debate on the amendment? If not, the question is on agreeing to the amendment.

So the amendment (No. 3074) was agreed to.

Mr. KEMPTHORNE. Mr. President, I move to reconsider the vote by which the amendment was agreed to, and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 3075

(Purpose: To require that the needs of Native villages in the State of Alaska for drinking water treatment facilities be surveyed and assessed as part of the State survey and assessment)

Mr. KEMPTHORNE. Mr. President, I send to the desk on behalf of Senator MURKOWSKI an amendment and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report the amendment.

The bill clerk read as follows:

The Senator from Idaho [Mr. KEMPTHORNE], for Mr. MURKOWSKI, for himself, Mr. STEVENS, Mr. CHAFEE, Mr. KEMPTHORNE, Mr. BAUCUS and Mr. REID, proposes an amendment numbered 3075.

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

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

The amendment is as follows:

On page 28, line 3, before the period, insert "(including, in the case of the State of Alaska, the needs of Native villages (as defined in section 3(c) of the Alaska Native Claims Settlement Act (43 U.S.C. 1602(c)))".

Mr. KEMPTHORNE. Mr. President, this amendment simply clarifies that the needs of Native Alaska villages will be counted for purposes of determining the State of Alaska's share of the State revolving loan fund.

This amendment also has been cleared on both sides of the aisle, and I ask for its adoption.

The PRESIDING OFFICER. Is there further debate? If not, the question is on agreeing to the amendment.

So the amendment (No. 3075) was agreed to.

Mr. KEMPTHORNE. Mr. President, I ask unanimous consent that the amendment reflect that it is both Senator MURKOWSKI and Senator STEVENS as cosponsors.

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

Mr. KEMPTHORNE. Mr. President, I move to reconsider the vote by which the amendment was agreed to, and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

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

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

AMENDMENT NO. 3074, AS MODIFIED

Mr. CHAFEE. Mr. President, I ask unanimous consent that amendment No. 3074, previously agreed to, be modified with the changes I have sent to the desk.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The amendment (No. 3074), as modified, is as follows:

On page 112, line 2, before the first semicolon, insert the following: "except that the Administrator may provide for an extension of not more than 2 years if, after submission and review of appropriate, adequate documentation from the State, the Administrator determines that the extension is necessary and justified".

Mr. CHAFEE. Mr. President, the Senator from New York, Senator MOYNIHAN, has long been a driving force in attempting to have the Environmental Protection Agency set its priorities based on good science. He is the author of a bill to accomplish this. That bill was the basis for section 28 in the legislation that we are considering today.

Although we have agreed to drop section 28 from this bill, I want to assure the Senator from New York that we will continue to work with him and other interested Senators on this matter.

Personally, I have agreed with Senator MOYNIHAN that because he was generous enough and gracious enough to agree to the dropping of section 28, that as chairman of the Environment and Public Works Committee I will present to the committee section 28 as a freestanding bill. We have agreed we will have a hearing on this, and I will seek to have legislation approved by the committee as quickly as possible.

In addition, Senator JOHNSTON has some views on this matter, and we would invite him to testify at that hearing. My goal would be to hold a hearing in the next few weeks, and my hope is we could proceed to report a new freestanding bill shortly thereafter.

Mr. President, earlier I presented an amendment on behalf of Senator DOMENICI in connection with providing assistance to those villages located on the United States-Mexican border known as colonias. I ask unanimous

consent that Senators KYL and FEINSTEIN be added as original cosponsors to Senator DOMENICI's amendment.

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

Mr. SMITH. Mr. President, in the 1994 elections, Americans demanded a smaller, smarter Federal Government and a more rational, cost-effective system of regulation. While Americans do not want to compromise on public health protection, they do want an assurance that the public health and environmental protection dollars are being spent wisely. That is why Federal and State Governments must prioritize and target scarce resources toward reducing health threats based on actual or likely risks. This concept makes sense and is supported by public health agencies as well as the scientific community.

There are several environmental statutes that, although they were enacted with the best of intentions, have been unworkable in their implementation and enforcement—the Safe Drinking Water Act being one of them. No one disputes the importance of preserving this public health statute. However, there are reforms that need to be made. At the same time, this Congress is not here to gut any environmental laws, as some national environmental organizations would have the public believe—our goal is to make them work more effectively for the benefit of all our citizens.

When we talk about the issue of unfunded Federal mandates, the Safe Drinking Water Act is regarded by many State and local governments as the king of unfunded mandates. It is particularly burdensome on economically distressed communities and those with a small or diminishing tax base.

While the issue of Federal mandates is not new, the level of concern among municipal governments has risen dramatically in recent years, and with good reason. According to a report by the Congressional Budget Office, the number of Federal mandates is increasing while Federal aid to State and local governments for categories other than welfare has been falling on a per capita basis since 1978. Contributing to the mandate burden is the insufficient flexibility in Federal regulations.

Last year's Safe Drinking Water bill represented a major improvement over existing law, especially through the elimination of the arbitrary requirement that EPA regulate 25 contaminants every 3 years. This year's proposed modifications, however, fine tune the statute's ability to achieve congressional objectives of providing more flexibility and authority to State and local governments, lessening the burden of Federal mandates and prioritizing resources according to risk—thereby achieving greater public health protection.

I support the efforts of Senators KEMPTHORNE and CHAFEE in reaching an agreement with other committee members on a Safe Drinking Water reform bill. I have been closely involved

in negotiating many of its provisions, including: a more reasonable radon standard that will save New England water suppliers and their ratepayers millions of dollars without compromising public health; and the authorization of five small system water technology centers at academic institutions around the country to assist in developing and testing affordable treatment technologies for small systems. One of these centers I hope will be established at the University of New Hampshire, which has extensive knowledge and experience in water technology.

So today, Mr. President, I am pleased that the Senate is giving approval of these much needed reforms to the Safe Drinking Water Act. This bill received the unanimous support of the Environment and Public Works Committee, of which I am a member, as well as the coalition representing State and municipal government and public water supply community. I now urge the House to act expeditiously on its reauthorization bill so that our communities can soon receive the regulatory relief and financial assistance they need.

AMENDMENT NO. 3076

(Purpose: To strike the provisions with respect to comparative risk assessment)

Mr. CHAFEE. Mr. President, I just referred to the fact that we would be dropping section 28 from the bill in accordance with an agreement with Senator MOYNIHAN and others.

I now send to the desk an amendment to accomplish that, and I ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from Rhode Island [Mr. CHAFEE], for himself, Mr. KEMPTHORNE, Mr. BAUCUS, and Mr. REID, proposes an amendment numbered 3076.

Beginning on page 179, line 16, strike section 28 of the bill and renumber subsequent sections accordingly.

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

The amendment (No. 3076) was agreed to.

Mr. CHAFEE. I move to reconsider the vote.

Mr. KEMPTHORNE. I move to lay it on the table.

The motion to lay on the table was agreed to.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

UNANIMOUS-CONSENT AGREEMENT

Mr. CHAFEE. Mr. President, I ask unanimous consent that there be 40 minutes equally divided on the Boxer

amendment, community right to know, and following the conclusion or yielding back of time, the Senate proceed to vote on or in relation to the Boxer amendment without any intervening action or amendment.

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

PRIVILEGE OF THE FLOOR

Mr. HARKIN. Mr. President, I ask unanimous consent that Tom Irvin, a legislative fellow in my subcommittee, be permitted privileges of the floor during my statement.

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

THE 20TH ANNIVERSARY OF IDEA

Mr. FRIST. Mr. President, I rise to acknowledge the 20th anniversary of the Individuals With Disabilities Education Act [IDEA].

It is important to pause today and recognize the impact that this law has had on the lives of millions of children with disabilities and their families during the last two decades. Through this law we deliver on a timeless simple promise—every child with a disability shall have a free appropriate public education—no more, no less.

The Senate Subcommittee on Disability Policy, which I chair, is involved in the reauthorization of IDEA. As the new chairman of the subcommittee, I wanted to get the facts before we began the reauthorization process. The subcommittee held four hearings on the law in May and July of this year. The first hearing on May 9, which I cochaired with my friend from California, Mr. CUNNINGHAM of the other body, was a joint congressional hearing on the 20th anniversary of IDEA.

During the course of that hearing we heard from Members who were original cosponsors of the legislation in 1975, judges and attorneys involved with the landmark court cases that served as catalysts for IDEA, and former congressional staff and advocates for children with disabilities, who facilitated its historic passage.

That hearing sent a valuable message to students with disabilities, their families, and educators. Members of Congress have a longstanding interest in assuring a free appropriate public education and early intervention services for infants, toddlers, children, and youth with disabilities. Designing and sustaining the Federal role in assisting States with these responsibilities is founded on bipartisan cooperation.

There are many challenges that face America's young people: What to choose for a life's work, how to evaluate advice, how to judge one's own progress, and how to define personal satisfaction and happiness. Their approach to these questions will be colored by the behavior of adults around them. Do we celebrate individual abilities and differences? Do we encourage

cooperation and collaboration in school? Do we respect and recognize the opinions of young people? Do we promote goal setting based on interests and abilities?

How we answer these questions with regard to young people with disabilities is a barometer. If young people with disabilities are exposed to the experiences of their peers, if we help them become a valued member of their peer group, if we take into account their choices, and if we help them become the best they can be, they and their nondisabled friends learn a valuable lesson. They learn that adults care, that we are fair, and that we can be trusted.

My good friend from Iowa and I released the first draft of the authorization bill for IDEA on November 20. As we developed the draft, we were always conscious of these young people and their future.

We have spent many months reading and talking to people about how to best serve children with disabilities through IDEA. Five major principles influenced our drafting efforts.

First, children with disabilities and their families should be the central focus of our drafting efforts.

Second, if a provision in IDEA works, don't undo it.

Third, add incentives that encourage schools to serve children, based on needs, not because of disability labels.

Fourth, add incentives that encourage and prepare schools to include children with disabilities in schoolwide innovation, reform efforts, and assessments of student progress.

Fifth, clearly link discretionary programs to the State grant programs, so that discretionary grants help educators educate children with disabilities and help families contribute in meaningful ways to the educational process of their children.

We have done what we set out to do. We have crafted a bill that will take us into the next century, a bill that celebrates the legacy established 20 years ago today, a bill that gives parents and educators the tools they need to help young people with disabilities succeed, and a bill that delivers on that timeless simple promise—a free appropriate public education for each child with a disability.

Such an education is an investment in people whose hopes, opportunities, and achievements are dependent on us. As we proceed with the reauthorization process, I urge my colleagues to join me in celebrating a law that works, a law that endures, a law that is most necessary. Although the difference it has made may be measured in dollars and judged in terms of children served, its impact is more pervasive, more powerful. Services it funds have led to words read, concepts understood, steps taken, and words spoken—often for the first time. As such experiences are repeated, young people with disabilities develop pride and increased confidence