

stop it. But we could say, as U.S. Senators and U.S. Congressmen, that we do not want to risk having an incident like this happen on the Capitol Grounds, No. 1; and, No. 2, we think that, even though it is not intended to be cruel, the result is that it is cruel in the way that we treat these animals. They ought to be left alone in zoos, in parks, wherever we can; and not use—or abuse—them in the ways that is being done in these circuses.

The little kids ought to be able to go down and see these elephants chained and restricted, or watch the training, which we are not allowed to watch.

I think it is sad because all we have to do is just make a statement: No, we are not going to let the elephants come here on the Capitol Grounds because we do not think it is right. The elephants are still going to be performing down at the Armory. We are not going to be able to stop that. But we make a statement and maybe, by making that statement, we show the world and show the country that we care a little bit.

I know the types of criticism and the ridicule that I get. People say you are an animal rights nut. I am not. I am not. But they do not have anybody. There is nobody who can come out here on the floor. An elephant cannot come out here on the floor. No animal can come out here. It does not have any Congressmen or Senators to represent it. So if somebody does not speak up, who do they have?

So it is a very small thing to do, really. It is not a big deal. We just say Ringling, come on up; bring the clowns, bring the dog acts, bring the rings, bring the trapeze artists, and entertain the kids. But leave the elephants in the zoos and in the parks. Leave them alone.

Circuses started back in the days when we did not understand this, or when we did not care. Those days are past. Let us move on. Let us get into the 21st century here.

Elephants are a vanishing species, anyway. I doubt very much 100 years from now, when somebody stands here at Daniel Webster's desk where I stand now, I seriously doubt that person is going to know what a live elephant looks like. Unfortunately, I have to say that.

In some cases, some of these groups like Ringling do a good deed by breeding these animals. But you do not have to use them in circus acts, which are unnatural for these animals. That is why these incidents happen.

We have another quote here:

Physical abuse and dominance control remain a major method of training elephants.

That is by John Lehnhardt, the assistant curator at the National Zoo right here in Washington. These guys know what they are talking about. Do not take my word for it. These are people who work with these animals every day. They know what they are talking about. It is unnatural to make huge beasts the size of an elephant do the things we ask them to do. They are telling us that. They are warning us.

Henry Ringling North, the Ringling Circus founder, said:

When it came to teaching [the animals] the more involved tricks, [Ringling animal trainer Alfred Court] had to use a whip. If an animal got out of line, he flicked that animal in the most sensitive place you could hit either a male or a female. He hit, but only because the animal had made a mistake.

Really? That is what the kids are going to patronize when they come on the Capitol Grounds.

Let me just repeat, Mr. President, when I started this process I said if I get some support, if I get some people who will come forth and participate in this debate with me and share my concern, I would probably call for a roll-call vote. But it did not come. I know where the votes are and are not. There is no point in taking the Senate's time anymore on this. I will not call for a rollcall vote.

I will call for a vote, however, at whatever time the Senate wishes to have it, either now or tomorrow. Unless someone else asks for a recorded vote, I will call for a voice vote on this matter and, if the wishes of the Senate are that it be now, in just a moment, I will do that by yielding the floor.

Let me remind my colleagues, before I yield back the remainder of my time, of all the materials that back this up. This is not the only incident. There are many incidents like this. I will say again, in summary, I hope nothing happens. But I also say we are not prepared for it if it does. We are not prepared to handle a rampaging elephant with a bunch of little schoolchildren out on the Capitol Grounds. If we are prepared for it—and the Sergeant at Arms refuses to tell me whether we are or not—if we are, it would have to be with some humongous weapon, which would have to impose a danger on the children who would be here, because we do not know what direction this elephant would run, or any elephant would run, or elephants, if they were to do that, if they would be so inclined to do it.

I have made my case. I think I have told the world, the Senate, and hopefully many families and children out there who may want to be coming to the circus—I hope, frankly, you do not. I hope you send a statement that this is wrong and we ought not to do it and we ought to be somewhat considerate, in a very small way, by saying this is wrong.

Mr. President, at this time, regretfully, I yield the floor without requesting a recorded vote. At this time, I yield the remainder of—I yield the floor.

The PRESIDING OFFICER (Mr. FRIST). The Senator from Louisiana.

Mr. BREAUX. Mr. President, I rise in opposition to the amendment offered by the Senator from New Hampshire. I do not doubt in any way the sincerity of the Senator from New Hampshire in his beliefs and strong feelings on this subject. I will only make two very brief points.

First, we already have on the books rules and regulations that govern the handling of wild animals and, indeed, all animals that appear in circuses: How they are treated, how they are transported, how they are fed, how they are cared for, how they are treated when they are sick. Those rules and regulations are already on the books. If indeed those rules are deficient, the appropriate committees in the Congress of the United States should review those rules and then make recommendations to the full body. None of that has been done in this case.

Second, I trust the Sergeant at Arms, whom I know the Senator from New Hampshire knows very well. I am certain he has reviewed the risks and lack of risks associated with the appearance of a portion of Ringling Bros. Circus on the Capitol Grounds. He, indeed, has the responsibility of determining whether events can take place on the Capitol Grounds that do not impair the safety of the Members of this body, as well as the employees who work here, as well as, in fact, the physical grounds that constitute the Capitol of the United States. I trust, I am certain he has made a decision that these events can take place without putting any person at risk, any Members at risk or, indeed, any of the physical structures of the Capitol at risk.

Therefore, Mr. President and colleagues, I think the amendment offered by the Senator from New Hampshire, in good faith and with all sincerity—I admire the work he has put into this—I suggest is inappropriate at this time and ask for its defeat.

The PRESIDING OFFICER. If all time is yielded, the question is on agreeing to the amendment of the Senator from New Hampshire.

The amendment (No. 449) was rejected.

The PRESIDING OFFICER. The question is on the adoption of the House Concurrent Resolution 34.

The resolution (H. Con. Res. 34) was agreed to.

The preamble was agreed to.

Mr. THURMOND addressed the Chair.

The PRESIDING OFFICER. The Senator from South Carolina.

Mr. THURMOND. Mr. President, I ask unanimous consent to speak as if in morning business.

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

RESCINDING \$230 MILLIONS IN MILITARY CONSTRUCTION PROGRAMS

Mr. THURMOND. Mr. President, last month the Senate debated the Defense supplemental appropriations bill. Although I supported this legislation, I expressed my dismay that the Appropriations Committee chose to fully offset the \$1.9 billion supplemental from the fiscal year 1995 Defense budget. In a practical sense, that action cut the

Defense budget by almost \$2.0 billion at a time when the readiness levels of our Armed Forces are teetering on the edge.

Since 1985, the Defense budget has decreased by 40 percent in buying power. The 1995 Defense budget, which is being used to fund the Administration's ill-conceived foreign ventures, has already been reduced by \$40 billion below the 1990 budget even without the reduction in purchasing power from inflation. Today, with this supplemental, we add insult to injury by further cutting the 1995 Defense budget to fund domestic programs.

The committee's amendment to H.R. 1158 further reduces the already constrained Defense budget by over \$200 million, including the \$104 million in critical base closure funds, \$27 million for projects to meet environmental responsibilities at our overseas base, and \$69 million for NATO infrastructure funding.

I must point out the irony here, in the committee's attempt to reduce funding, it may actually be increasing the cost to the Department by rescinding the NATO funds. I am advised that these funds have all been obligated and this rescission may require breaking contracts and therefore incurring additional costs.

Possibly the most damaging effect this supplemental will have is on base closure. The recommendation to further cut the base closure account at a time when the Base Closure Commission is reviewing recommendations to add more bases to the closure list is, in my judgement, misguided.

It does not make sense to reduce funds critical for the closing and cleaning up of bases—funds that are used to pay civilian severance, environmental restoration, and the civilian and military relocation costs associated with closing a base. These cuts, proposed by the Appropriations Committee, will not only delay the closure process, they will negatively impact communities that are desperately looking for alternative uses for these bases to speed up their economic recovery. Just last year, Congress rescinded \$507 million in this same account and caused havoc to the closure process and our communities which are still trying to recover from the cuts.

I have an amendment prepared to offer which will restore the funding for the base closure account. However, in order not to delay this process any longer, and after conferring with the chairman of the Subcommittee on Military Construction who assured me he would consider restoring the funds during the joint conference on the bill, I will not offer the amendment.

Mr. President, let me close by stating that reducing the Defense budget every time there is an unexpected defense or domestic need requiring a supplemental is not a sustainable policy over the long term, nor is such a policy in the interest of our national security. The men and women of our Armed

Forces expect better from the Senate. These dedicated individuals, who risk their lives daily and endure long separations from their families, have earned our support. I am committed to providing that support and hope my colleagues in the Senate and on the Appropriations Committee will join me in stopping this erosion to the Defense budget.

Mr. President, I ask unanimous consent that a letter addressed to me dated March 10, 1995, from John Deutch, Deputy Secretary of Defense, be printed in the RECORD.

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

THE DEPUTY SECRETARY OF DEFENSE,
Washington, DC, March 30, 1995.
Senator STROM THURMOND,
U.S. Senate, Chairman, Committee on Armed Services.

DEAR MR. CHAIRMAN: I am writing to request your assistance in resisting the proposed rescission of \$230 million in the fiscal year 1995 Military Construction appropriation.

The Senate proposed rescission of \$104 million for the Base Closure and Realignment Account (BRAC) impacts the Department of Defense's ability to implement the base closures as mandated by law. The Department makes every effort to minimize the impact on communities. The ability to close as expeditiously as possible not only saves the federal government money that we have counted on, but also provides the communities with early opportunities for economic development and job creation. Our experience with the fiscal year 1994 rescission was that it severely impacted both Service and community closure efforts.

The proposed \$69 million rescission of NATO funds is of significant concern. These funds are currently obligated and any rescission would incur additional costs for contract terminations of ongoing construction projects. It also sends a very negative signal concerning our support for the NATO Alliance.

The proposed overseas reductions of \$27 million primarily affect our ability to meet our environmental responsibilities. The worldwide unspecified reduction of \$30 million places a burden on the Services to find alternative sources of funds for needed projects. We already face a \$137 million unallocated reduction in the fiscal year 1995 appropriation.

On behalf of the Department of Defense, I request that the Senate reconsider the proposed \$230 million rescission.

JOHN DEUTCH,
RESTORING RESCISSION OF BASE CLOSURE
FUNDING

Mr. McCAIN. Mr. President, I support the efforts of my colleague from South Carolina, Senator THURMOND, to restore funding \$104 million in funding for base closure accounts, which the Appropriations Committee recommended for rescission. It is vitally important that these funds remain available to pay for the necessary costs of closing, cleaning up, and transferring unnecessary military bases to the communities for reuse.

The Appropriations Committee indicates in the report accompanying the bill that these rescissions are being taken because large amounts of appropriated funds remain unobligated in

these accounts. That may be true. But that in no way means that the funds are not necessary.

The accounts from which the committee recommended rescinding \$104 million include the funding for environmental restoration at closing military bases. These costs are not insignificant, and they represent a Federal liability which must be met.

On Monday, March 27, the Washington Post reported on yet another study that concluded that "the cost of cleaning up military bases is skyrocketing * * *." My colleague from Alaska has often raised this problem of the increasing cost of cleaning up closing military bases as a reason to delay the BRAC process. Yet, now the committee is recommending that we rescind funds already appropriated for environmental cleanup at closing military bases. I cannot understand the logic of doing so.

These accounts from which the committee recommends we rescind money also include funding to pay for military construction at bases where consolidations and realignments will occur because of BRAC actions. The cost of providing this new infrastructure was factored into the BRAC's decision-making process and is important to provide necessary support for activities moved to other locations. It is not reasonable to assume that adding functions to an existing base will not require some expenditure of funds for buildings and support.

All of these funds are necessary to complete the base closure and realignment process. There are specific projects and activities for which these funds were appropriated—jobs which need to be completed so that the communities surrounding the closing bases can implement their reuse plans as quickly as possible.

I wonder whether the committee would consider, as a possible reason for the large amount of unobligated balances in these accounts, that the process for closing bases is, without exaggeration, ponderous.

In my home State of Arizona, Williams Air Force Base, which was ordered closed in 1991, has been screened for Federal agency reuse at least three times. Homeless applications are still pending at the Department of Health and Human Services. The Air Force Base Conversion Agency and the local communities have not yet agreed on the final details of reuse of the base. Here we are, nearly 4 years after the BRAC ordered the base closed, and the Air Force is still paying the bill for maintaining the base. And more importantly, the community is still not able to recover fully from the economic impact of losing the base.

The base closure process ought not take 4 years to complete. I intend to introduce legislation to streamline the Federal screening process and to give greater flexibility to recognized community groups to coordinate, develop,

and implement reuse plans for closing bases.

Until the process is fixed, however, it is not surprising that large amounts of the base closure funding remain unspent. Again, though, that does not mean that the funds are not needed. Eliminating these funds would only exacerbate the difficulty of closing bases and conveying the property to the subsequent owners in a timely fashion.

This is a painful enough process for a community that relied on the military base in its midst for jobs and economic stability. Let's not aggravate the situation by imperiling the Services' ability to complete the process as quickly as possible.

Mr. President, I understand that Senator THURMOND has received assurances from the chairman of the Appropriations Committee Subcommittee on Military Construction that the conferees on this bill will consider restoring these funds in the conference. I applaud that commitment.

I must state, however, that I support restoring these funds with one condition. I believe that the restoration of these funds must not be done at the cost of increasing the Federal deficit. I believe the \$104 million in restored funding must be fully offset by rescissions of low priority funds.

Mr. President, I had intended to offer a second degree amendment to rescind \$104 million from the administrative and travel accounts of the Federal Government.

The amendment would have provided a full offset for the cost of restoring the BRAC-related funds in the amendment of Senator THURMOND. The Senate bill already provides \$13 billion in total spending rescissions, but this is \$4 billion less than the House bill. We should not further exacerbate the shortfall in deficit reduction funds, if we can find an offsetting reduction.

I believe the reduction of \$104 million in Government administrative and travel expenses would have been an appropriate reduction. The Office of Management advised me that, in fiscal year 1995 alone, \$107.2 billion will be spent for administration and travel. The amendment would have rescinded only \$104 million from a \$107 billion account—less than one-tenth of 1 percent of the total expenditures. Out of a budget of \$107 billion, it seems quite likely that the small amount which would be rescinded by this amendment will not be devastating to the operation of any government office. One-tenth of 1 percent of the administrative and travel budget of any Federal organization should not hamper the operations of that organization.

Mr. President, the Department of Defense and the communities surrounding closing bases need the funding in the BRAC accounts to finish a job already underway. We should not rescind those funds. I believe we should rescind a minuscule portion—less than one-tenth of 1 percent—of the Federal Government's administrative and travel bud-

et to pay for these necessary BRAC-related activities.

Unfortunately, we were unable to come to agreement on the offsets I intended to propose. Therefore, Senator THURMOND has chosen to rely on the assurances he has received from Senator BURNS concerning restoring these funds in the conference. I respectfully urge the conferees to identify offsetting rescissions in other areas to pay for the restoration of these funds.

Mr. President, it is imperative that we not decrease the amount of deficit reduction in this bill. We are undertaking the daunting task of prioritizing Federal spending and reducing the Federal debt, working toward a balanced Federal budget. By eliminating unnecessary and wasteful spending of prior year appropriated funds, we can begin our review of the fiscal year 1996 budget with money in the bank.

Therefore, the conferees on this bill should ensure that an offsetting reduction is made for the restoration of these BRAC-related funds. The conference agreement should preserve at least the level of deficit reduction contained in the Senate bill, and in my view, should move toward the greater deficit reduction in the House bill. As important as this funding is for BRAC cleanup and implementation, I do not believe it should be restored at the cost of increasing the deficit.

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

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

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Thomas, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

1994 ANNUAL REPORT ON ALASKA'S NATURAL RESOURCES—MESSAGE FROM THE PRESIDENT—PM 40

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying

report; which was referred to the Committee on Environment and Public Works:

To the Congress of the United States:

I transmit herewith the 1994 Annual Report on Alaska's Mineral Resources, as required by section 1011 of the Alaska National Interest Lands Conservation Act (Public Law 96-487; 16 U.S.C. 3151). This report contains pertinent public information relating to minerals in Alaska gathered by the U.S. Geological Survey, the U.S. Bureau of Mines, and other Federal agencies.

WILLIAM J. CLINTON.

THE WHITE HOUSE, April 3, 1995.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, which were referred as indicated:

EC-690. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to law, the text of international agreements other than treaties, and background statements; to the Committee on Foreign Relations.

EC-691. A message from the Chairman of the Board of the African Development Foundation, transmitting, a draft of proposed legislation to authorize appropriations for the African Development Foundation; to the Committee on Foreign Relations.

EC-693. A communication from the General Counsel of the Department of the Treasury, transmitting, a draft of proposed legislation to authorize appropriations for the United States contribution to the tenth replenishment of the resources of the International Development Association; to the Committee on Foreign Relations.

EC-694. A communication from the General Counsel of the Department of the Treasury, transmitting, a draft of proposed legislation to provide for a United States contribution to the Interest Subsidy Account of the Successor (EASF II) to the Enhanced Structural Adjustment Facility of the International Monetary Fund; to the Committee on Foreign Relations.

EC-695. A communication from the Secretary of Transportation, transmitting, pursuant to law, a report relative to the Federal Highway Administration and Federal Transit Administration Buy America Waivers for fiscal years 1992 and 1993; to the Committee on Environment and Public Works.

EC-696. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, copies of D.C. Act 11-31 enacted by the Council on March 7, 1995; to the Committee on Governmental Affairs.

EC-697. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, copies of D.C. Act 11-32 enacted by the Council on March 7, 1995; to the Committee on Governmental Affairs.

EC-698. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, copies of D.C. Act 11-34 enacted by the Council on March 7, 1995; to the Committee on Governmental Affairs.

EC-699. A communication from the Special Counsel of the United States, transmitting,