

SEPTEMBER 30, 1994.

Hon. DIANNE FEINSTEIN,
U.S. Senate,
Washington, DC.

DEAR SENATOR FEINSTEIN: Further to discussions with you held September 30, 1994, if the ban on Alaska exports is lifted, BP will commit now and in the future to use only U.S.-built, U.S.-flagged, U.S.-crewed ships for such exports. We will supplement or replace ships required to transport Alaskan crude oil with U.S.-built ships as existing ships are phased out under the provisions in the Oil Pollution Act of 1990.

I hope that this commitment satisfies your request that Alaska oil exports be carried on U.S.-built, U.S.-flag ships, manned by U.S. crews.

Yours sincerely,

STEVEN BENZ,
President,
BP Oil Shipping Company, USA.
OIL SUPPLIES

Second, the loss of ANS crude oil supplies from the west coast of the United States must not create a situation where gasoline prices at the pump go up in our western States, or where our western refineries that now depend on this crude oil supply must close their doors because they are unable to replace it at a reasonable cost.

This bill specifies that the President shall determine on an annual basis whether independent refiners in the Western United States are able to secure adequate supplies of crude. If not, he is to make recommendations to Congress. Further, the bill requires that the GAO conduct a broader assessment of the impacts of the export of ANS crude after 5 years, including gasoline prices at the pump, and make any recommendations necessary.

ENVIRONMENTAL IMPACT

Third, I have been concerned that passage of this legislation could increase pressure for drilling in the Arctic National Wildlife Refuge and off the west coast of the United States. The administration has assured me that it will oppose such drilling, and that this is an issue that is totally separate from whether or not ANS crude should be exported.

BENEFITS

Now, Mr. President, let me turn to the dramatic benefits the export of ANS crude offers. The current law provides that all ANS crude be shipped to American refineries. This creates an artificial surplus in crude oil supplies on the west coast, which depresses the price that refineries are willing to pay for alternative sources of supply, such as the heavy crude oil pumped in Kern County, CA.

Independent oil producers in Kern County have laid off thousands of workers over the past decade, and shut down many wells. Eliminating the federally mandated oil glut on the west coast will raise the price paid for Kern County crude and make its production viable once again. The Department of Energy estimates that this will generate from 5,000 to 15,000 new jobs very quickly, with as many as 10,000 to 25,000 by decade end, most of which will be in Kern County.

As you know, Mr. President, California still has not joined the rest of the

United States in a full recovery from the recession of 1990. Unemployment has remained particularly high in California's Central Valley, caused in part by dramatic fluctuations in annual rainfall, but also by the steady decline in employment and production in the Kern County fields.

So, in conclusion, Mr. President, I am pleased to state my support for this legislation, which will provide net positive benefits to our merchant marine, our independent oil producers, and the companies pumping ANS crude, while providing protection through periodic evaluation of its impacts for our shipyards and our independent refiners.

Mr. MURKOWSKI. Mr. President, I ask that the bill be read for the third time.

The PRESIDING OFFICER. If there are no further amendments to be proposed, the question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third time and was read the third time.

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

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass?

Mr. FORD. I announce that the Senator from Delaware [Mr. BIDEN] is necessarily absent.

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

The result was announced—yeas 74, nays 25, as follows:

[Rollcall Vote No. 170 Leg.]

YEAS—74

Abraham	Ford	McCain
Ashcroft	Frist	McConnell
Baucus	Glenn	Mikulski
Bennett	Gramm	Moynihan
Bingaman	Grams	Murkowski
Bond	Grassley	Nickles
Breaux	Gregg	Nunn
Brown	Hatch	Packwood
Bryan	Heflin	Pell
Burns	Helms	Pressler
Campbell	Hollings	Pryor
Chafee	Hutchison	Robb
Coats	Inhofe	Roth
Cochran	Inouye	Santorum
Cohen	Jeffords	Shelby
Conrad	Johnston	Simpson
Coverdell	Kassebaum	Smith
Craig	Kempthorne	Snowe
Daschle	Kennedy	Specter
DeWine	Kerrey	Stevens
Dole	Kyl	Thomas
Domenici	Leahy	Thompson
Dorgan	Lott	Thurmond
Faircloth	Lugar	Warner
Feinstein	Mack	

NAYS—25

Akaka	Gorton	Moseley-Braun
Boxer	Graham	Murray
Bradley	Harkin	Reid
Bumpers	Hatfield	Rockefeller
Byrd	Kerry	Sarbanes
D'Amato	Kohl	Simon
Dodd	Lautenberg	Wellstone
Exon	Levin	
Feingold	Lieberman	

NOT VOTING—1

Biden

So the bill (S. 395), as amended, was passed, as follows:

(The text of the bill will be printed in a future edition of the RECORD.)

The title was amended so as to read:

To authorize and direct the Secretary of Energy to sell the Alaska Power Administration, and to authorize the export of Alaska North Slope crude oil, and for other purposes.

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

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

The motion to lay on the table was agreed to.

MODIFICATION OF AMENDMENT NO. 1105

Mr. MURKOWSKI. Mr. President, I would ask unanimous consent that amendment 1105 previously adopted by the Senate be modified to conform to the language which I now send to the desk.

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

The modification is as follows:

At the end of amendment No. 1104, add the following new section:

SEC. . RETIREMENT OF CERTAIN COSTS INCURRED FOR THE CONSTRUCTION OF NON-FEDERAL PUBLICLY OWNED SHIPYARDS.

(a) IN GENERAL.—The Secretary of Energy shall—

(1) deposit proceeds of sales out of the Naval Petroleum Reserve in a special account in amounts sufficient to make payments under subsections (b) and (c); and

(2) out of the account described in paragraph (1), provide, in accordance with subsections (b) and (c), financial assistance to a port authority that—

(A) manages a non-Federal publicly owned shipyard on the United States west coast that is capable of handling very large crude carrier tankers; and

(B) has obligations outstanding as of May 15, 1995, that were dated as of June 1, 1977, and are related to the acquisition of non-Federal publicly owned dry docks that were originally financed through public bonds.

(b) ACQUISITION AND REFURBISHMENT OF INFRASTRUCTURE.—The Secretary shall provide, for acquisition of infrastructure and refurbishment of existing infrastructure, \$10,000,000 in fiscal year 1996.

(c) RETIREMENT OF OBLIGATIONS.—The Secretary shall provide, for retirement of obligations outstanding as of May 15, 1995, that were dated as of June 1, 1977, and are related to the acquisition of non-Federal publicly owned dry docks that were originally financed through public bonds—

(1) \$6,000,000 in fiscal year 1996;

(2) \$13,000,000 in fiscal year 1997;

(3) \$10,000,000 in fiscal year 1998;

(4) \$8,000,000 in fiscal year 1999;

(5) \$6,000,000 in fiscal year 2000;

(6) \$3,500,000 in fiscal year 2001; and

(7) \$3,500,000 in fiscal year 2002.

MORNING BUSINESS

Mr. MURKOWSKI. Mr. President, I believe there has been a request for a brief period of morning business. I would so ask unanimous consent that Senators wishing to speak in morning business be allowed to do so.

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

CIVILIAN MARKSMANSHIP PROGRAM SHOULD BE TERMINATED

Mr. LAUTENBERG. Mr. President, I rise to bring to my colleague's attention a copy of a letter I recently received from the Department of Defense regarding the Civilian Marksmanship Program.

The letter from Under Secretary of the Army Joe Reeder responds to a letter I sent recently to Defense Secretary Perry about the Civilian Marksmanship Program. It confirms my longstanding belief that the time has come for the Congress to terminate this program once and for all. The letter says " * * * the Army gets no direct benefit from the program" and that there is " * * * no discernible link" between the program and our Nation's military readiness. It goes on to say, "Last year and again last week, DOD repeatedly has conveyed to Congress that, while it will continue to administer the program as directed by Congress, it will also continue to support legislation ending the program."

This letter, Mr. President, is not a plea to the Congress to save a program that enhances our military readiness and national security. To the contrary. It is an invitation to terminate the program. I ask unanimous consent that a copy of the letter be printed in the CONGRESSIONAL RECORD at the end of my statement.

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

(See exhibit 1)

Mr. LAUTENBERG. Mr. President, recent press reports indicate that members of extremist militia groups in this country, which may pose a threat to public safety, may be gaining access to military bases and receiving weapons, ammunition, and training at Army facilities under the auspices of the Civilian Marksmanship Program. In one article, I learned that the leader of the Michigan-based militia group told ABC's "Prime Time Live" that he had access to U.S. military bases in Michigan for the purpose of training through this program. In another article, I learned that members of the Competitive Sportsman club were asked to leave Camp Grayling base when they showed up wearing Southern Michigan Militia patches. The American people have a right to know that their tax dollars are not being used to train people who may pose a threat to law abiding citizens and to peace and order in this country. The Defense Department should either investigate these allegations or call on another branch of the U.S. Government to do so.

In the meantime, Mr. President, the Civilian Marksmanship Program should be terminated. My colleagues know that I have long believed the Civilian Marksmanship Program is a low-priority program and is an egregious example of waste in Government. The program promotes rifle training for civilians through a system of affiliated clubs and other organizations, and

sponsors shooting competitions. As part of these activities, the program donates, loans, and sells weapons, ammunition, and other shooting supplies. The Department of Defense has provided me with a State-by-State breakdown listing of 1,146 member clubs that participate in this program, which I will make available to any of my colleagues who wish to read it.

The program was first established in 1903, at a time when civilian marksmanship training was believed to be important for military preparedness. Yet the Pentagon says it supports legislation to terminate it and that there is "no discernible link" between military readiness and the Civilian Marksmanship Program. As Army officials told the GAO, no Army requirements exist for civilians trained in marksmanship, and no system is in place to track program-trained personnel. In a March 15, 1994, hearing in the Senate Defense Appropriations Subcommittee, Army Secretary West stated that national security objectives will be met with or without the Civilian Marksmanship Program.

In essence, the Civilian Marksmanship Program has provided a taxpayer subsidy for recreational shooting. In light of the budget deficit we face and the military needs we ought to address, this simply is not a justifiable use of scarce resources. After all, defense dollars are not used to subsidize other sports. They ought not be used to subsidize a shooting program which has no relationship to military needs and requirements.

Additionally, the program puts the U.S. Government in the role of selling weapons and ammunition to civilians. There is no shortage of guns and ammunition available in this country through the private sector. I do not believe the U.S. Government needs to be involved in putting more guns on the street in this country.

Mr. President, Senators FEINSTEIN, LEVIN, SIMON, and I recently introduced a bill, S. 757, to terminate the Civilian Marksmanship Program. I urge my colleagues to read the letter from Under Secretary Reeder and approve that bill without delay.

EXHIBIT 1

UNDER SECRETARY OF THE ARMY,
Washington, DC, May 11, 1995.

Hon. FRANK R. LAUTENBERG,
U.S. Senate, Washington, DC.

DEAR SENATOR LAUTENBERG: The Secretary of Defense, the Honorable William J. Perry, has asked me on behalf of the Army, which serves as the executive agent for the Civilian Marksmanship Program (CMP), to respond to your letter regarding your concerns about the CMP.

The CMP was established by Congress in 1903 to develop marksmanship skills throughout our nation from which the armed forces could draw when needed for rapid mobilization. To this end, the CMP supported creation of rifle clubs throughout the country. There are 1,146 member clubs (the current listing at Tab A is an update from all previous reports on clubs).

Over time the mission of the CMP changed. Now, the current focus of the CMP is weapons safety, familiarization and the sport of

marksmanship. The CMP is apolitical, and provides no instruction in military skills.

In FY 1994, the CMP spent \$2.483 million of appropriated funds; \$2.544 million are budgeted for FY 1995. The Army has requested no appropriated funding for the CMP in FY 1996, because the Army gets no direct benefit from the program. The FY 1996/1997 Biennial Budget Estimates submitted to Congress documents the request for no funds in FY 96. Last year and again last week, DOD repeatedly has conveyed to Congress that, while it will continue to administer the program as directed by Congress, it will also continue to support legislation ending this program. I have enclosed a copy of the recent OSD, General Counsel, response (Tab B) to The Honorable Floyd Spence, Chairman, House National Security Committee, and Ranking Minority Member Ron Dellums reiterating, "... no discernible link" between military readiness and the CMP.

DOD shares your concern that the CMP not inadvertently become involved with groups or individuals who may intend to harm federal or non-federal employees. To my knowledge the CMP has never endorsed the involvement of militia groups or extremists in any context. Before club status is granted, three adults responsible for the formation of the club must submit a DD Form 398-2 (Personnel Security Questionnaire) and pass a background investigation performed by the National Agency Check and Investigative Center. If Congress continues to direct that this program be implemented, we will continue to follow these procedures.

Section 4309, Title 10, United States Code, provides that all ranges built in whole or in part with Federal funds may be used by persons capable of bearing arms. Under this legislation, the CMP and other organizations may request the use of military ranges and are generally granted such use provided they comply with range and installation rules. They must not interfere with scheduled military training and their intended use must not pose a safety hazard. If we have any indication of misuse, we will take appropriate corrective action.

Thank you for your interest in this program. I hope this information addresses your concerns.

Sincerely,

JOE R. REEDER.

MINOR CROP PROTECTION ASSISTANCE ACT

Mrs. MURRAY. Mr. President, today I rise to join my colleagues as a co-sponsor of the Minor Crop Protection Assistance Act. This legislation will provide much needed relief to the food and horticultural industries so important to the economy of my State and the Nation.

This purpose of this legislation is simple: It is all about economics. This legislation seeks to provide some relief to producers of minor crops who face the imminent threat of losing access to vital, and safe crop protection tools due to market forces. Currently, registration of pesticides under the Federal Insecticide, Fungicide and Rodenticide Act [FIFRA] with EPA is an intensive process, involving as many as 120 data requirements. Chemical manufacturers are forced to make the decision to cancel, or not reregister, crop protection tools for use on minor crops because the resulting