

DeWine, Mark Hatfield, Orrin G. Hatch, and Thad Cochran.

The PRESIDING OFFICER. The question is, Is it the sense of the Senate that debate on Senate Resolution 227 shall be brought to a close? The yeas and nays are required under rule XXII. The clerk will call the roll.

The legislative clerk called the roll.

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

The yeas and nays resulted—yeas 53, nays 47, as follows:

[Rollcall Vote No. 29 Leg.]

YEAS—53

Abraham	Frist	McCain
Ashcroft	Gorton	McConnell
Bennett	Gramm	Murkowski
Bond	Grams	Nickles
Brown	Grassley	Pressler
Burns	Gregg	Roth
Campbell	Hatch	Santorum
Chafee	Hatfield	Shelby
Coats	Helms	Simpson
Cochran	Hutchison	Smith
Cohen	Inhofe	Snowe
Coverdell	Jeffords	Specter
Craig	Kassebaum	Stevens
D'Amato	Kempthorne	Thomas
DeWine	Kyl	Thompson
Dole	Lott	Thurmond
Domenici	Lugar	Warner
Faircloth	Mack	

NAYS—47

Akaka	Feinstein	Lieberman
Baucus	Ford	Mikulski
Biden	Glenn	Moseley-Braun
Bingaman	Graham	Moynihan
Boxer	Harkin	Murray
Bradley	Heflin	Nunn
Breax	Hollings	Pell
Bryan	Inouye	Pryor
Bumpers	Johnston	Reid
Byrd	Kennedy	Robb
Conrad	Kerrey	Rockefeller
Daschle	Kerry	Sarbanes
Dodd	Kohl	Simon
Dorgan	Lautenberg	Wellstone
Exon	Leahy	Wyden
Feingold	Levin	

The PRESIDING OFFICER. On this vote the yeas are 53, the nays are 47. Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected.

#### BALANCED BUDGET DOWNPAYMENT ACT, II

The Senate continued with the consideration of the bill.

AMENDMENT NO. 3479

Mr. REID addressed the Chair.

The PRESIDING OFFICER. The Senator from Nevada is recognized.

Mr. REID. Will the Chair explain to the Senate what the order before the Senate is now.

The PRESIDING OFFICER. The Senator from Nevada [Mr. REID] is recognized to move to table the Hutchison amendment.

Mr. REID. I so move to table, and 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 question is on agreeing to the motion to table the Hutchison amendment.

The yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

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

The result was announced—yeas 49, nays 51, as follows:

[Rollcall Vote No. 30 Leg.]

YEAS—49

Akaka	Graham	Moynihan
Baucus	Gregg	Murray
Biden	Harkin	Nunn
Bingaman	Heflin	Pell
Boxer	Hollings	Pryor
Bradley	Inouye	Reid
Bryan	Jeffords	Robb
Bumpers	Kennedy	Rockefeller
Byrd	Kerrey	Roth
Chafee	Kerry	Sarbanes
Daschle	Kohl	Simon
DeWine	Lautenberg	Specter
Dodd	Leahy	Thompson
Exon	Levin	Wellstone
Feingold	Lieberman	Wyden
Feinstein	Mikulski	
Glen	Moseley-Braun	

NAYS—51

Abraham	Dorgan	Lott
Ashcroft	Faircloth	Lugar
Bennett	Ford	Mack
Bond	Bond	McCain
Brown	Breaux	Kempthorne
Burns	Brown	Murkowski
Campbell	Burns	Nickles
Chafee	Campbell	Pressler
Coats	Cochran	Hatch
Cochran	Hatfield	Shelby
Cohen	Cohen	Simpson
Coverdell	Conrad	Smith
Craig	Coverdell	Inhofe
D'Amato	Craig	Johnston
DeWine	D'Amato	Kassebaum
Dole	Dole	Thomas
Domenici	Domenici	Kempthorne
Faircloth	Kyl	Thurmond
		Warner

So the motion to lay on the table the amendment (No. 3479) was rejected.

Mrs. HUTCHISON. Mr. President, I move to reconsider the vote.

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

The motion to lay on the table was agreed to.

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

The amendment (No. 3479) was agreed to.

AMENDMENT NO. 3478

The PRESIDING OFFICER. The question is on agreeing to the Reid amendment, as amended.

The amendment (No. 3478), as amended, was agreed to.

The PRESIDING OFFICER. The Chair recognizes the Senator from Kentucky.

AMENDMENT NOS. 3480 AND 3481

Mr. McCONNELL. Mr. President, earlier today the majority leader sent to the desk two amendments relating to Bosnia on behalf of myself and him. I ask unanimous consent that Senator McCAIN and Senator BURNS be added as cosponsors to both amendments.

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

Mr. McCONNELL. Mr. President, the first amendment regarding Bosnia, conditions the obligation of funds in this supplemental upon a certification that all foreign fighters, including Iranians are out of Bosnia, in compliance with the Dayton Accords.

Let me describe each amendment, turning first to foreign troops.

Article III of annex 1A is absolutely clear—Let me read it into the RECORD. This is part of the Dayton Accords. It says:

All forces in Bosnia and Herzegovina as of the date this Annex enters into force which are not of local origin, whether or not they are legally and militarily subordinated to the Republic of Bosnia and Herzegovina, the Federation of Bosnia and Herzegovina or the Republic of Srpska, shall be withdrawn together with their equipment from the territory of Bosnia and Herzegovina within 30 days.

Just to make abundantly clear so that there was no misunderstanding of just what we meant by this provision, the annex spells out who was affected by this requirement. The accord explicitly states:

In particular, all foreign forces, including individual advisors, freedom fighters, trainers, volunteers, and personnel from neighboring and other states, shall be withdrawn from the territory of Bosnia and Herzegovina.

In a December hearing before the Senate Appropriations Subcommittee on Foreign Operations, Assistant Secretary Holbrooke reiterated the "high importance" the administration attached to full compliance with this provision.

Let me cite his testimony:

It is imperative that the commitment made to have these elements removed be honored. They have said publicly they will do so . . . President Clinton raised this directly with President Izetbegovic in Paris.

During questioning he noted that Iranian and other freedom fighters were concentrated in the sector where United States troops are operating, "so we are going to be watching this extremely carefully."

When I asked Secretary Holbrooke what happens if they choose not to go, his answer was absolutely unequivocal:

Choose not go go? This is the Bosnian government's home turf. This is the core of the Federation position. It is not their choice. If the government of Bosnia-Herzegovina says they will go, then either they go or the Bosnian government was not sincere in what it said. They must get them out and we will know if they are out or not . . . President Izetbegovic has publicly committed himself, not only to the public and the press, but to the President.

The deadline for the withdrawal has now come and gone. January 19 passed with Iranian's terrorist forces still operating in the American patrolled sector.

Secretary Christopher acknowledged the administration's ongoing concern about this issue during an appearance on the McNeil-Lehrer Show on January 23. At that time, he said:

We will not go forward with the equipment and training unless they are in compliance with the agreement. They'll not have a right to the reconstruction fund unless they are in compliance with the agreement.

At the time, I was reassured that the administration shared the view many of us have here in Congress—Iranian troops represented a direct threat to American soldiers and to American long-term interests in stability.

Yet shortly after the Secretary's remarks, NATO soldiers raided a house near Sarajevo and detained 11 people with a cache of weapons, ammunition and explosives. According to a senior State Department official, news accounts indicated five were Iranians believed to have already left the country, yet they were clearly involved in plotting attacks on NATO installations.

This past week, the Washington Post reported that members of the Iranian Interior Ministry are among the 150 or so men running via seven training camps. Western officials believe Iranian Revolutionary Guards joined by volunteers from across the Islamic world are engaged in building a secret security organization called the Agency for Investigation and Documentation.

U.S. Navy Adm. Leighton Smith conceded in a recent interview that the forces were of immediate concern to the security of American soldiers and cited the loss of 248 marines in Beirut in a suicide bomber attack.

In addition to our security concerns, Iranian forces and their role in the Agency for Investigation and Documentation directly undermine prospects for continuation of the Moslem-Croat Federation. In a letter to Izetbegovic, Federation President Kresimir Zubak said the Agency was "in direct opposition to the constitution of the federation and the law."

He, like others are deeply worried that the agency will be used to harass and investigate Izetbegovic's political opponents and over the long run, encourage the movement toward a separate Moslem state, a goal Iran has long pursued.

There are a number of other disturbing signs that President Izetbegovic is moving in this direction. However, the immediate concern we should all have is the continued presence of Iranian Revolutionary Guards.

In the last several days, administration officials seem to have abandoned the linkage drawn by the Secretary on January 23 between full compliance and economic and military aid. They are now asserting that we will only hold up plans to equip and train the Bosnians.

This is a decision which is bound to backfire. Withholding military support and training will only drive the Bosnian Moslems closer to Iran, a nation unfortunately viewed as one of the few reliable partners during the years that the embargo imposed an unfair disadvantage on their government and people.

Moreover, if not a part of a broader strategy, withholding only military support will call American credibility and commitment to the Federation into question. It will be seen as an excuse to reinstate the administration's long standing position opposing lifting the embargo. After all, only when faced with the imminent prospect of a congressional vote to lift the embargo, did the President make the commitment

to move forward with a meaningful program to assure the Bosnian Federation receives the assistance necessary to achieve an adequate military balance prior to IFOR's departure.

If we are serious about the presence of foreign troops in Bosnia, and I certainly believe we should be, then we must use all necessary and appropriate diplomatic, economic, and security tools we have available to press for full compliance.

I believe the amendment Senator DOLE and I have offered sends a clear signal that the Congress expects full compliance with the Dayton accords if we are to move forward with this \$200 million supplemental.

I think it is worth noting that none of the funds we have designated for emergency humanitarian programs would be affected by this amendment. In fact, \$339 million provided in the fiscal year 1996 foreign operations appropriations bill for a variety of activities and programs would still be available.

We are simply withholding a portion of our total commitment to assure compliance with a provision of the Dayton accord which has an immediate impact on the well being of our troops and a long-term affect on the viability of the Federation and peace.

The second amendment Senator DOLE sent to the desk earlier today on behalf of myself and him, supports the broad goals and plans the President outlined in his Oval Office address announcing the commitment of U.S. troops. In separating the belligerents and patrolling the cease fire zone, he said the United States would "help create a secure environment so that the people of Bosnia can return to their homes, vote in free elections, and begin to rebuild their lives."

While many of us opposed the deployment of our troops, we now hope that they succeed in accomplishing this mission. I think every one of us also supports the President's determination to assure the mission is limited in nature and fulfilled within the year. Above all else, we are committed to protecting the security of our forces.

The amendment before the Senate advances these goals.

First, it requires that the funds in this supplemental may only be made available for projects and activities in Sarajevo and the sector where Americans are assigned. It also establishes that in making funding allocations, priority consideration should be given to projects identified by the Department of the Army on the so-called Task Force Eagle Civil Military Project List.

This list is a catalog of specific activities designating both the location and type of assistance necessary. The task force has identified a wide range of activities including the repair of roads, bridges, and railroads, and rebuilding municipal electricity, water, telecommunications, and sewer systems.

Although costs have not been assessed for each project—which will

clearly have an impact on deciding which to pursue—the report makes clear that every project has been deemed urgently needed.

No other agency has been able to produce as comprehensive an assessment of Bosnia's urgent priorities. Since the administration deemed this supplemental an urgent emergency, designating these identified projects as high priorities will expedite the process of obligating funds and hopefully have an immediate, visible, and effective impact. My expectation is that by improving economic conditions in the American sector we will reduce the level of tension and stimulate popular support, which, in turn, should lower the security risks to our soldiers.

I should make one point perfectly clear. This amendment affects only the \$200 million provided in this bill. An additional \$339 million appropriated in 1995 and 1996 are not subject to these conditions or priorities. We have exempted the early appropriations because much of those funds are for emergency humanitarian activities which we in no way wish to impede or redirect. To date, these short-term, quick impact efforts have been very successful and should be continued.

It is my view that focusing the supplemental resources on the area in which United States troops are assigned and targeting projects that the Army has already identified as ready for funding enhances stability in Bosnia and strengthens the chances of achieving an early exit. While I have opposed setting a specific date for departure, I support the President's objective to complete the mission within a year. The effective administration of our aid contributes to this exit strategy.

There are a few other provisions in the amendment worthy of note. The administration has indicated it intends to deposit \$65 million in a Croatian-owned bank in Bosnia, convert the money to German marks and extend loans to small- and medium-sized businesses to generate jobs and income. I have made my reluctance to support this idea clear to AID in large part because there are no clear accountability mechanisms to prevent fraud or abuses. Blank checks to foreign banks invite trouble.

To solve this problem, the amendment requires the bank which will be the beneficiary of this substantial deposit to grant GAO access to audit the flow of U.S. funds. I am hopeful this will address congressional concerns about accountability while allowing the administration to test the merits of this approach.

Finally, the amendment offers the administration leverage in discussions with our friends and allies over their contributions to reconstruction. Late last year, the World Bank estimated Bosnian reconstruction would cost approximately \$6 billion. The administration testified that half of the necessary funds would come from multilateral

lending institutions such as the European Bank and the World Bank. The balance would be derived from bilateral donations, of which we have now pledged \$539 million or roughly 20 percent.

So far, the pledging by other nations, especially our European allies has been anemic. I think it is important that they understand that we will not shoulder this burden alone. Thus, the amendment requires the President to certify that the total of bilateral contributions pledged by other donors must match our level of support. Failing that test, we should suspend obligation of supplemental funds. Here again, the emergency humanitarian program will not be affected.

Finally, the amendment makes clear that no funds may be made available to support building or refurbishing of housing in areas where refugees or displaced people are refused the right to return based on ethnicity or political party affiliation. As Senator DOLE points out, it makes no sense to use our limited resources to endorse or sanction what amounts to a variation of the repugnant practice of ethnic cleansing.

Mr. President, let me conclude by stating this amendment accomplishes three goals. It improves the operating environment where our troops are assigned thereby enhancing their safety; it targets the aid to support identified, ready-to-go projects improving prospects for success, and the combination of fulfilling those two goals contributes to achieving the third and most important—the timely withdrawal of U.S. troops.

I urge my colleagues to support these amendments.

I hope both of these amendments will be approved when they are actually submitted for a vote to the Senate.

Mr. President, I yield the floor.

Mr. BIDEN addressed the Chair.

The PRESIDING OFFICER (Mr. SANTORUM). The Senator from Delaware.

AMENDMENT NO. 3483 TO AMENDMENT NO. 3466

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

I send it on behalf of Senators KERRY, WELLSTONE, DASCHLE, LAUTENBERG, LEVIN, and MIKULSKI.

The PRESIDING OFFICER. Without objection, the pending amendment is set aside. The clerk will report.

The legislative clerk read as follows:

The Senator from Delaware [Mr. BIDEN] for himself, Mr. KERRY, Mr. WELLSTONE, Mr. DASCHLE, Mr. LAUTENBERG, Mr. LEVIN, and Ms. MIKULSKI, proposes an amendment numbered 3483 to amendment No. 3466.

Mr. BIDEN. 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 3, line 8, add after "basis":

COMMUNITY ORIENTED POLICING SERVICES

For public safety and community policing grants pursuant to Title I of the Violent

Crime Control and Law Enforcement Act of 1994 (Public Law 103-322) and related administration costs, \$1,788,000,000, to remain available until expended, which shall be derived from the Violent Crime Reduction Trust Fund.

On page 29, line 2, strike all after "(the 1990 Act):" through "That" on page 29 line 18 and insert in lieu thereof: "\$1,217,200,000, to remain available until expended, which shall be derived from the Violent Crime Reduction Trust Fund; of which".

The PRESIDING OFFICER. The Senator from Delaware.

Mr. BIDEN. Mr. President, I have spoken with the White House, and the President agrees that the only course to be taken on the 100,000 COPS Program is an unequivocal and unwavering support for adding 100,000 cops to our streets.

The irony of all ironies is, in my view, that after the years that Senator KERRY, Senator WELLSTONE, and others of us have fought for this program, we heard repeatedly—I mean, if I heard it once, I heard it a hundred times on this floor—"This isn't really going to be 100,000 cops."

I watched Charlton Heston on TV in paid television advertisements. He would say, "This is a phony thing. It is not 100,000 cops. This will not produce more than 20,000 additional police officers. It just simply is not"—and he went on and on and on and on.

I heard repeatedly from my Republican colleagues that all this was about was adding welfare workers. This was adding welfare social workers and no hard police enforcement.

We have only been doing this about a year, and we now have a total in the United States of America—and I will be repeating some of these numbers, because they warrant repeating—totally funded so far are 34,114 additional cops; direct hiring, 20,236; and the so-called COPS More Program, 12,678.

Bottom line, Mr. President, is more than 33,000 police officers are on the streets who would not otherwise have been on the streets doing community policing and have already been funded.

What is more, the results of the Community Policing Program, which all of my colleagues know now ad nauseam because the Senator from Massachusetts and I have been—for how many years now, I ask the Senator from Massachusetts, 5, 6 years we have been talking about community policing?

Because of community policing, because of the requirement that in order to get a single additional federally paid local police officer your whole department has to be involved in community policing, the results of these additional 33,000 police officers have been leveraged in a way that was not imagined by many. It was by the Senator from Minnesota, and that is, if you had a police force of five cops in a small town and they are not involved in community policing, in order to get one additional cop that you need, you have to put the other five in community policing. We have leveraged six cops into community policing, where there was

none before, by merely one additional police officer.

Mr. President, there was only a total of about 525,000 local police officers before this began. There are those of us on this side, and I can speak for the President in this regard—and I seldom ever do that—bottom line is we want to make sure there are an additional 100,000 cops on the street when this is over, so we end up with 600,000-plus local police officers. As a result of what we have already done so far, community policing speaks for itself. More cops means less crime.

You know, there is not a lot we know about crime. We all think we know about it. We think we do not have to know the facts. I heard someone say—actually I heard Senator SIMPSON say it—everyone is entitled to their own opinion, but not entitled to their own facts. He was talking about something other than this, but the facts are that there is not a lot we know for certain about law enforcement and the criminal psyche.

But one thing we do know. If you have a cop standing on this corner and no cop on the adjacent corner and there is a crime that is going to be committed in that intersection, it will be committed on the corner where there is no cop. That is all we know. We think we know a lot of other things, but that we do know. So we need more cops.

To cite just one specific example, look what is happening in New York City. More police devoted to community policing has proven to mean less crime. In the first 6 months of 1995, compared to the first 6 months of 1994, let me read the statistics: Murder is down by 30 percent, robbery is down by 22 percent, burglary is down by 18 percent, car theft is down by 25 percent.

In the face of that success in fighting America's crime epidemic, it seems to me it would be folly to go back on our commitment of adding the remaining 67,000 cops called for under this crime law to the list. As a former President used to say, in a different context, "If it ain't broke, don't fix it." Well, the COPS Program is working. It is not broke. It is fixing things.

Why are we doing what this legislation calls for, backing off of that commitment in both dollars and numbers and the requirement that local officials use this money to hire cops? That, unfortunately, is exactly what this latest continuing resolution proposes to do. Instead of fully funding the President's request for the 100,000 COPS Program, this latest proposal would slash the 1996 request of the COPS Program to \$975 million, about one-half of the \$1.9 billion called for.

Let me go back and review the bidding here just a little bit. That is that, unlike any other program, we set up a trust fund to fund these cops. We are not talking about new taxes here. We are talking about we made a commitment, with the help of the Senator from Texas, Senator GRAMM, over 1½

years ago, that we were going to cut the size of the Federal Government work force instead of letting it continue to grow as it did under two Republican Presidents with the help of Democratic Congresses.

What happened was we have kept that commitment. We have essentially taken a check that we were paying the Federal bureaucrat—I do not use that word in a derisive way, but in which we paid a Federal employee—when that person left Federal employment, we did not hire one; we took that check and sent it back home for folks to hire cops. We traded bureaucrats for cops.

Now, here we are, with money in the till under that program, and effectively defunding by \$1 billion the request for money for cops. Not only is the 100,000 COPS Program subject to extreme cuts, but the latest continuing resolution also makes nearly \$813 million of that money that is supposed to go to the 100,000 COPS Program to fund those cops into what we call down here—and we think everybody at home understands it—we call it a block grant.

You know what a block grant is? A block grant for this is like the old LEAA program, Law Enforcement Assistance Act. When I first got here, one of the first things I did—I remember I had gotten in great trouble with a senior Democrat named John McClellan from the State of Arkansas. I had the temerity to come to the floor and introduce legislation doing away with LEAA because I had been a local official, and I know how it works. We would sit around the county council meetings in my State—which is the largest representative body in my State in this particular county I represented—and we would say, “You know something? We can save the county taxpayers’ money.” And a guy named Doug Buck, he and the county administrator said, “Here we have X number of firemen,” or X number of policemen in this case, “on the county payroll. We’ll fire half of them, we’ll fire them, cut the budget. We’ll tell the local taxpayers we’re cutting the budget. And we’ll take that Federal money for cops, and we’ll rehire them. We’ll rehire them with Federal money.”

So what happened was all of us, as local officials, could go home and say, “You know, we didn’t raise your taxes. We cut your taxes, and you didn’t lose any services.” But what happened was you did not get one additional cop. No new cops. The community was not one whit safer, but, boy, we local officials, we loved it. We thought it was a great idea. That is what a block grant is.

If you look at the language, I say to my Republican friends, if you look at the language closely under the block grant, the local officials can take this block grant money and they do not have to hire a cop with it, they can go out and use it for anything they think impacts on law enforcement. They can hire a public defender with it. They say, Who would do that? Well, the folks

in Pennsylvania would do that. The folks in Delaware would do that. We both know it. You know why they do that? Because the local folks do not like telling the local taxpayers they are taking their tax money to hire a public defender. They do not want to do that. They know that is not a popular thing. But they know they have to have public defenders. They do not want to tell them they are taking the money to hire judges. They know that is not popular. So what do they do? They will take the Federal money and they will hire the public defender.

I say to my friend presiding in the chair, if this prevails, I will make him a bet—and anyone else in here—Pittsburgh; Scranton; Wilmington, DE; my hometown of Scranton, PA, Democrat, Republican, Independent alike will find a way to make sure that locally they look like they are getting tough, but there will not be more cops.

I support the public defender program. I think we need more judges. I think we need more protection. I think we need more social workers at the prisons. But let me tell you what I know I need: I need more cops. I need more cops in Delaware. Scranton, PA, needs more cops. Dagsboro, DE, needs more police protection. But that is not what will happen. So, \$813 million that is supposed to go directly to hire new cops—do not pass go—go straight to hiring a cop, now can be used as a block grant. The approach just is not right. This so-called law enforcement block grant is written so broadly that money can be spent on everything from prosecutors to probation officers to traffic lights and parking meters, without having to hire a single cop. And that is not an exaggeration.

I challenge anyone on this floor or back in their offices listening or Senator’s staff who are listening, go in and tell your boss, “Come to the floor and debate BIDEN.” If you can prove to me that you cannot locally, with this block grant, go out and buy parking meters or get a probation officer, if you can come and tell me that, I will stand corrected. But until that, understand, all my tough colleagues, Democrat and Republican, who are getting tough on crime, you are sending money back home to hire probation officers. The same outfit that was worried that the Biden crime bill which became law would be soft and hire all these social workers, now apparently are concerned because you really are hiring cops. I guess you all want to hire those social workers. I guess that is what you all are about. That is what you want to be able to do.

Now, if you do not want to do that, amend this on the floor and say the block grant cannot be used—cannot be used—for anything—and I will give you a list—from parking meters to probation officers, to courts, to judges. Did you ever ask yourself, those who are listening, why this block grant is so broad? Well, it is because, I guess, we do not like having all these extra cops.

Second, the block grant has never been authorized by the Senate. My friends on the Appropriations Committee like to talk about how they follow the process. Well, let me tell you, we know the Judiciary Committee—to the best of my knowledge, neither House ever authorized this. Let us be clear about what is being done here.

What this continuing resolution does is take the crime bill that has been passed by only one House, the House of Representatives, whose funds have been authorized only by the House, whose block grant ideas already have been rejected by the Senate. We have come at this a couple times in direct legislation. A couple of times I have come to the floor and we have debated it, and I have won. Not I have won, my position has won. Now we find it back in the appropriations bill. The block grant idea has already been rejected by the Senate and incorporated into an appropriations bill, so it is passed and funded all in one fell swoop, instead of people standing on the floor here saying, “I don’t want to fund COPS.”

Mr. President, we are going to legislate by fiat like this. If we are going to do that, then we might as well do away with the committees, with hearings, with subcommittee markups, with full committee markups, with careful consideration of authorizing legislation and with legislating in the sunshine.

I understand why you put it in the bill this way. You put it in the bill this way, in an appropriations bill in a continuing resolution, because then you can say, “I tell you what, I did not vote to cut those cops. Not me. I voted for that big continuing resolution, but I had no choice. We had to do that. We had to keep the Government going.”

“It was not me, Charlie.”

“Honest to God, Mabel, I know your store got held up three times. You did not get the four cops.”

Let me give you an idea here. I will not take the time to submit the chart, but I will just give you a list of the pending requests that exist. I will repeat this again: Already more than half a billion dollars is pending in requests. Remember Republicans said local officials would not want this money, they would not come and ask for it because they kick in their own money? I know my friend from Massachusetts, a former prosecutor, understands this one. What are the reasons we wrote it this way? We knew cops were more popular than mayors. So they go, and the chief of police would say, “Mr. Mayor, got good news. We can get 75 grand from the Federal Government. The bad news is we have to come up with 50 or 60 or 70, depending on the cost and size of the jurisdiction.”

The mayor always said, “I don’t know. I don’t want to do that.”

“No problem. We will tell the folks we do not want the Federal money.”

It happened twice in my State already. Guess what? The city council, county council, could not take the heat when the public found out they could

get the money and they were not asking for it. Well, guess what? Mr. President, 7,766 cops beyond the 33,000 are already requested and pending. That means the town councils, the city councils, the county councils have already sat down and made the hard decision that they will keep a commitment to hire a cop for another 5 years and have to pay half the freight in doing that. They did it.

Take a look. In the State of Delaware, we already have something like 120 new cops already. We only have an entire police force, if you count every cop in the State, about 1,500 in the whole State. We have some pending. In the State of Massachusetts there are 276 cops asked for, formally requested, ready to be certified. In the State of Minnesota, 100 cops, 7 million bucks, an additional 100. The State of Pennsylvania, 280 cops. Say we turn this to a block grant. That will be like water going through your hands. You will not get 280 cops in Pennsylvania or 400-some cops in Massachusetts, and so on, because there will be other priorities.

I, for one, happen to believe that is a terrible way to proceed, and that is through this block grant approach on COPS. That is reason enough for me to oppose the bill all by itself. If the Republicans want to change the crime bill, they have a right to try that, but we should do it the right way and have a vote on it. Wiping out a major piece of this most significant anticrime legislation to ever pass the Congress on an appropriations bill makes a mockery of the Senate process. The importance of the program we are considering, not to mention the perception of our institution, I think, demands better.

Before turning to specific problems with the so-called law enforcement block grants, let me preview the specific success of the 100,000 COPS Program. I do not know a single responsible police leader, academic expert, or public official, who does not agree that putting more police officers on our streets is the single best, more effective, immediate way to fight crime. Community policing enables police to fight crime on two fronts at once: They are better positioned to respond and apprehend suspects when the crime occurs; but, more importantly, they are in a better position to keep crime from occurring in the first place.

I have seen this work in my home State of Delaware where community policing in Wilmington, DE, taking the form of foot patrols aimed at breaking up street level drug dealing, is turning the city of Wellington and neighborhoods into a combat zone. The efforts successfully put a lid on drug activity, without displacing it to other parts of the city.

In practice, community policing takes many forms. Regardless of the need of a particular community, the reports from the field are the same: It works, it works, it works, it works. I am delighted to debate anybody who wants to come and make the case that

community policing does not work. I will stand here as long as anybody wants and come back after I yield to my friend from Massachusetts. I will hang around for anybody who wants to make the argument to me that community policing does not work. I would love to hear it. I would love to hear it.

I suspect no one will come and make that argument, and no one will come to the floor and say we need fewer cops, and no one will come to the floor and tell me, no, they do not want more cops in their home State. No one will come to the floor and tell me that they want more of this COPS money to hire probation officers. No one, I suspect, will tell me that.

That is what this all does. That is what it does. The 1994 crime law targets \$8.8 billion for States and localities to train and hire 100,000 new police officers over 6 years. Now, we will all remember the criticism of last year's program, the COPS Program. Republicans in Congress got Charlton Heston to go and say there will never be more than 20,000 cops, and "Moses" Heston could not have been more wrong.

As indicated, we already have 33,000 new local cops—not Federal cops, local cops—only after 1 year. Because of the way we set it up with the match requirement in spreading out the cost over a period of a year, the money will continue to work and keep working for cops on the beat well into the future. This is not just 1 year the cops have been at it. The progress will come to a screeching halt if my Republican colleagues have their way.

The continuing resolution includes new enforcement block grants. They call it new enforcement block grants, which has loopholes so big that it would prevent all the money to be spent without hiring a single police officer—not one. Read the proposal. Money is sent not to the police, as it is now, but to the mayors. The money may be used not only for the cops but also for other types of law enforcement officers or anything that "improves public safety." Moreover, the money can be used for other vaguely defined purposes such as "equipment technology and other material."

Now, look, I am not trying to pick on local officials. They know what they need. They do not have to ask for a single cop. They do not have to ask for any of this. Let me point out, we are emasculating local budgets. As the Federal share of local budgets go, we are throwing many of our cities and States into chaos by our unwillingness to come up with some rational plan. Now, you are sitting there as a mayor; you already lost a significant portion of what used to be Federal funding for other programs, and now you have to make some tough choices. You have to make these really tough choices because you have less money and no growing tax base. Do you think you will put all the money into cops like we required to be done? What do you

think? I wonder what the citizens back home who might listen to this think will happen? I wonder whether or not the mayor and the county executive and others, Democrat and Republican, would conclude it is better for us to spend this money on improvements of public safety because we need new traffic lights, we need new parking meters, we need new lights in the local playground, all of which are legitimate. They do not put a single cop on the street.

Let me repeat, under the Republican proposal, the dollars can be diverted to prosecutors, courts, public safety, and public safety officials. In addition, the block grants require any money spent for drug courts, crime prevention, law enforcement, educational expenses, security measures, or rural crime task forces be taken out of the money to hire new cops.

I see my friend from Utah just walking on the floor. He and I worked awful hard to make sure the rural crime task forces were funded and rural crime money—as I know my friend from Minnesota knows better than most of us here, rural crime is growing faster than urban crime, with less resources and training and capability to deal with it. That is why it is growing. That is where the drug cartels are moving. That is why the drug operations are moving to those areas. What do we do here? Right now, in the crime law that exists, there is money separately for rural law enforcement, separately for the drug courts, separately for all these things. This is the pea in the shell game of all the block grant stuff that relates to the money part of it. We are going to give you a block grant, give you more flexibility, and that is the good news if you are a local official. Even they like the good news. Here comes the bad news: Add it all up and it is less money overall. Less money is going home. A lot less money is going home. So they may think they can hire prosecutors and put in street lights with assets of hiring cops. But they have to do everything else they were going to do with less money.

Mr. President, look at the language of the bill. Not one new cop is required. All it says is—I am quoting—"Recipients are encouraged to use these funds to hire additional law enforcement officers." Encouraged to use these funds. That is a very strong directive, is it not? Encouraged. That is encourage, not require.

Mr. President, American communities do not need our encouragement. They need our help. They need more cops. We should not encourage the States to keep the commitment this Congress made to the American people. We should keep our word. We should keep our word. Let me also point out that this block grant will also force American law enforcement to wait for these dollars. It will take the better part of a year to draft regulations, preparing application forms to get these dollars out the door.

When we passed the crime bill last year, I did something that the Attorney General thought was a little strange. Two days after, I asked for a meeting with her in my office, and I said, "General, I really appreciate all your support on this bill." She was supportive and for it. I said, "Now, General, we have to make sure of one thing—that you are able to reduce this application to one page." They looked at me like I was nuts. My two colleagues here who know a lot about this know that the cops at home only have to fill out a one-page application. They do not have to go to the mayor, or to some grantsman, they do not have to go through the Governor, they do not have to go through the State legislature, they do not have to fill out forms in triplicate. One page. One. The cop sends it in. Guess who gets the answer? The cop. The cop.

When I told the cops back home this was going to happen, they looked at me and said, "Joe, I love you, you are always with us. But come on, we did not think you would get this passed, but do not overpromise now." Go back and ask your local law enforcement people how complicated this is. All my Republican friends are real interested in making sure we do away with redtape and regulations. Well, this is a prescription for redtape and regulation. This is a prescription for it. If you want to delay it all, pass this.

The implementation of the 1994 crime law stands in stark contrast to the typical scenario where you will have to go through drafting regulations, preparing additional forms, getting the dollars out the door, getting them to the mayor's office before they get to the cop's office. It is a stark contrast. Instead of requiring the burdensome application often filled with entire binders, one-page applications were developed. Instead of waiting until the end of the year to disburse the funds, the money was awarded in batches beginning only weeks after the passage of this law.

So let us not destroy the momentum. Let us not destroy our effort to add 100,000 additional cops to protect our sons and daughters. I make a recommendation with some timidity to my colleagues on both sides of the aisle. Go back home, find out every single cop that came to your State. You can get the names of the cops who were hired under the Biden crime law. You can get the names. And then just ask at the end of the year how many collars each of these cops made. Ask how many times the cop that was hired under that bill saved some young girl from being raped, arrested somebody who murdered somebody, broke up a drug ring working on the street. Look at the specific actions they took and then, after you do that, you come back and stand on the floor and you tell the people of your State and all of us here that it did not matter, that these additional cops did not matter. We down here talk in such broad strokes about things that sometimes we miss it. This

is real simple stuff. If they hire John Doe or Jane Smith as a local cop in your town, your city, your county, just track them for a year. You tell me who would have arrested that person who burglarized your house or stopped it were it not for that cop.

In a word, Mr. President, the law is working. The crime law is already paid by the trust fund, is already being paid that way. Let me just add that the \$30 billion crime law trust fund that uses the savings from cutting 272,000 Federal bureaucrats pays for every cop, every prison cell, every shelter for a battered woman and her child. That is provided for in the crime law without adding a single penny to the deficit or requiring one new penny in taxes.

The single-most important thing our communities need when it comes to fighting crime is more police. The current law guarantees that our money will be used for just that purpose. We should not abandon it, 1 year after enacting it, especially in light of the spectacular results that have already occurred. We must save the 100,000 COPS Program to ensure that the money for police is used only for police. We should not retreat now on this tough but smart crime package that is already hard at work preventing violent crime across the country. We should not retreat on the 100,000 COPS Program that we insisted on just a few months ago in this Chamber.

In conclusion, Mr. President—and then I will yield to my friend from Massachusetts—I want to make it clear. It seems to me an absolute travesty that we are out here trying to dismantle a law that nobody even attempted to make a case that it is not working. Not one single person has come to the floor of the U.S. Senate to make the case that this law is not working. I am anxious to hear and debate anyone who has that point of view. Yet, we are dismantling, and instead of dismantling it, we should be building on it. We should be dealing with an issue my friend from Minnesota knows about: violence among youth and the growing trend of violent youthful behavior. The growing trend is that crime is down in every category. The Senator from Utah and I are involved in a project through his leadership to deal with youth violence in this country. We should be spending our time on that. I should be spending less time having to constantly defend a bill that nobody has made the argument that it is not working.

I yield the floor.

Mr. KERRY addressed the Chair.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KERRY. Mr. President, I want to thank the Senator from Delaware, who, when he was chairman of the Judiciary Committee, shepherded the single-most comprehensive and important crime bill probably in this century, or ever, through the U.S. Senate. It was the first crime bill in history to comprehensively try to deal with the problem of crime in this country.

Generally speaking, previously, we came to the floor and we had a bill that sought to deal with guns, or we had a bill that sought to build prisons, or a bill that sought to deal with drugs, and occasionally something like the LEAA that sought to do something with the criminal justice system itself. But this was the first time, under the leadership of Senator BIDEN, that we stood back and said, "How do we deal systemically with the problem of crime?" To the credit of the U.S. Senate, we finally—after we got over the issue of guns—shed party lines and shed the partisanship, and came up with a comprehensive approach to try to deal with crime. We put slightly less than \$10 billion into the building of prisons. We put up almost the same figure into prevention, and almost the same figure into police officers.

What I think is most significant about the approach that we adopted is that we recognized something that has been building in this country for perhaps 20 years and did something about it even as we recognized it. That is, specifically, we took note of the fact that for about 15 or 20 years we had been disarming our communities in this country. We had been losing numbers of police officers, losing the ratio of police officer to crime.

I think for any Member of the Senate who has spent time in the criminal justice system—there are a number of us here who have done that—or for anybody who spent a lot of time, like Senator MOYNIHAN or others, studying the relationship of values and other damaging trend lines in the disintegration of the fabric of our communities to law and order issues, I think most people have come to the conclusion that there is a relationship between people in the community and their perception of how the law is applied and how it is enforced to their sense of justice, their sense of deterrence, their sense that there is a linkage between the law and behavior.

Most people in America have been able to come to the conclusion that when you are properly administering the judicial system, when you have adequate police officers, when you have an adequate level of deterrence, there really is a relationship to how people choose to behave. That is no different from what we try to do in our schools at the earliest stage. When the teacher is out of the classroom, kids tend to run amuck a little bit and take advantage of it. When the teacher comes back in, usually to a greater degree or lesser degree, order is restored and people begin to have a sense that there is an authority figure there, and they know how to behave. The same is true at home. Depending on whether a babysitter is a strong, hard-nosed babysitter, or lax, or present or not present, at the refrigerator or the television versus taking care of kids, kids will make decisions about how to behave. It is no different in the rest of the world in which we live. In a community,

when people perceive that there are not any officers of the law, they write the law. They take their behavior and start to do things that there is no outside influence to suggest to them they should not do. It is so elementary that it almost defies the imagination that we are here debating about it.

The word "cop" stands for constable on patrol. It is not rocket science. We learned years ago in America when we were this great immigrant nation welcoming people from everywhere that one of the great ways in which we sort of brought people together was through the establishment of a set of laws and a standard of behavior which people followed as a whole. One of the critical ingredients of that was the cop, the constable on patrol, the person walking down the street with a billy stick in a uniform of blue who stood for the standards of that community.

Mr. President, during the 1960's and 1970's, we walked away from that. We took police officers off the streets, literally, putting them both into headquarters and into an automobile. We eliminated precinct after precinct after precinct station in America. This was part of the great new policing and cost-saving consciousness of that particular time period. What we did was kind of modeled our policing habits after the general sort of living habits of Americans. We all went for the automobile, and America moved its sense of community from the community into this transient status which we are in, fairly well to do, where people live in apartment buildings and do not even know each other. We have neighbors in these apartment buildings who are utter strangers. We have a whole new level of what we call stranger crime in America; murders that are committed by people who never met their victims.

In fact, we have learned in the past few years in America—thanks finally to our having required the Justice Department to report the truth of who kills whom—we have learned that the great story about most people committing murder being people who knew each other is a myth. It is not true that most murders in America are committed in this passion between lovers or family disputes. We now know that in the last 10 years in America, out of 200,000 or so murders, 100,000 of our fellow citizens were blown away by somebody they never met, an utter stranger. And we now know that, of those people who were murdered, two-fifths of their murderers have never set a foot across the threshold of a police station—not for an inquiry, not for an arrest, and certainly not for a prosecution.

That is why there is an increase of fear in America; that is why there is an increase of anger in America; because the average citizen feels this loss of freedom in this country. There is a dramatic loss of freedom in the United States of America—still the freest country on the face of the planet, but not the same free country that it used

to be where we felt that we could go anywhere, travel anywhere, go to a restaurant, not have fear of our car being stolen, not having to pay extra money for insurance, not having to pay extra money for trauma in our hospitals, not having to pay for the price of this incredible wave of violence that has consumed our Nation.

What has happened at the same time as we have had this wave of violence? We have diminished the number of police officers. In community after community after community we have less police officers on the streets of our country today than we did 15 and 20 years ago.

So here you have these two lines. One line is the increase in crime. It is going up. The other line is the presence of police officers, and it is going down.

What is the message? The message is very clear. If you are a criminal and you know that the police cannot even respond to the current 911's, if you know that if there is a burglary or an armed robbery, that their ability to track it down is limited because they are already having difficulty filling out their own overtime because they are already having difficulty going to court for the number of court appearances that they have to meet for the crimes already investigated, and they are having difficulty doing their patrols on the level that they ought to be doing them because, lo and behold, there are not enough officers to cover those patrols. What are you going to wind up sending as a message? The message has been crime pays. That is the message we have sent America—crime does pay.

All you have to do is talk to any hardened professional criminal out there, and most of them will tell you that you just learn in the undercurrent and the subculture of crime in this country that that is their perception. It is their perception because we have never had a serious war on drugs in America. Why? Because we only treat 20 percent of the addicts in this country. So what is the message? The message to 80 percent of the drug addicts of America is it does not make any difference if you are lying in somebody's doorway drugged out; it does not make any difference if you have committed your 50th household break-in to support your habit because there is nobody there to get you off your habit, and nobody to catch you for the crime you are committing.

Go to most cities and dial 911, and see what happens. We have had tales that baffle the imagination here in Washington where three blocks away from this Capitol people have dialed 911, and it took 20 minutes to half an hour for a cop to show up.

My wife was involved in an attempted robbery in the city of Washington a few months ago, stuck up by a man with a handgun, and a guy who happened to be driving by in his car called 911, reported it, and nobody showed up. And it was only thanks to

that lucky citizen's presence that he took the license plate of the car that got away, and they caught the person who did it.

In Boston a few months ago, we had a guy who started to run amok out in the street at night. The cop came up to him, the guy pulled a gun and shot the cop and started running down the street. He went around a corner, but there happened to be an off-duty cop working a detail who heard it on his radio; he heard the call of what was happening, started looking around, saw the guy, ran after him, and the guy went around the corner and blew his own brains out before the cop got to him.

Another example in the 99 Restaurant in Charlestown just a few months ago. Guys walked in the restaurant with guns in the middle of the day, in the middle of lunchtime and started firing away at five people sitting in a booth. I think there were four people killed. It might have been five. I cannot remember—four anyway. Two guys come running out with their guns. They are taking off in the light of day, having committed murder, but two cops happened to be in the place eating, off duty again—off duty—and two other guys were out there, again off duty, on a detail. The four of them managed to make the arrest red-handed, right there in the parking lot.

What happened? Cops off duty, cops not part of the regular duty happened to be there. What is the message out of that? What is the message out of the cop who happens to be there when somebody runs amok in the street? The message is cops in the streets make a difference. You do not have to go to school to learn that a police officer walking down the street is an invitation not to commit a crime. Most people do not go out and rob a bank when the cop is standing on the corner. Most people do not run up to an old lady and pull her purse away when there is a cop in the lot.

That happened in Brockton, MA, just last week. A 73-year-old woman was murdered at random, in an act of senseless violence, when a young guy from a neighboring city, who was just caught a couple of days ago, came to that parking lot, grabs her purse and beats her senselessly, and she is dead. I tell you, if he had seen a cop in that lot, that would not have happened.

Now, obviously, we cannot cover every corner, we cannot cover every parking lot, but you know what we can do? We can guarantee that this priority of putting cops on our streets that we committed to only a year ago is not now taken away. For what? For what reason? Nobody has spoken here and said this is not working. The arguments that were made a year ago were that you are not even going to put 5,000 cops out there. This is a joke.

Well, we have put 33,000 cops on the streets of America in the last year and a half. We have added 265 cops alone to the city of Boston. The Federal Government is now paying for a 25-percent

add-on of cops to the city of Chelsea, next to Boston, and we are taking back communities. I was over there the other day listening to the police chief and to the community activists tell me what has happened to the drug dealers and the crack houses since we put those cops on those streets. They are gone. They are painting the houses today. People come out in the community. They care about the community. They come back into it, and they suddenly have new life, Mr. President. Why would we want to not continue that commitment?

Now, I know some people will come to the floor and say: "Well, Senator, what we want to do is give the local community the power to choose and give these people the opportunity to have a big block grant, and they can pick and choose what they want to do." But that is totally contrary to the decision that we made based on the evidence a year ago. There are communities in America that need these cops.

When you make the cops competitive with a cruiser or floodlights for a jail or a drug court or another program, you are diminishing the number of cops that will be put on the street. That is the result. There is a fixed pot of money, and this block grant takes the fixed pot of money and makes cops competitive with everything else that is in the block grant. The end result is there will be fewer police officers on the streets of America.

Why would we want to do that when the Conference of Mayors says, do not do that; we want the cops. Why do it when the police chiefs across the country say, do not do that; we want police officers. Why do it when the police officers' unions and patrolmen themselves say, we need more cops to help us do our job. The mayors are against it, the police chiefs are against it, the district attorneys and attorneys general are against it, and we are going to go ahead and do it.

Now, why would we do it when it flies in the face of truly giving people local control? When small communities give it to the Governors, that is not local control. That is State control. When you give it to the Governors in the format of which it has been given, it is actually more expensive administratively. We are currently administering this program for less than a 1-percent administrative cost. You put it in a block grant with all of this competition at the State level and you drive your administrative costs up to at least 3 percent and maybe more.

Moreover, you enter politics into the situation. What is going to happen when you have a Republican Governor and a Democratic district attorney who may be thinking about running against the Governor and he is going to submit a plan to the Governor for this money? Do you think he is going to be the first to get it?

We took the politics out of this program. A cop, as the Senator from Delaware said, can directly send a single

sheet of paper to the Justice Department and he can get an answer within days, and they have been doing that.

I do not know how you get more direct local control than that; a local police department goes to where the money is, says we need help and gets the money. Instead, we are going to go three tiers. We are going to go to the Federal Government, to the State Government, State Government through the process down to the local government. It just is not part of the revolution of restoring local community control. It flies directly in the face of that, and it is contrary to it.

I do not think this is politics. I think this is really common sense. This is how we are going to restore our communities. I think that 100,000 cops, as I said a year and a half ago, is a down-payment on what we need to do in America today. I think we ought to add 100,000 more cops to the 100,000 we have, and I absolutely guarantee you that if we do that, we will diminish the number of Americans in jail; we will restore whole communities; we will reduce the costs to our hospitals and all the trauma people suffer as a result of violent crime, and we will honestly send a message in this country about law and order.

I can take you to community after community. Lowell, MA. Let me read to you what happened in Lowell in the last year and a half. We were lucky in Lowell—not lucky. People made some good judgments. They hired a terrific police chief named Ed Davis. He came in 18 months ago, and he came in particularly committed to community policing. I went to a street in Lowell called Bridge Street with the chief where prostitutes and druggies were taking over the street and senior citizens literally did not dare to come out of their homes because they feared what was happening in the street.

I walked into the corner pizza store and the guy there who owns it told me, "Senator, you know, people don't come in here anymore. I am going to go out of business unless we do something about this." So the police chief put several police officers in a building right on that street, a new precinct, new storefront. And literally the street has been revived. The drug dealers left. The pimps and prostitutes are gone. Seniors come out of their homes. People take part in the community again and the store owner is thriving. That has been replicated in other parts of the community.

Let me just share with you what the Justice Department has reported about Lowell. In Lowell, MA, for the first time in 25 years, 365 days passed without anyone being murdered.

In a city plagued by heroin use and street gangs, many say the city changed over the last 18 months as a result of an intensive community-based policing effort now supported by a Federal COPS grant. The city's effort has provided 65 new officers, 6 neighborhood substations with bicycle patrols,

a gang unit, and a mobile precinct for public events. Mr. President, that is the story. Over 60 new officers, 6 substations.

Bill Bratton used to be the police chief in Boston. I began working on community policing with him in Boston a number of years ago. As we know, he is now the police commissioner in New York City, and he graced the cover of Time magazine a couple of weeks ago because the crime rate in New York has gone down 20-some percent and it has done it, most agree, because of the presence of police officers and the commitment to community policing.

Mr. President, 15 years ago in America we had 3.5 police officers per violent crime. Today we have 4.6 violent crimes per police officer.

So I hope my colleagues will again reach across the partisan divide and agree that common sense and the experience we are seeing in our streets today dictate that we should not take this pot of money and divert it from cops.

Am I saying that the other priorities that they have included in the block grant are not important? The answer is no. They are important. I would like to see those funded too. That would truly be part of a comprehensive effort to deal with crime. But the first priority, beyond any of those other things, is to guarantee that our children can play in parks without fear of harm; that our seniors can come out of their homes and walk a street to go to the post office or the bank or the corner store; and that all of us in our communities can believe that the fundamentals of public safety are being attended to by putting police officers on the street.

I will tell you, even with all the computers in the world, all the other things people are looking for, until community after community of this country is sufficiently staffed by police officers on patrol, we will not regain our liberty and we will not restore the order that is so cared about by so many of our citizens. I think that is the first order of priority and that is why I hope this amendment will be adopted.

Several Senators addressed the Chair.

The PRESIDING OFFICER (Mr. THOMPSON). The Senator from Utah.

Mr. WELLSTONE. Mr. President, I ask the Senator to yield for a second?

Mr. HATCH. I will be happy to.

Mr. WELLSTONE. Mr. President, I ask unanimous consent to follow the Senator from Utah.

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

#### PRIVILEGE OF THE FLOOR

Mr. HATCH. Mr. President, I ask unanimous consent that Elizabeth Kessler, Michael O'Neill, Steven Schlesinger, John Gibbons, and James O'Gara, all detailees from my staff, be granted the privilege of the floor for the remainder of this Congress.

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

Mr. HATCH. Mr. President, I have been listening to this debate, and it is an interesting one. But I rise in support of the compromise language addressing both the local law enforcement block grants and the COPS provision contained in this bill.

This bill strikes a good balance between the Local Law Enforcement Block Grants Act of 1995 and the COPS Program. This combination will better support the local communities' law enforcement needs, and it provides funds, guaranteed funds that will be used to hire new police officers. That is the way the bill is written.

This proposal—that is the bill, not the amendment before our body—this bill improves the notion of the current COPS Program. To begin, this program moves us away from the Washington-knows-best philosophy. The proposal returns responsibility and capability to local law enforcement officials: The police chief, the sheriffs, the district attorneys. Further, this compromise program allows just under 50 percent, 47 percent of the funds to be distributed directly to the communities to meet their individual community policing needs and law enforcement needs. This program empowers communities to decide how to best spend these resources.

For example, if a community wants to use block grant funds to hire more police to supplement community oriented policing, they may do so. They can use whatever funds come to them.

However, if the resources can be used more efficiently by the community, more effectively, by purchasing equipment and doing other matters that are critical to their law enforcement needs, they may do that. I think any reasonable person would say that makes sense. Why thrust upon them a Washington-knows-best philosophy, which is what my colleagues on the other side want to do, and not give the local communities the right to do this?

I will tell you why they want to thrust it upon them. Because when we passed the crime bill back in 1994, there was a moral commitment by this administration to put 100,000 police, or cops, on the street. There was \$8.8 billion, as I recall, dedicated to that effort in that bill. What this administration did not tell the American people is that \$8.8 billion would not put 100,000 cops on the street. They have been claiming credit for that ever since 1994, knowing the funds are not there.

There was a formula, pursuant to which they would pay 75 percent, then 50 percent, then 25 percent, then 0 percent—ultimately where the communities had to assume all of the costs of those additional police.

I said that they were dissembling, that they were claiming to put 100,000 cops on the street when the moneys were not there to do it. Now it just shows I was 100 percent right.

Now they are talking about, "Oh, we just meant seed money." Give me a break. I said back then that it is untruthful for anybody to claim that bill

was going to put 100,000 cops on the street with only \$8.8 billion attributed to that particular approach. And that is true today.

Yet, in every crime speech since that time the President has gotten up and said we are going to put 100,000 cops on the street.

Now they have about 24,000. I think Senator KERRY indicated they had maybe 33,000. That is a far cry from 100,000, assuming that their figures are right. And they have hit the brick wall where they do not have the moneys to fully fund 100,000 cops. Now they want to call it seed money.

Naturally, some of these communities who want to hire policemen here or there are going to have their hands out to grab whatever money they can. But New York, by the way, which has been used here as an illustration of how crime has come down—I would just like to note that New York City did not receive one cop under the President's COPS Program, not to my knowledge. If they have, I sure do not know about it.

Nor did Washington, DC. Everybody knows that I have raised a couple of points about Washington, DC. It is drug capital USA. It is murder capital USA. You cannot walk down the streets and be safe, kids are shot in schools, you are shot in drive-by shootings. Of course that is true in a number of our communities throughout this country. But Washington did not ask for any hiring money. I will tell you why, they did not have the money needed to make the match requirement.

They can come back on the other side and say let us give them the money. That is what they said they did back in 1994. The fact was the moneys were not there, except for about 20,000 cops. And the 33,000 that they claim they have are only partially funded under the COPS Program. They are not fully funded. So neither New York City nor Washington, DC, to my knowledge, have participated in this COPS hiring program. They could not afford to put these people on with this seed money that it has suddenly become, rather than the full money that was being promised to them.

I said back then it would cost \$8 billion a year for each succeeding year to have 100,000 cops on the street, under that formula that was in that bill. And that is true today. The fact is, it has been dissembling to indicate to the American people that they are putting 100,000 cops on the street. Now they are here, trying to, I think, ruin a block grant approach that really would be effective for our local communities, under the guise that they are going to put 100,000 cops on the street. Now it is seed money.

I have nothing against putting more police officers out there. I simply believe that the cities should be able to decide for themselves whether they want to have cops or whether they want to upgrade technology for crimefighting purposes.

For instance, the District of Columbia, which I have been fighting for in trying to make it safe again, does not even have computers that work. They have dial phones, rotary dial phones. In some areas, they do not have police cars, they do not even have the weapons sometimes, in the greatest city in the world. We all ought to be ashamed of that.

Let me just say, if the community wants to hire these police with the block grants, give them the right to do so. We can supplement community-oriented policing awards. However, if they find the resources can be more effectively used, they have the flexibility to do it, which seems to me to be quite important.

Why do we need flexibility? Take the metropolitan police department in Washington, DC. They have more police officers per capita than any other city in this country—more than any other city. The last thing that the metropolitan police department wants is more police. What they need, in this case, happens to be cars, equipment, bullets, if you will, and they cannot afford them, because we are not block granting the funds to them to be able to do that.

The metropolitan police department in Washington, DC, is cannibalizing police cruisers to keep going, and we are talking about playing this phony game of 100,000 cops on the street, which I have called a phony game since 1994. I am the first to say, in some areas, yes, we need more police on the street, but, by gosh, they can do it if they want to. If that is what their needs are, the block grant will enable them to do that. If they do not need that, then they can do these other things like cars, equipment, bullets, if you will.

Officers in this town are buying their own bullets. They do not like doing that, but to protect themselves they are doing that. Now that is pathetic. It is time to bring flexibility to our law enforcement assistance programs, and that is what this bill does.

When we get the flexibility into the bill, what do we face? People coming to the floor and making arguments for 100,000 cops, who promised us that the moneys were there before, or at least implied that the moneys were there, when I said they were not and they have not been and they will not be, because it is just too much money.

I personally resented every speech by some of our national leaders who get up and say, "We are going to put 100,000 cops on the street," knowing that the moneys have not been there, knowing that that formula has not worked and knowing that it is a misrepresentation. I think it is time for Washington to help first and then get the heck out of the way. That is what is wrong around here. We are dictating where these funds should go rather than helping and getting out of the way and letting those law enforcement people who really know what is best for their communities do what needs to be done.

This proposal does that, it gives them that flexibility. This block grant proposal helps poorer communities by allowing the hiring of police with less of a financial strain on the community. This is accomplished by containing a lower matching requirement than the COPS Program.

During the last floor debate on the Commerce, Justice, State and Judiciary appropriations, my friend and colleague, Senator BIDEN, stated that nothing in the bill requires that even \$1 be used to hire a single new police officer. This compromise satisfies his concern, even though we set aside a considerable amount of money to hire police officers but we block grant the rest in a way that makes sense. This compromise satisfies his concern by funding the COPS Program at the level the President endorsed in the continuing resolution.

For those of you who are concerned about the 100,000 additional police on the street, this plan—that is, the one in the bill, not the one that has been offered by my colleague—this plan places your concerns at rest. Although the President's plan does not fully fund 100,000 cops, assuming that the law enforcement block grant earmark for the COPS Program remains at the current 51 percent, more than \$3.8 billion will be available for cops awards over the life of the program, assuming money is there under the block grant approach.

Using the President's math, the fiscal year 1996 average grant award amount is \$45,856. The available funds will provide seed money for more police under the COPS earmark. In other words, according to the President's math, it only costs about \$45,856 to put a police officer on the street. We know it cost more than that.

To also make it clear, this bill provides especially a paragraph on prohibitive uses. It says:

Notwithstanding any other provision of this act, a unit of local government may not expend any of the funds provided under this title to purchase, lease, rent or otherwise acquire (1) armored tanks (2) fixed-wing aircraft (3) limousines (4) real estate (5) yachts (6) consultants or (7) vehicles not primarily used for law enforcement, unless the Attorney General certifies that extraordinary and exigent circumstances exist that make the use of funds for such purposes essential to the maintenance of public safety and good order in such unit of local government.

There are protections in this bill. It costs about \$75,000—I have been corrected—to fund a police officer on the street, about \$75,000 to fully fund one. This so-called seed money will not fully fund 100,000 police on the street. There is no way that it can. So we have gone from fully funding to seed money now under the guise that we are going to give the people 100,000 police on the street when, in fact, that just simply is not true.

Add this to what was awarded in the prior years, if you spend that \$3.8 billion over the remaining program life, and with seed money, I suppose you could get to 100,000 cops with a tremen-

dous drain on the local community. But they are going to hire these police anyway. Naturally, they are going to have their hands out if there is a free gift of money from the Federal Government, and that means people they hired anyway are going to get help while other communities who need money for cars, for equipment, for bullets, if you will, or police uniforms cannot get it and cannot do the policing job that they should do.

This is even before the flexible portion of the block grant money is expended. We have taken appropriate measures to address concerns about guaranteeing police on the street and also in poorer communities to best determine how best to fight local crime.

Why do we always have to go to the Washington knows best mentality? Why do we always have these arguments out here about, "By gosh, we're going to earmark and tell them what to do with these funds?" What is wrong with block granting the funds, as long as we have prohibited uses, which we have expressly written in this bill? What is wrong with block granting the money to them and letting those local communities make their determinations of what is best for them, rather than us telling them what they need?

Some communities do need more police. This block grant will help them. They will be able to make that flexible determination. Others do not, and they will not be forced to because of an inflexible approach that I think my colleagues on the other side are asking for.

One reason the local law enforcement block grant of 1995 is superior to a cops-exclusive program is flexibility. We provided for flexibility in this bill by allowing local communities to expend funds for all of the following law enforcement purposes:

First, for hiring, training, and employing additional law enforcement personnel. So they can do it if they want to. If that is what they need to do, they will have some funds out of this block grant to do it with.

Second, paying overtime to presently employed law enforcement officers.

Third, procuring equipment and technology directly related to basic law enforcement functions.

Fourth, enhancing security measures in and around schools.

Fifth, law enforcement crime prevention programs.

Sixth, establishing or supporting drug courts.

Seventh, enhancing the adjudication process.

And, eighth, establishing multijurisdictional task forces, particularly in rural areas.

Local law enforcement officials can decide how best to decide to spend the money under the program. More police does not always mean better policing. Oftentimes, necessary procurement is the best option for the community, by far the best law enforcement option in some communities.

This program moves us away from the Washington knows best philosophy. We do not let Washington dictate local crimefighting strategies. Washington simply does not know best. Washington does not know best how to solve local problems, especially a problem like crime. The COPS Program dictates to a community how much of their scarce funds they must allocate to combat crime.

The COPS More Program promises to supply overtime and supplies to the police departments. However, in practice, only big cities with large police forces can be eligible. This is because COPS More grants require a showing of moving a cop to the street to receive these funds. Smaller communities who are already maximizing their street coverage have difficulty showing more officers can move to the street. Small town forces do not have the extra manpower to put another officer on the street, and rural communities need cars to travel through their districts.

The COPS Program determines the number of officers given to communities by the number already on the force. It disregards the crime program. Small crime-riddled communities should be able to receive help, not be penalized because they are small. The COPS Program does not take into account crime when giving out grants. The grants are given to any locality that can afford the matching fund whether the officer is needed or not.

The COPS Program does not base the number of officers awarded on crime but rather on the number currently on the force. Cities who applied for four officers because they had one of the highest crime rates in the Nation will be given 1 or 2 officers because the current force has 50 officers.

Look, we are not playing games here. We are trying to solve this problem. The block grant gives the local communities the flexibility to solve it in their best interests and their best ways without Washington telling them what to do. What is going on here is the department is paying 75 percent of the salary the first year, 50 percent the second year, 25 percent the third year, and then the local agency has to carry the full load.

Based upon a salary of \$65,000 to \$70,000 a year, for every \$75,000 in Federal COPS grants awarded, the community will need to spend \$225,000 over the 5-year life of the program to keep a cop on the street. That is one single cop.

I want to submit for the RECORD a statement by the city manager of Sunnyvale, CA, who turned down a COPS grant because they could not afford it. I ask unanimous consent that that statement be printed in the RECORD at this point.

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

STATEMENT OF THOMAS F. LEWCOCK, CITY MANAGER, CITY OF SUNNYVALE, CA

Mr. Chairman and Members of the Committee:

I am honored to have been requested to submit a written statement to the Judiciary Committee regarding the City of Sunnyvale, California's decision to not accept Crime Grant funds to add additional police officers to the Sunnyvale Department of Public Safety.

#### BACKGROUND

My name is Thomas F. Lewcock. I am the City Manager of the City of Sunnyvale, California. I have served in that capacity for fifteen-and-a-half years. I have served in executive capacities in city government for 26 years, having received a bachelor's degree in political science from the University of Minnesota, and a master's degree in public administration from that same institution. The City of Sunnyvale operates under the Council/Manager form of government, with the City manager appointed on professional merits for an indeterminant time by the City Council, serving fully at its pleasure. The City Manager is the Chief Executive Officer.

The City of Sunnyvale is a residential/industrial community located in the geographic heart of the Silicon Valley. It has a resident population of approximately 125,000, with a private-sector job base of approximately 120,000. It is a demographically diverse community with a minority population of approximately 35%. While the income and educational levels of its citizens are above average, the City has the full spectrum of income and education levels. While law enforcement issues do not have the same complexity as those of an urban core, Sunnyvale remains a relatively densely developed community in the California context with a full range of law enforcement complexities. Approximately 50% of the resident population lives in multi-family dwellings. Given the sophistication of the City's industrial base, highly complex law enforcement issues are presented. This brief overview of the community is provided to members of the Committee in order to provide a framework for the community's law enforcement needs. In many respects, the law enforcement requirements of this community are significantly closer to that of an urban core community than the typical American suburban community.

The City of Sunnyvale over the last several years has gained a national and international reputation for its unique approach to long-range strategic and financial planning, to results-oriented budgeting, and to its well-recognized approach of operating the City more as a business than a government. In the Osborne and Gabler book, "Reinventing Government," the City of Sunnyvale was noted as the government "performance leader."

The relevance of the City of Sunnyvale's approach to policy setting and the provision of public services is briefly reviewed in order to gain a context as to why a decision was unanimously made by the Sunnyvale City Council to not accept Crime Grant funds.

For the past fifteen years, the City has structured its approach to policy setting and financial management with two key themes. The first is that of long-range strategic planning coupled with a sophisticated ten-year financial plan. That financial plan estimates all projected operating, capital, debt expenses, as well as future revenues. This highly sophisticated approach to long-range financial planning is used in a number of ways which are beyond the purpose of this statement to describe in detail. Key to this statement, however, is its use in recognizing that the short-term financial position of any government and for that matter any business is not predicated on a year-to-year analysis, but can only be fully understood in the context of multi-year projections. Though those

projections will of course suffer from the natural uncertainty of government finance and all the related factors that affect government income and expense, it can and does provide a clear understanding of significant expense and revenue trends that should be taken into account in making any decision which has long-term consequences. A series of detailed financial policies have been adopted by the Sunnyvale City Council in respect to utilization of long-range financial planning. One of the most important of those policies is to require that in submittal of annual budgetary plans, that the budget must be balanced not only in the context of one year but also in the context of the position of the City over the entire ten-year time frame. Even though an expenditure may be affordable in a one-year context, if it cannot be supportable over the long term then it is not undertaken. This approach recognizes that although on a one, two or three-year basis an expenditure may be affordable, if over the long term it pushes governmental spending in deficit, then it is much better to deal with that issue initially than to compound the financial problem created of effectively spending for many years beyond means and then eventually reaching the point where far more significant budget and service reductions are necessary.

A second critical component of the approach of the City of Sunnyvale is to clearly specify in measurable terms each and every service which the City is to provide and to allocate funding to those specified service levels. The Patrol Services Division of the Department of Public Safety follows this approach as do all other City departments and services. This approach is not focused on line item detail as to numbers of people, vehicles required, and the like, but rather on the specific level and quality of services to be provided. It is here that the policy focus of the City Council is centered. For example, in the Patrol Services Division, service levels are defined in terms of emergency response times, crime rates, crime clearance rates, citizen satisfaction, and the like. Each year, the Council determines whether or not that defined level of service is adequate and if not, appropriate resource changes are made. Further, if change in demands occur in such a way that additional resources are required in order to meet those service standards, then the Council either appropriates the additional funds for that purpose or if insufficient funds are available makes a determination as to what level of service is affordable.

It would be incorrect to assume that because the Sunnyvale City Council declined Crime Bill funds that either Public Safety services are not a priority nor that the City is in the financial position to ignore a sizable sum of outside funds. Over the past five years, the real dollar value of tax income to the City of Sunnyvale has declined by 15%. This has occurred as a result of the California economy and severely restricted revenues for all levels of California government. The City has had to make difficult decisions over this time frame to find ways to continue to the maximum extent the level of services it provides. Most certainly, the action taken by the City Council is not a reflection on the lack of priority for Public Safety services. Public Safety services, both police and fire, are clearly the two highest priority services in the City of Sunnyvale. In fact, these services receive 58% of the overall tax-supported budget in this community.

#### THE CRIME BILL

When the Crime Bill was passed, the City began the process of reviewing this new grant program in accordance with the general policy and budget framework outlined above as well as against a specific intergov-

ernmental grant assistance policy which was adopted by the Sunnyvale City Council many years ago. Attachment I excerpts the most relevant aspects of that policy. As can be seen in the attachment, that policy in general discourages the utilization of State or Federal grants to support ongoing City programs. The underlying reason for that strategy is that when City services are increased as a result of a grant that may later be reduced or eliminated by the State or Federal governments, then it is in essence establishing a new or expanded service which the community will become accustomed to. If then later the funding either declines or is eliminated, very difficult decisions have to be made in a constrained resource environment of either eliminating that program or some other. Therefore, this policy attempts to assure a continuity of priority setting around the most important services this City should be providing consistent with its financial constraints. This policy places that strategy into action by either requiring that the program be shown in the City's Ten-Year Financial Plan only for the period of time that the entitlement has been granted or requiring the City's own tax resources to be dedicated in advance of accepting the grant if it is believed that the program should continue.

For a program such as the Crime Bill which would add police officers, it is clear that if there is a need to increase the law enforcement presence that need will not dissipate simply because Federal funding is no longer available. Therefore, this is not the kind of service expansion for which the City would knowingly accept grant money and then reduce the service by eliminating these added police officers at the time the grant money was no longer present. Rather, this kind of grant would be accepted only if a decision was made that the costs were supportable over the long term and actually scheduled in the City's Ten-Year Financial Plan.

In order to estimate the City's ability to support the ongoing cost of officers, an analysis was conducted as to what the true cost to the City of Sunnyvale would be. Under terms of the Crime Bill, the City would have been eligible for a maximum of six police officers with a maximum grant amount of \$450,000.

In order to estimate the cost over the City's ten-year financial planning horizon, the wages and benefit costs of a Sunnyvale Public Safety Officer was first determined. As of 1995, that annual cost is \$95,538. Although officers would not initially be hired at the top of their salary level as is reflected in this cost, the City always utilizes the practice of estimating top-step salaries in compensation since over the long term that will ultimately be the actual cost of new employees. In addition, there are ancillary costs placing a police officer on the street and properly equipping them, which adds an additional \$3,227 annually, for a total cost per officer of \$98,765 annually.

Attachment II reflects the present estimated financial plan for tax-supported services in the City. In order to project the full financial effect of six new officers, Attachment III was developed. Under Revenues, a new line item was added reflecting the \$450,000 in new income. Under Expenditures, the new cost to the City was projected over ten years. Please note that the projected expense does go up annually consistent with the City's Inflation and cost-of-living projections. While we do not pretend to have a crystal ball as to how inflation will perform, we consider this an important aspect of multi-year financial planning as it recognizes the reality that costs do increase over time even when inflation is low. As can be seen in Attachment III, the total projected

expenditure over the City's ten-year financial planning horizon is \$6.8 million. Also of note is the interest line under Revenues which was appropriately adjusted to reflect the fact that this new expenditure would reduce City reserves and therefore interest income. As a result, the total net cost to the City is \$8.853 million over ten years, which reflects that this grant would support only 5% of the total cost. While it is certainly the case that the cost of law enforcement officers in the State of California is considerably above national averages due to the very high cost of living in California, even with lower expenditure numbers, over a protracted time frame a grant such as this would reflect but a small percent of the overall cost. As also reflected in Attachment III, necessary prescribed reserve levels in accordance with City fiscal policies would not be able to be maintained by the tenth year falling some \$2.75 million into deficit.

The question of whether or not to accept Crime Grant funds, however, was more than the financial analysis alone. As was stated earlier, local government in California has been hard pressed for a number of years with continual reduction in revenue availability while at the same time being faced with expensive new Federal and State mandates. As a result, two additional questions had to be addressed. The first question was whether given all City priorities the addition of six police officers was the most important. The second question was that if it was determined that a greater law enforcement presence was needed and was the top priority in the community, whether the specific restrictions and strings that came along with this grant would restrict the ability to use the funds in such a way as to meet the City's most pressing law enforcement requirements. As outlined earlier, Sunnyvale is a results-oriented organization, specifying in clear and measurable terms what it will accomplish in quality and level of service in everything the City does. The City's recognition as the "performance leader" has come as a result of articulating in clear terms what we are to accomplish, but not prescribing the way in which it is to be accomplished. For example, one can assume that one of the most important purposes of the Crime Bill is to reduce the incidence and fear of crime. Due to the prescriptive requirements of the bill, the bill presumes that if police officers are dedicated to this task consistent with the requirements of the bill, then this objective will be best met. We have found in literally all service areas that prescriptive requirements as to how to meet an objective creates substantial limitations in the creative use of resources to assure that service objectives are met in the highest quality and lowest cost fashion. In lay terms, what this basically means in the case of the Crime Bill was that the City would have to accept the fact that the Federal government knew better than we do how to utilize resources in order to accomplish a comparable goal. Rarely have we found that to be the case.

In the case of the Crime Bill, it was not even necessary to get to the point of judging whether or not this resource increase paid 95% by the City was the highest priority area of expanded City services. Rather, when it became clear that the Federal government would dictate how these officers would be used by providing only 5% of the funds, a unanimous decision was made by the City Council that the incentive did not come close to justifying a change in City priorities. Further, and perhaps even more important, it was believed that if the choice was paying the additional 5% of the cost and thereby allowing these resources to be marshalled in a way judged to result in the best

return in investment, then the City would be better off paying 100% of the cost.

#### CONCLUSION

Most cities do not use the performance-based policy setting and budget approach nor multi-year financial planning approach that has been long utilized in the City of Sunnyvale. The reality is, however, that the issues and consequences are exactly the same for other cities as well. Perhaps the only difference in many other cities is that these consequences are not recognized in advance and will have to be dealt with when funding is depleted. It also underscores the importance that local government and now the Federal government has placed on mandate relief. In a constrained resources environment, each time a new direction is provided by the Federal government by rule, regulation, or law, the Federal government is essentially establishing priorities for local government. Two years ago, a detailed study was undertaken which reflected that fully 23% of the City's operating budget on an annual basis was directed toward the meeting of Federal and State mandates. If all involved in government leadership positions at the local, State, and Federal level concur that law enforcement is by far the highest municipal priority and if in turn that is the major reason for the assistance the Federal government is offering, then it is clear that this high priority has been continually subverted by both the Federal and State government, requiring that scarce resources be directed to other purposes. Not all will agree that City government is capable of establishing the most important priority uses of local government funds. Most local government officials, including this one, would argue, however, that law enforcement is amongst the very highest priorities for local government and to the degree it is not funded to the level it should, the problem will not be solved through carrot and stick techniques that in reality do not significantly enhance the financial ability of a City to continue those services over a protracted time frame.

Mr. HATCH. Mr. President, look, all of us want more police on the streets. All of us will support that. On the other hand, we have provided about half of this money to go for the COPS Program, about half the money this administration represented were sufficient to put 100,000 cops on the street, or at least they have been misrepresenting over the last number of years—in the last year and a half, in my opinion.

What we also have is about 50 percent of these funds going in a block grant to the communities so they can make their own determination as to what is best for their communities, how best to do it. We provided prohibitions in here so the community cannot just have exotic police approaches, that they have to use funds for the very best law enforcement needs, in the best interests of the community. To me, that makes sense.

We help the COPS Program even more than was represented we would do. We help the communities to have a flexibility to be able to do what is best for their communities. If they do not need police personnel, they can then use the money for other law enforcement needs that are very important for the community. In the process, everybody wins.

I think what we have to do one of these days, though, is face the music

around here in the District of Columbia. I believe we have in some respects some very decent people in that police force, but they are not funded properly. They are not treated properly. We have crime in the streets here in the greatest city in the world. We are not doing what we should do about it. Frankly, this type of an approach just takes away from getting the job done here as well as elsewhere throughout the country.

I think it is time for us to wake up and realize that block granting makes sense, that there have been some pretty sorry claims made with regard to the 100,000 cops-on-the-street program.

No one opposes hiring new cops. The question is whether we here in Washington should dictate to the local communities what they should or should not do. My colleagues on the other side apparently like that system. I do not. I do not think a majority of people in Congress like that system. The underlying bill represents a compromise. Funding the COPS Program and funding for greater flexibility is that compromise. It seems to me that makes sense.

I know that the majority leader is going to move to table this amendment. I hope that a majority of the Members of this body will support that motion to table because we want communities to have the flexibility to be able to do real law enforcement, not just what Washington thinks ought to be the approach for every community in this country. They will have the flexibility under this bill to be able to do policing, if they want to, or partial policing, or whatever they need for law enforcement that is in the best interest of their community.

I apologize to my colleague for taking so long. I yield the floor.

Mr. WELLSTONE addressed the Chair.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. WELLSTONE. Let me say to the Senator from Utah, first of all, that there is no reason for apology. It is very gracious of him. I do not always agree with some of the positions he takes, and I do not agree with him on this amendment, but I believe that if you want to use the words "class act," he is a class act. I have tremendous respect for him.

Mr. President, I am very proud to introduce this amendment with my colleagues, Senator BIDEN and Senator KERRY from Massachusetts.

Our constituents, citizens in our country, all of us, we plan our lives sometimes around crime—where we eat, how we treat our children, where we live, how we travel, where our kids go to school, how we answer the door, how we answer the phone. The crime and violence in our country and in our communities takes away freedom, the freedom of our loved ones, the freedom of our families, the freedom of our neighbors.

Mr. HATCH. Would the Senator yield for a unanimous-consent request?

Mr. WELLSTONE. I would be pleased to.

Mr. HATCH. We have a couple of amendments.

AMENDMENT NOS. 3480 AND 3481, AS MODIFIED

Mr. HATCH. Mr. President, I send two amendments to the desk. I think they are 3480 and 3481. They are modifications. I believe they have been cleared on both sides of the aisle.

Mr. WELLSTONE. Mr. President, I wonder whether I could find out as to what the amendments are.

Mr. HATCH. Modifications—have they been cleared? They are not cleared? Let me leave them at the desk and see if we can get them cleared.

Mr. WELLSTONE. Mr. President, I say to my colleague, there is no objection.

Mr. HATCH. Mr. President, I ask unanimous consent that the modifications be approved.

The PRESIDING OFFICER. Without objection, the two amendments, as modified, are considered and agreed to.

So, the amendments (Nos. 3480 and 3481), as modified, were agreed to as follows:

AMENDMENT NO. 3480

On page 751, section entitled "Agency for International Development, Assistance for Eastern Europe and the Baltics", insert at the appropriate place:

"Except for funds made available for demining activities, no funds may be provided under this heading in this Act until the President certifies to the Committees on Appropriations that:

"(1) The Federation of Bosnia and Herzegovina is in compliance with Article III, Annex 1A of the Dayton Agreement; and

"(2) Intelligence cooperation on training, investigations, or related activities between Iranian officials and Bosnian officials has been terminated."

AMENDMENT NO. 3481

On page 751, section entitled "Agency for International Development, Assistance for Eastern Europe and the Baltics", insert at the appropriate place, the following: "*Provided further*, That funds appropriated by this Act for economic reconstruction may only be made available for projects, activities, or programs within the sector assigned to American forces of the NATO Military Implementation Force (IFOR) and Sarajevo: '*Provided further*, That Priority consideration shall be given to projects and activities designed in the IFOR "Task Force Eagle civil military project list": '*Provided further*, That no funds made available under this Act, or any other Act, may be obligated for the purposes of rebuilding or repairing housing in areas where refugees or displaced persons are refused the right of return by Federation or local authorities due to ethnicity or political party affiliation: '*Provided further*, That no funds may be made available under this heading in this Act, or any other Act, to any banking or financial institution in Bosnia and Herzegovina unless such institutions agrees in advance, and in writing, to allow the United States General Accounting Office access for the purposes of audit of the use of U.S. assistance: '*Provided further*, That effective ninety days after the date of enactment of this Act, none of the funds appropriated under this heading may be made available for the purposes of economic reconstruction in Bosnia and Herzegovina unless the President determines and certifies in writing to the Committee on Appropriations

that the aggregate bilateral contributions pledged by non-U.S. donors for economic reconstruction are at least equivalent to the U.S. bilateral contributions made under this Act and in the fiscal year 1995 and fiscal year 1996 Foreign Operations, Export Financing and Related Programs Appropriations bills."

Mr. HATCH. I thank my friend.

AMENDMENT NO. 3483

Mr. WELLSTONE. Mr. President, I do not really believe that there is any debate in my State of Minnesota about the need to have more law enforcement, more police, in our neighborhoods and in our communities. We must have more police out in the communities.

Mr. President, because of the violence, because it is so important that we reduce the violence in our homes, reduce the violence in our schools, reduce the violence in our neighborhoods and in our communities, it is critically important that, as legislators, we, as Senators, Democrats and Republicans alike, act powerfully, forcefully and immediately. That is what the crime bill of 1994 was all about.

There is a brave initiative to this piece of legislation. This piece of legislation gave us an opportunity, I think, especially through community policing, to reclaim our cities and to reclaim our neighborhoods, to reclaim our schools, and to really reclaim our future.

The community oriented policing service, COPS, was created by the Crime Act in 1994. So far, it has exceeded its hiring goals. Funds have already been authorized to add more than 31,000 police officers, over a quarter of the final goal. I think my colleague from Delaware, Senator BIDEN, had the figure higher than that—about 34,000, as I remember.

Mr. President, in my State of Minnesota we have already been able to hire 435 new cops that have been put out in the neighborhoods and in our communities. Minnesota has received over \$24 million under this program. This year, if our amendment passes, there would be 100 more law enforcement women and men out in our communities, working with the citizens in our communities, helping to reduce violence in our communities.

Mr. President, Chief Leslie, the sheriff of Moorhead, tells me that the COPS' dollars have allowed him to institute a very effective community policing strategy and a citizens police academy for residents. He says, "After 30 years in law enforcement and 17 years as police chief of Moorhead, the COPS Program is the best thing I have ever seen." "The best thing I have ever seen," says the chief of police of Moorhead.

St. Louis County Sheriff Gary Waller is equally enthusiastic about the program.

Mr. President, I have spent time talking with the law enforcement community in my State of Minnesota. What they say ought to be heard loud and clear by all of us in the U.S. Sen-

ate. Minneapolis Police Chief Robert Olson, talking about the community policing program, the COPS Program. They have 17 community police so far. They see 23 in jeopardy. They hope to have 40 altogether. In Police Chief Olson's words the COPS Program has been successful and has led to a "dramatic impact this year on the level of crime violence in the metro area." A city where we have seen entirely too much crime. They have seen fewer incidents since instituting the COPS Program of drive-by shootings and estimate that they have taken 50 percent more guns off the streets.

Mr. President, the police chief of Minneapolis, Chief Olson, said to me, "This is not the feel-good program, Senator. This is strict law enforcement. We have been able to shut down some of these crack houses. We have been able to target those neighborhoods most ravaged by this violence and crime and have police out in the communities, out in the streets, working with people, to reduce that violence."

Mr. President, we need to listen to these law enforcement officers. The community police program is a huge success in the State of Minnesota. I have talked to sheriffs and police chiefs in the metro area, in greater Minnesota, whether it is suburbs, in cities, or smaller communities. You get the same response: "Senator, this program is working. Don't kill the COPS Program." The League of Minnesota Cities said this yesterday, "Look, we need to make some commitments as a Nation. One of those commitments ought to be to community police. Do not talk about block grants where the money may or may not go to this. You all made a commitment. You have a contract with us. You have made a commitment to the community policing program to make sure there are 100,000 police out in our neighborhoods by the year 2000, to make sure in my State we dramatically expand law enforcement in the communities. Don't renege on that commitment."

I talked to Duluth Police Chief Scott Lyons. He said to me, "Senator, this is a new philosophy. What we have been able to do through this community police program is establish more rapport than we ever had with the communities in our city. Senator, what we have been able to do—and I use the police chief's own words, "is empower citizens to be able themselves to take action—not vigilante action—working with the police force to reduce violence in their communities." The police chief went on to say, "Senator, we are no longer reactive. We are proactive. We are taking steps to prevent crime in the first place, in the city of Duluth, in some of the neighborhoods most ravaged by the crime." Why in the world would we want to weaken a program that the law enforcement community so strongly supports, as do the citizens in our States? It makes no sense.

I talked to Stearns County Sheriff Jim Kostreba and he said, "Senator,

the COPS Program has enabled us to work with school officials, to work with kids. It has helped us to fight against teenage drinking, against drugs, against substance abuse, against teenage suicides." He went on. I thought it was very interesting. He said to me, "Senator, at the beginning through the community police program, when we had a presence in the schools, some of these young people were cynical. Some of these young people looked at our police officers as if they were the enemy. But not any longer. Through the community police program, we have our law enforcement people, men and women, working with these kids."

I say to my colleagues, this program is a huge success. This is exactly what we ought to be doing by way of priority.

I talked to Anoka Police Chief Andy Revering and he talked about what Anoka has done. He said only 4 years ago Anoka had the fifth-highest crime rate in the metro area. The demand exceeded their resource. Because of the COPS Program they have seen a dramatic decline, according to the chief, in crime. What they have been doing is they have been using the COPS Program law enforcement in conferencing. This is a program, for my colleagues information, whereby you bring together some of these kids would have committed some of these crimes, you bring their families into a meeting, and you conference them, along with the victims so that these kids really know what it is they have done. By bringing these kids together with their families and also bringing them together with the victims, what has happened, says Chief Revering, there has been very little repeat of crime by these kids.

I say to my colleagues, what in the world are we doing by trying to have in this continuing resolution essentially a proposal which says, yeah, we keep the Government going but we want to cut by half the number of resources that go to community policing?

Mr. President, I have said it many times on the floor of the U.S. Senate: When three teenagers, regardless of color of skin, beat up an 85-year-old woman and leave her for dead, we hold them accountable for what they have done. We do not tell them we feel sorry for them. That is a strict law and order approach. By the same token, you can talk to the kids—and Sheila and I spend time with kids who are at risk—you can go to the schools in some of the tougher neighborhoods, you can talk to the judge, you can talk to the sheriffs, you can talk to the police chiefs, you can talk to the youth workers if anybody wants to because they are the ones that are dealing with this violence, and they will tell you we have to have opportunities for these kids. We have to have alternatives to the gangs and make sure the kids are able to do positive things in the communities.

Mr. President, no matter who you talk to—whether it is people in the

communities, whether it is the police, whether it is the chiefs, the law enforcement people who are in the communities—they all say the same thing: This community police program is important. We need more law enforcement in our neighborhoods. We need to reclaim our neighborhoods. We need to reclaim our cities. We need to reclaim our communities. We need to reduce this level of violence.

I was talking to the police chief in Fergus Falls and he said, "Senator, the reason the COPS Program is such a good program is because you do not limit the grants just to the large cities." He said, "I want to tell you that this is a wonderful community, and it certainly is, but do not think for a moment we do not have problems with violence and problems with crime." This COPS Program has been a huge success. Same comment from the sheriff. It does not matter whether you talk to sheriffs or police chiefs in the big cities, Minneapolis-St. Paul, in Minnesota, or Duluth, or you talk to them in midsized cities like St. Cloud, or whether you are talking to law enforcement people in the small towns of rural communities, they all say the same thing. They all say the same thing: "Senators, cut a program if it does not work, but do not cut a program that has been an astounding success." We need to reduce the level of violence. We need to be bold and we need to be dramatic. It is a huge mistake to block grant, to move away from what has been the commitment that we have made.

We said, when we passed this crime bill, that we make a commitment to 100,000 community police, that we would make a commitment to community police all across my State of Minnesota. That is what law enforcement people expected. That is what we are doing now, with great success. That is what the people in our States expected. We need to live up to our commitment. That is why this amendment is so important, and I hope it will pass.

I yield the floor.

Mr. HATCH. Mr. President, I have been listening to the distinguished Senator, and I have to say that some of the points he is making are good. Take them up with your Governor. We do not have to dictate from Washington what law enforcement officials have to do in the individual States and communities. If you do not like what the block grant moneys are used for in your State, then take it up with your Governor, because I will tell you one thing, you get the money. If you need more policemen, you can get them with that block grant money. If your Governor is not doing it, talk to him. I doubt—

Mr. WELLSTONE. Will the Senator yield?

Mr. HATCH. For a question, sure.

Mr. WELLSTONE. I will wait for a chance to respond.

Mr. HATCH. If I heard the Senator correctly—and he is a friend and colleague—maybe I did not because I was

listening and not listening. But it seemed to me that I recall him saying that Senator DOLE was being accused of renegeing.

Mr. WELLSTONE. If the Senator will yield, I did not mention the majority leader's name at all. I do not do that.

Mr. HATCH. I am glad to hear that because I thought there was some sort of accusation that Senator DOLE had reneged on law enforcement needs. I want to make it clear that not only did he not do that, he has been one of the strongest pro-law enforcement people in his long time in the U.S. Senate, and rightly so, as is his colleague, the Senator from Utah. We both have fought very, very hard.

I agree that my colleague, Senator BIDEN, on the other side, has been a tremendous leader in the war against crime. I have a lot of respect for him. I grieve when we disagree on some of these things. Senator DOLE, in particular, opposed the 1994 crime bill because it was not a tough enough law enforcement bill. I was there, too, and I opposed it for that reason as well, although there was much we agreed with in that bill, and we were glad certain parts of it were passed. I commend Senator BIDEN for his efforts on that bill because there is much in that bill that is good, not the least of which is the Biden-Hatch violence-against-women provisions. Senator DOLE believes in real law enforcement, not shallow promises.

What I am saying here is, look, it makes sense to give about half of this money to the communities as seed money to try to help them get police personnel. It does not make sense to say that this is the President's commitment of 100,000 cops, because he made that commitment on the last bill that had \$8.8 billion in it, and everybody knew that would not provide for 100,000 police on the streets. Now they are coming and saying with seed money they can get their 100,000 cops. I have said they could not get the 100,000 cops on the basis of what they had done up through the 1994 crime bill. That crime bill did not do that. It talked about it, but it did not, will not, cannot, do it. The President has been going up and down the country talking about his 100,000 cops on the streets bill. The fact is that just simply is not true. I think it is time for the American people to understand that.

Republicans, recognizing that it is important to have police on the street and to have flexibility so you can do what needs to be done in the communities, have said, in spite of the fact that the President has, in some respects, demagoged this issue all over the country, knowing the funds are not there, acting like they are and helping the American people to believe they are there when they are not. We have decided to put half of the moneys into the cops on the street program regardless, because we believe in that, too, to the degree that we should do it. That is the degree. But we also put about half

of the money into a block grant so those communities have the flexibility to do whatever is in the best needs of their community. That makes sense.

I do not understand the argument against it—to just dictate from Washington that you have cops on the streets whether you want them or not, and if you do not want them or cannot use them, you do not get anything out of this bill. I would rather have these police people throughout the country get good things out of this bill that will help them to meet their law enforcement needs in their area than have us wonderful people in the U.S. Senate tell them what they have to have. Sure, some of these communities will have their hands out for anything, and I cannot blame them. Any time you can find money that is just a gift, why not take it?

What we want to do is have these moneys go for the purposes they should go for, the best possible, flexible response to crime in this country. This bill does that. I think anybody who says otherwise just does not understand what is in the bill.

I yield the floor.

Mr. GRAHAM addressed the Chair.

The PRESIDING OFFICER. The Senator from Florida is recognized.

Mr. GRAHAM. Mr. President, the debate that we are having today focuses on the specific issue of community police. I would like, at a later point, to discuss some of my opinions and observations about this particular form of use of police personnel from a recent experience in a specific community in my State of Florida.

But as a context of this, I would like to raise the question of what is the appropriate Federal, State, local role in law enforcement? What should be the nature of the Federal Government's participation in our collective efforts to provide security to our homes, our neighborhoods, our States, and our Nation? Let me suggest just three items that I think are important principles for that relationship and for the Federal role.

First is that the Federal Government must fulfill its own specific and singular obligations. Mr. President, that sounds obvious. Of course, the Federal Government ought to fulfill its obligations. Unfortunately, there have been too many instances in which that has not been the case and in which other levels of government, therefore, were forced to divert their resources to carry out what otherwise would have been a Federal responsibility.

Example: My State is replete with instances in which the Federal Government, through specific agencies, established thresholds of a particular criminal activity which must be passed before the Federal agencies would assume responsibility. It was a Federal crime at a lower level of intensity. But for various reasons, generally having to do with the resources or other set of priorities available to Federal agencies, those agencies would not investigate or

prosecute activities unless it reached a particular quantity.

This has been particularly true as it relates to drug-related offenses. Unless you were caught with several pounds of marijuana, or significant amounts of cocaine, even though you were subject to Federal investigation and arrest and prosecution, you, in fact, were not. So, therefore, it became the obligation of the local law enforcement agencies to spend their resources in doing what should have been a Federal obligation.

What makes this particularly vexing is that these prosecution standards are not evenly applied across the Nation. So that one community in America receives a different level of Federal law enforcement support than does another. I think those differences are intolerable and that one of the first steps in the Federal-State-local partnership ought to be that the Federal Government would meet its responsibilities and do so on an evenhanded basis across America.

Second, I think the Federal Government has an important role to play in assisting in the coordination of law enforcement agencies. The Federal Government has some natural characteristics that lead it to be an important partner, if not the first among equals, when there are efforts to bring several law enforcement agencies together. The examples that have been used in areas of drug enforcement, where the Federal Government has, through leadership and through financial incentive, encouraged States and local communities to collaborate more effectively, has served a very salutary function.

A third area in which the Federal Government has a role to play is to encourage innovation and dissemination of best practices in law enforcement. So that if a particular community engages in an activity which has demonstrated its effort for efficacy, I think the Federal Government has a role in spreading that best practice as rapidly as possible to other communities which can benefit by that.

Mr. President, left out of this list of what I think are appropriate Federal roles is for the Federal Government to become involved in a general, nondirect form of assistance to State and local law enforcement. I do not believe that this is an appropriate role for the Federal Government, and that is a ditch into which we have fallen before and I fear are about to fall again. Law enforcement is a State and local responsibility, and it should be the primary responsibility of the citizens at the State and local level to be charged with the establishment of priorities and direction, and to provide the financing for that level of law enforcement which that community feels to be appropriate.

This is not by any means a novel suggestion. Fifteen years ago, the President of the United States of America was Ronald Reagan. Ronald Reagan, in his first years in office, advocated a principle called New Federalism. That

principle was built around the idea that there should be an allocation of major responsibilities to levels of government, that we should try to avoid what had become a marble cake in which virtually every level of government was involved in every decision of government.

President Reagan advocated, among other things, Mr. President, an advocacy which has, I am afraid, been forgotten in our current debate, that the Federal Government had a particular responsibility for those programs that related to the income maintenance of our citizens and that those programs that might cause a citizen to move from one State to the other seeking higher benefit levels should be nationalized because it was not in the interest of the Nation to have people induced to make those kind of relocations. He was particularly an advocate that Medicaid should be a national responsibility, both because of its tendency to induce people movement but also—and I think this was quite prophetic of President Reagan—that we were going to need to relook at the relationship between Medicaid and Medicare as they served the changing needs of our older population and that we would have a better opportunity to look at that interrelationship if both Medicare and Medicaid were national responsibilities. I believe that suggestion which was made 15 years ago is even more true today.

President Reagan also identified some activities that he felt the Federal Government ought to get out of and let the States and local governments assume a greater degree of responsibility. One of those was transportation. Frankly, I hope that in the next few months as we look again at the Federal Government's commitment to transportation that we will relook at some of the wisdom of Ronald Reagan in terms of his recommendation, if that should be more of a State responsibility, particularly in this post-interstate era.

But another topic in which President Reagan felt should be turned back to States with less Federal involvement was law enforcement. He felt that law enforcement was a function which was inherently State and local in its character and should be looked to be carried out with limited Federal involvement. He was well aware of the status of the Law Enforcement Assistance Act, the program which had provided block grants to States and local communities, a program which lost focus, lost accountability, and finally lost public and political support and collapsed.

I am afraid that we are looking more to the failed experience of the Law Enforcement Assistance Act program than we are to the appropriate role of the Federal Government in law enforcement as we consider this proposal to reestablish a Federal Government block grant. I do not believe that a

general purpose block grant has an appropriate role in the Federal relationship with State and local governments for the purpose of law enforcement.

Mr. President, I indicated that I thought that one of the areas in which there was an appropriate Federal role had to do with the issue of innovation and encouraging best practice and dissemination of those best practices. In the best tradition of that effort to stimulate best practice is what the Federal Government has done as it relates to community policing. Community policing is a concept that in many ways is as old as law enforcement in this Nation, a concept which, for a variety of reasons, waned in recent decades, for which we have paid, I think, a heavy price in the loss of the benefits of a closing relationship between law enforcement personnel and the communities they serve.

I believe that this is an ideal example of the Federal Government using its specific target influence to encourage innovation, in this case, the reinvention of a fundamental American idea of the close partnership between the police and the neighborhoods that they serve. It works to reduce crime. Community policing works to create bonds of trust between police officers and their neighborhoods and their citizens. Community policing works because it involves the entire community in the business of increasing public safety.

Mr. President, let me share with you an experience that I had on February 10 of this year. For over 20 years I have been taking different jobs every month, and on February 10, 1996, this program brought me to the headquarters of the police department of Port St. Lucie, FL. Port St. Lucie, FL is a town in Florida in the middle Atlantic coast which has been undergoing an explosion of population. It is one of the fastest growing cities in our rapidly growing State. It is a community which has developed a very diverse population. It is a population which is in many neighborhoods, in a very scattered housing pattern; that is, there will be only a few houses with several still yet to be built upon lots in a particular block. In many ways, it would appear as if Port St. Lucie was not a good candidate for the concept of community policing as many people know it—the policemen on the beat walking from home to home and store to store.

Port St. Lucie has received under the crime bill of 1994 \$525,000, which has allowed it to hire six new officers and a supervisory sergeant for purposes of implementing its community policing program.

The first person I saw upon arriving at the city hall and at the police department of Port St. Lucie was the police chief, Chief Reynolds. I asked him what had been his experience in the first 2 years of implementing community policing in a city with the characteristics of Port St. Lucie, FL. He was extremely enthusiastic, and he listed

as some of the things that had made him a believer in the concept of community policing the fact that he had a strong community-neighborhood geographic orientation, that under traditional police patterns, officers were rotated generally on a 30-day basis from one neighborhood to the other. This made it very difficult, if not impossible, for there to be a bond developed between an individual police officer and the citizens for whom that officer was responsible.

Community policing was proactive. It had reduced the need for emergency responses in his city because, through community policing, they were dealing with problems while they were still manageable, not before they had become emergencies.

There was a new access to public officials and to nonlaw enforcement activities, as the community police officer in many cases served an ombudsman function, intermediary, assisting the citizens not only in meeting their traditional law enforcement needs but also in areas like directing the citizens to the appropriate public works officials to fix up a problem with a street or to a housing code enforcement officer if there was an instance of failure to maintain a home in adequate condition. The community police served to mitigate community problems by dealing with a squabble while it was still a squabble before it had festered into a major controversy.

Those were just some of the preliminary concepts of community policing that caused Chief Reynolds to be such a strong advocate. As I spent the day working with the officers of the Port St. Lucie Police Department I experienced some of those concepts in reality.

I worked with Officer Joe Diskin through much of my day, and with Officer Diskin we met community members in senior centers. We talked to them about what was happening in their neighborhood, and if there were any problems that we might deal with while they were still at a manageable stage. Part of my day was spent at the Darwin Square Plaza in downtown Port St. Lucie. For years, citizens in that area had been concerned about harassment and about loitering and about allegations that the plaza was being used for drug dealing. Recently, the Port St. Lucie Police Department, utilizing the personnel resources available through the community policing grant, established a substation in the Darwin Square Mall. Within a matter of weeks, there had been a decline in citizen complaints. There had been a decline in assaults, major and minor. There had been an increase in public confidence about using that commercial facility.

I spent a considerable amount of my time going from store to store, talking with the owners, with employees, with customers who frequent the mall. In every instance, I received acclaim for what the community policing program had meant in the quality of their lives.

Mr. President, community policing is working in Port St. Lucie, FL. It is an ideal example of the Federal Government using its targeted role in the family of Federal-State-local government law enforcement to encourage innovation and the dissemination of best practices. It is not an inappropriate Federal Government intrusion into the State and local responsibility for law enforcement which I fear a return to the LEAA block grant approach would lead us to.

When we vote today, we are not just deciding the future of the community policing program and the opportunity that it offers to accelerate this reinvention of a fundamental American idea of the police and the community working together. We are also deciding on the future of the Federal Government's role in law enforcement. I believe in the philosophy of President Reagan that Government will best serve its people if there is a clear understanding of what level of Government is responsible for what activity, and that law enforcement will best serve the needs of the people if it continues to be primarily a State and local responsibility, and that the insertion of a Federal block grant for indeterminate purposes is an inappropriate concept within that philosophy of new federalism and State and local responsibility for law enforcement.

Mr. President, we have an idea which is working to make a positive impact on the security of our people. That idea is community policing. We should continue with this idea, as we look for other innovations that the Federal Government can encourage at the State and local government level. But we should become intrusive in terms of the basic responsibility at home for the protection of our neighborhoods and our people.

Mr. President, I urge my colleagues to support the amendment which is before us which will keep us on an appropriate path and avoid us slipping into the ditch of an ill-considered, ill-formed Federal role.

I urge you to do this. If he were here today, Mr. President, I suggest that President Reagan would encourage us to support this amendment.

I thank the Chair.

The PRESIDING OFFICER (Mr. ABRAHAM). The Senator from North Dakota is recognized.

Mr. DORGAN. Mr. President, I rise to support the amendment and to urge my colleagues to vote for it for a number of important reasons. I think the COPS Program does represent a partnership between the Federal and State and local governments.

This proposal by the majority party is another manifestation of the solutions they propose in a range of areas: package up some money, tie it in a bow, block grant it, ship it someplace else and tell whoever you are shipping it to: Go ahead and spend the money. We raised it. You spend it. We will not watch. And somehow that will fix our country's problems.

Senator BIDEN and others, including me, when we put the crime bill together, said there are certain things we would like to encourage, and we provided resources with which to encourage them. One of those things was putting cops on the street to provide more community policing. The program has been very successful. The proposal by the majority party now would retreat on our efforts to provide more community policing and help provide the resources with which to do that. We are told now by the majority party: Let us back away from that, and we will go back to the old days. Just block grant it and let somebody back home decide exactly what their needs are because they can decide that best.

I think in some cases that might be correct. They can decide best what their needs are, and that is why they can decide whether they want to access money for community policing. And if they do not want to access it, that is fine. But if they do want to, then this is a resource the Federal Government provides in partnership with them.

We have already been through one iteration of a block grant in law enforcement, the LEAA Program which, I would say, was extraordinarily wasteful in many ways. Some of my colleagues have already described how some of that money was spent: \$79,000 spent by one State—this is Federal money that was free to them—for a tank and machine guns. Another \$27,000 LEAA award was to study why inmates would want to escape from prison. That, by the way, got Senator Proxmire's Golden Fleece Award. I have a lot of friends in North Dakota who could tell us why inmates want to escape from prison for a whole lot less than \$27,000. They could study that for about \$5 and come up with a quick answer.

In 1970, LEAA provided money for a twin-engine Beechcraft airplane. They spent money for a six-passenger, twin-engine airplane for police work in fighting against crime. It was free Federal money, just a block grant, so they got \$84,000. The problem is the flight logs were checked, it was discovered that the plane was used mostly by the Governor flying around with his family and staff and other non-law enforcement personnel flying around going to meetings, apparently fighting crime. But it was Federal money, so they were able to get an airplane to fly the Governor around.

One university got a \$293,000 grant to decide whether to make—but not to actually create—a loose leaf encyclopedia on law enforcement. One city bought a police car with no markings on it with the money, the old LEAA money. That car was used primarily by the mayor. Maybe it was not so much to fight crime.

We have had some experience with having one level of government raise the money and give it to another level of government and say: by the way, we raised the money, you go ahead and

spend it, and we will not watch you. It is kind of like passing an ice cube around.

I guess my question is, if that is the notion, why would you want to run the money through Washington? Why not simply say: let us cut Federal taxes, and say to the local governments and the Governors: if you want this money for law enforcement, raise taxes back home and spend the money back home. Why should we separate where we raise the money from where we spend the money? This is the ultimate manifestation here. We are going to block grant everything around here. Why not say to the Governors: well, raise taxes and pay for these programs yourself. But they say: no, let us run the money through Washington first so we can cycle it around here a while, and then send it back and say: by the way, you spend it; we will not watch you, and it will not matter to us.

That is what this amendment is about, in many ways. We put together a community policing program that is working and it is available to those communities who need it, with some matching funds. If they do not need it, they do not apply for it. If they do not want it, they do not get it. But if they need it and want it, then that money is available.

The fact is, all of the information demonstrates that this program has worked and has worked well. It has provided more police on the streets, and everybody understands that one of the ways to prevent crime is to put police on the street. Far from deciding that we do not care what the local government's decisions are going to be, I would like to move in the other direction and say to State and local governments, we do care and we want to be involved in some of it.

I would like to ask my colleagues something on a slightly different issue. We have 3,400 people who have been murdered in this country; 3,400 murders committed by people who were in State prisons but who were let out early because it was too crowded. They got good time credit, they got whatever you get to get out early, so they got out early and murdered 3,400 more people. In those cases, in my judgment, the governments were accessories to murder. We knew these people were violent because they had committed a violent crime. We locked them up and then let them out early because we said, "Well, you were good in prison so we will let you out early." Then they go out and murder again.

Let me just talk about two cases briefly because I am going to introduce some legislation, which is slightly different than this amendment, next week. I will support this amendment. This is the right approach. But let me just quickly describe two cases. When somebody says, "what business is it of anybody's, on a national basis, to deal with these issues," I say that it is a national issue when you have 3,400 people murdered by people who should not

have been in a position to murder anybody.

There is a piece of prose that I thought was really well written, a column in last Saturday's Washington Post, written by Colbert King. It is entitled "The 'Wrong Place, Wrong Time' Dodge." The reason I was interested in it was because the columnist was writing about a tragic murder that happened here in Washington, DC, that I had also researched. It struck me as so strange and so unthinkable that this type of tragedy could continue to happen in our country. The columnist wrote about the murder of a young woman named Bettina Pruckmayr. Bettina was a 26-year-old young attorney, and she lived here in Washington, DC. She was just starting her career. On December 16—not so awfully long ago—she was abducted in a carjacking, driven to an ATM machine in Washington, DC. She was stabbed 38 times.

Colbert King, in his column in the Washington Post, graphically describes what happened to poor Bettina Pruckmayr. She was stabbed in the back, three times in the neck, and in dozens of other places. Some wounds were so deep that her bones were broken. The person who allegedly murdered Bettina Pruckmayr, a young woman who was in a parking lot adjacent to her home and was kidnaped and murdered, is a man named Leo Gonzales Wright. Wright is now facing murder charges, but he should not have been in the position, under any circumstance, to have murdered anybody. He is a fellow who had already murdered. He had raped. He committed robbery. He committed burglary. And he murdered. He was in prison and then let out early because the Government said, "We do not have enough room so you go ahead and go out on the streets." This person, allegedly, on the streets, murdered Bettina Pruckmayr. He should not have been anywhere in a position to murder anyone, but somebody let him out of prison.

In fact, not only did they let him out, but, when he was out, he was caught and picked up for selling drugs. The parole board did not put him back in prison. As a result, Bettina Pruckmayr is dead.

It is not just her. Mr. President, 3,400 Americans were murdered in those circumstances. Let me describe one additional victim, again murdered recently, and again in this area.

It is the story of a young boy named Jonathan Hall, a 13-year-old boy from Fairfax, VA. He was a young boy who had some difficulty in his background, but a 13-year-old boy who, I am sure, wanted a good life and wanted to grow up, like all young boys do. He was found, instead, in an icy pond, stabbed 58 times, with dirt and grass between his fingers. Apparently, when he was left there for dead, he, in his last moments, tried to pull himself out of this pond but did not make it.

Who murdered this young boy? Again, it does not take Dick Tracy to

understand who does these things. A person who had been convicted of murder previously, not once but twice—two separate murders—and a kidnaping. This fellow was sent to prison, this man named James Buck Murray, who allegedly killed this young boy. He was sent to prison for 20 years for slashing the throat of a cab driver. Then, while in prison, escaped while on work release and kidnapped a woman. Then, he was convicted of murdering a fellow inmate. But Murray was let out of prison long before he completed the terms of his sentence.

This person should not have been in a position to murder anybody under any condition. He should have been in prison. But instead, a 13-year-old boy is dead. Jonathan Hall is dead, Bettina Pruckmayr is dead, and 3,400 other people are dead, because this system does not work.

People say, "That is none of your business. That is not of national importance. That is for State and local governments." Those people who let these violent criminals out of jail to kill others ought to be told by us this is a matter of national importance.

Let me finish in a moment. I will be happy to yield for a unanimous consent request to Senator GREGG.

Mr. GREGG. I thank the Senator from North Dakota for his courtesy.

Mr. President I ask unanimous consent that at the hour of 5:45 today, Senator DOLE be recognized to make a motion to table the Biden amendment No. 3483, and, further, that the time between now and 5:45 today be equally divided between Senator BIDEN and Senator HATCH or his designee.

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

Mr. GREGG. I thank the Senator.

Mr. DORGAN. We have a national interest in this country in addressing this crime issue. We had a national interest when we put together something under Senator BIDEN's leadership that talked about putting more police on the streets in this country. We did it and it works and it makes a lot of sense. We ought not retreat from that.

I also make the point, as I have just made previously about the murders committed in this country by people who should not be out of jail, that we have a national interest in addressing that issue as well. Why are people who have been previously convicted of violent crimes being let out of prison early so they can murder again? We need to ask these questions of State governments. We ought to ask them if there is not some way we can work together to decide, if prisons are so full that you cannot keep the kind of murderous characters in prison who now go out and murder again, to build more prisons, because we want to keep these people in jail.

These people would not be let out of Federal prisons, by the way—these are not Federal prisoners—to murder 3,400 people, because you do not get an early parole in the Federal system, thanks to

Senator BIDEN. You do not get good time in Federal prisons, thanks to me and some others. You are sentenced to jail in the Federal system and you spend your time in jail. You are not going to be out murdering again before your sentence ends.

But, guess what? If you are a convicted murderer in this country, if you are convicted of committing a murder somewhere, you are going to be sentenced to around 10 years in prison, but you will not serve 10 years in prison. You will serve 6½ to 7 years. Why? Because it was decided that murderers should get out early.

(Mr. GREGG assumed the chair.)

Mr. DORGAN. I am sorry, murderers ought not get out early under any condition, and if we cannot protect the Jonathan Halls and Bettina Pruckmayrs, and other people who were killed by murderers who should not have been in a position to kill anybody, then we should not be in the business of law enforcement.

I support this amendment. It makes eminent good sense, and I support many initiatives by Senator BIDEN and others on our side of the aisle who have worked long and hard on this issue. There are good ideas from the other side as well, and I appreciate those.

But it is not a good idea to step back, it is a good idea to step forward in addressing crime. Preserving the COPS Program is one step.

I intend in the coming days to offer a second step, not on this bill but as a separate piece of legislation, dealing with the issue of those who have been previously convicted of violent crimes, that they ought not get good time to go out and murder again, that they ought not be put on our streets early. Bettina Pruckmayr and Jonathan Hall should not have been killed, and more in the future will not be killed if we deal with this appropriately.

Mr. President, with that, I want to thank the Senator from Delaware, for whom I have great respect for his leadership on this issue. I do hope the Senate will, when considering this issue, decide that what we did to put more police on the streets in this country made sense then and it makes sense now. That is an approach and progress from which we shall not retreat.

Mr. President, I yield the floor.

Several Senators addressed the Chair.

The PRESIDING OFFICER. The Senator from Michigan. The time is controlled by the Senator from Michigan and the Senator from Delaware.

Mr. ABRAHAM. Mr. President, I yield myself such time as I may need, but I plan to be relatively brief. I just want to comment and follow up on what the Senator from North Dakota, Senator DORGAN, just said.

One of the significant problems we have—and I agree with him—is the problem of people who are getting out of prison at the State and local levels before they should. The problem, though, I think, is in large measure

stemming from Washington and needs to be addressed. I invite the Senator from North Dakota to join me in some legislation on which we have had hearings before the Judiciary Committee. A number of other States have been similarly affected.

It turns out that Federal rules and regulations under the CRIPA legislation, as well as Federal court orders, are actually forcing people out of prisons prematurely. In my State, we entered into a consent decree with the Department of Justice back in the 1980's with respect to conditions in Michigan prisons.

By 1992, we had an agreement with the Department of Justice that we had satisfied the problems that had caused this consent decree to be entered into. The Federal judge who had jurisdiction, nonetheless, even after the Department of Justice was willing to allow the consent decree to be removed, maintained continuing jurisdiction and is forcing people out of our State prisons prematurely.

For the city of Philadelphia, as we heard testimony in the Judiciary Committee, this is a problem that literally has meant that people arrested for committing violent crimes, because of a cap that has been placed on the amount of people who can be allowed in the prison system in Philadelphia, are not being incarcerated, are not being held. The Senator from Delaware was at the same hearing.

I hope we can get together on this. I think that is a whole different set of issues, and I think it very important they not be merged into this debate. I want to make it clear, I think that is a whole separate topic, and I would like to work together with the Senator.

Mr. DORGAN. Will the Senator yield to me for a question for a moment? You make a good point. I would be very interested in talking with you about your proposal. I may very well consider supporting it.

If the Federal Government is part of the problem, then let us solve that part of the problem that we can in Federal law.

I will say this. There are some States—and I do not know what Michigan does—there are some States that provide over 430 days a year of good time credit for every year a violent prisoner serves. I am saying to the States, "Look, if these people committed multiple murders, I don't want you giving them a year-off credit for every year they spend in jail." Put them there and keep them there.

Mr. ABRAHAM. I do not want to take much time on our side. Part of the reason these things are beginning to happen is because in order to meet various Federal court consent decrees, as well as the other regulations that have been imposed, it is forcing States to make decisions that I do not think they would make if they did not find themselves subject to it. I would be very anxious to work on it.

With that, I yield the floor.

**THE PRESIDING OFFICER.** The Senator from Delaware.

Mr. BIDEN. Mr. President, let me begin by thanking the Senator from North Dakota for his generous comments about my role in this legislation. I must say, I knew of the Senator when he was a Congressman, and I, quite frankly, have been impressed at how dogged he has been in pursuing tougher approaches to crime.

The Senator from Michigan spoke about frivolous lawsuits. He is correct, this is worthy of a debate at another time. I think his intention is positive. I think he may have the perverse effect of bringing about the exact opposite result he wants.

Unfortunately, a lot of what he suggested is in the bill before us. I kind of find it fascinating. We had this debate. We had a hearing in the Judiciary Committee. We did not do much else. Starting at page 153 of the continuing resolution and continuing for, I do not know how many pages here, entitled section 802, "Appropriate Remedies for Prison Conditions," we essentially rewrite the law. The fact of the matter is, nobody in this body even knows what is in this bill. Senator HATCH's staff knows. Senator ABRAHAM's staff knows, Senator BIDEN knows. None of you, I will bet you a million bucks, has any notion what is in this bill. Zero. I am willing to bet you anything.

But it will not be the first time I have or others have voted on things we do not know is contained in omnibus bills like this.

Let me respond to the comments about my amendment to restore 100,000 cops. A couple of my colleagues have stood up and said, "100,000 cops, just not true, never going to happen." There are 33,000 cops already, just from the time we passed the bill, after spending \$1.6 billion of the \$8.8 billion. Then we heard, of course, 100,000 cops are never going to, nor should it, fund 100 percent of the local police now or in the future. That is true. No one ever said this was going to support 100 percent.

Guess what folks? The block grants do not either. The block grants do not do it either, nor should they. It is not the Federal Government's role to promise in perpetuity to the local communities to fund forever. This does fund 100,000 cops, and it does fund them for 5 years or so. The cops and the States are going to have to pick up the tab. Guess what? It funds 100 percent of what we give them in the block grant, but the block grant ends. I challenge any of my Republican colleagues to stand up and promise that this bill contains in perpetuity a commitment to continue to pay out of the Federal payroll for any cop hired under this bill. This is not going to happen. It is not supposed to happen. It was not designed to happen. So it is, what we used to call in law school, a red herring to suggest this fully funds the cops.

Funds are in the trust fund. We heard funds are just not there. The funds are in the trust fund. Let us recall the Republicans cut \$200 million from the \$4.287 billion that is in the trust fund in 1996 in their budget resolution. So if they keep up their efforts, maybe they will be able to deplete the trust fund so there will not be any money in it. The money was there. They cut the trust fund in the Republican budget resolution.

I also heard we have to end the Washington-knows-best philosophy. Well, that is what the 100,000 cops is all about. Local communities decide if they want to apply, local communities define local policing strategy for themselves and the Republicans call for a separate prison grant of \$100 million that does not let them decide the same way that we allow them to decide, because communities have to pick up the costs for each cop after 3 years.

"One hundred thousand cops is a lie," one of my colleagues said. My response is, neither 100,000 cops nor a block grant is going to be or should be a permanent entitlement program, and we do not want to federalize local police. There is no difference. No difference, except you get fewer cops and less money under the block grant approach.

Now we also heard New York City did not receive one new cop.

New York City got \$54 million to redeploy 2,175 cops through the COPS More Program. So we gave them that money, the Federal Government. They put up the rest, and they were able to redeploy from inside the precincts 2,175 cops.

D.C. It was also said D.C. did not receive more cops. Response. D.C. got \$6,076,163 to redeploy 626 cops under the COPS More Program.

Also, it was said, the city should decide between cops and computers. My response is, the COPS More Program is exactly that —\$217 million in 1996 that helped relocate and redeploy 13,000 cops by not having to go back to the station house.

Also, I heard block grants give you the right to use the dollars to hire new cops. Well, my response is, it must be guaranteed, not an option to hire new cops or they will not be hired.

I also heard it said on the floor by one of my respected colleagues, "I have long said 100,000 cops is a phony idea." Well, in November 1993, a lot of people did not think it was such a bad idea, including the Senator who thought it was a phony idea. I will not go through it because I would hate everybody reading everything I said back to me in the RECORD. But, you know, it may be thought of as a phony idea now, but it was not in 1993 when we were doing it.

The other criticism I heard is the continuing resolution level for 100,000 cops, \$975 million, is sufficient to get us there. Well, \$975 million is not enough for this year, 1996. The CR provided \$407 million, and \$276 million has already been spent, and \$130 million will be spent on police technologies

and police efforts to fight family violence and community policing efforts.

The current CR would provide a total of \$975 million for COPS. Subtract the \$407 million, and that leaves \$568 million for the rest of the year, if the Hatfield amendment becomes law. But \$522 million has already been requested through March 6. In other words, that leaves \$50 million for all other applications that come in from now through September 30.

There is not enough. There is not enough. Just go back to your home States, ask them if they are going to stop applying. No. If the State of Oklahoma, if the State of Utah, if the other States, they do not want to apply for any more cops, God bless them. Wonderful, do not apply. But if they do apply and they qualify on the merits, there is no money for them. We already have something like—where is that chart—7,766 new cops requested so far this year—requested. Oklahoma wants 94 new ones.

My colleague says, "Wow." Well, go tell the Oklahoma folks they do not need them. I respect that. But the idea there is enough for those who qualify and are requesting simply is not true.

We also heard Washington should not dictate local strategy. Well, my response is, we are not dictating local strategy. Nobody has to ask, and only big cities get COPS more dollars. That is also not true. You have got American Fork in Vermont, Carbon County, Duchesne County, Kane, Layton, Logan, Ogden, UT, Salt Lake, South Ogden—you know, the list goes on and on. I did not know they were big cities.

Based on a salary of \$65,000 to \$70,000, this will not fund 100,000 cops. The truth is, the average salary is \$40,000. I reserve the 20 seconds I may have left and yield the floor.

**THE PRESIDING OFFICER (Mr. ABRAHAM).** Who yields time?

Mr. LEVIN. Mr. President, the Violent Crime Control and Law Enforcement Act of 1994, enacted by the last Congress, contained a \$30 billion trust fund for State and local law enforcement programs. That legislation made an important statement of our commitment to stand with our police officers in the war against crime by providing dedicated funding to put 100,000 new cops on the streets.

From 1970 to 1990, we increased Federal spending on lawyers by 200 percent and prison spending by 156 percent, but we increased Federal spending on police officers by only 12 percent. The COPS Program would reverse that trend, without adding to the deficit, and without any new taxes, by cutting thousands of jobs out of the Federal bureaucracy. More police officers, fewer bureaucrats. That is the commitment enacted into law by the last Congress.

Mr. President, there is no more important step that we can take to fight crime and support our law enforcement community than to increase the number of cops on the streets. And that is

what the COPS Program has been doing. That law has already funded 25,000 new cops nationwide, including 825 in Michigan.

Unfortunately, the bill before us today would undermine this milestone achievement of the last Congress by cutting in half the funding provided to put new police officers on the street. Instead of the \$1.9 billion requested by the administration, and fully paid for out of the violent crime trust fund, this bill would provide only \$950 million to put police officers on the street.

This cut in funding would not help reduce the deficit, and it would not help balance the budget. Congress would still spend the same amount of money—we just would not spend it where it is needed, on new police officers. Under the bill before us, the bulk of the funds would be taken from the COPS Program and put into a block grant, which could then be spent on anything from traffic lights to parking meters, without hiring a single new cop.

That is unacceptable. Let me tell you what it would mean for my State of Michigan. We currently have applications pending for more than 200 additional police officer slots around the State. We have applications for two new officers from the city of Alma, for three new officers from the Ann Arbor Police Department, for one new officer from the Barry County Sheriff's Department, for two new police officers from the city of Battle Creek—I could go on and on. I ask unanimous consent that a partial list of pending applications for additional police officers from the State of Michigan be placed in the RECORD at this point.

The point is, each of these communities needs the help. And if we pass this bill, we are not going to provide it. They need the additional police officers to fight a very real war against crime, and if this bill passes in its current form, they are not going to get them.

What is true of Michigan is true of other States as well. Every State in the country has dozens of pending applications for additional police officers under the COPS Program, and if we slash the funding for this program, as proposed in this bill, they are not going to get what they need. If this bill is passed in its present form, the funding for half of those applications will simply disappear.

Mr. President, I urge my colleagues to support the amendment to restore full funding for the COPS Program.

Mr. HARKIN. Mr. President, I urge my colleagues to support this amendment to restore funding to the Community Oriented Policing [COPS] Program. Law enforcement officials from all across the country have told us loud and clear, that the COPS Program is one of the 1994 Crime Act's most effective programs. To those who want to slash the COPS program by 50 percent in favor of a block grant, I have this to say: "If it ain't broke, don't fix it."

Consider this: Serious crime is retreating all across the United States.

Nationally, murder rates fell 12 percent in the first 6 months of 1995 and serious crimes of all kinds dropped 1 to 2 percent. Law enforcement across the United States credit community policing for contributing to these declines. Now is not the time to cut back on our efforts to fight crime.

And more importantly, to my constituents in Iowa, it is rural America that will pay the price if this amendment is not adopted. The COPS Program made a special commitment to include small towns and rural areas. half of all COPS funding goes to agencies serving jurisdictions of under 150,000 in population. Block grant funding favors larger populations so that even small towns with high crime rates would lose out. In 1995, Iowa received over \$14 million to hire over 200 officers. Over 70 percent of law enforcement officers surveyed in my State, supported the COPS Program.

Perhaps the most puzzling aspect of the proposal to slash funding for the COPS Program is the loss of local control. Proponents traditionally argue that block grants increase local control. The crime prevention block grant proposed in the continuing resolution does no such thing. This initiative replaces a highly successful program that responds to public desire for an increased police presence with a program that merely gives money to State governments that may keep up to 15 percent before distributing the remainder to local governments. This is a significant departure from the COPS Program which funneled the funding directly to the local law enforcement agencies.

The block grant approach to crime prevention invites the abuse of funds the COPS Program was created to eliminate, as well as doing away with effective crime prevention programs that worked hand in hand with community policing initiatives set up under the COPS Program. The block grant approach is an ineffective response to our Nation's war against crime and a sad departure from the successful efforts started under the 1994 Violent Crime Control Act.

Community policing works. It is a flexible program that is responsive to law enforcement needs. More cops on the beat have an undeniable effect on crime and a community's sense of security. Nationwide, the COPS Program serves 87 percent of America with 33,000 officers. We should heed the advice of the folks that are on the frontlines in the fight against crime. I urge all my colleagues to support this important amendment to restore funding to the COPS Program.

Ms. MIKULSKI. Mr. President, I strongly support the Biden amendment and am proud to be a cosponsor of this important amendment. The amendment would restore \$1,788,000 to the COPS Program.

This funding will allow us to keep our promise to the American people to put 100,000 new police officers on our

streets. Under the Violent Crime Control Act we passed in 1994, the COPS Program was created to provide our communities with the police they need to fight crime.

COPS stands for community oriented policing services. So far the COPS Program has made possible over 790 new police officers in my State of Maryland, and over 33,000 new officers nationwide.

Through the use of community policing, the COPS Program puts into practice what police chiefs and other experts have been saying for years. They know that police officers fight crime and prevent crime more effectively when they are integral members of the community they serve. They know the fight against crime will be won only when the police work with citizens as full-fledged partners in the battle to take back our streets.

Mr. President, the COPS Program is working. Why would we want to change a law that is working?

If we start taking apart the crime control package we passed in 1994 with bipartisan support, we leave to chance what we know is working now. Let us continue to make it a priority to get more police out on the streets.

By restoring the COPS Program, we are responding to a cry for help, a cry for more police officers on the street. We cannot ignore this cry for help from all of those police departments who need more police.

My constituents are calling for an increase in the number of police officers in their communities. My constituents are calling for more crime prevention programs. The legislation to satisfy these calls has been passed, the programs are now established; why should we dismantle them?

Mr. President, this bill, as reported by the Appropriations Committee, provides no guarantees that even one new police officer will be hired. The 1994 crime bill called for 100,000 new police on the streets of America participating in community policing.

I urge my colleagues to consider this: our failure to fulfill the promise of 100,000 new police officers means less partnership between police and their communities, less work with community residents to detect and suppress crime, and a missed opportunity to keep our streets safe for law-abiding citizens.

If we are going to take back our streets, we must empower our communities with the police they need. The concept of community based policing is police officers and citizens forging alliances to combat crime. I strongly oppose any efforts to cut community oriented policing programs.

I urge my colleagues to join me in supporting the Biden amendment. Passage of this amendment will allow our citizens and their partners in law enforcement to continue to combat crime together by delivering more new police officers to the frontline.

Thank you Mr. President.

Mr. NICKLES addressed the Chair.  
The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. NICKLES. How much time do we have remaining on our side?

The PRESIDING OFFICER. The Senator has, on his side, 9 minutes, 8 seconds.

Mr. NICKLES. I yield myself—I see the Senator from Utah. Please notify me in 5 minutes.

The PRESIDING OFFICER. After 5 minutes?

Mr. NICKLES. In 5 minutes.

I rise in opposition to this amendment. I am kind of amused and kind of interested in it as well. This is an amendment that says we want to take whatever money we have available and we want to mandate that it has to be spent in the COPS Program.

Obviously, it is a popular program, as illustrated by the Senator from Delaware, because a lot of people have applied for it. Why would they apply for it? Well, it is Uncle Sam saying, "We will pay for 75 percent of the cost for new policemen in your community for the first year, the second year 50 percent, and the third year, 25 percent, and the fourth year you are on your own."

But a lot of communities, if they see Uncle Sam waving some dollar signs around, they say, "Yes, we want to grab a hold of it." Maybe it is the best way to spend resources in fighting crime, maybe it is not.

I will mention to my colleague there are not just big cities that qualify for this program. We had one community in Oklahoma, Moffett, OK, that applied for money, was eligible to receive the money. Just a couple comments. It is a fairly small town. Unfortunately, they do not have a police force, but yet they qualified. I do not remember exactly the amount. But it was, I think, about \$180,000. But they did not have a police force.

As a matter of fact, this little town had volunteer fire and police, but they did not have an organized police force. Yet, they received this money. They did not know what to do with it. To make the story short, when they realized they would have to do the matching, that was a serious problem for this little town, even if they had to match 25 percent the first year, 50 percent the second.

The end of the story is they went through a lot of city managers in a period of about a year or so and finally decided they did not need this grant, they could not afford it. Also kind of humorous, but of interest, they said, "We can do a lot more if we just had a little more leeway in what to do with this money. We need some help." They made that comment. "And we could use it for"—frankly, I do not think they had a police car. I could go on and on.

But this bill says that the money that we are going to give, we are going to mandate that it go to the COPS Program because we decided in Wash-

ton, DC, that is the best way to combat crime. Maybe some of the communities have a particular interest in juvenile crime and might think that a better approach would be an effort to educate juveniles, or maybe they have a problem with drugs and juveniles, or maybe there are problems in other areas. Maybe more police are the answer; maybe they are not. But we are coming up with this amendment that says we are going to take all the money available that is not earmarked and we are going to take the balance of it for the so-called COPS Program. I think it is a serious mistake. I do not think it is a Federal Government prerogative to hire policemen in my hometown.

Does my hometown of Ponca City, OK, need more police? Maybe they do. But I think that is the responsibility of the people of Ponca City, OK. Maybe they have to raise the sales tax to pay for it, or maybe they have to find some other method of paying for local police, but I do not think it should be coming to Washington, DC, on bended knee and saying, "Please give me this money so we can hire another policemen. Oops, in 3 years, we have a big liability."

Uncle Sam starts out pretty generous paying at 75 percent. That is pretty nice. But on the fourth year, they are on their own. And a lot of cities are saying, boy, that is a nice inducement for the first year or two, but after the third or fourth it is a real problem. Maybe we will just do this for a year or two and then let people go, or maybe have some attrition and not replace them in the third or the fourth year. My point being that this is not a Federal responsibility.

I do not want to federalize police, and 100,000 police officers is not a drop in the bucket if you look at the national scheme. I do not doubt that my colleagues who support this program can find somebody that was hired in this program and they did a good job and they saved somebody's life or they stopped crime or something, and I am grateful for that. But I just question the right level of Government.

It is like this issue we had over speed limits. A lot of us decided that the States should set speed limits instead of Washington, DC. Likewise, I would think community policing is a good idea. If communities want to do it, let them do it. Let them do it with their own money, not with Federal bribery or enhancements to pull or encourage the States to do it, and then find that they have such enormous liability.

Local policing is a local matter. That is something that should be under the jurisdiction and control and financing of individual towns and cities, counties and States, not the Federal Government.

Mr. President, that is the reason why I stand in opposition to this amendment. The way we had the bill drafted, we had earmarked \$875 million for COPS. That is half of that money. The cities would have latitude to spend a significant amount of money for the

COPS Programs. We are not doing away with the COPS Program. If the city wanted to spend more for that, they would have that option. If they wanted to spend more for technology, if they wanted to spend more for juvenile crime prevention, more for cracking down on drugs or surveillance or all kinds of different things, they would have that option, instead of the Federal Government dictating, "We think you should put it all into the COPS Program. We know how best to spend this money. We know you should put it exactly in this program." I think that is a mistake. I urge my colleagues to vote "no" on the underlying amendment.

Mr. HATCH. Mr. President, I think it is a great idea to have cops on the street. Our bill will do that. I think it is an equally great idea to make sure that we block grant some of the funds so the police departments can use them for whatever they need to use them for.

Using the New York illustration, there was not one additional policeman put on the streets by the moneys sent to New York. They used the moneys to deploy police people who were already there or to replace police people who they were already capable of paying for. The fact is, there is nothing in this approach of the 100,000 cops on the street that means they have to be additional police people in addition to those that were on the current police forces and were capable of being paid for by the local communities.

Be that as it may, I agree with the noble goal of having more police on the streets. I think every Republican does. The problem is, why can our friends on the other side not see the value of allowing some flexibility so that the people who really have to solve these problems in the local communities have some flexibility to do so? The real question is whether we provide funds for cops and cops alone, or whether we permit the funds to be used to meet the needs of the local communities and the local law enforcement agencies.

It seems to me that makes sense. It makes every bit of sense that anybody, it seems to me, who thinks seriously about it would agree. If we are going to provide Federal money to local law enforcement agencies, then we should permit those agencies to use the funds as they see fit. We have adequate protections in the bill so they cannot use it for certain exotic reasons that some have criticized in the past.

Now, some of those who have criticized LEAA today are the people who supported it the strongest. These are the kind of things that bother me, just a little bit. Unfortunately, this becomes a political exercise rather than what is best for the local communities. It becomes an exercise of Washington telling the local communities what they should and should not do. We know more, I guess, inside the beltway than the people out there who have to face the problems in their respective communities. We all know that is bunk.

As a matter of fact, I think it is the most surreal and unreal place on Earth sometimes right here within the beltway. These folks who face those criminal problems day in and day out in the local communities know a lot more what they should use their funds for. We should not be dictating it. We provide half the moneys for cops on the street; we provide about half the money for block grants so they can use them to solve their own individual law enforcement needs, which makes sense. Why should we dictate that every dime has to go for the COPS Program? I agree with the COPS Program to the extent that we have granted it here in this bill, but we also have provided flexibility in this bill that makes a lot of sense, it seems to me.

Again, the real question is whether we provide funds for COPS and COPS alone or whether we give the local communities some ability to do the things they think need to be done. The question is whether we fund the COPS Program only and tell the communities like Washington, DC, "Sorry, we have no money for you," or to permit communities to use money for other purposes.

The PRESIDING OFFICER. The Senator from Delaware has 14 seconds.

Mr. BIDEN. Mr. President, I will do something no one will believe—I yield back my time.

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

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

Mr. DOLE. I join with the distinguished Senator from Utah, Senator HATCH, and the Senator from New Hampshire, Senator GREGG, and move to table Biden amendment No. 3483.

I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the motion to table.

The yeas and nays have been ordered.

The clerk will call the roll.

The assistant legislative clerk called the roll.

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

The result was announced—yeas 52, nays 48, as follows:

[Rollcall Vote No. 31 Leg.]

YEAS—52

Abraham	Chafee	DeWine
Ashcroft	Coats	Dole
Bennett	Cochran	Domenici
Bond	Cohen	Faircloth
Brown	Coverdell	Frist
Burns	Craig	Gorton
Campbell	D'Amato	Gramm

Grams	Lott	Simpson
Grassley	Lugar	Smith
Gregg	Mack	Snowe
Hatch	McCain	Specter
Hatfield	McConnell	Stevens
Helms	Murkowski	Thomas
Hutchison	Nickles	Thompson
Inhofe	Pressler	Thurmond
Kassebaum	Roth	Warner
Kempthorne	Santorum	
Kyl	Shelby	

NAYS—48

Akaka	Feinstein	Levin
Baucus	Ford	Lieberman
Biden	Glenn	Mikulski
Bingaman	Graham	Moseley-Braun
Boxer	Harkin	Moynihan
Bradley	Heflin	Murray
Breaux	Hollings	Nunn
Bryan	Inouye	Pell
Bumpers	Jeffords	Pryor
Byrd	Johnston	Reid
Conrad	Kennedy	Robb
Daschle	Kerrey	Rockefeller
Dodd	Kerry	Sarbanes
Dorgan	Kohl	Simon
Exon	Lautenberg	Wellstone
Feingold	Leahy	Wyden

So the motion to lay on the table the amendment (No. 3483) was agreed to.

Mr. BIDEN addressed the Chair.

The PRESIDING OFFICER (Ms. SNOWE). The Senator from Delaware.

Mr. BIDEN. I would like to thank my colleagues who supported this effort and say to my good friend, the majority leader, that I liked it better when he was on the campaign trail. We had won until he went back down in the well. This is a singular victory for the leadership. I compliment him, but I am just so sorry that he has now locked up the nomination and will not be out in the field more because it looked like I was winning there until three votes changed at the end. But I wish to congratulate the opposition and tell the cities they are not going to get their cops. I yield the floor.

Mr. GREGG addressed the Chair.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mr. GREGG. Madam President, I move to reconsider the vote.

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

AMENDMENT NO. 3489 TO AMENDMENT NO. 3466

Mr. GREGG. I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. Without objection, the pending amendment is laid aside.

The clerk will report.

The legislative clerk read as follows:

The Senator from New Hampshire [Mr. GREGG], for Mr. GORTON, proposes an amendment numbered 3489 to amendment No. 3466.

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

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

The amendment is as follows:

Amend page 113, line 11 by striking the period at the end of the sentence and adding “*Provided further*, That the FCC shall pay the travel-related expenses of the Federal-State Joint Board on Universal Service for those activities described in the Telecommunications Act of 1996 (47 U.S.C. 254(a)(1)).”

Mr. GREGG. Madam President, this is a Gorton amendment allowing ex-

penditures for the FCC. It has no budgetary impact. It has been cleared on both sides.

I urge adoption of this amendment.

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

The amendment (No. 3489) was agreed to.

Mr. GREGG. Madam President, I yield to the Senator from Utah for purposes of a colloquy.

The PRESIDING OFFICER. The Senator from Utah.

#### CARRIER COMPLIANCE

Mr. HATCH. I am prepared to offer an amendment to establish a fund in the U.S. Treasury to serve as a funding source for carrier compliance under the Communications for Law Enforcement Assistance Act.

I understand the concern that is shared by some members of the Appropriations Committee is that creating this fund implies a subsequent obligation to provide funding for carrier compliance. I also understand that this concern is highlighted by fears on the part of some that carrier compliance may cost more than authorized amounts.

Mr. GRAMM. Madam President, the Senator cannot be heard.

The PRESIDING OFFICER. Senators will please take their conversations off the floor.

Mr. HATCH. Madam President, I would note that carrier compliance under the Communications for Law Enforcement Assistance Act, which we call CLEAA, does not obligate Congress to appropriate any funds in excess of the amounts authorized.

I emphasize that we are losing ground in an important area. We passed a bill last Congress that satisfied the various interests and constituencies involved in this important issue. Now we need to move forward with funding.

In my view, the creation of this fund will not obligate my colleagues on the Appropriations Committee to appropriate funds beyond what the Congress has already promised for this worthy purpose. Specifically, I am prepared to ask for a commitment between now and the time we take up the fiscal year 1997 Commerce, Justice, State appropriations bill that we will try to work this out. I hope that our staffs will establish a series of meetings, the purpose of which would be to reach a resolution of this matter by fiscal year 1997.

It is important; with digital coming into being, we have got to be able to handle this aspect of law enforcement. And it is just going to have to be something we meet.

Mr. GREGG. Madam President, I wish to acknowledge and congratulate the Senator from Utah, the chairman of the Judiciary Committee, for pointing out this concern and this issue, which is a very legitimate concern. I believe that with our staffs working together, we can work out the concerns the Appropriations Committee has relative to how we manage the funding of

this issue, and I look forward to having such an agreement worked out and will direct our staffs to work together.

I yield the floor.

Mr. GRAMM addressed the Chair.

The PRESIDING OFFICER. The Senator from Texas.

Mr. FORD. Madam President, will the Senator from Utah yield for a question?

The PRESIDING OFFICER. The Chair recognized the Senator from Texas.

Mr. FORD. I am sorry. I apologize.

Mr. GRAMM. I would be willing to yield to my colleague.

Mr. FORD. What are Senators trying to work out? The money you are going to give is grandiose, but I never heard—

The PRESIDING OFFICER. The Senator from Utah.

Mr. HATCH. CLEAA is what we call carrier compliance under the Communications for Law Enforcement Assistance Act. It is to aid our law enforcement agencies to be able to do their work with regard to the new digital age, to be able, with court orders, to tap into digital phones so that they can follow criminals and organized crime.

Mr. FORD. This amendment would add more money than we have already given in the past?

Mr. HATCH. It will not add anything now. We are going to try to work it out in fiscal year 1997.

Mr. FORD. There is no additional funding?

Mr. HATCH. Right.

Mr. FORD. Why do you need the amendment?

Mr. HATCH. Because we need to have funding.

Mr. FORD. I thought there was no funding. This is an authorization?

Mr. HATCH. No. What we are agreeing to in the colloquy is that in the future 1997 budget and appropriations bills we try to find the money to be able to do this law enforcement work, and my colleagues have said they will work with me.

Mr. FORD. Madam President, I thank my colleague.

The PRESIDING OFFICER. The Senator from Texas.

AMENDMENT NO. 3490 TO AMENDMENT NO. 3466

(Purpose: To ensure that discretionary spending does not exceed the level agreed to in the FY 1996 Budget Resolution)

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

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Texas [Mr. GRAMM], for himself, Mr. SANTORUM, Mr. McCAIN, and Mr. NICKLES, proposes an amendment numbered 3490 to amendment No. 3466.

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

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

The amendment is as follows:

At the end of title II of the committee substitute, add the following:

SEC. (a) Notwithstanding any other provision of this title, none of the amounts provided in this title is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

(b) Each amount provided in a nonexempt discretionary spending nondefense account for fiscal year 1996 is reduced by the uniform percentage necessary to offset non-defense discretionary amounts provided in this title. The reductions required by this subsection shall be implemented generally in accordance with section 251 of the Balanced Budget and Emergency Deficit Control Act of 1985.

Mr. GRAMM. Madam President, this is a very simple amendment. This amendment tries to eliminate the need for an emergency designation in this bill. We are adding \$1.2 billion to the Federal budget deficit by declaring an emergency, but by eliminating the need for an emergency designation and cutting other discretionary spending accounts across the board by .53 percent, we have an opportunity to fund these so-called emergencies but do it in a fiscally responsible manner where the deficit does not go up.

Let me try to make my case. Let me make it as succinctly as I can, and then give others an opportunity to respond and oppose as well as to support.

First of all, since 1990, we have passed \$80 billion of emergency supplemental appropriation bills. In some cases, like the Persian Gulf, we have been able to come back and offset that with payments from foreign nations. But just to give you an idea of the magnitude of this loophole that we have created by declaring emergencies, in 1994 we declared an emergency for the California earthquake and the Midwest floods, and we spent \$11 billion which was added directly to the deficit.

In 1993 we declared an emergency for Midwest floods and added \$3 billion to the deficit, with funding also for the drought in the Southeast. In 1993 again we added \$1 billion to the deficit with an emergency for Somalia. In 1993 again we declared an emergency for economic stimulus as a supplemental appropriation and added \$4 billion to the deficit to extend unemployment benefits.

In 1992 we declared an emergency and spent \$9.3 billion for two hurricanes, one on the mainland and one in Hawaii; and then for Typhoon Omar. In 1992 we declared a dire emergency to fund the costs incurred for the Chicago flood and for the riot in Los Angeles. I remember being in the conference and I moved to strike a provision where we were declaring an emergency to fund lawyers to defend the rioters. Fortunately, that provision died because people were shamed out of it. In 1992 we had another dire emergency. I could go on and on, but I think I made my point. My point is we have a lot of emergencies around here.

I want to remind my colleagues that families have emergencies, but I want to go through what happens when a family has an emergency and what

happens when the Government has the emergency and explain the difference. Families have emergencies. Let me just offer an example. Johnny falls down the steps and breaks his arm. He is taken to the hospital and it costs \$700 to set Johnny's arm with the attendant medical expenditures. The family has had an emergency.

If this family were the Federal Government, the Brown family would say, "Well, look, we have already planned that we are going on vacation this summer. We have already planned that we are buying a new refrigerator. We have already set our monthly budget. This is an emergency, we cannot pay for it, so we are just going to add it on to our spending." That is what we are doing here. But that is not what the Brown family does. What the Brown family does is they go back and say, "Well now, look, we have incurred an expense of \$700 because Johnny broke his arm, so we are not going on vacation this year. We had planned it, we had written it in our budget, but now we cannot afford it because we had an emergency. Johnny broke his arm." In fact, the definition of an emergency in this case is something they have to spend money on and so they have to take it away from another purpose. They may decide they are not going to buy a new refrigerator.

It seems to me that we can have a procedure that is exactly analogous to what families have to do, by saying we have an emergency, we are going to provide \$1.2 billion for many worthy objectives, but to pay for it we are going to take all the other nondefense appropriated accounts and reduce them across the board—and let me remind my colleagues, we have in the supplemental a defense expenditure. We offset every penny of it. We only have emergencies in nondefense. We do not have an emergency in defense in this bill, though we have had them in the past. We generally do not have them. And we do not have one here.

So, what I want to do is for nondefense accounts, in a simple across-the-board procedure, what we have done with specific accounts in defense. If someone wants to come up with a substitute that cuts specific programs as an alternative, I am willing to look at it. That, basically, is what my amendment does. Let me explain why it is so important.

The American people got the idea that we were trying to do something about the deficit when we passed the Contract With America. The President has vetoed the Contract With America. We are now under a continuing resolution which is a temporary funding measure. We have a bill in front of us that already spends \$2.3 billion more than that temporary funding measure spends on an annual basis. So, if we pass this bill, rather than simply rolling over that bill through the end of the year, we are going to spend \$2.3 billion more than simply rolling over the continuing resolution would do, in any case.

But let me remind my colleagues that yesterday all but some 16 Members of this body voted to increase spending by \$2.6 billion. In fact, we had an interesting occurrence and that is our Democratic colleagues said, "Let us increase spending by \$3.1 billion." One of our Republican colleagues said, "No, let us increase spending by \$2.6 billion." Congress decided on the \$2.6 billion and with great fanfare we had offsets.

The problem is, these offsets have already been counted in the budget. We counted \$1.3 billion in savings for the sale of the U.S. Enrichment Corporation. That is basically a corporation that enriches uranium. But the problem is we have already counted that \$1.3 billion in deficit reduction in the budget that we adopted. But since that budget and the bill flowing from it has been vetoed by the President, we were able to do that yesterday. To pay for this new spending, \$2.6 billion adopted yesterday, we sold off portions of the Strategic Petroleum Reserve. The problem is we had already decided to sell it as part of the budget. So what we really did yesterday is added roughly another \$2.6 billion of spending. So we are already talking about spending almost \$5 billion more in this bill than if we extend the current short-term continuing resolution.

I think it is important that at some point we stand up and decide to stop spending money we don't have. It is one thing to write a budget setting out good intentions. But it is clear to a blind man that if you look at the pattern that we have followed with these emergency designations, it has turned into exactly what many of us feared it would when it was put into the 1990 budget summit agreement. It has turned into an agreement whereby the President and the Congress conspire to cheat on the budget; conspire to increase spending above the level we set out in the budget. In the process, we have these budgets that do not look so bad, but when we count how much money is actually spent we end up spending beyond the budget.

What I am offering our colleagues is a great opportunity to save \$1.2 billion. Somewhere in the sweet by-and-by there may be a budget that is adopted. The President may accept it. On the other hand, he may not accept it. So we may get through this whole year not having saved a penny anywhere.

I can give you an opportunity tonight to save \$1.2 billion. The only person I know who knows how much money that is is Ross Perot. We can save \$1.2 billion by doing what the Brown family would have to do if they had an emergency, and that is cut programs we were going to spend money on to fund the emergency. And my proposal is a very simple one. We remove the need for an emergency designation so that it is not an emergency, and we have an across-the-board cut in all other nondefense discretionary accounts by 0.53 percent to pay for it. Let

me remind my colleagues, we have spending in the supplemental for defense. We offset every penny of it with cuts. Why should we not do the same in nondefense? That is the purpose of the amendment. It is very simple and it boils down to one question: Do we want to spend money we don't have? Or do we want to move toward a balanced budget? I am giving you an opportunity tonight to save \$1.2 billion. I hope we do not miss this opportunity and I yield the floor.

Mr. SANTORUM addressed the Chair.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. SANTORUM. Thank you, Madam President.

Madam President, I rise in very strong support of Senator GRAMM's amendment. As a cosponsor of that amendment, I think we have a fundamental issue to decide on the floor of the Senate tonight, and that is whether we are going to go back to the old system, prior to last year paying for emergencies, adding it to the interest costs of future generations, or whether we are going to face up to the fact that we have emergencies in this country, that we do not appropriate for them every year as they occur, as we should, and that we need to pay for them out of existing appropriated accounts, not to just declare an emergency every time we have one and pass the bill on to the next generation of Americans.

If we do not and this bill becomes law, the children of America, the people of America are going to be paying interest on this \$1.1 billion for the rest of their lives. Now, is that fair to have that happen? I am speaking as someone from the State of Pennsylvania who probably is going to get the lion's share of this benefit.

In Pennsylvania, in January, we had a very serious snowstorm. We had a couple feet of snow in most places, followed by extremely warm weather and a rainstorm which, depending on the area, dumped anywhere from 4 to 7 inches of rain. So we had the combination of 2 feet of snow melting plus 4 to 7 inches of rain in a matter of a 2-day period. It caused floods that were above the 100-year-flood level in many places.

The damage in Pennsylvania is calculated now over \$1 billion. There is half a billion dollars in eroded infrastructure, and, even more important, we lost 100 lives. We lost 2,000 businesses and 50,000 homes. We had a very serious disaster. It is one that we should, on the Federal level, help. It is a disaster that qualifies, in fact, all 67 counties eligible for individual assistance. Madam President, 52 of the counties have been declared eligible for public infrastructure assistance.

So there is no doubt we need to spend this money. The question is, are we going to spend it within the existing pot of money that we have to spend this year, or are we going to just add it to the deficit?

Last year, in the rescissions package, we made a decision that we were going

to fund emergencies. We provided FEMA with money, \$5.5 billion. That is paid for in a rainy day fund. Unfortunately, that money is over at FEMA and some of the extraordinary expenses are in the Small Business Administration, which is not FEMA. So they cannot take that FEMA money, even though it is sitting over there. They cannot use it. Or it is in the Department of Agriculture. Again, it is for disasters, but the money is sitting over in FEMA.

I will have an amendment, if this amendment fails, to take the money from FEMA and put it into those accounts. It is not something I want to do, because I think we should have this fund available to FEMA. I think we should pay for it now.

I have had a history as a House Member of standing up for this. I voted, I think, on four or five occasions against unemployment extensions which were not paid for, which emergencies were declared and we just added on to the deficit. Luckily, in four of the five instances where we extended unemployment benefits, the President at that time, President Bush, insisted that we find offsets, and we did find offsets, and we were able to pass a deficit-neutral unemployment extension.

The only time we did not do that was under President Clinton in his stimulus package. It is the only part of the stimulus package that became law, and we deficit spent to provide unemployment benefits. I voted against it.

I tell you, I was a Congressman at that time, and I represented a district which has probably been as hard hit, if not harder hit, than any district in the country with respect to unemployment. I represented the steel valley of Pittsburgh where we lost over 100,000 jobs in a matter of 10 years—100,000 steel worker jobs in a matter of 10 years. We still have long-term unemployment there.

But I said that it is important to stand up for principle, that we do not spend money today for emergencies, as important as those emergencies are and as needed as the funding is, by penalizing future generations and not making the tough decisions, not setting priorities. That is what this is about. Everybody in this Chamber and everybody in the House Chamber is for this disaster assistance. The President has asked for it, and the appropriators have wisely appropriated the money he has asked for.

The question is, are we going to pay for it now or are we going to make our children pay for it later, forever and ever and ever? I think the answer is pretty clear.

One of the reasons we are here debating this bill—we are into March debating appropriations bills—is because we are trying to balance the budget. We are trying to cut spending. We are trying not to add on to the deficit, and here we are in the middle of this great struggle to put America back on sound financial footing, back on the path to

fiscal responsibility and we are saying, "Oops, we have an emergency; we must add to the deficit."

I can tell you, the House of Representatives is not adding to the deficit in their bill. They have an appropriations bill similar to ours. They do not add to the deficit. They are within their caps, and I think that is important to know. I think it is incumbent upon us to act as judiciously as the House in this instance.

Right now there is a special session going on in Pennsylvania, and they are coming up with the funds to pay for the tens of millions—hundreds of millions—of dollars that the State of Pennsylvania is going to have to come up with to fund this, and they cannot declare an emergency. They cannot put it off budget. They cannot add it to their deficit. They have to balance their budget every year, and they are making tough decisions up there right now.

My colleague in the State house and the State senate and the Governor, my former colleague in the House, Tom Ridge, are offering up some pretty tough medicine right now to the people of Pennsylvania. All I am asking is that we take a little bit of the medicine in Washington, that we do the responsible thing.

I do not understand how this body, whether you are a Republican or a Democrat, can go back home and go before the people of this country and say you really are serious about balancing this budget, that you really are serious about cutting spending and setting priorities. We have to set priorities. As Senator GRAMM says, when the refrigerator breaks, you cancel the vacation. Every family does that. Most States do that. This Government and this Congress should do that.

If there is anyone who should be for this bill, whether it spends for emergency and adds on to the deficit, it should be me. But I believe it is so important—so important—that we continue the precedent that we set last year of paying for our disasters, of not bailing out and declaring emergencies that I am prepared to vote against this bill. I am prepared to vote against disaster assistance for my State if we do not offset it over the next few hours.

If the Gramm amendment fails, I have other amendments. I have other amendments to offset other accounts within the purview of this bill and outside the purview of this bill. I have amendments to transfer money from FEMA. I know that is subject to a point of order, but I am prepared to be here tonight, and I am prepared to offer amendments.

I think this is something that we absolutely must do to be able to face the American public with a straight face.

We bail out too often around here. We are always looking for a way to sort of be cute and get around the law, to get around the substance of what we really are talking about here.

Oh, sure, we can legally, under the law, circumvent the Budget Act and

declare an emergency and add it on. By and large, you know, it is only \$1 billion. No one is going to notice. Well, I notice. I think we have an obligation not just to the process that we are engaged in to balance the budget but for the future generations of Americans who, as I have said before, will pay for this \$1 billion of deficit the rest of their lives. Is that fair to do? The answer, I think, is very clear. It is not fair to do.

So I am very hopeful that we can get bipartisan support for a very rational act. I will tell you that an across-the-board cut is probably not the best way to go about paying for this, but I suggest that the principle of saying that we are going to pass a deficit-neutral appropriations bill is important. When we do that and we send it to the conference and we have a deficit-neutral appropriations bill coming out of the House and a deficit-neutral bill coming out of the Senate, then we can sure as heck guess that we are going to get a deficit-neutral bill coming out of the conference.

Is it going to have an across-the-board cut? No, probably not. They will probably set priorities. They will sit down and they will make those decisions within the context of a larger picture, as it should be. But I think we have to set the tone here with this amendment.

So, I am very hopeful that my colleagues who stand up and repeatedly talk about how we have to set priorities and balance the budget and that we did not need a constitutional amendment to balance the budget because we can do it ourselves, we can make these decisions, we can set priorities—it is priority setting time. I cast my priority to spend this money on disaster relief. I am for disaster relief. I want to fund these programs. But I also want to do it within the context of this budget.

I hope my colleagues on both sides of the aisle will support that effort.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. HATFIELD. Madam President, I propound a unanimous-consent time agreement. I ask unanimous consent that there be 1 hour for debate on the pending Gramm amendment—30 minutes under the control of Senator SANTORUM, 5 minutes under the control of Senator GRAMM, 25 minutes under the control of myself—and following the debate, the amendment be laid aside and Senator MIKULSKI be recognized to offer an amendment regarding national service, and that there be 1 hour for debate to be equally divided in the usual form, that no amendments be in order to either amendment, and following the debate, the Senate proceed to vote in relation to the Gramm amendment, to be followed by a vote in relation to the Mikulski amendment. I believe this has been cleared on both sides.

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

Mr. HATFIELD. Madam President, I think that those votes, as they are being stacked or joined, linked, probably would occur somewhere between 8 and 8:30, assuming all the time is used. I do not plan to use all the time on my side on this matter that is pending.

Madam President, the Gramm amendment proposes to offset the so-called emergency supplemental the President asked for and that was approved by our committee to cover the losses and the damages, in part, that have occurred during the floods in the Northwest and other parts of the country.

I am not sure that we need to have a replay of the suffering and the tragedy that has beset so many people in these types of disasters, whether it is an earthquake or a hurricane or a flood or a fire. I think that is why the budget agreement of 1990 very precisely empowered the Congress of the United States to visit these problems on an ad hoc basis and make a judgment in accordance with the needs created by these disasters and why there is no formula for that, there is no basic criteria. That is within the prerogative and the discretion of the U.S. Congress.

My colleague from Texas tried to compare this to a family disaster of Johnny breaking an arm, and what would they do? I will tell you what they would do. They would go down and get that arm fixed, and they would charge it on their credit card because they did not have the money, cash in hand. They would take an attitude that this is worthy of an indebtedness because we have an emergency that has to be dealt with.

Madam President, I believe that is true with the Nation as a whole and under the very concepts that set up FEMA, the Federal Emergency Act to deal with these emergencies. The Senator from Texas also said why is it we do this only for nondefense programs? Aha, we put the gulf war in an emergency declaration.

Over \$20 billion we were willing to march down the aisle to say, "We support the President. We support this war for oil," even in spite of all the propaganda that somehow we were trying to support an emergency of a little country like Czechoslovakia being overrun by the big brutal neighbor, Hitler.

So, the gulf war was an oil war, pure and simple. And we declared an emergency. Why is it that we can find it easy to declare an emergency to make war, but we find it a gnat strangling us in trying to swallow in declaring an emergency related to people in need? I suppose it is a philosophical debate to some degree. I think it is also a value and a priority debate as well.

I think it is poor procedure, in addition. Bear in mind that this amendment says that we reduce appropriations in the nondefense area, both in this bill and already enacted, the legislative branch bill, the Treasury bill,

the transportation bill, the agricultural bill, the energy-water bill, the foreign operations bill, all having been passed, and now we are going to go back and reduce those commitments for those programs in spite of the fact that there is a different spendout probably for each one of those accounts in most of those bills. That then is going to fall disproportionately heavily on those that have had a slower spendout in order to recoup that percentage reduction. That kind of fiscal management is irresponsible—irresponsible.

It is an easy way to follow the rules about offsets, but we do not have any consideration as to the impact of that disproportionate reduction in these accounts across the board. It even undoes the action we took yesterday of adding moneys back to the Labor-HHS for educational purposes. We have to revisit that. That may not be a high priority for some. It is a very high priority for me.

But it only means again that there are no sound criteria being used to recover the offset in order to say, oh, I can vote for the disaster relief for those people who drowned, have been drowning, or people whose homes have been drowning or their farms have been drowning or the levees that have broken through that need repair to prevent another storm totally eliminating communities in my State, or the Small Business Administration that had expended or obligated its funds to be replenished in this bill, to give assistance for the reconstruction and the restoration of small enterprise under our great capitalistic system.

We can find lots of help for the big corporations in all sorts of tax breaks, but I do not find that there is that easy access to tax breaks for small enterprises, the small businessperson, which, after all, is the soul of the capitalistic system, not the Fortune 500.

So, consequently, it seems to me that we are being again very inequitable in making these applications. Let me say that on the foreign operations, Israel—Israel, in its time of need—will also be reduced, the Israeli need that exists today that we have voted overwhelmingly to support. I have a strong feeling that we are really almost playing games with people in distress. I heard the recitation of all the times we have adopted the emergency declaration.

Again, Madam President, I do not accept the sins-of-the-fathers-being-visited-upon-the-children concept. I am not saying that every one of those declarations had high support or could be validated by criteria. I can tell you, having visited farms that will take 2 years to restore in my State, at least 2 years for productivity—my colleague, Senator WYDEN and I, had first-hand direct exposure to people who had been absolutely wiped out. Their milk cows stacked in piles waiting to be burned or disposed of, losses that cannot be replaced even if they had the money to do it because there is not that availability. People whose hopes were just

washed away, totally washed away and, at the same time, to replace those hopes and to be able to restore those levies to protect them in the future is being threatened by this particular action at this time.

Let me say, we have stretched this every way possible to find offsets for adding through the actions yesterday, and other actions, moneys to increase the level of funding. We have done it for a variety and many different accounts, fitting almost anybody here on the floor in the body, here as a total body, the needs or priorities.

At the same time, the Appropriations Committee is the only committee in the U.S. Congress that has taken specific actions for budget reductions and spending reductions—\$22 billion we have taken in the Appropriations Committee. We could not get the reconciliation through the President's veto but I have not seen too many subsequent actions taken by authorizing committees to deal with the problem under the current circumstance we had.

There is no committee that can stand on the floor of the Senate and say they have done something specific to try to move toward a balanced budget by the year 2002, except the Appropriations Committee. We have a record. We have a unique position. Always, I will defend our action. Sure, we can say we can do more, maybe \$24 billion instead of \$22 billion. It is very interesting when we come to the floor we face a barrage of amendments to add back, add back, add back; and at the same time that we have offset, offset, and offset, there comes a limit to how much you can offset and make viably authentic a plan you have for funding the U.S. Government.

Another thing that had made our problem difficult is we protect the defense spending. That is sacrosanct. That is jobs. That is this. That is the other things. The Russians are not coming any longer, so now perhaps Saddam Hussein is coming. I grew up at a time when Communists were behind every door, according to some politicians, to scare the people into more spending for military; or that the Russians were coming.

As I have said before on this floor, the greatest enemy we face today, externally, is the viruses are coming. The viruses are coming. We better be more defensive of our people against the viruses through medical research than for the so-called hardware buildup.

I can remember when we used to be able to separate people's philosophy because it was easy, oversimplified—a hawk and dove. Doves vote to lessen military spending and the hawks want increased military spending. I can remember when the Republicans controlled the Senate in 1980 and we were faced with a Reagan massive buildup of military weaponry. Do not let anybody try to sell you the proposition that caused the decline of the empire of the Soviets. I will not give them that much credit. Their system was flawed to

begin with. It was doomed to failure. It was just a matter of time.

Nevertheless, the point is we justified every kind of dollar at that time, build up, and up, and up and deficit go up, up, up—one of the most conservative Presidents in the United States in modern history building the greatest deficit we have had in modern history. So these labels of conservative and liberal and moderate and fiscal conservatives, all that is a very superficial kind of labeling. All I am saying is we have never found a problem to find more money to spend for military hardware, but when we come to trying to meet the needs of flood victims and people of disasters who have suffered disasters, we are, oh, so concerned about our fiscal future and our fiscal present.

This is a legitimate declaration of emergency. I urge my colleagues—I do not know in what way we will move at this time. We are checking the point of order possibility that exists and we will have to have that confirmed. If it is confirmed, I will make a point of order. Otherwise, I will move to table the amendment.

The PRESIDING OFFICER (Mr. GRAMM). The Senator from Texas.

Mr. GRAMM. Mr. President, let me ask our colleague who has the preponderance of time to yield me 5 minutes to respond.

Mr. SANTORUM. I yield 5 minutes to the Senator from Texas.

Mr. GRAMM. Mr. President, it seems to me in listening to this argument that our dear colleague from Oregon, who has great intellectual powers, has been forced to strain them to defend his position on this amendment. I am not going to get into a lengthy response on each and every point, but there are some I would like to make.

If every penny that we have cut out of defense since 1985 had gone to deficit reduction, we would have a balanced budget today. Second, no one is proposing that we not provide flood relief. Nobody is making that proposal. What we are saying is, we can provide it, but pay for it. There is no doubt about the fact that a lot of families, when Johnny falls down the steps and breaks his arm, they put it on the credit card. The difference is, 30 days later they get the bill. They have to either pay it or come up with permanent financing. Their ability to get financing, other than rolling it on their credit card at astronomical interest rates, depends on a plan to pay it back. We have not paid back a net penny of borrowing since Eisenhower was President of the United States. That has been a long time. That has been too long.

In terms of the gulf war, we actually collected more money from our allies than we spent—probably the only war in history where that was the case. Obviously, when we are talking about the loss of American life, we are talking about a loss that can never be paid back, but I was not talking about the Persian Gulf war here. I am talking

about the fact that in this very bill we increase defense spending, but we offset it by cutting other programs, something we did not do for this \$1.2 billion.

In terms of going back and cutting programs across the board, there is no doubt about the fact that if the committee had offset this increase in spending, they could have done it more efficiently than the across-the-board cut. Let me say that without the emergency designation, the law would apply an across-the-board cut. Let me also say this is a procedure that we have used many times. If a better alternative can be found in conference, it can be substituted.

The point still comes back to not whether we should help flood victims, but should we pay for the assistance or should we simply add it to the debt? Do we simply spend more and more money every time something happens? Or do we say, "There has been a tragedy in the country. We have to do something to help. What we are going to do is take money away from programs that we would have spent the money on that were a lower priority so that we can fund this emergency assistance."

The issue here is simply the issue of deficits, and no matter what kind of arguments are made, no matter what specter is held up about helping needy people, no matter what discussion occurs on defense, the bottom line is that we are going to have a vote here on \$1.2 billion of additional deficit spending.

Are you for it, or are you against it? I am against it. I want to provide the money to try to help people who have suffered from floods, people who have suffered from fires, people who have suffered from emergency situations that they had no control over. But I want to pay for it, and I want to pay for it by cutting other Government programs. That is the prudent policy. That is the way, ultimately, in the real world, things have to operate. We have been divorced from the real world for too long, and that is why we have not paid off a net penny of national debt in any year since Eisenhower was President of the United States.

It seems to me that if we continue this process, people are going to be here 30 years from now who are going to be making the same statement. So I think the choice is clear, and I hope people will make the choice to pay for it—to help, but pay for it.

I yield the floor.

Mr. HATFIELD. I wonder if the Senator will yield for a question?

Mr. GRAMM. I am very happy to.

Mr. HATFIELD. As the Senator knows, we operate on an October-through-October fiscal year. What would the Senator do if an emergency occurred or disaster of some kind occurred on September 28?

Mr. GRAMM. What would I do if it occurred on that date?

Mr. HATFIELD. Yes.

Mr. GRAMM. What I would do is extend the funds. And for those 2 days I would take the funds out of the funding

to be spent on those last 2 days. Then I would take the additional funding—since we are not going to be able to spend it all out in 2 days, I would take the spend-out rate, and for those first 2 days I would take the amount to be spent and take it from the overall Government operations of those 2 days. And then, as it is spent out in the new fiscal year, I would take it from that.

Mr. HATFIELD. Mr. President, I think that is obviously a hypothetical question, but it was not a hypothetical response to that problem because what we are proposing to do today is to meet the emergency at the time.

I think the Senator makes a good point in the matter of how we have handled the emergency declaration. I say to the Senator that I will be happy to work with him to set up a criteria on how we should apply that emergency declaration. I do not think we ought to do it on an ad hoc basis, on the basis of need today. That is a matter we should deal with in terms of an overall long-term—we can do the job quickly, but it should not be applied on an ad hoc basis of this current emergency.

I think, also, that we realize that the disasters that happen early in the fiscal year—from all practicality, not hypothetically, the disasters that happen early in the fiscal year are going to have more opportunity to be offset than those that happen late in the fiscal year, as to the spend-out we have had during that fiscal year of those accounts that would be taxed or offset.

So, I think, again, the whole principle of offset is unsound at this point in time, unless we add criteria, criteria firmly established that we were going to apply. Let me say that the gulf war was so-called promised on the part of our allies to be paid back. But let us remember we did not have that in hand at the time we made the declaration any more than we had any kind of a payback plan for Somalia and the other programs that we put declarations of emergencies to in order to meet the needs of those people at the moment.

If we are going to have to measure somehow the suffering, or we are going to find some better way to establish the declaration—and the Senator himself was a member of that conference and that so-called summit that adopted the very language of the declaration of emergency, as I was a member of that conference and that summit of that time. So that is sort of ex post facto in terms of the pattern in which we have followed the declarations of emergency and of the conditions that exist today, the call for this declaration of emergency.

I yield the floor.

Mr. SANTORUM addressed the Chair.

The PRESIDING OFFICER. The Senator from Pennsylvania is recognized.

Mr. SANTORUM. Mr. President, I yield myself such time as I may consume. I would like to respond to the distinguished chairman of the Appropria-

tions Committee by suggesting that the timing of the disaster is really less important than the timing of when the money is going to be spent. That is very important. We have a billion dollars' worth of damage in Pennsylvania, but we are not going to spend a billion dollars over the next 6 months in repairing or fixing that problem. We have, for example, \$5.5 billion sitting in FEMA right now. That money was originally appropriated for the California earthquake and for the Mississippi floods that happened 3 years ago. It still has not been spent out.

Historically, what we have done when we have declared emergencies is we have put it off budget and appropriated money for the entire emergency, for what we think is going to be the cumulative cost of that emergency, knowing full well they are not going to be able to spend all that money in this fiscal year, whether it was September 28 or October 1. It takes a long time to let contracts and rebuild, as the Senator from Oregon said. It is going to be a couple of years before a lot of these people get it all back together and can use all the money that is available.

So to suggest we should be worried about the timing of disasters really does not reflect how the disasters are paid for. So what we are saying is, look, maybe we should look at, as the Senator suggested, how we appropriate money for disaster assistance because maybe there is money in this request that is not going to be spent this year, that we do not need to put in the budget this year, that we can put in next year when we anticipate it to be spent. That is a real concern.

I think the more fundamental issue here is, how are we going to pay for emergencies? It is interesting for me that if you look at all of these accounts, whether it is the Department of Agriculture, watershed and flood control, or whether it is the Small Business Administration, or the Corps of Engineers, or the National Park Service—all of these agencies that are funded—none of these agencies, to my knowledge, receive any additional funds for emergency purposes. They get funded for their programs, but they are not given sort of a slush fund or a rainy day fund to be able to be used to meet emergencies that they have to deal with when they come. We do not appropriate money—with the exception of a small amount for FEMA every year, usually \$200 million or \$300 million, which is always exceeded. We appropriate very little money annually for emergencies. Then when they come, as surely they come every year, we step back and say: We do not have any money. We have an emergency we did not anticipate. And whether it is a big one like the California earthquake, or a small one, we say, well, let us just add it to the deficit.

What we are saying is that is just not responsible. The responsible thing is to let us appropriate the money every year and, my goodness, if we do not

spend it, and if the Lord shines upon us and we do not have a natural disaster, well, then we keep it for the next year when, probably, the disasters will be worse than what we had planned on. But it is silly for us to not appropriate for emergencies, and when they come along, say: We have all this destruction and costs and we have to come to these people's aid.

We are coming to these people's aid. We are out there. I have been out there, as have Senator HATFIELD in Oregon, and Senator Wyden, and Senator SPECTER, and Senator GORTON. We have been out there, and we have seen the damage. It is severe, and we need to remedy it, but we need to do it within the confines of rational budgeting. That is what Senator GRAMM said. Every family does it. I hear the credit card analogy all the time, and Senator GRAMM is right that the analogy is not applicable to the Congress, because you have to pay back a credit card. If not, they take you to court and garnish your wages. We are never going to pay this money back. We are going to add this billion dollars to the deficit, and we are going to pay interest on that. Children who are not yet born are going to pay interest on that.

I do not think we have any intention in the near future of doing anything to reduce the national debt. We are hoping to reduce the annual deficit.

But there is no plan that I am aware of to start whittling down the mountain of debt that we have already accumulated. So to suggest that it is equivalent is just not accurate. It is apples and oranges.

I applaud Senator HATFIELD and the Appropriations Committee for, as he said, having cut \$22 billion this year. He is absolutely correct. Unfortunately, because we have not been able to get agreement on entitlements and on the budget—the President vetoed the budget that actually does something with entitlements—we have had to rely solely on appropriations. But we have relied on appropriations within the budget caps that we set in the budget resolution. We are not asking them to do anything more than we would have had we done all of the entitlement savings anyway. I appreciate that they have done it. But it is not like we have not worked very hard to get those entitlement savings. Everyone over here, at least, put up the votes to get that bill to the President for him to balance the budget. Unfortunately, the President has vetoed it. But we have done our part. We will continue to do our part to make sure that we reduce all levels of government so we can balance this budget, not just appropriated accounts.

The final point I want to make is just to reemphasize. This is not about helping people in need. We are helping people in need. FEMA teams have been in Pennsylvania for a couple of months. We are doing the job. This is how we pay for it, if we pay for it. I think that is a pretty easy call for most Ameri-

cans. You would think it is fairly common sense. It is one of the common-sense things that I hear when I go home. "Well, of course, if something comes up that you need more money, you find the money somewhere else. You just do not put it on the deficit forever and ever and ever for us to pay interest on for generations."

I want to see this bill passed. I want to see the people who are in need feel good about the fact that the Federal Government came in and helped them but also feel good that we did it within the context of a budget, that we did it the right way. I am hopeful that we can get bipartisan support on this and send a resounding vote that we are going to balance this budget and that we are willing to step up to the plate in tough situations and make the tough decisions to move this country to a more responsible fiscal future.

Mr. President, I yield the floor.

Mr. HATFIELD addressed the Chair.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. HATFIELD. Mr. President, I ask unanimous consent that the time restraints with respect to the Mikulski amendment just agreed to be vitiated, that following the debate on the pending Gramm amendment, the Senate proceed to vote with respect to that amendment, and following the vote Senator MIKULSKI be recognized.

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

Mr. GRAMM. Mr. President, before Senator HATFIELD leaves, I am through debating. I think we made the points. I do not know if the Senator from Pennsylvania is finished or not. But if he is, perhaps we could go ahead. I would like to have 1 or 2 minutes to sort of sum up, and we could go ahead and vote.

Mr. HATFIELD. I say to my friend that this certainly is a possibility. We have to have a few minutes because of the time designated, or, at least, a time estimate for a vote. We have to get notice to some of our colleagues who perhaps have left the Hill. But I would be willing to yield back all of my time and move to a vote as rapidly as possible.

Mr. GRAMM. Mr. President, on that basis, let me sum up. Again, there are a lot of issues that have been raised here. The provision for the emergency designation was in the 1990 budget summit agreement. I participated in those negotiations. I opposed this provision. I voted against that summit agreement—not that that is of any relevance here.

Here is the point. There are some emergencies under some circumstances that create a situation where there is not a readily available option to finance. We could have funded the Civil War by offsetting expenditures and by raising taxes. We decided not to do it that way. We might have funded World War II that way. We decided not to because of the magnitude of the undertaking. But I remind my colleagues, we are spending \$1.6 trillion a year. We are

getting ready to add \$1.2 billion of new spending declared an emergency. We can avoid that by simply cutting across the board by .53 percent, or a penny for every \$2 we spend on nondefense discretionary programs. I am very proud of the fact that in 1995, under the leadership of Senator HATFIELD as our new chairman, we did not have a need for emergency designations. We did not, through supplementals, raise the deficit. In fact, we had rescissions bigger than the new spending we had. It is not as if we have never sinned before, but we were on such a roll from 1995 under the leadership of our great chairman that I was hoping that we might stay on the straight and narrow and avoid this movement back to our old ways.

So, I do not see this as a big amendment in terms of its impact; \$1.2 billion for anybody, or any group of people of any reasonable size, that would be an unbelievable amount of money. For the Federal Government, it is basically one penny out of every \$2 we spend on nondefense discretionary programs. But why not take a stand here, keep the record of this new Congress with the Republican majority, a perfect record in that we have written a budget. The President vetoed it. But we have lived by it. We have not used an emergency declaration to spend money when we had the alternative to pay for it. It is a record I am proud of. It is one I want to keep. And, most importantly, despite all of the arguments that can be made, it is the right thing to do. This is the right thing to do.

This is a manageable emergency. There is no reason that a country that spends \$1.6 trillion a year cannot manage an emergency of \$1.2 billion. This is a manageable amount. And what we are doing here is setting a precedent that will be followed, if we set it here.

I would like to stay with our record in 1995, stay with our budget, not declare this emergency, and pay for this modest amount of money as compared to the Federal budget. We are capable of doing it. It is the right thing to do, and I urge my colleagues to do it.

Mr. President, I yield the remainder of my time.

The PRESIDING OFFICER. Who yields time?

Mr. HATFIELD. Mr. President, I suggest the absence of a quorum on my time.

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

The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

Mr. GREGG. Mr. President, I ask unanimous consent that we set aside the pending amendment.

Mr. GRAMM. Reserving the right to object, I think we are about to work out an agreement here, Mr. President,

that would end our debate, order a roll-call at some time in the future, and finish up this matter. I think we can do that very quickly, and then the Senator could be recognized to offer an amendment, and this would be out of the way.

Mr. GREGG. Mr. President, I ask unanimous consent that we set aside the pending amendment.

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

AMENDMENT NO. 3491 TO AMENDMENT NO. 3466

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

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from New Hampshire [Mr. GREGG], for Mr. BIDEN, proposes an amendment numbered 3491 to amendment No. 3466.

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

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

The amendment is as follows:

On page 29, line 20, after “*Provided further*,” insert “That not less than \$20,000,000 of this amount shall be for Boys & Girls Clubs of America for the establishment of Boys & Girls Clubs in public housing facilities and other areas in cooperation with state and local law enforcement: *Provided further*. ”

Mr. BIDEN. Mr. President, the amendment I am proposing today would provide the first \$20 million of a 5-year effort to add 1,000 new Boys & Girls Clubs—including 200 more clubs in housing projects—so that 1 million more children can participate in this vital program.

This investment of \$100 million in seed money—all to start new clubs—translates to only \$100 per additional child who will be served by a Boys & Girls Club.

The Federal Government’s contribution is only 10 percent of the total funds needed to complete this project. This is only seed money. The remaining 90 percent of the funding for new clubs will come from private donations.

That is a Federal contribution of only \$100 per child to provide 1 million children with a safe, supervised, and challenging place to go after school rather than hanging out on street corners or returning to an empty home.

Fully 40 percent of juvenile crime is committed between 3 and 9 p.m. These are the hours when many children are left unsupervised.

In hundreds of public housing projects across the country, Boys & Girls Clubs give kids a safe place to hang out after school—a place with positive activities and positive role models.

A 1992 evaluation conducted by Columbia University found that housing projects with Boys & Girls Clubs had 13 percent fewer juvenile crimes; 22 percent less drug activity; and 25 percent less presence of crack than housing projects without Boys & Girls Clubs.

Those who study this issue agree that breaking the cycle of violence and crime requires an investment in the lives of our children with support and guidance to help them reject the violence and anarchy of the streets in favor of taking positive responsibility for their lives. And prevention of crime—particularly juvenile crime—is more important now than ever before.

In 1994 more than 2.7 million children under the age of 18 were arrested. Half of these arrests—1.4 million—were children under the age of 16.

There is a fairly simple answer to this problem—provide supervised activities for children during the high-crime hours of the late afternoon and early evening. The key is to keep children off the streets and out of trouble during the times they are most likely to get into trouble.

This is not complicated. We can—in-deed we must—recognize this fact and take all the actions necessary to fill the crime-like hours with supervised activities. Constructive after-school prevention programs like Boys & Girls Clubs are the best way tool we have to stop juvenile crime, juvenile drug use, and juvenile victimization by other youth.

We have a choice. We can work to prevent crime before it happens.

If we don’t, we are merely postponing the inevitable—dealing with juveniles after the shots are fired, after the children become addicted to drugs, after more lives are ruined.

When a life about to go wrong is set back on the right track—that is a testament to hope.

We build hope by showing children that they matter and by contrasting the dead end of violence with the opportunity for a constructive life.

This amendment deserves full bipartisan support. This is crime prevention—as far as I know, the Boys & Girls Club is a program everyone on both sides of the aisle has claimed to support.

I urge all of my colleagues to fund this proven prevention program and join me in helping to stem the tide of children who would otherwise be lost to drugs and violence.

Mr. GREGG. Mr. President, this amendment, which is a Biden amendment, would earmark funds for the Boys and Girls Clubs of America. It has no budgetary impact. It has been cleared on both sides.

Mr. President, I ask unanimous consent that this amendment be agreed to.

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

The amendment (No. 3491) was agreed to.

Mr. GREGG. Mr. President, I note the absence of a quorum.

The PRESIDING OFFICER (Mr. HELMS). The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

Mr. GRAMS. Mr. President, I ask unanimous consent that the pending amendment be laid aside.

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

AMENDMENT NO. 3492 TO AMENDMENT NO. 3466  
(Purpose: To establish a lockbox for deficit reduction and revenues generated by tax cuts)

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

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Minnesota [Mr. GRAMS], for himself, Mr. McCAIN, Mr. FAIRCLOTH, Mr. COATS, Mr. INHOFE, and Mr. HELMS, proposes an amendment numbered 3492 to amendment No. 3466.

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

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

The text of the amendment is printed in today’s RECORD under “Amendments Submitted.”

Mr. GRAMS. Mr. President, on behalf of my colleagues, Senator McCAIN, Senator FAIRCLOTH, Senator COATS, Senator HELMS, and Senator INHOFE, I rise to offer the taxpayer protection lockbox amendment.

Today, as Congress fights to bring down the deficit and set the Nation on the track toward fiscal sanity, President Clinton is continuing his demand for an additional \$8 billion in taxpayer money this year to finance even bigger Government. He says he is offsetting the increased spending, but most of his so-called savings are no more than budget gimmicks—increased taxes, fees, and one-time asset sales financed directly by the taxpayers.

Congress wants to eliminate the deficit but President Clinton wants to spend almost 50 cents of every dollar that working Americans have sacrificed toward a balanced budget this year.

The President said in January that “the era of big government is over,” but if he has his way big government will only continue to grow, at the expense of taxpayers today and our children tomorrow. If we do not take immediate action to stop this pattern of abuse, we are risking leaving behind a legacy of debts that our kids will be forced to inherit.

While we still have the opportunity, we must do everything possible to change the rules of the tax-and-spending game and do what is best for taxpayers, for our children and for the Nation as a whole. And for that reason we are offering the Taxpayer Protection Lockbox Act as an amendment to the continuing resolution.

Our amendment would make two important changes to the budget and appropriations process, a process which has served only to encourage abuse of spending and fiscal irresponsibility.

First, this amendment would return honesty to the budget process by ensuring that a cut in spending is truly a cut.

Contrary to popular opinion, under current law, dollars cut from appropriations bills are not returned to the Treasury for deficit reduction purposes as they ought to be. Instead, they are quietly stashed away in a slush fund to be spent later on other programs.

Our amendment would put an end to this practice by locking any appropriations savings into a deficit reduction lockbox and dedicating those dollars to deficit reduction. In other words, if Congress cuts \$10 million in an appropriations bill, the taxpayers will save \$10 million. It does not get spent somewhere else.

Second, our amendment would create a revenue lockbox which would be used to direct any future revenues that exceed current economic projections toward deficit reduction and/or tax relief.

It would create a fast-track process for Congress and the President to use these funds for tax relief with the remainder going for deficit reduction. At the same time, our amendment would prohibit the Government from simply using those dollars for additional spending. This is only fair, because, after all, these additional funds would become available only because of the hard work and productivity of the American people. So it makes sense then to return those dollars to the taxpayers to encourage even greater productivity on their part rather than allowing Congress to waste money that is not even theirs to begin with.

All in all, our amendment is a simple proposal to restore honesty and common sense to the budget process, allow taxpayers to keep more of what they earn and also place further restrictions on abusive Government spending.

Given the most recent demand on tax dollars from the White House, it certainly cannot have come at a better time.

Mr. President, our legislation has been endorsed by a number of citizens and taxpayer groups including the National Taxpayers Union, Citizens for a Sound Economy, and the National Federation of Independent Businesses. With their support and the support of our colleagues, I am confident that we can win a big victory for the American taxpayer by passing the taxpayer protection lockbox amendment this week.

Mr. President, that is the conclusion of my statement, and I ask for the yeas and nays on my amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

Mr. COCHRAN addressed chair.

The PRESIDING OFFICER. The Senator from Mississippi.

Mr. COCHRAN. Mr. President, it is my understanding the Senator does not want to push for a vote at this time on his amendment. I assume he expects to get consent to set the vote on the

amendment aside until we dispose of the Gramm amendment and maybe other amendments tonight; is that correct?

Mr. GRAMS. That will be fine.

Mr. COCHRAN. Mr. President, I ask unanimous consent that the amendment be set aside.

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

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

The PRESIDING OFFICER (Mr. GRAMS). Without objection, it is so ordered.

AMENDMENT NO. 3490, AS MODIFIED

Mr. GRAMM. Mr. President, I ask unanimous consent to modify my amendment. I send the modification to the desk.

The PRESIDING OFFICER. Is there objection to the modification of the amendment? Without objection, it is so ordered.

The amendment (No. 3490), as modified, is as follows:

At the end of title II of the committee substitute, add the following:

(a) Each amount provided in a nonexempt discretionary spending nondefense account for fiscal year 1996 is reduced by the uniform percentage necessary to offset non-defense discretionary amounts provided in this title. The reductions required by this subsection shall be implemented generally in accordance with section 251 of the Balanced Budget and Emergency Deficit Control Act of 1985.

Mr. PRYOR. Mr. President, reserving the right to object, reserving the right to object—

Mr. GRAMM. Mr. President, the Chair had already ruled.

If I might say to my colleague, all I did was take out a paragraph that created a point of order. It did not change the nature of the amendment in any way.

Mr. PRYOR. Mr. President, I understand the Chair had previously ruled. Therefore, I have no objection to the Senator's request.

The PRESIDING OFFICER. The amendment is so modified. Who yields time on the amendment?

The Senator from Pennsylvania.

Mr. SANTORUM. Mr. President, what Senator GRAMM did in his modification is really identical to what the House has done in their bill. The House does actually declare an emergency, but they actually do not exceed their caps. What Senator GRAMM is going to do, the effect of his amendment is to keep the emergency declared and pay for it, so we do not exceed the overall budget cap as opposed to the caps on specific subcommittees. I think that makes perfectly good sense, to make sure that we pay for this within the whole appropriations account as opposed to just targeting specific subcommittees because of these occasion-

ally arcane budget rules that we have to deal with in this body.

I want to reiterate that I hope on this matter we can get a strong vote of support, frankly, from both sides of the aisle, that we are no longer going to continue the practice of previous Congresses—not this Congress, but of previous Congresses—every time that we have a disaster. On an annual basis, we do not appropriate for those. We do not appropriate money. With the exception of a couple of hundred million dollars annually for FEMA, we do not appropriate money for disasters. We wait until they happen, as they surely will, and then we ask for emergency authority to borrow the money and not put it on the budget.

We know there are going to be disasters. We should be able to budget for those disasters, either beforehand or be able to rearrange priorities once they occur. That is what we do here. We arrange priorities.

This is not about whether we are going to provide relief to the victims of fire, relief to the victims of floods or storms. What we are talking about is providing a reasonable, commonsense way to pay for it. That is something that all of us in this body have said we want to do. We want to balance this budget. We want to set priorities.

Many people in this body opposed the balanced budget amendment. When they opposed that balanced budget amendment, they said, "We do not need a balanced budget amendment; we can do it ourselves. We have the ability to set priorities in this body without the hammer of a balanced budget amendment to the Constitution."

It is put-up time. If, in fact, you believe that we should have a balanced budget, then this is the first step to making that happen—to stop this practice of adding tens of billions of dollars. Senator GRAMM articulated that earlier in the debate, that we have added close to \$100 billion to the deficit with these emergency declarations.

This is not just a billion dollars. To many people who might be watching this debate who are not Senators, a billion dollars actually is a lot of money, it sounds like a lot of money. Here it does not sound like a lot of money. But when you add up a billion here and there, we have gotten to \$100 billion over the last 6 years. That is a lot of money even for here.

So let us not continue this practice. If anyone has an interest in seeing that this disaster relief is passed, it is the Senator from Pennsylvania. We have had \$1 billion in flood damage in our commonwealth. We have had over 100 people killed, 50,000 homes damaged or destroyed, 2,000 businesses washed away. We need that help, but we need to do it responsibly.

This Senator is not going to be a hypocrite and say, "Well, I'm for reducing the deficit except, of course, when the money comes home and then, well, let's just spend it all." I will vote against this measure if we do not adopt

this, or something like it. I have several other amendments. I am prepared to stay here all night long offering amendment after amendment, which I will require votes on, to find some way to pay for this disaster that is acceptable to this body.

So I hope that we are in for a good day of votes, whether it is tonight or tomorrow, because if we do not succeed, we are going to have votes and you are going to have to stand up to the American public and say, "This is not the way to do business. The way to do business is to add it on to the deficit. Fine, but we are going to be here."

I am going to be here tonight, tomorrow, the next day, whatever it takes, so we do this responsibly. I hope we do it on a bipartisan basis. Balancing the budget is a bipartisan affair, and it is something I know we all want to do. Let us put into practice tonight what we preach.

Mr. President, I yield the floor.

Mr. COCHRAN addressed the Chair.

The PRESIDING OFFICER. The Senator from Mississippi.

Mr. COCHRAN. Mr. President, I think this issue has been fully discussed on the floor tonight. I know Senator HATFIELD, when he was here a moment ago discussing the issue, laid out all the reasons why this amendment is not a good idea.

In 1990, there was a long, drawn-out negotiation over procedures in the budget and how appropriations would be made in case of national emergencies and whether or not they were under the same requirements for offsets as routine operating expenses were.

It was decided by the Congress in 1990, in concert with the administration, a Republican administration, that these would be the rules.

This amendment is an effort to legislate a rules change on an appropriations bill. We think it an amendment that ought to be rejected by the Senate. Therefore, I am prepared to yield back the remainder of the time on this side of the amendment and hope others will yield back their time, and I then will move to table the amendment and ask for the yeas and nays.

With that understanding, I yield back all the time on this side on the amendment.

The PRESIDING OFFICER. Does the Senator from Pennsylvania yield back his time?

Mr. SANTORUM. I yield back the remainder of my time.

Mr. COCHRAN. Mr. President, I move to table the amendment, and 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.

The PRESIDING OFFICER. The question is on agreeing to the motion to lay on the table amendment No. 3490. The yeas and nays have been ordered. The clerk will call the roll.

The assistant legislative clerk called the roll.

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

The result was announced—yeas 55, nays 45, as follows:

[Rollcall Vote No. 32 Leg.]

#### YEAS—55

Akaka	Dorgan	Levin
Baucus	Exon	Lieberman
Biden	Feinstein	Mikulski
Bingaman	Ford	Moseley-Braun
Boxer	Glenn	Moynihan
Bradley	Graham	Murray
Breaux	Harkin	Nunn
Bryan	Hatfield	Pell
Bumpers	Heflin	Pryor
Byrd	Hollings	Reid
Campbell	Inouye	Robb
Chafee	Jeffords	Rockefeller
Cochran	Johnston	Sarbanes
Conrad	Kemphorne	Simon
Craig	Kennedy	Stevens
D'Amato	Kerry	Wellstone
Daschle	Kerry	Wyden
Dodd	Lautenberg	
Dole	Leahy	

#### NAYS—45

Abraham	Gramm	McConnell
Ashcroft	Grams	Murkowski
Bennett	Grassley	Nickles
Bond	Gregg	Pressler
Brown	Hatch	Roth
Burns	Helms	Santorum
Coats	Hutchison	Shelby
Cohen	Inhofe	Simpson
Coverdell	Kassebaum	Smith
DeWine	Kohl	Snowe
Domenici	Kyl	Specter
Faircloth	Lott	Thomas
Feingold	Lugar	Thompson
Frist	Mack	Thurmond
Gorton	McCain	Warner

So the motion to lay on the table the amendment (No. 3490) was agreed to.

Mr. HATFIELD. Mr. President, I move to reconsider the vote and I move to lay it on the table.

The motion to lay on the table was agreed to.

Mr. DOMENICI. Mr. President, this is a very critical day in the U.S. Senate. By adopting this omnibus appropriations bill we will be providing critical funding to programs on which many Americans depend. If the President signs this bill, then service providers of every sort will be able to better plan their budgets for the remainder of the year and the upcoming fiscal year.

It is vitally important that we have put together a bill that the President should be able to sign. I wish to thank the distinguished chairman, Senator HATFIELD for the fine job he has done to try and address the administration's concerns in this bill.

Title I of the Senate-reported omnibus appropriations bill provides \$331.9 billion in budget authority and \$247 billion in new outlays for the remainder of fiscal year 1996 for the Departments and Agencies funded by the five appropriation bills not yet enacted, including: Labor, Health and Human Services, and Education; Commerce, Justice, and State, the Judiciary, and Related Agencies; Veterans Affairs and Housing and Urban Development and Independent Agencies; Interior; and District of Columbia.

Of this amount, \$149.4 billion in budget authority and \$78.4 billion in new

outlays is for discretionary spending. When outlays from prior-year budget authority and other completed actions are taken into account, the Senate-reported bill totals \$163.8 billion in budget authority and \$183 billion in outlays for discretionary spending in fiscal year 1996.

The Senate-reported bill is below the 602(b) allocations of all subcommittees by a total of \$4 million in BA and \$38 million in outlays.

The Senate-reported bill is \$23.9 billion in budget authority and \$9.2 billion in outlays below the President's budget request of just over a year ago. The Senate bill is \$6.4 billion in budget authority and \$3.9 billion in outlays below the 1995 level. It is \$836 million in BA above the House-passed bill and \$99 million in outlays below the House-passed bill.

While I may not agree with all of the priorities established by this bill, I would like to thank the chairman for the \$22 million increase above the conference level provided for the Legal Services Corporation. The bill provides \$300 million for this purpose, and another \$9 million if Congress and the President reach a budget agreement.

We have worked very closely with the House on restructuring the Legal Services Corporation to disengage grantees involvement in controversial litigation, and restrict them to providing traditional legal services for the poor. While some may not like these restrictions, they are necessary to control the controversial activities of some grantees and to protect LSC from the negative perceptions of those who wish to see its termination.

I have been very concerned about the proposed \$414 million reduction in title I, education for the disadvantaged. I am thankful to Senator SPECTER for offering an amendment during the Senate committee markup and a further amendment on the floor that restored \$814.5 million to the title I program, \$1.3 billion higher than the conference level and \$110 million higher than the 1995 level.

I am empathetic to the use of a contingency appropriations to provide additional funding for discretionary priorities. I realize that the discretionary spending caps have been very tight on the Appropriations Committee this year as we seek a balanced Federal budget.

With a broader budget agreement remaining elusive, I can appreciate the frustration of the Appropriations Subcommittee chairmen in trying to live within these tight appropriation caps.

I remain concerned about attempts to use entitlement reforms contained in the Balanced Budget Act to offset discretionary spending included in this bill as contingency funding, and with the possible use of the emergency designation that one could argue in some cases does not fit the traditional definition of such expenditures.

Overall, I believe the committee has done a very good job on this bill. The committee has tried to address significant priorities in the remaining bills.

It provides funding to meet the President's major domestic concerns but continues to pressure both Congress

and the President to work toward a budget agreement. It provides disaster aid and support for the United States military mission in Bosnia. I urge the Senate to adopt the bill.

Mr. President, I ask unanimous consent that a Budget Committee table

displaying the budgetary effects of this bill be placed in the RECORD at this point.

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

#### CONSOLIDATED OMNIBUS RESSCISSIONS AND APPROPRIATIONS BILL

[Spending totals—Senate-reported bill]  
[Fiscal year 1996, in millions of dollars]

	Commerce-Justice		Labor-HHS		Interior		VA-HUD		District of Columbia		Total	
	Budget authority	Outlays	Budget authority	Outlays	Budget authority	Outlays						
<b>Defense discretionary:</b>												
Outlays from prior-year BA and other actions completed .....	0	92	.....	.....	.....	.....	0	78	.....	.....	0	170
H.R. 3019, as reported to the Senate .....	151	125	.....	.....	.....	.....	153	92	.....	.....	304	218
Scorekeeping adjustment .....	0	0	.....	.....	.....	.....	0	0	.....	.....	0	0
Subtotal defense discretionary .....	151	217	.....	.....	.....	.....	153	170	.....	.....	304	387
<b>Nondefense discretionary:</b>												
Outlays from prior-year BA and other actions completed .....	0	6,561	15,297	47,368	148	5,002	-1,113	44,345	0	0	14,332	103,545
H.R. 3019, as reported to the Senate .....	22,658	17,195	46,776	20,836	12,092	8,210	62,914	29,919	727	727	145,168	76,887
Scorekeeping adjustment .....	0	0	0	0	0	0	0	0	0	0	0	0
Subtotal nondefense discretionary .....	22,658	23,756	62,073	68,472	12,239	13,213	61,801	74,265	727	727	159,500	180,431
<b>Violent crime reduction trust fund:</b>												
Outlays from prior-year BA and other actions completed .....	0	826	32	21	.....	.....	.....	.....	.....	.....	32	847
H.R. 3019, as reported to the Senate .....	3,956	1,286	21	4	.....	.....	.....	.....	.....	.....	3,977	1,290
Scorekeeping adjustment .....	0	0	0	0	.....	.....	.....	.....	.....	.....	0	0
Subtotal violent crime reduction trust fund .....	3,956	2,112	53	25	.....	.....	.....	.....	.....	.....	4,009	2,137
<b>Mandatory:</b>												
Outlays from prior-year BA and other actions completed .....	2	20	38,687	40,804	0	24	0	133	.....	.....	38,689	40,981
H.R. 3019, as reported to the Senate .....	503	480	161,850	150,864	59	25	20,043	17,213	.....	.....	182,455	168,583
Adjustment to conform mandatory programs with Budget Resolution assumptions .....	27	25	4,673	14,012	6	6	-905	341	.....	.....	3,801	14,384
Subtotal mandatory .....	532	525	205,210	205,680	65	55	19,138	17,688	0	0	224,945	223,948
Adjusted bill total .....	27,297	26,610	267,336	274,177	12,304	13,268	81,093	92,123	727	727	388,758	406,904
<b>Senate Subcommittee 602(b) allocation:</b>												
Defense discretionary .....	151	218	0	0	0	0	154	170	.....	.....	305	388
Nondefense discretionary .....	22,659	23,762	62,074	68,478	12,241	13,215	61,802	74,270	727	727	159,503	180,452
Violent crime reduction trust fund .....	3,956	2,113	53	44	0	0	0	0	.....	.....	4,009	2,157
Mandatory .....	532	525	205,210	205,680	65	55	19,138	17,688	.....	.....	224,945	223,948
Total allocation .....	27,298	26,618	267,337	274,202	12,306	13,270	81,094	92,128	.....	.....	388,035	406,218
<b>Adjusted bill total compared to Senate Subcommittee 602(b) allocation:</b>												
Defense discretionary .....	0	-1	0	0	0	0	-1	-0	.....	.....	-1	-1
Nondefense discretionary .....	-1	-6	-1	-6	-2	-2	-1	-5	0	0	-3	-21
Violent crime reduction trust fund .....	-0	-1	0	-19	0	0	0	0	.....	.....	-0	-20
Mandatory .....	0	0	0	0	0	0	0	0	.....	.....	0	0
Total allocation .....	-1	-8	-1	-25	-2	-2	-1	-5	.....	.....	-4	-41

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

#### THE SPECTER AMENDMENT

Mr. ABRAHAM. Mr. President, I want to take a moment of the Senate's time to discuss the Specter education amendment to the continuing resolution—S. 1594. As you know, the Senate adopted the Specter amendment yesterday by a vote of 84 to 16. This amendment provides \$2.7 billion in additional funding for Head Start, job training, title I, and other education programs. Given that these additional funds are fully offset by spending cuts elsewhere, I supported the amendment.

Senator SPECTER offered his amendment in the second degree to the Daschle amendment. Like the Specter amendment, Senator DASCHLE's amendment would have provided additional funding for various Federal education programs. Unlike the Specter amendment, however, the Daschle amendment was not fully offset and violated the Budget Act. In other words, while both amendments provided additional funding for education programs, the Specter amendment provides those funds in a responsible manner that does not bust the budget.

On the other hand, both the Daschle and Specter amendments also provided an additional \$60 million for President Clinton's Goals 2000 Program. I want to make clear that my support for the Specter amendment should not be interpreted as support for this program. Instead of funding Goals 2000, I would have preferred to use the funding for education vouchers or charter schools.

#### TRANSFER OF F-16 AIRCRAFT TO JORDAN

Mrs. HUTCHISON. Mr. President, I rise to speak on a matter which could profoundly affect the U.S. defense industrial base. It is my understanding that the Committee on Appropriations recommends the appropriation of an additional \$70 million in fiscal year 1996 funds for the Foreign Military Financing Program. These funds would be joined with \$30 million in previously appropriated funds to provide initial grant funding in support of the transfer of F-16 aircraft to Jordan. Ultimately, 16 F-16 aircraft are to be upgraded and then leased to Jordan in support of its participation in the Middle East peace process.

Mr. President, I have recently received information which suggests that

the necessary upgrades will be performed on these aircraft in the United States prior to making them available to Jordan. If that is the case, I will support the committee's recommendation, because I believe the required work will enhance the defense industrial base.

Mr. President, I would ask the junior Senator from Kentucky, who serves as the chairman of the Foreign Operations Subcommittee, who has served on that subcommittee as a champion of U.S. private sector exports and who has insisted that American foreign aid programs serve our national interests, is this what the committee intends by its recommendation? Does the committee intend that engine upgrades and structural upgrades will be made by the U.S. private sector prior to the lease of these F-16's to Jordan?

Mr. McCONNELL. Mr. President, I can answer my colleague's question very directly and without ambiguity. Yes.

Yes, the Subcommittee on Foreign Operations recognizes the commitment that Jordan has made to peace in the

Middle East. Jordan has joined with Israel in a treaty of peace. The subcommittee believes that the lease of F-16 aircraft to Jordan, a transfer of military equipment which is supported by Israel, will strengthen Jordan militarily and provide a strong signal of United States support for King Hussein and the people of Jordan as partners with Israel in the quest for peace in the Middle East.

It is the subcommittee's intention that the grant funding which we recommend to finance the required upgrades will be used to support the U.S. private sector and further serve U.S. interests by enhancing the defense industrial base. While third countries may participate in maintenance programs at a later date, the subcommittee believes that, insofar as the upgrades are concerned, the original U.S. manufacturer can best insure quality control, cost management, and interoperability with U.S. Air Force units.

**Mrs. HUTCHISON.** Mr. President, I thank the Senator from Kentucky. I think that we have clearly established the intent of the Senate. These aircraft are to be provided to Jordan, in support of Jordan's participation in the Middle East peace process. Furthermore, to support U.S. exports and to help preserve the private sector defense industrial base, the required engine, structural, and related upgrades are to be performed in the United States.

#### PRESERVE TECHNOLOGY INVESTMENTS

**Mr. ROCKEFELLER.** Mr. President, I strongly endorse the Hollings-Daschle-Kerrey-Lieberman-Bingaman-Rockefeller-Kerry Amendment to H.R. 3019 that was debated last night, and to praise Senator HOLLINGS for offering this amendment that I cosponsored. This amendment would have restored funds for three key Department of Commerce programs: the Advanced Technology Program, National Telecommunications and Information Administration (NTIA) Telecommunications and Information Infrastructure Assistance Program, and Technology Administration as well as funding for Educational and Environmental Technologies. Restoring these funds is essential to making progress in generating more jobs for Americans, a better education system, protecting the environment, and maintaining our Nation's ability to compete and excel in research.

As a nation, we have used the best mix of individual innovation and national cooperative efforts to develop the most advanced and most productive economy in the world. Cooperative government and industry investments have brought us computers, the Internet, new treatments for disease, a better environment, and the moon. And these investments have brought us new industries; high-quality, high-paying jobs; and an improved standard of living.

But today, Americans understand that the ground underneath them is shifting—they have seen their work and workplaces transformed by new technologies and global competition. These changes and their consequences are as profound as the economic shifts that moved us from farms to factories more than a century ago. Now, as then, there is no way to reverse the tide. Now, as then, the fortunes of working people are uncertain as the landscape around them is remade.

Working Americans have reason to be worried, reasons, even, to be angry. They are working harder than ever, but their jobs are less secure, their wages are stagnant, and their benefits and pensions are shrinking. All this when company profits and CEO salaries are rising.

Parents are putting in more hours at the office. Precious time taken from Little League games and PTA meetings and family dinners. And the strain—on families, schools, neighborhoods, on what makes a civil society—is all too apparent.

At the same time, Mr. President, "Reaganomics" can't seem to disappear for good, no matter how clear the evidence is from the 1980's that this is a dangerous course and bad economic policy. The Reagan manifesto might have been written for a Warren G. Harding campaign speech. Big tax breaks for top-income earners and corporations—a trickle from the top will grow jobs and wages. Drop safety standards and environmental safeguards—an invisible hand will protect workers and consumers. Push the disabled, elderly, and poor children off the wagon.

In a trance, Congress cooperated in the eighties when Reagan told them to cut taxes on the rich and corporations. In the last decade tax rates for top-income brackets were lowered from 70 percent to 40 percent. And, the share of the tax burden that corporations pay has been reduced from 15 percent to 10 percent over the last decade.

The minimum wage was stunted. And, domestic spending was cut from nearly 5 percent of the Federal budget to about 3½ percent since 1980.

To what end? Some people benefitted—some a whole lot. Since 1980, more than \$800 billion was added to household incomes—but 98 percent of that money went to the richest 20 percent. That means all the rest, 80 percent of American households, shared just 2 percent of the gains. In fact, the average American family is now getting by on less than they had in 1980.

For a fortunate handful of Americans, the transformation from an industrial to an information economy offers unlimited opportunity and fantastic profit. But for most, right now, this new economy demands more and offers less—it demands more education, more skills, more flexibility, more time; but offers less pay, less benefits, and less security. Working families are running faster and losing ground—a raw deal that undermines the crucial link be-

tween work and personal progress, and breeds the anger and cynicism that are poisoning our society and our political debate.

I believe there are clear, common-sense, approaches that must be followed to enable all Americans to gain the fruits of our success.

Our trade and monetary policies must work for working people. We need trade agreements based on only giving access when we get exactly that for our products. We have to say no to agreements that push our jobs across our borders. Let's live in the real world, and demand other countries to live up to environmental and labor standards they avoid to get the upper hand.

The Fed should be as aggressive in promoting growth to benefit workers as they are with managing inflation to benefit bondholders.

And we must have investments in education, training, infrastructure, and technology that produce dividends for working people here at home. Investments in people are every bit as important as investment in equipment. But unless that's better known and understood, human investments will keep shriveling through the budget cuts already being made. Behind the banner of a balanced budget, we are in danger of surrendering what really spreads opportunity in America—the chance to learn, to train, and to excel.

Investments in science and technology are a key part of the solution. As the President's Council of Economic Advisors recently reported, investments in innovation have been responsible for almost one-half of the Nation's economic growth.

This Nation has had a 50-year consensus on investments in science in technology. We have made these investments to expand the basic store of knowledge both because of our exploring, inquisitive nature and because we know the benefits are unpredictable. We have invested in biological research that improves our ability to feed our people and attack disease. And we have invested in new technologies in support of Federal missions, technologies that created new industries and jobs in aviation, electronics, software, and communications.

But those very programs that are key to our technological progress are now under threat. If it had passed, our Hollings-Daschle-Kerry Amendment would have lessened that threat by restoring funds for technology programs that invest in new innovations with broad benefits for the Nation.

Recently, we have realized that with fierce global competition, this Nation must invest in innovation to advance economic growth. We are investing in the Advanced Technology Program with bipartisan support.

President Bush's science advisor, D. Allan Bromley, realized that we can support key technologies without intervening in the market's selection of winners and losers. The Advanced Technology Program was first funded