

good deal for the taxpayers of America. That is what we ought to be doing around here. But that is not what we are doing.

Mr. President, when I took this issue on 7 years ago, 7 long years ago, the price of gold in this country was \$300 an ounce. Every time I have attempted to stop the giveaway of Federal lands for \$2.50 an acre, I got my brains beat out. Fortunately, I have been successful in gaining passage of a moratorium on the processing of new mining patent applications.

The small progress I have made has been glacial. The mining companies want the taxpayers of this country to deed them Federal lands that belong to all of us for \$2.50 an acre, \$5 max, mine the gold, silver, copper, platinum, and other minerals off of this land and then, oftentimes, leave an unmitigated environmental disaster for the taxpayers to clean up—and not pay one thin dime.

When I first took this issue on, gold was \$300 an ounce. And the mining industry said, "Well, if you put a 3- or 4-percent royalty on us, we will go broke. We will have to shut down, and all of these poor miners will be out of a job." Today gold is \$400 an ounce. And what do you think their argument is? "We will lose money. We will have to shut down and put all of those poor miners out of work." And like Pavlov's dog, Senators in the U.S. Senate grab it like a raw piece of meat and think that is the most wonderful thing they ever heard—"Keep all of these people working, if we will just not put a royalty on it."

We charge people 12.5 percent for every ounce of coal they take off Federal lands—12.5 percent. We make people who mine underground coal—a very expensive undertaking—pay 8 percent for every ounce of coal they mine. We make the natural gas companies and the oil companies pay 12.5 percent for every dollar's worth of oil and gas they take off Federal lands. And here is what we get for gold—zip. Here is what we get for silver—zip. And here is what we get for platinum—zip.

Do you know what platinum is selling for as of this moment? It is \$413 an ounce. We have given billions and billions of dollars worth of platinum and palladium away in Montana in the process of doing it, and we will not get one thin dime out of it.

Just look at this chart: "Miners Get the Gold and the Taxpayers Get the Shaft." Here is Barrick Gold Co., the stock of which has climbed in accordance with the price of gold. About a year and a half ago Secretary Babbitt was required by law to give Barrick Resources 11 billion dollars' worth of gold. Do you know what the Secretary and the taxpayers of the United States got for that \$11 billion? Yes, \$9,000. Ask Senators who own land with gold or silver or platinum or palladium: How many of you are willing to give the gold companies that kind of a deal? You know the answer to that question.

Then just recently the Secretary was required by law to give a Danish company—Faxe Kalk—1 billion dollars' worth of travertine. Travertine converts into a powder which has very special uses. What do you think the taxpayers of the United States got for that \$1 billion? Why, they got a whopping \$700—enough to take your family out to dinner about five times.

Do you think I am making this up? If you think I am making it up, invite all Senators who think this is just such a wonderful thing to come to the floor and refute it.

In the past year, we gave Asarco, a copper and silver company, lands that have underneath them—who cares about the value of the surface? We just gave Asarco 3 billion dollars' worth of copper and silver. What did the taxpayers get for their \$3 billion? Yes, \$1,745. We are going to be required—we have not done it yet, but under the law, because of the 1872 law that Ulysses Grant signed when he was President, we are going to be required to give the Stillwater Mining Co. 44 billion dollars' worth of platinum and palladium. Mr. President, this is their figure, not mine. You want to go and find out where I got that figure? Look at their prospectus. And the taxpayers of this country in exchange for their \$44 billion are going to get the whopping sum of \$10,000.

We are trying to balance the budget. It makes a mockery of it. It makes an absolute mockery of it. You talk about corporate welfare. That is the reason I applaud the Kennecott Co. At least in the land exchange, the grant we are going to give Kennecott in the Murkowski bill, they had the decency to say, "We will give you a 3-percent net smelter return for all the copper we mine." That is still less than private property owners charge, but it is at least reasonable. If the taxpayers of this country were getting a severance tax or a net smelter return royalty over the next 7-year period when we are trying to balance the budget, it is a big piece of money.

When we look at some of the things we are doing to the environment, even after the add-back in the amendment we are going to vote on here in about 2 hours, even after we add that back into the environmental fund, EPA is still going to be cut significantly. Mr. President. When I came to the Senate, 65 percent of the streams and lakes of this country were not swimmable and not fishable. Today, in 1996, that figure has been reversed; 65 percent of the streams and lakes are fishable, are swimmable. And I do not care where you go. If you go to Main Street America—you pick the town—and you ask people: Do you think we are doing enough for the environment? Seventy percent of the people say, no. Do you want to reverse that figure to 35 percent of the streams and lakes not being fishable and swimmable from the point that 65 percent of them are? No. Nobody wants to turn the clock back on the environment.

The air we breathe, the water we drink goes to the very heart of our existence, and we are cutting the Environmental Protection Agency's budget. Too much regulation, they say. That may be true. Cut the regulations back, but do not cut back the quality of water and air.

Here is an opportunity to find an awful lot of money that we have been giving away since 1872, originally to encourage people to move west. You think about the rationale for the 1872 law—to encourage people to move west—124 years ago. What is the rationale now? Corporate greed. Political campaign contributions. That is it, pure and simple. People will not vote to impose a royalty on mining companies because they give away a lot of money around here. Until we straighten that out, this is not going to be straightened out.

Mr. President, I have made the same speech on this floor many times. The figures keep changing. The companies that are benefiting from it keep changing. I do not know how much longer I am going to be in the Senate, but I promise you one thing: The last day I serve here I will be standing right here, unless this is rectified, making the same speech.

I yield the floor.

#### RECESS

The PRESIDING OFFICER. Under the previous order, the Senate will now stand in recess until 2:15 p.m..

Thereupon, the Senate, at 12:48 p.m., recessed until 2:15 p.m.; whereupon, the Senate reassembled when called to order by the Presiding Officer (Mr. FRIST).

#### BALANCED BUDGET DOWNPAYMENT ACT, II

The Senate continued with the consideration of the bill.

AMENDMENT NO. 3533

Mr. KERRY. Mr. President, I will vote to support the Bond amendment to the underlying Lautenberg-Kerry amendment only because it provides some additional funding for environmental programs that are critical to improving the health and safety of all Americans and because it is the most that Democratic negotiators could wrest from the Republicans for these purposes. Regrettably, this Bond-Mikulski compromise eliminates any opportunity to pass the Lautenberg-Kerry amendment which contains almost double the funding for environmental protection, including water infrastructure funding for the State revolving loan fund and additional funds to cleanup of Boston Harbor.

However, I hope that the overwhelming support for the Bond-Mikulski compromise amendment will demonstrate to the House conferees that the vast majority of Senators want to support increased funding for critical

environmental protection. I plan to work with the White House and the Senate and House conferees in the hope that we can provide even more support for the environment.

Let me first put in perspective the situation before us on funding for environmental programs. I was pleased to join Senator LAUTENBERG in offering the underlying amendment to the Hatfield substitute to H.R. 3019. Our amendment would add back nearly \$900 million for environmental programs at four Federal agencies: the Environmental Protection Agency and the Departments of Energy, Agriculture, and Interior. The EPA would receive over \$700 million—for clean water, Superfund and EPA enforcement and operations, environmental technology and climate change programs—with the remainder going to important conservation programs at the other agencies. This funding is critically needed to continue to protect the public's health and safety at a level that Americans have come to expect from their Government.

The conference report on the 1996 VA/ HUD/independent agencies appropriations bill, from which the Environmental Protection Agency obtains its funding, was vetoed last December by President Clinton in part because it provided \$1.6 billion less for environmental protection than the President's budget request of \$7.4 billion—a 23-percent cut. The President, in budget negotiations with the Republicans, then proposed to compromise by restoring approximately \$1 billion to the EPA budget. The Republicans rejected that proposal.

The amendment I offered with Senator LAUTENBERG and a number of other Senators would restore just over \$700 million for the EPA including \$365 million for the two State revolving loan funds for water infrastructure projects and an additional \$75 million to share the costs facing the residents of the Boston area for a multi billion-dollar water and sewer treatment facility. This further compromise was also rejected by the Republicans.

Following that rejection, Senators MIKULSKI and LAUTENBERG negotiated with Republicans the deal reflected in the amendment before us today—the Bond-Mikulski amendment. While it provides far less environmental protection than the Lautenberg-Kerry amendment, it does restore critically needed resources to the EPA that neither the House bill nor the underlying Senate committee bill includes.

The Bond amendment restores \$300 million for the State revolving funds for water projects and additional funding for Superfund and EPA operations. That is important and beneficial. However, I cannot fail to describe why I wish the Bond amendment went further.

While the Bond amendment restores funding for some activities at the Environmental Protection Agency, it eliminates critical funding for services and

functions vital to protecting the environment in my State of Massachusetts and the rest of the Nation.

Relevant to the Democrat proposal, the Bond amendment reduces the additional funding for the EPA contained in the underlying amendment by almost half. It reduces funding for water infrastructure projects under the State revolving loan fund by \$75 million and eliminates the additional \$75 million for cleaning up Boston Harbor—high priorities for both me and for the President and other Members of the House and Senate.

In addition, the Bond-Mikulski amendment cuts \$100 million from other crucial environmental protection activities within EPA such as the Environmental Technology Initiative, the climate change program and the operations and enforcement budgets—the environmental cops on the street.

Finally, the BOND amendment eliminates \$170 million included in our amendment for other environmental enhancement and protection efforts, including funding for the Department of Energy's conservation and weatherization activities which would have insulated 12,000 homes, \$72 million to help keep our national parks open and \$20 million for conservation and research projects at the U.S. Department of Agriculture.

The Environmental Protection Agency and environmental protection activities it and other agencies operate have been subjected to far more than their fair share of cuts in the past year. For example, in the fiscal year 1995 rescission bill, the EPA budget was cut by \$600 million to pay for disaster assistance. Now, for fiscal year 1996, we are asking the EPA to take another huge reduction in its budget. It is clear the Republicans are not imposing cuts on environmental protection activities just to reach a balanced budget. Their objective is far more sinister—to cripple environmental protection efforts because their friends who own or manage polluting industries don't want to go to the trouble or expense.

If we want a healthier environment for all Americans, we must provide adequate resources to accomplish this to those arms of our Government charged with that responsibility. What has happened to these activities during the past year is a tragedy. In the case of the EPA, first, there was a Government shutdown, then proposals for significant layoffs of thousands of employees, followed by another 3-week-long shutdown, followed by another short-term funding measure which only served to prolong the anxiety and uncertainty among EPA employees. EPA is facing a crisis where its best and brightest minds are seeking more secure employment outside public service. This directly affects the quality and effectiveness of our Government's efforts to ensure a clean, healthy environment to all our citizens. The only way to resolve this crisis is for Congress to make environmental protection a priority, not a punching bag.

This Congress is seeking to place more burdens on the EPA through new regulatory reform measures and new assistance for small businesses. I support a number of these measures. But if they are to be implemented properly, or at all, we must provide the requisite resources.

If we want clean water and air, if we want to clean up toxic waste dumps, if we want a healthy environment, we in the Congress have to support those activities.

The Bond amendment is the very least we should do. But it is more than anything for which we have been able to secure Republican support up to this point. So I support the Bond amendment and I still firmly support the goals of the Lautenberg-Kerry amendment to restore environmental protection and I will work to achieve the higher funding levels in the conference committee.

The PRESIDING OFFICER. The question is on agreeing to amendment No. 3533.

The yeas and nays have been ordered.

The clerk will call the roll.

The legislative clerk called the roll.

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

The result was announced—yeas 81, nays 19, as follows:

[Rollcall Vote No. 37 Leg.]

#### YEAS—81

Abraham	Dorgan	Lieberman
Akaka	Exon	Lugar
Baucus	Feingold	Mack
Bennett	Feinstein	McConnell
Biden	Ford	Mikulski
Bingaman	Frist	Moseley-Braun
Bond	Glenn	Moynihan
Boxer	Gorton	Murray
Bradley	Graham	Nunn
Breaux	Grassley	Pell
Bryan	Harkin	Pressler
Bumpers	Hatch	Pryor
Burns	Hatfield	Reid
Byrd	Heflin	Robb
Campbell	Hollings	Rockefeller
Chafee	Inouye	Roth
Cochran	Jeffords	Sarbanes
Cohen	Johnston	Shelby
Conrad	Kassebaum	Simon
Coverdell	Kempthorne	Simpson
Craig	Kennedy	Snowe
D'Amato	Kerrey	Specter
Daschle	Kerry	Stevens
DeWine	Kohl	Thompson
Dodd	Lautenberg	Warner
Dole	Leahy	Wellstone
Domenici	Levin	Wyden

#### NAYS—19

Ashcroft	Helms	Nickles
Brown	Hutchison	Santorum
Coats	Inhofe	Smith
Faircloth	Kyl	Thomas
Gramm	Lott	Thurmond
Grams	McCain	
Gregg	Murkowski	

So the amendment (No. 3533) was agreed to.

Mr. BOND. I move to reconsider the vote.

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

The motion to lay on the table was agreed to.

Mr. DOLE addressed the Chair.

The PRESIDING OFFICER. The majority leader.

Mr. DOLE. Mr. President, there will be a number of votes. I ask unanimous

consent that following the next vote—we have already had one vote—that all other votes in the sequence be limited to 10 minutes each.

Mr. BYRD. Mr. President, reserving the right to object, may I ask the distinguished majority leader, are we going to have a minute or so between each vote so an explanation can be made for the RECORD, at least, of what we are about to vote on?

Mr. DOLE. I would be pleased to accede to that request for a minute on each side to explain the vote.

Mr. BYRD. I thank the majority leader. I have no objection.

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

#### VOTE ON AMENDMENT NO. 3482

The PRESIDING OFFICER. The question is on agreeing to amendment No. 3482, as amended.

The amendment (No. 3482) was agreed to.

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

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

The motion to lay on the table was agreed to.

#### AMENDMENT NO. 3508

The PRESIDING OFFICER. There will now be 2 minutes, equally divided, on the Boxer amendment No. 3508.

Mr. COATS addressed the Chair.

The PRESIDING OFFICER. The Senator from Indiana is recognized.

Mr. COATS. Mr. President, I appreciate the suggestion of the Senator from West Virginia for 1 minute to explain both the pro and con of these amendments. I think when we run a whole bunch together, that is necessary.

I argued this morning in opposition to the Boxer amendment because it allows, essentially, unrestricted funding of abortion on demand in the District of Columbia. The amendment, I believe, violates the conference agreement and restricts the use of funds for abortion to protect the life of the mother and in cases of rape and incest. It also violates article I, section 8 of the Constitution, which gives the exclusive right of legislation for the District to the Congress. It is not possible to separate the funds appropriated by the Federal Government from the funds raised by the District of Columbia. I do not believe it should be the policy of this body to allow for, essentially, an unrestricted right to abortion in the District of Columbia.

I urge a "no" vote on the Boxer amendment.

Mrs. BOXER addressed the Chair.

The PRESIDING OFFICER. The Senator from California is recognized for 1 minute.

Mrs. BOXER. Mr. President, I think it is important that we look at the current situation regarding the Federal Government telling localities what they can do. There are thousands of counties in this country, and there are thousands of cities, and not one of them is told by the Federal Govern-

ment how to spend their own local funds.

If you support the Boxer amendment, you merely say that Washington, DC, will be treated the same way as every other entity in this Nation. It would still not allow Federal funds to be used, but it would permit Washington, DC, to make that decision on how to spend their own locally raised funds.

Thank you very much.

#### VOTE ON AMENDMENT NO. 3508

The PRESIDING OFFICER. The question is on agreeing to amendment No. 3508.

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

The bill 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 45, nays 55, as follows:

#### (Rollcall Vote No. 38 Leg.)

##### YEAS—45

Akaka	Feinstein	Moseley-Braun
Baucus	Glenn	Moynihan
Biden	Graham	Murray
Bingaman	Harkin	Nunn
Boxer	Hollings	Pell
Bradley	Inouye	Pryor
Bryan	Kennedy	Robb
Bumpers	Kerrey	Rockefeller
Byrd	Kerry	Roth
Campbell	Kohl	Sarbanes
Chafee	Lautenberg	Simon
Cohen	Leahy	Snowe
Daschle	Levin	Specter
Dodd	Lieberman	Wellstone
Feingold	Mikulski	Wyden

##### NAYS—55

Abraham	Ford	Lugar
Ashcroft	Frist	Mack
Bennett	Gorton	McCain
Bond	Gramm	McConnell
Breaux	Grams	Murkowski
Brown	Grassley	Nickles
Burns	Gregg	Pressler
Coats	Hatch	Reid
Cochran	Hatfield	Santorum
Conrad	Heflin	Shelby
Coverdell	Helms	Simpson
Craig	Hutchison	Smith
D'Amato	Inhofe	Stevens
DeWine	Jeffords	Thomas
Dole	Johnston	Thompson
Domenici	Kassebaum	Thurmond
Dorgan	Kempthorne	Warner
Exon	Kyl	
Faircloth	Lott	

So the amendment (No. 3508) was rejected.

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

The motion to lay on the table was agreed to.

Mr. SANTORUM. Mr. President, I ask unanimous consent to speak for 1 minute for the purpose of withdrawing some amendments.

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

#### AMENDMENTS NOS. 3514, 3515, 3516, 3517, 3523, 3531, 3484, AND 3488 WITHDRAWN

Mr. SANTORUM. I ask unanimous consent that the following amendments be withdrawn: No. 3514, 3515, 3516, 3517, 3523, and 3531.

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

Mr. SANTORUM. Mr. President, I also ask unanimous consent that my amendments Nos. 3484 and 3488 be with-

drawn. The subject of my amendments has been taken care of within the managers' amendment. I want to thank the Senator from Oregon [Mr. HATFIELD] for his cooperation.

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

The PRESIDING OFFICER. The Senator from Illinois is recognized.

Mr. FORD. Mr. President, may we have order, please. They are withdrawing amendments. We would like to hear which ones are withdrawn.

The PRESIDING OFFICER. The Senate will be in order.

The Chair has recognized the Senator from Illinois.

Mr. SIMON. Mr. President, I believe my amendment is next. If we can have it worked out with the managers, it will not be necessary for a rollcall. And I would offer a revised amendment.

The PRESIDING OFFICER. The Chair advises the Senator from Illinois that the amendment of the Senator from Washington is the next order of business.

#### AMENDMENT NO. 3496

Mrs. MURRAY. Mr. President, I rise as a cosponsor of this amendment. Very simply, this amendment will change the name of the Walla Walla Veterans Medical Center in Walla Walla, WA to the Jonathan M. Wainwright Memorial VA Medical Center.

General Wainwright was born at Fort Walla Walla and was a member of the 1st cavalry after graduating from West Point. He served in France during World War I and was awarded the Congressional Medal of Honor in 1945 by President Truman for his service in World War II. He spent nearly 4 years in a prisoner of war camp in the Philippines and was known as the hero of Bataan and Corregidor. General Wainwright was a true war hero and won the praise and respect of all Americans.

Mr. President, the people of Walla Walla, WA want this name change to honor a war veteran and local hero. In May, they are dedicating a statue in his honor and would like to dedicate the name change of the hospital at the same time. The entire Washington State congressional delegation supports this change. And all of the veterans service organizations in Washington State support the change.

I urge my colleagues to support changing the name of the Walla Walla Veterans Medical Center to the Jonathan M. Wainwright Memorial VA Medical Center, and to allow this war hero the recognition he so rightly deserves.

Mr. GORTON addressed the Chair.

The PRESIDING OFFICER. The Senator from Washington.

#### AMENDMENT NO. 3496 WITHDRAWN

Mr. GORTON. Mr. President, I ask unanimous consent that the yeas and nays be vitiated on the Gorton Amendment No. 3496.

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

Mr. GORTON. Mr. President, I ask unanimous consent that the amendment be withdrawn. It also will be included in the managers' amendment.

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

Mr. SIMON addressed the Chair.

The PRESIDING OFFICER. Is the majority leader seeking recognition?

Mr. DOLE. Mr. President, as I understand the Senator from Illinois, his amendment has been cleared on both sides.

Mr. SIMON. My amendment has been agreed to by the managers on both sides.

Mr. DOLE. I was just informed maybe it had not been cleared on this side.

Mr. SIMON. I ask unanimous consent, Mr. President, that it be temporarily set aside.

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

Under a prior unanimous-consent agreement, the Senator from Indiana is recognized for 1 minute.

#### AMENDMENT NO. 3513, AS MODIFIED

Mr. COATS. Mr. President, the amendment on which we are about to vote prevents the Government from discriminating against hospitals and ob-gyn residents who choose not to perform abortions. It protects those civil rights, but it also allows those who voluntarily choose to perform abortions to receive training in that procedure. The amendment is supported by Senator FRIST. The amendment is supported by Senator SNOWE. It is supported by the American Medical Association, the Accreditation Council for Graduate Medical Education, the American College of Obstetricians and Gynecologists. It goes to the rights of institutions and individuals to say that they do not believe it is in their best interests to receive mandatory training for abortion procedures. It is a civil rights issue. I hope our Members would vote for it.

Mrs. BOXER addressed the Chair.

The PRESIDING OFFICER. The Senator from California is recognized for 1 minute.

Mrs. BOXER. Thank you very much, Mr. President.

I hope my colleagues understand that under current law any medical school that has any conscience objection in teaching abortion does not have to teach abortion and they still get their Federal funds. What the Coats amendment would do is say that even if an institution has no conscience objection, it can stop teaching surgical abortion and continue to receive Federal funds.

The reason why many of us on this side particularly oppose this is that we think it is dangerous for women. We think that doctors will no longer know how to perform surgical abortions. We think it is very dangerous that a woman is put in a situation where a physician does not know how to perform a surgical abortion, say, if she is brought in in an emergency situation. That is why the American Association of University Women opposes this amendment, the National Women's Law Center, the Women's Legal Defense Fund, and the Center for Reproductive Law and Policy, among others.

I hope you will vote no. Current law has a conscience clause. We all support that. I hope we can defeat the amendment.

The PRESIDING OFFICER. All time has expired. The question is on agreeing to amendment No. 3513, as modified. The yeas and nays have been ordered. The clerk will call the roll.

The legislative clerk called the roll.

The result was announced—yeas 63, nays 37, as follows:

#### [Rollcall Vote No. 39 Leg.]

##### YEAS—63

Abraham	Faircloth	Lott
Ashcroft	Ford	Lugar
Bennett	Frist	Mack
Biden	Gorton	McCain
Bond	Graham	McConnell
Breaux	Gramm	Moynihan
Brown	Grassley	Murkowski
Bryan	Gregg	Nickles
Burns	Hatch	Nunn
Campbell	Hatfield	Pressler
Coats	Heflin	Roth
Cochran	Helms	Santorum
Cohen	Hutchison	Shelby
Conrad	Inhofe	Simpson
Coverdell	Jeffords	Smith
Craig	Johnston	Snowe
D'Amato	Kassebaum	Stevens
DeWine	Kempthorne	Thomas
Dole	Kyl	Thompson
Domenici	Leahy	Thurmond
Dorgan		Warner

##### NAYS—37

Akaka	Glenn	Murray
Baucus	Harkin	Pell
Bingaman	Hollings	Pryor
Boxer	Inouye	Reid
Bradley	Kennedy	Robb
Bumpers	Kerrey	Rockefeller
Byrd	Kerry	Sarbanes
Chafee	Kohl	Simon
Daschle	Lautenberg	Specter
Dodd	Levin	Wellstone
Exon	Lieberman	Wyden
Feingold	Mikulski	
Feinstein	Moseley-Braun	

So the amendment (No. 3513), as modified, was agreed to.

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

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

The motion to lay on the table was agreed to.

Mr. SIMON. May we have order, Mr. President?

The PRESIDING OFFICER. The Senate will come to order.

#### AMENDMENT NO. 3511, AS MODIFIED

Mr. SIMON. Mr. President, this is the amendment we temporarily set aside. I have modified it in line with the request of the managers. It is now acceptable on both sides, and I offer the amendment.

The PRESIDING OFFICER. Without objection, the clerk will report.

The legislative clerk read as follows:

The Senator from Illinois [Mr. SIMON] proposes an amendment numbered 3511, as modified, to amendment No. 3466.

Mr. SIMON. 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, as modified, is as follows:

On page 582, line 14, strike "\$1,257,134,000" and insert "\$1,257,888,000".

On page 582, line 16, before the semicolon insert the following: ", and of which \$5,100,000 shall be available to carry out title VI of the National Literacy Act of 1991".

On page 582, line 16, strike "\$1,254,215,000" and insert "\$1,254,969,000".

On page 591, between lines 3 and 4, insert the following:

SEC. 305. (a) Section 428(n) of the Higher Education Act of 1965 (20 U.S.C. 1078(n)) is amended by adding at the end the following new paragraph:

"(5) APPLICABILITY TO PART D LOANS.—The provisions of this subsection shall apply to institutions of higher education participating in direct lending under part D with respect to loans made under such part, and for the purposes of this paragraph, paragraph (4) shall be applied by inserting 'or part D' after 'this part'."

(b) The amendment made by subsection (a) shall take effect on July 1, 1996.

On page 592, line 7, strike "\$196,270,000" and insert "\$201,294,000".

On page 592, line 7, before the period insert the following: ", of which \$5,024,000 shall be available to carry out section 109 of the Domestic Volunteer Service Act of 1973".

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

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

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

The question is on agreeing to the amendment No. 3511, as modified.

The amendment (No. 3511), as modified, was agreed to.

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

The motion to lay on the table was agreed to.

Mr. GRAMM addressed the Chair.

The PRESIDING OFFICER. The Senator from Texas.

#### AMENDMENT NO. 3519

Mr. GRAMM. Mr. President, 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. GRAMM. Mr. President, this bill started with a \$4.8 billion contingency fund which represented our effort to buy the President into a budget agreement where, if he would agree to a budget—any budget, not just a balanced budget—we would give him \$4.8 billion.

But it seems since we started, we were overly eager to give the money away. We have already given the President about \$3.3 billion by adding it right to spending, without even requiring a budget agreement. What I am saying here is, let us take this contingency appropriation out. If we have an agreement with the President, let us negotiate at that time. Let us not negotiate in advance. I thought we were

trying to cut spending, not increase it. I do not understand how we balance the budget by giving the President \$4.8 billion of additional spending. So I ask my colleagues to vote for this amendment.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. HATFIELD. May we have order?

The PRESIDING OFFICER. The Senate will be in order. We can move this process along a little faster if Senators will take their conversations to the Cloakroom.

The Senator from Oregon is recognized.

Mr. HATFIELD. Mr. President, let me clarify the Gramm amendment, which is in the context of what the leadership has been doing in trying to negotiate with the White House. In fact, the leadership supports my effort to try to table or to kill or vote no on the Gramm amendment, and that is simply this.

The negotiators on our side said to the President there would be \$10 billion that we would consider adding in nondefense discretionary spending if you agree to balance the budget through this process by the year 2002. That was our leaders, the Speaker of the House and Mr. DOLE, the majority leader of the Senate.

So, consequently, the administration came up with a request for this particular fiscal year for \$8 billion of additional spending under the proposed agreement contingent upon getting that agreement.

We in the Appropriations Committee went over those requests. We cut it to \$4 billion and we said, "But that \$4 billion is contingent upon the leadership, who have been negotiating that long-term agreement finding an agreement."

So what we are trying to do is to help the leadership by providing the incentive, by providing the continuing leverage, and that is simply it. There is not a dollar of this that can be spent until the leadership has reached an agreement with the White House, and that is to assist the leadership to pursue this expeditiously.

The PRESIDING OFFICER. The question is on agreeing to amendment No. 3519. 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 33, nays 67, as follows:

[Rollcall Vote No. 40 Leg.]

YEAS—33

Abraham	Gramm	Mack
Ashcroft	Grams	McCain
Brown	Grassley	McConnell
Burns	Gregg	Murkowski
Coats	Helms	Nickles
Coverdell	Hutchison	Pressler
Craig	Inhofe	Roth
DeWine	Kempthorne	
Faircloth	Kyl	
Frist	Lott	

Santorum  
Smith

Thomas  
Thompson

Thurmond  
Warner

NAYS—67

Akaka  
Baucus  
Bennett  
Biden  
Bingaman  
Bond  
Boxer  
Bradley  
Breaux  
Bryan  
Bumpers  
Byrd  
Campbell  
Chafee  
Cochran  
Cohen  
Conrad  
D'Amato  
Daschle  
Dodd  
Dole  
Domenici  
Dorgan

Exon  
Feingold  
Feinstein  
Ford  
Glenn  
Gorton  
Graham  
Harkin  
Hatch  
Hatfield  
Heflin  
Hollings  
Inouye  
Jeffords  
Johnston  
Kassebaum  
Kennedy  
Kerrey  
Kerry  
Kohl  
Lautenberg  
Leahy  
Levin

Lieberman  
Lugar  
Mikulski  
Moseley-Braun  
Moynihan  
Murray  
Nunn  
Pell  
Pryor  
Reid  
Robb  
Rockefeller  
Sarbanes  
Shelby  
Simon  
Simpson  
Snowe  
Specter  
Stevens  
Wellstone  
Wyden

So the amendment (No. 3519) was rejected.

AMENDMENT NO. 3520

The PRESIDING OFFICER. The question is on agreeing to amendment No. 3520.

The yeas and nays have not been requested.

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

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The Senator from Minnesota is recognized.

Mr. WELLSTONE. Mr. President, I proposed this amendment with Senators SPECTER, SANTORUM, JEFFORDS, and HARKIN.

This amendment has two parts to it. It urges the Senate to maintain the Senate position going into the conference committee on the energy assistance program, which the House has attempted to eliminate. It urges the President to release emergency energy assistance money, which he already has under the LIHEAP program.

This is a sense-of-the-Senate amendment. It is extremely important, not just for cold-weather States, but also for some of the Southern States that have experienced cold weather this winter.

I yield to the Senator from Pennsylvania.

Mr. SPECTER. Mr. President, I am pleased to join with my colleague, Senator SANTORUM, and the distinguished Senator from Minnesota, Senator WELLSTONE, in supporting this amendment. The Low-Income Home Energy Assistance Program, known as LIHEAP, is vital for the poor, especially for the elderly. In many cases, they have to choose between eating or heating.

This amendment will be of substantial assistance in conference as we attempt to provide advanced funding for LIHEAP for next year. It is critical because of the way the appropriations process has worked when we have had continuing resolutions. Under the continuing resolutions, if there is not ad-

vanced funding for the program, we will not have the funds available and the States and local governments will not be able to do their planning. So I think this is a very important amendment.

Mr. KERRY. Mr. President, my Republican colleagues will come to this floor and vote for millions of dollars in corporate welfare, and then vote against providing \$168 to assist a 73-year-old widow in New Bedford to pay her heating bill.

They'll vote to fund the Defense Department at a level above what the Defense Department has requested, and they'll turn around and vote against 143,000 families in Massachusetts.

All this sense of the Senate does, Mr. President, is ask the President to release about \$300 million in emergency assistance LIHEAP funding to people who need it. It's been a long, cold winter in New England and across this country—a record amount of snow has fallen in my State—and it has been very, very cold. Too many people just can't pay their heating bills. We simply should do the right thing and release this money.

This year, those in Massachusetts who need help paying their heating bills are going to receive about \$20 million less than they did last year. The release of emergency funds still won't bring us close to what was received last year, but it will help hard-working families struggling to make ends meet, seniors who are having the safety net stripped from beneath them in this Congress, and the disabled who deserve our help.

Mr. President, if my Republican colleagues can vote in unison for millions of unnecessary dollars for defense, I would like to hope they could do as much to release a few extra dollars already appropriated to help people financially survive the winter.

Mr. JEFFORDS. Mr. President, I rise today to offer with my colleague from Minnesota, Senator WELLSTONE, an amendment on the Low Income Home Energy Assistance Program [LIHEAP]. The amendment is a sense-of-the-Senate resolution with two parts.

The first calls upon the Senate to hold its position on advance appropriations for LIHEAP in fiscal year 1997 when we go to conference with the House. Advance appropriations allow States to plan properly for next winter and enable their programs to be fully operational by the time the cold weather begins.

The second part calls upon the President to use the LIHEAP emergency funds to meet the energy needs of America's low income citizens. If this bill passes, there will be no additional LIHEAP funds available for the rest of this year. Under existing law, the President has the authority to use emergency funds to help low income families pay their energy bills. He should do so.

I am very pleased that the chairman of the subcommittee was able to include \$1 billion in advance appropriations for LIHEAP in this bill. The House bill does not include these funds and we must fight to keep them.

The recent temporary funding bills severely limited the rate at which States could draw down their LIHEAP allocations and caused serious disruptions in States' ability to provide assistance to low income families. If LIHEAP funds had not been appropriated in advance in the fiscal year 1995 Labor-HHS appropriations bill, the President would not have been able to release \$578 million in energy assistance in December.

These funds enabled millions of low income households to keep their homes warm during the coldest winter months. Both the Senate fiscal year 1996 Labor-HHS appropriations bill and the administration's budget request for fiscal year 1996 included advance appropriations in fiscal year 1997 for LIHEAP.

Last week I joined with 16 of my colleagues in writing to Chairman HATFIELD asking that he include advance appropriations. I ask that a copy of this letter be included in the RECORD.

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

NORTHEAST MIDWEST  
SENATE COALITION,  
Washington, DC, March 6, 1996.

Hon. MARK HATFIELD,  
Senate Committee on Appropriations, Washington, DC.

DEAR MR. CHAIRMAN: Before March 15th, the Senate may consider an appropriations bill to provide funds needed through the remainder of FY1996. We are writing to urge you to include at least \$1 billion in advance appropriations for the Low Income Home Energy Assistance Program (LIHEAP) for FY1997 in this bill. Advance appropriations allow states to plan properly for next winter and enable their programs to be fully operational by the time the cold weather begins.

The recent temporary funding bills severely limited the rate at which states could draw down their LIHEAP allocations and caused serious disruptions in states' ability to provide assistance to low income families. If LIHEAP funds had not been appropriated in advance in the FY1995 Labor/HHS Appropriations bill, the President would not have been able to release \$578 million in energy assistance in December. These funds enabled millions of low income households to keep their homes warm during the coldest winter months. As you know, both the Senate FY1996 Labor/HHS Appropriations bill and the Administration's budget request for FY1996 included advance appropriations in FY1997 for LIHEAP.

We must ensure that state LIHEAP programs can operate effectively next winter. Advance appropriations are essential. We urge you to include at least \$1 billion in advance appropriations funding for LIHEAP for FY1997. Thank you.

Sincerely,

James M. Jeffords, Co-Chairman. Daniel Patrick Moynihan, Co-Chairman. Herb Kohl, John Glenn, Olympia Snowe, John F. Kerry, Paul Wellstone, Chuck Grassley, ———, Carol Moseley-Braun, Bill Cohen, John H. Chaffee, Chris Dodd, Patrick Leahy, ———, Rick Santorum, Bob Smith.

Mr. JEFFORDS. Mr. President, we must ensure that State LIHEAP programs can operate effectively next winter. Advance appropriations are essential in this regard.

The other part of this resolution deals with funding for the rest of this fiscal year.

With passage of this bill, LIHEAP funding for this year will only be \$900 million—a 40-percent cut from last year. Let me say at this point that getting to the \$900 million level has been quite a struggle.

There has been an effort by some Members of the other body to abolish the program. I have worked very hard to combat these efforts as have the Senator from Minnesota and the chairman and ranking member of the Labor/HHS subcommittee—the Senator from Pennsylvania and the Senator from Iowa.

While \$900 million is not sufficient to meet the energy needs of America's low income families, these funds have made it possible for States to provide energy assistance to many low income residents.

The problem is that the money is all spent. Using the authority granted under the advance appropriations and the continuing resolutions we had previously passed, the President has already released \$900 million so far this year, the amount this bill includes for LIHEAP. Almost all of these funds have gone out to the States and they have obligated the funds. There isn't any money left.

There is currently available to the President up to \$300 million in emergency LIHEAP funding. A portion of these funds could be made available to those areas with the greatest need in order to meet the urgent home heating needs of families eligible for LIHEAP. No emergency funds have been used so far this fiscal year.

Mr. President, spring may officially start later this week, but for many parts of the country winter is not over. Last week we had lows in the twenties in Burlington, VT.

Checking today's USA Today we see that people can expect lows of 28 degrees in Grand Rapids, MI; 18 degrees in Eau Claire, WI; 13 degrees in Duluth, MN; and 15 degrees in Rapid City, SD. I might also remind my colleagues that 3 years ago, the so-called Storm of the Century occurred, not in January, not in February, but in March. We are not out of the woods yet.

How are low income families going to heat their homes? How are they going to pay their energy bills? How are they going to avoid having their heat shut off? Mr. President, there are no more LIHEAP funds available. Using the emergency funds is the only way to meet this need.

And what about this summer? Traditionally, 10 percent of LIHEAP funds are used for cooling assistance during the warm weather months, but this year there is no money left. How are States going to help low income senior

citizens and persons with disabilities keep their homes cool this summer?

This is not a trivial matter. High temperatures pose a serious health threat. Look at what happened last summer in Chicago. Hundreds of people died as a result of the extreme heat. There aren't any LIHEAP funds left, we are going to need emergency funds to meet this need.

Mr. President, because of reductions in LIHEAP funding, most States have had to reduce benefit levels and restrict eligibility. There has been a 24-percent reduction in the number of households served by LIHEAP. In seven States that figure is 40 percent.

I guess you can say Vermont has done well in this regard. Only 14 percent of the 25,000 households that received aid last year have not gotten heating assistance this year, but the benefit level has been reduced by almost half.

I call to my colleagues' attention an article that appeared in yesterday's Providence Journal. It says that local agencies that provide heating assistance expect the need for heating assistance to continue well beyond April 1 but they do not have the money to meet the need.

Mr. President, our amendment is simply a sense-of-the-Senate resolution calling upon the President to use the authority he already has to meet the energy needs of America's low income families. LIHEAP funds have been cut 40 percent from last year and there is no money left. We need to use the emergency funds.

Mr. President, I urge my colleagues to support this amendment. This winter is not over and we have to start thinking about next winter.

Mr. KOHL. Mr. President, I rise as a cosponsor of the sense-of-the-senate resolution on the Low Income Home Energy Assistance Program [LIHEAP].

This resolution calls on the President to release additional LIHEAP funds this year, and recognizes that forward funding for next year is critical to the LIHEAP program.

Mr. President, according to the calendar, Spring has almost arrived, but freezing weather is still expected for the Upper Midwest. There is still a very real need for LIHEAP assistance.

Mr. President, we came perilously close to disaster earlier this winter because of cuts to LIHEAP and the failure of the Congress to finalize spending for the year.

Thankfully, President Clinton was able to release emergency funding when extended and severe cold weather spells threatened to result in a crisis situation for thousands of people in my State of Wisconsin and throughout the Nation.

LIHEAP has traditionally received forward funding by the Appropriations Committee so that States will know what to expect and may plan for the next heating season.

Forward funding this year also served to prevent partisan budget

fighting from holding up emergency help. Even though many important programs were held hostage during the Government shut-downs, forward funding allowed the President to release critical heating assistance when it was needed the most.

Despite the President's action, the LIHEAP program was still hit with \$400 million in cuts from previous levels, which represented a 25-percent loss this winter.

LIHEAP has continued to receive severe cuts even though home heating represents a disproportionate cost for low income households. Recent reductions in the program has led to steep shortfalls for States and prevented many families from qualifying for assistance.

In Wisconsin, over 126,000 families depend upon the Low Income Home Energy Assistance Program. This year, Wisconsin families have been forced to confront an annual reduction of \$100 due to LIHEAP cuts.

Given the funding shortfall this winter and the real prospect that severe weather conditions will likely drag on over the next month, it is important that remaining Federal assistance be allocated to the States. This resolution would call on the President to use his authority to do just that.

Low income families and elderly people struggle year in and year out with bitter cold weather and ever rising heating costs. For these families, the LIHEAP program has provided life-saving help when heating bills or needed furnace repairs become impossible.

We must preserve LIHEAP and allow those who still need help this year to receive emergency assistance. We should also affirm the Senate position and make sure that LIHEAP is prepared to meet energy assistance needs in the future through forward funding.

I urge my colleagues to support this sense-of-the-Senate resolution.

Mr. WELLSTONE. Mr. President, I ask unanimous consent to add Senators DODD, MOYNIHAN, KERRY, and MOSELEY-BRAUN as additional cosponsors.

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

Mr. GRAMM addressed the Chair.

The PRESIDING OFFICER. The Senator from Texas [Mr. GRAMM], is recognized.

Mr. GRAMM. Mr. President, I do not see anybody rising in opposition. If there is time, and if nobody wishes to speak in opposition to this amendment, I would like to speak in opposition.

The PRESIDING OFFICER. The Senator is recognized for that purpose.

Mr. GRAMM. Mr. President, I think we have reached the point of being ridiculous here. We have added \$5.6 billion to Government spending right here in this bill. We are now so eager to spend money that we are no longer spending it this year, we are spending it next year. We cannot wait until next year to spend money on a program. We have to do it right now.

What happened to the mandate of the 1994 elections? I am opposed to this amendment. I intend to vote against it, even if I am the only Member of the Senate that does. I am glad we have the yeas and nays. I hope it will be defeated.

The PRESIDING OFFICER. The question is on agreeing to amendment No. 3520.

The clerk will call the roll.

The bill clerk called the roll.

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

The result was announced—yeas 77, nays 23, as follows:

[Rollcall Vote No. 41 Leg.]

YEAS—77

Abraham	Exon	Lugar
Akaka	Feingold	Mikulski
Baucus	Feinstein	Moseley-Braun
Bennett	Ford	Moynihhan
Biden	Frist	Murray
Bingaman	Glenn	Nunn
Bond	Graham	Pell
Boxer	Grassley	Pressler
Bradley	Gregg	Pryor
Breaux	Harkin	Reid
Bryan	Hatch	Robb
Bumpers	Hatfield	Rockefeller
Burns	Heflin	Roth
Byrd	Hollings	Santorum
Campbell	Hutchison	Sarbanes
Chafee	Inouye	Simon
Coats	Jeffords	Simpson
Cohen	Johnston	Smith
Conrad	Kennedy	Snowe
D'Amato	Kerrey	Specter
Daschle	Kerry	Stevens
DeWine	Kohl	Thurmond
Dodd	Lautenberg	Warner
Dole	Leahy	Wellstone
Domenici	Levin	Wyden
Dorgan	Lieberman	

NAYS—23

Ashcroft	Grams	McCain
Brown	Helms	McConnell
Cochran	Inhofe	Murkowski
Coverdell	Kassebaum	Nickles
Craig	Kempthorne	Shelby
Faircloth	Kyl	Thomas
Gorton	Lott	Thompson
Gramm	Mack	

So the amendment (No. 3520) was agreed to.

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

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

The motion to lay on the table was agreed to.

Mr. MURKOWSKI addressed the Chair.

The PRESIDING OFFICER. The Senator from Alaska.

AMENDMENT NO. 3524, AS MODIFIED

Mr. MURKOWSKI. I ask unanimous consent to send a modification of amendment No. 3524 to the desk.

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

The amendment (No. 3524), as modified, is as follows:

On page , beginning with line , insert the following:

**SEC. . SEAFOOD SAFETY.**

(a) Notwithstanding any other provision of law, any domestic fish or fish product produced in compliance with food safety standards or procedures accepted by the Food and Drug Administration as satisfying the requirements of the "Procedures for the Safe

and Sanitary Processing and Importing of Fish and Fish Products" (published by the Food and Drug Administration as a final regulation in the Federal Register of December 18, 1995), shall be deemed to have met any inspection requirements of the Department of Agriculture or other Federal agency for any Federal commodity purchase program, including the program authorized under section 32 of the Act of August 24, 1935 (7 U.S.C. 612c) except that—

(b) The Department of Agriculture or other Federal agency may utilize lot inspection to establish a reasonable degree of certainty that fish or fish products purchased under a Federal commodity purchase program, including the program authorized under section 32 of the Act of August 24, 1935 (7 U.S.C. 612c), meet Federal product specifications.

Mr. BUMPERS. The Senator from Alaska, [Mr. MURKOWSKI], has offered an amendment relating to the purchase of domestic fish or fish products by the Department of Agriculture and other Federal agencies. It is the understanding of the Senator that his amendment would impose no new requirement on the Federal Government to purchase these items?

Mr. MURKOWSKI. Yes, that is my understanding. Currently, Federal agencies are authorized to contract with suppliers of fish and fish products for various Federal feeding programs. Additionally, these products may be purchased by the Secretary of Agriculture under the commodity surplus reduction authorities of section 32 of the Agriculture Act of 1938. While these authorities for purchase will remain, my amendment will impose no requirement for purchase beyond the discretionary authorities of current law.

Mr. BUMPERS. Is it also the understanding of the Senator from Alaska that his amendment would not reduce the ability of Federal agencies to ensure the quality of fish and fish products purchased under these authorities?

Mr. MURKOWSKI. Yes, that is my understanding. All Federal agencies who enter into agreements for purchase of food commodities solicit bids which contain a number of contractual conditions relating to the quality of the items. Nothing in my amendment would restrict the criteria imposed by the Federal Government relating to the quality of the product. The only restriction imposed by my amendment would be to prohibit a contractual requirement that processing be subject to any federally mandated continuous inspection method beyond that imposed by the Food and Drug Administration.

Mr. BUMPERS. I understand current procedures for such purchases require an inspector of the National Marine Fisheries Service to be present at all times during processing. Would the Senator's amendment prohibit the presence of any Federal inspector during processing for these products in order to ensure contractual compliance related to quality standards?

Mr. MURKOWSKI. No. My amendment would only eliminate the requirement of their continuous presence for



any inspection purpose other than food safety and wholesomeness. All Federal agencies involved in the purchase of fish and fish products would retain all current authorities to inspect and impose quality standards they feel proper to protect the Federal investment in, and ultimate consumers of, these products.

I thank my colleagues on both sides for agreeing to the amendment. I think no further debate is necessary. I yield the floor.

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

The amendment (No. 3524), as modified, was agreed to.

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

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

The motion to lay on the table was agreed to.

AMENDMENTS NOS. 3521 AND 3522 WITHDRAWN

The PRESIDING OFFICER. The question now occurs on the McCain amendment No. 3521.

Mr. MCCAIN. Mr. President, I ask unanimous consent to withdraw amendment No. 3521 and amendment No. 3522. They will be included in the managers' package.

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

VOTE ON AMENDMENT NO. 3525

The PRESIDING OFFICER. The question now is on agreeing to amendment No. 3525.

The amendment (No. 3525) was agreed to.

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

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

The motion to lay on the table was agreed to.

Mr. LOTT addressed the Chair.

The PRESIDING OFFICER. The Senator from Mississippi.

Mr. LOTT. Could I inquire what the parliamentary situation is at this point?

The PRESIDING OFFICER. The question is now on agreeing to the Thurmond amendment No. 3526.

Mr. HATFIELD. Mr. President, I ask unanimous consent to temporarily lay aside the Thurmond amendment so that we might consider some other amendment at this time.

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

The question would now occur on the Burns amendment No. 3528.

Mr. LOTT. Mr. President, I would like to suggest the absence of a quorum at this point.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

AMENDMENT NO. 3528 WITHDRAWN

Mr. BURNS. Mr. President, I ask unanimous consent that the vote be vi-

tiated on the Burns amendment to H.R. 3019, amendment No. 3528, and the amendment be withdrawn.

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

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HATFIELD. 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. HATFIELD. Mr. President, let me, first of all, indicate to the Senate our progress. We have now completed all of our amendments, with the exception of a Thurmond amendment and then the matter relating to the pending appeal of the ruling of the Chair by Senator BURNS. Then I want to put in a quorum call for a few minutes for us to catch our breath and review things, because the only other item to be taken into consideration is the managers' package—the managers' package.

In this package are those accommodations we made to Senators who were not able to meet the deadline for filing amendments and for those which had been in the process of being cleared on either side with the authorizing committees.

Everyone's right is reserved in the managers' package, because anyone can move to strike or move to modify or second degree, whatever. So I want to make that process clear. We have copies now of the managers' package. I would like to make sure everyone has reviewed these, and I have made sure their own interests are protected.

So at this time, Mr. President, I would like to, with the two parties on the floor, dispose of the two remaining issues, the Burns appeal and the Thurmond amendment.

Mr. BURNS addressed the Chair.

The PRESIDING OFFICER. The Senator from Montana.

APPEAL OF RULING OF THE CHAIR WITHDRAWN

Mr. BURNS. Mr. President, I ask unanimous consent to withdraw my appeal of the ruling of the Chair on my amendment No. 3551 yesterday.

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

Mr. BURNS. I yield the floor.

Mr. THURMOND addressed the Chair.

The PRESIDING OFFICER. The Senator from South Carolina.

AMENDMENT NO. 3526, AS MODIFIED

Mr. THURMOND. Mr. President, I ask unanimous consent that I be allowed to modify my amendment No. 3526. I send the modification to the desk.

The PRESIDING OFFICER. Without objection, the amendment is so modified.

The amendment, as modified, is as follows:

On page 754, line 4, before the period at the end, insert the following: "Provided further,

That the authority under this section may not be used to enter into a multiyear procurement contract until the earlier of (1) May 24, 1996 or (2) the day after the date of enactment of an Act that contains a provision authorizing the Department of Defense to enter into a multiyear contract for the C-17 aircraft program.

Mr. THURMOND. Mr. President, I understand this amendment now has been agreed to by both sides. There is no objection. We tried to work everything out in a satisfactory manner. I urge the adoption of this amendment.

The PRESIDING OFFICER. The question is on agreeing to amendment No. 3526, as modified.

The amendment (No. 3526), as modified, was agreed to.

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

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

The motion to lay on the table was agreed to.

Mr. HATFIELD. Mr. President, I inquire of the Chair if I am correct on indicating, as I did, that all the amendments that were part of the unanimous consent agreement have been acted upon and disposed of in some manner?

The PRESIDING OFFICER. The Senator is correct.

Mr. HATFIELD. Mr. President, as I say, I am going to take this time to recite those amendments that are in the managers' package. Then I will ask for a quorum call to give time for people to come to the floor or to indicate an interest in either one of these. They are open to second degree or for striking:

One amendment by Senators CHAFEE and KEMPTHORNE on ESA funding; an amendment by Senator BURNS on a hydroelectric facility in Montana; an amendment by the Finance Committee on reimbursement of certain claims under the Medicaid Program; an amendment by Senator COHEN to repeal the requirement to discharge or retire members of the Armed Services who are HIV positive; an amendment by Senators DORGAN and CONRAD, additional funds for B-52's; an amendment by Senators BENNETT and HATCH, photographic technology; an amendment by Senators BREAUX and JOHNSTON on machine tools; an amendment by Senator BOND earmarking ER highway funds within those appropriated; an amendment by Senator DASCHLE which earmark CDBG funds within those appropriated; two amendments by Senator SANTORUM, two sense-of-the-Senate amendments regarding offsets for title II disaster assistance and language that makes adjustments to discretionary spending to offset disaster assistance; an amendment by Senator GORTON, a Walla Walla, WA, veterans medical center naming; an amendment by Senators DEWINE and MCCONNELL, provides \$11.8 million for local governments for the development of criminal justice identification systems, offset from foreign operations Eximbank.

Let me say all of these amendments either have been offset or they do not



have a major impact on the overall bill that we are recommending from the committee. But these are all part of the managers' package. I did not want anyone to be blindsided or have any thought of any right being diminished by the action of the committee.

Excuse me, Mr. President, there is a second page. Amendments, like mushrooms, tend to grow in the night:

An amendment by Senator MCCAIN on allocation of health care resources at VA; an amendment by Senator HATFIELD, Umpqua River basin from existing funds; an amendment by Senator MCCAIN on disaster funds allocated in accordance with established prioritization processes; a technical amendment making section changes; an amendment by Senator MURKOWSKI; Greens Creek, AK.

Mr. President, at the time when we move to act on these packaged amendments, I will also ask unanimous consent that the following statements and colloquies be placed in the RECORD: A statement by Senator HUTCHISON; a statement by Senator DEWINE; a colloquy by Senators STEVENS and CAMPBELL; a colloquy by Senators SPECTER and PELL; a colloquy by Senators SIMON and SPECTER; a colloquy by Senators HOLLINGS, MCCAIN, and SPECTER; a colloquy by Senators MCCONNELL and LEAHY; and a colloquy by Senators HARKIN, JOHNSTON, and SPECTER.

I would also ask further that a statement by Senator MCCAIN be printed in the RECORD at the appropriate place following the Burns amendment adopted herein. That is a lot.

Mr. BUMPERS addressed the Chair.

The PRESIDING OFFICER. The Senator from Arkansas.

Mr. BUMPERS. Let me ask the distinguished Senator if there is not also a Dole amendment on the IRS commission, which he did not list.

Mr. HATFIELD. I am told there is. Typographical error.

Mr. BUMPERS. Would the Senator add that to the unanimous-consent request?

Mr. HATFIELD. I have not asked yet unanimous consent, but we do have that included. That is on the second page.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. WELLSTONE. 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. WELLSTONE. Mr. President, I ask unanimous consent to speak as in morning business for just a few minutes.

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

Mr. WELLSTONE. Thank you, Mr. President.

## NATIONAL DOMESTIC VIOLENCE HOTLINE

Mr. WELLSTONE. Mr. President, at the end of last week I came to the floor and talked about the Violence Against Women Act. I announced that we now set up an important hotline, and that every day on the floor of the Senate I wanted to just announce this number for families in our country. This is the National Domestic Violence Hotline, and the number is 1-800-799-SAFE. There is also a TTD number for the hearing-impaired, and that is 1-800-787-3224.

Mr. President, I talked about domestic violence last week. I will not take the time today. But I would like for the next couple of weeks to get about 30 seconds every day to announce this number.

Again, for those that are watching C-SPAN, the National Domestic Violence Hotline is 1-800-799-SAFE, and the TTD number for the hearing-impaired is 1-800-787-3224. If a woman feels she needs help because she is being beaten or her children are being beaten, she is being battered, this is the number to call. There are people who are skillful; there are people who understand this issue. Because of this hotline, there is help for women, there is help for children, there is help for families in this country.

Mr. President, I thank the Chair, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

## BALANCED BUDGET DOWNPAYMENT ACT, II

The Senate continued with the consideration of the bill.

AMENDMENT NO. 3553 TO AMENDMENT NO. 3466

Mr. HATFIELD. Mr. President, I send to the desk the managers package, as I have outlined it and explained it.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Oregon [Mr. HATFIELD], for himself and Mr. BYRD, proposes an amendment numbered 3553 to Amendment No. 3466.

Mr. HATFIELD. 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. HATFIELD. Mr. President, again, let me call to the Senate's attention—as I have done now in the Republican caucus at lunch, and others in the Democratic Caucus, I think, had similar material—that we have put to-

gether, with the clearance of Senator BYRD on the Democratic side of the aisle, a managers package to accommodate those Members who were not present when a unanimous-consent agreement was entered into at 7:45 last Thursday night. The deadline was 8:05. So there were those who were negotiating at that time with other colleagues.

I have recited those amendments and we have indicated very clearly that people's rights to either modify, to change, second degree, or strike were certainly open.

We have waited now close to half an hour for anyone to appear to take advantage of that opportunity.

I ask unanimous consent that the statements that the following statements and colloquies—I am just boxing those together—be placed in the RECORD. As I recited before, there is a statement by Senator HUTCHISON; a statement by Senator DEWINE; a colloquy by Senators HATFIELD and SPECTER; a colloquy by Senators STEVENS and CAMPBELL; a colloquy by Senators SPECTER and PELL; a colloquy by Senators SIMON and SPECTER; a colloquy by Senators HOLLINGS, MCCAIN, and SPECTER; a colloquy by Senators MCCONNELL and LEAHY; a colloquy by HARKIN, JOHNSTON, and SPECTER; a colloquy by Senators SIMON and SPECTER; a colloquy by Senators MCCAIN and BURNS, which I ask be placed in the RECORD in the appropriate place following the Burns amendment that we will have adopted in this package.

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

## SEMATECH

Mrs. HUTCHISON. Mr. President, the purpose of my amendment is to restore the funding level for Sematech to the full amount authorized in the 1996 Defense authorization bill.

Mr. President, semiconductor manufacturing leadership is as critical to America's national defense and economic security today as it was in 1987 when Sematech was formed. Sematech has proven to be a model for government-industry cooperation. Unlike so many other programs, Sematech has produced all that it has promised it would and then took the unprecedented step of deciding to decline all future direct Federal funding.

It is indeed ironic that as this program come to an end, our competitors in Japan recently announced they are establishing a consortium modeled after Sematech. They have publicly admitted that the success of Sematech has resulted in America reclaiming world market share leadership in both chips and the equipment used to manufacture them and the Japanese now feel the need for their own Sematech.

We must never surrender our leadership or our resolve to be the technology leader of the world. In this the final year of funding, I believe we have an obligation to provide adequate funding to ensure Sematech is able to complete its mission and finish research