

Mr. DASCHLE. Mr. President, I appreciate the comments of the distinguished majority leader.

The leader is absolutely right. This is all necessary because we are not in a position to agree tonight apparently on when that time certain may be for the minimum wage. I am optimistic, given our conversations in the last few hours, that we might be able to find a way in which to schedule the vote on the minimum wage in the not too distant future.

I am very hopeful that that can be done, that we can preclude in the future this kind of unnecessary filling of the tree and the parliamentary procedures involved with it. It is unfortunate, but under the circumstances there may not be an alternative.

1996 BALANCED BUDGET DOWN-PAYMENT ACT—CONFERENCE REPORT

Mr. DASCHLE. Mr. President, I commend the distinguished chairman of the Appropriations Committee and our ranking member, the very distinguished Senator from West Virginia, for their work in bringing us to the point we are tonight. This has been a very long, difficult struggle. Seven months, two Government shutdowns and 13 continuing resolutions later, we resolved many of these extraordinarily difficult and contentious issues in a way that I feel has done a real service to the Senate.

I commend our colleagues. I commend all of those involved for having finally concluded this effort. I certainly appreciate the effort on both sides. I know others wish to speak, and I now yield the floor.

Mr. HATFIELD addressed the Chair.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. STEVENS. Mr. President, I yield to the distinguished chairman of the Appropriations Committee, who, as I understand it, is going to manage some time here under the agreement we have with the distinguished majority leader so that we can make the comments we would have made before the passage of the omnibus bill at this time.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. HATFIELD. I believe that was the majority leader's indication of the procedure we would follow. Let me say at this point in time, I suggest that those who have statements to make that do not relate to a colloquy which requires my presence would then follow after the colloquy that does require my presence with the Senator from Texas [Mrs. HUTCHISON]. So that would be the procedure. And then if there are no questions for me afterward, I am going to retire and let the speeches flow on.

Mr. President, returning now to the omnibus appropriations bill that just passed the Senate by an 88 to 11 vote, has passed the House of Representatives by a 399 to 25 vote, remarkable votes on a matter that has as much

controversy and issues that excited people's passions as has this particular bill, I would like to acknowledge the support and the backing of the Senate and House leadership. We kept the leadership informed periodically throughout the negotiations with the White House, and we had the constant and consistent support by the leadership for the strategy that we had laid out and for the steps we were able to achieve.

I also want to pay particular attention to the subcommittee chairmen who served on the Appropriations Committee and the ranking members of those subcommittees, because they were involved in the negotiations as they related to their particular issues under their jurisdiction in the subcommittees. So we had a very broad base of participation in spite of the fact that five individuals had been put together in order to achieve the agreement—Senator BYRD and myself, and Chairman LIVINGSTON and Mr. OBEY of the House, and Mr. Panetta representing the White House.

I also want to express our deep appreciation to the White House negotiators for their responding to short-time notices. When we were ready to meet again—and all these meetings took place in the Appropriations Committee room of the Senate side of the building—they responded within minutes of the times when we said we would like to talk to you again on this issue, or we are ready to return to the table on a package of issues.

I want to also acknowledge Senator DOMENICI, as chairman of the Budget Committee. As you know, we function in a linked, and oftentimes in a lock-step with the Budget Committee, vis-à-vis the budget resolution and maintaining the caps and limits of spending established by that budget resolution. In this particular case we were making add-backs and offsets, but it impacted upon the scoring system of the CBO. We had constant, immediate response to needs by the Budget Committee and its staff, under the leadership of Senator DOMENICI, to give us an update or an immediate response to a question of scoring. We also had, for every add-back, offsets; so that it was deficit neutral in every step we took. Those offsets had to be called upon again by imaginative, creative ideas—uranium enrichment programs and other such things, again, which had a scoring implication that the Budget Committee responded to regarding our need and helping us along.

In any case, there is something that comes up in the tail end that you do not anticipate and do not suspect. One such incident is illustrative of the close working relationship with the Budget Committee. In a case where \$15 million was asked for nuclear safety as it related to nuclear nonproliferation, it was considered as one of those oversights for some reason, but nevertheless it had to be acted upon at the request of the sponsoring Member. Here

we had to reopen, in a sense, the Energy Subcommittee that had been closed in relation to this conference on the omnibus package. Again, Senator DOMENICI, as chairman of that subcommittee, came with the assistance required in order to not only reopen that committee but also to, in effect, find an offset. So, I want to pay special attention to the support from the Budget Committee, particularly Senator DOMENICI.

Mr. President, I am sure at the time the Senate acted upon these issues one by one, when we came out of our committee with a reported bill, people were very much aware of the heated debates that took place here on the floor before we were able to take that bill, having passed the Senate, with leadership support of both Senator DOLE and Senator DASCHLE, with the overwhelming support of Republicans and Democrats—we went into that conference with that kind of vote support which was very important. But we tend to forget, after we have gone through these debates and do not relive them as those of us who have to relive them within a smaller context of a conference. Let me tell you, those debates were just as intense, they were just as heated, they were just as divisive as they are on the floor, if not more so, because here you are sitting across a table, looking eyeball to eyeball to the adversary in the debate.

Let me just say, we got into abortion. That was the Coats amendment. We got into population planning. We got into HIV, which was lifting the ban that had been done in the managers' report here on this floor. But we got into it in that situation within this very small context of basically five principals. We got into seven debates on environmental issues. I think they are equal in the intensity that people express their viewpoints and ideas as were the social issues. And we had to work through every one of those.

Let me say, the White House position initially was that all seven of those environmental issues that had been put there by the Senate and the House had to be excised; it would be a veto on the entire package if any one of those amendments, riders, stayed on this package. We kept five of them. We kept five of the seven, modifying four of the five, but we kept five of those environmental riders.

So, you see from that, the White House had moved. The White House had asked for \$8 billion in add-backs. We agreed with offsets on \$4.8 billion, about a split. We denied the White House half of what they wanted. The White House got half of what they wanted.

I think, when you come to a conference, it is a matter of giving and getting, so when the conference is over, everybody can say we won. That is a successful conference. I think we spend too much of our time trying to determine who loses and who wins, and if we do not spend that time, the media do.

The media likes winners and losers. It is kind of strange. It is difficult for them to comprehend and handle a situation where everybody wins. They may not have won everything, and they did not lose everything. To me that is the art of compromise. That is the art of legislation. That is recognizing the pluralism of our society.

We do not all think alike. God forbid we should ever. But, nevertheless, what I am saying is these votes in both the House of Representatives and in the Senate of the United States demonstrated my thesis—everybody won, or at least they can claim victory in this or that or the other thing.

We have to recognize one other thing. The Appropriations Committee, 7 months into this 1996 fiscal year, are behind already for the 1997 fiscal year. What we did in this conference was going to affect how expedited we can make the 1997 procedure. Sure, we might have won more from the House on the Senate side, but we would have done so at the expense of being able to find the kind of compromises to expedite the 1997 process. So we always, I think, have to realize that what we are doing at the moment has an impact on what we are going to have to do next. Again, we live in the moment and in a culture of instantaneous gratification: instant this, instant news, bite-size everything, and very few people in our culture are looking beyond today and this very hour.

I want to say, in my view, the exception to that is the Republican determination to balance the budget by the year 2002, because we are looking ahead to what implications today's actions are going to have on our children and our grandchildren, to the year 2002. But very few things are happening in our culture total, not just the political, that gives any indication that people are looking beyond the moment.

We were looking as well to resolve this issue, knowing we were going to be immediately thrust into the next fiscal year activity, of 1997. We have to always remain conscious of the fact that the President has legislative power.

He cannot force us to legislate anything, but we cannot legislate independent of the President either. That is the marvelous mystery of our mixing of powers within a separation of powers organization.

So when you look at the issues, the riders on the bill—and I am going to use any and every occasion that I have an opportunity to remind ourselves that, blast it all, it is the authorizers who should be doing these riders in the first place and they are dumping on to us, complicating the appropriations process unnecessarily.

Why? Well, we are the only committee that has to act. A lot of people like to talk, and they do. The appropriators not only talk, they have to act. We have to pass our bills. No other committee in this Congress, except the appropriators, are required by law to pass their bills to keep the Government

going. Not even the Budget Committee has to act. In fact, the Budget Committee did not give the appropriators a budget resolution until August a few years ago which, really, by that time, was a rather futile gesture because we had to move ahead before the Budget Committee even acted in order to meet the October 1 fiscal year deadline.

So I want to say again, a lot of people talk about budget reductions, but it is the appropriators who have done it. We have cut the budget over \$22 billion. No other committee has done it. They have talked about it. We have done the cutting, \$22 billion. And sometimes we have had to do that without the benefit of anesthetic. This is a bloody surgery we are into.

I am always amused by the Members who come around to the appropriating committee and say, "Be sure and put that in. Be sure and hang on to that one," spend that money and then get up here and talk about the appropriators or people refusing to cut spending. We are all guilty of it. It gets a little weary at times, I must say, but, nevertheless, that is the way the system functions. It is still the best system in the world, no matter how many times we find fault with it.

So I can say this to the body today that it is not the bill I would have written if I had been the only one, but it certainly is a bill of consensus. We had to deal with Democrats, Republicans, House Members, Senate Members and the White House, and to have engaged in that was, indeed, both an experience and one that took team effort. I am indebted to my colleagues in the Senate for this vote of 88 to 11 and to the superior leadership of Congressman LIVINGSTON. Let me tell you, we have sometimes divisions on this side, and we think it is hard to bridge those differences and so forth, but let me tell you, that House side—it is an amazing, amazing accomplishment that the leadership and Chairman LIVINGSTON were able to get a 399-to-25 vote and, again, everybody won.

Mr. President, I said I would yield to my friend from Texas, Mrs. HUTCHISON, and engage in a colloquy, and if there are no other questions, I will engage in that colloquy at this time in order to accommodate the Senator. If there are no questions, then I will depart.

The PRESIDING OFFICER. The Senator from Texas.

Mrs. HUTCHISON. Thank you, Mr. President. I thank the chairman of the committee. There is a high price for leadership, and he certainly has provided the leadership in this body in a very difficult circumstance. I appreciate the courtesies that he has given to me because it has been a very tough vote. I feel very strongly on principle, and I will talk about that later, but I appreciate the integrity of the process and of the Senator from the State of Oregon.

Mr. President, today the Senate passed H.R. 3019, the omnibus appropriations bill for 1996. Included in that

bill as part of the appropriations for the Fish and Wildlife Service of the Department of the Interior was a provision that has twice passed the Senate. It puts a moratorium on the listing of endangered species and the designation of critical habitat in order to permit the reauthorization of the Endangered Species Act to go forward without the controversy of new listings and seeks to prevent further unnecessary harm to workers and property owners in the meantime.

As reported by the conference committee, the moratorium was revised to include language permitting the moratorium to be suspended if the President determines that it is in the public interest in the protection of naturally or locally affected interests. I certainly agree that it is in the national and local interest to have sound environmental management. But I also believe that it is in the national and local interest to protect agricultural, ranching and timber jobs. We must have the food, clothing, and shelter that our farmers, ranchers and lumberjacks provide. It is also in the national and local interest to protect human access to water for health, safety and economic reasons. We cannot have the people's access to water threatened, as it has been in my State, by environmental laws that were enacted before their effect on the water supply was fully understood.

Mr. President, I ask the Senator from Oregon, is it his intention and understanding that in using this provision, the President shall take into account jobs and people in addition to species?

Mr. HATFIELD. Mr. President, I thank Senator HUTCHISON. That is correct. In his exercise of the Executive power, the President is bound to consider the health and safety of the people and the economy in making Executive orders.

This is, of course, true with the suspension provision, too. I appreciate the assistance of the Senator from Texas in bringing this issue into focus at this particular time.

Mrs. HUTCHISON. I thank the Senator from Oregon, Mr. President. I thank him very much. I think that clarification should be a guide for the President if he decides to override what the Senate has passed.

Mr. HATFIELD. Mr. President, I wonder if the Senator from Texas will yield momentarily for a unanimous-consent request.

I ask unanimous consent that a summary of this bill be printed in the RECORD.

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

HIGHLIGHTS IN TITLE I OF H.R. 3019, OMNIBUS APPROPRIATIONS FOR FISCAL YEAR 1996
DEPARTMENTS OF COMMERCE, JUSTICE, STATE,
THE JUDICIARY AND RELATED AGENCIES

A total of \$14.7 billion for the Department of Justice, roughly a 20 percent increase over FY 1995 levels.

\$1.4 billion for the Community-Oriented Policing Services to meet the goal of putting

cops on the beat. This program received no direct funding in the conference report to accompany H.R. 2076, the FY 96 Commerce, Justice, State & the Judiciary Appropriations bill.

\$503 million for a Local Law Enforcement Block Grant, which will give those on the front lines in the fight against crime greater authority to make decisions about which crime-fighting strategies can work best in their communities.

Under the Department of Commerce, \$221 million for the Advanced Technology Program (ATP), which receive no funding in the conference report to H.R. 2076, the FY 1996 Commerce, Justice, State and the Judiciary Appropriations bill, and \$80 million for the Manufacturing Extension Partnership Program (MEP). Both ATP and MEP are part of NIST's (National Institute of Standards and Technology) Industrial Technology Services.

\$185 million for the Federal Communication Commission, an increase of \$10 million over the conference report to H.R. 2076.

Under the Department of State, sufficient funding for the United States to maintain its commitment to the United Nations at the 25 percent assessment rate, including \$395 million to support U.N. Peacekeeping.

\$278 million for the Legal Services Corporation.

DISTRICT OF COLUMBIA

\$4.9 billion spending limit on total city expenditures.

In response to the District's request, language regarding reductions-in-force (RIF) procedures is provided to make it easier for the city to reduce staff and control spending.

Public education reforms: authority for establishing independent charter schools; an oversight Commission on Consensus Reform in the public schools to ensure implementation of a required reform plan; technical assistance from GSA to repair school facilities.

DEPARTMENT OF INTERIOR AND RELATED AGENCIES

\$1.321 billion is provided for the National Park Service activities, an increase over the FY 1995 level.

The partial moratorium on Endangered Species Act listings is retained in the bill, as is language protecting historical management practices in the Mojave National Preserve. The President would be allowed to suspend these provisions if he determines such suspension is appropriate based upon the public interest in sound environmental management and resource protection.

Language providing a one-year moratorium on establishment of a new Tongass Land Management Plan and allows certain

timber sales on the Tongass National Forest to be awarded if the Forest Service determines additional analysis is not necessary. The President would be allowed to suspend these provisions if he determines such suspension is appropriate based upon the public interest in sound environmental management and resource protection. Should the provision be suspended, \$110 million would be available for economic disaster assistance in Southeast Alaska timber communities.

Language affecting Western Oregon and Western Washington, that would give greater flexibility to the Forest Service and the Bureau of Land Management to offer alternative timber sale volume to timber sale purchasers, has been dropped.

Language providing the Administration the authority to purchase all or portions of previously sold timber sales in Western Oregon and Western Washington has been dropped.

DEPARTMENTS OF LABOR, HEALTH & HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES

\$625 million for the 1996 Summer Youth Employment Program of the Department of Labor; The House bill had terminated this program.

\$1.1 billion for the Dislocated Worker Retraining program, bringing the total \$233 million above the House bill.

\$350 million for the School to Work program, jointly administered by the Department of Labor and Education, an increase of \$105 million from the 1995 appropriated level.

\$11.9 billion for medical research supported by the National Institutes of Health. This is an increase of \$654 million over 1995, or 5.8 percent.

\$738 million for the Ryan White AIDS programs. This is an increase of \$105 million over 1995. Within the total is \$52 million specifically set aside for the AIDS drugs reimbursement program. These additional funds will enable states to better meet the growing cost and demand for new AIDS drugs.

\$93 million to continue the Healthy Start program. This is \$43 million above the original level passed by the House.

\$3.57 billion for the Head Start program. This is \$36 million above 1995.

\$350 million for the GOALS 2000 Educate American Act program. The House bill had terminated funding for this program.

\$7.2 billion for the Title I, Compensatory Education for the Disadvantaged, program. This is the same as the 1995 level and nearly \$1 billion more than the House bill.

\$466 million for the Drug Free Schools program. This is \$266 million above the House bill.

\$78 million for education technology programs which assist schools in expanding the availability of technology enhanced curricula and instruction to improve educational services. This is \$23 million above 1995.

\$973 million for Vocational Education Basis Grants. This is the same as the 1995 level and \$83 million over the House bill.

\$93 million to recapitalize the Perkins Loan student aid program. The House had proposed no funding for this purpose.

\$32 million for the State Student Incentive Grant program. The House bill had proposed terminating funding for this program.

The bill also raises the maximum Pell Grant to \$2.47 billion. This is an increase of \$130 million in the maximum grant and is the highest maximum grant ever provided.

DEPARTMENT OF VETERANS AFFAIRS, HOUSING & URBAN DEVELOPMENT, AND INDEPENDENT AGENCIES

\$16.564 billion for Veteran's Medical Care, an increase of \$400 million over FY 1995.

The overall EPA level is increased to \$6.528 billion, which is \$818 million more than was included in the conference report to accompany H.R. 2099, the FY 96 VA, HUD & Independent Agencies Appropriations bill.

Under EPA, \$490 million was provided for enforcement, \$40 million more than was included in the conference report and an increase of \$10 million over FY95.

Superfund receives an additional appropriation of \$150 million bringing its total to \$1,313,400,000.

State Revolving Funds: an increase of \$448,500,000 over the conference level, including \$225 million for drinking water SRFs and \$223,500,000 for clean water SRFs.

Council on Environmental Quality: \$2,150,000, which is double the CEQ conference level.

Economic Development Initiative: \$80 million. No funding was provided for EDI in the conference report to accompany H.R. 2099.

Severely Distressed Public Housing: \$380 million, an increase of \$100 million over the H.R. 2099 conference report level.

Community Development Financial Institutions: \$45 million compared to zero in the conference report.

National Service: \$400 million compared to \$15 million for termination in conference report.

\$3.2 billion for the National Science Foundation, an increase of \$40 million over the amount provided in H.R. 2099.

\$13.9 billion for NASA, and increase of \$83 million over the original amount in H.R. 2099.

H.R. 3019, OMNIBUS CONSOLIDATED RESCISSIONS AND APPROPRIATIONS ACT OF 1996

| | Fiscal year 1995 enacted | Fiscal year 1996 request | Fiscal year 1996 conference ¹ | House passed | Senate reported S. 1594 | Senate passed | H.R. 3019 conference | Conference compared to— | | | | Committee re-ported S. 1594 | Senate passed |
|---|--------------------------|--------------------------|--|------------------|-------------------------|------------------|----------------------|--------------------------|--------------------------|--|------------------------|-----------------------------|---------------|
| | | | | | | | | Fiscal year 1995 enacted | Fiscal year 1996 request | Fiscal year 1996 conference ¹ | House passed H.R. 3019 | | |
| Commerce-Justice: | | | | | | | | | | | | | |
| New budget (obligational) authority | \$26,698,342,000 | \$31,158,679,000 | \$27,287,525,000 | \$27,284,734,000 | \$27,285,234,000 | \$27,299,134,000 | \$27,841,284,000 | \$1,142,942,000 | (\$3,317,395,000) | \$553,759,000 | \$556,050,000 | \$542,150,000 | |
| Appropriations | 24,541,692,000 | 23,538,956,000 | 23,538,956,000 | 23,536,165,000 | 23,572,165,000 | 23,586,065,000 | 24,097,215,000 | (444,477,000) | (3,051,284,000) | 558,259,000 | 525,050,000 | 511,150,000 | |
| Rescissions | (171,250,000) | (207,400,000) | (207,400,000) | (207,400,000) | (242,900,000) | (282,900,000) | (21,900,000) | (40,650,000) | (211,900,000) | (4,500,000) | 31,000,000 | 31,000,000 | |
| Crime trust fund | 2,327,900,000 | 3,955,969,000 | 3,955,969,000 | 3,955,969,000 | 3,955,969,000 | 3,955,969,000 | 3,955,969,000 | 1,628,069,000 | (54,231,000) | ..... | ..... | ..... |  |
| (By transfer) | 56,500,000 | 106,000,000 | 106,000,000 | 106,000,000 | 106,000,000 | 106,000,000 | 106,000,000 | 49,500,000 | 50,500,000 | ..... | ..... | ..... |  |
| (Limitation on administrative expenses) | 3,463,000 | 3,559,000 | 3,559,000 | 3,559,000 | 3,559,000 | 3,559,000 | 3,559,000 | 96,000 | ..... | ..... | ..... | ..... |  |
| (Limitation on direct loans) | 741,000 | 741,000 | 741,000 | 741,000 | 741,000 | 741,000 | 741,000 | ..... | ..... | ..... | ..... | ..... |  |
| (Limitation on contract authority) | 214,356,000 | 162,610,000 | 162,610,000 | 162,610,000 | 162,610,000 | 162,610,000 | 162,610,000 | (51,746,000) | ..... | ..... | ..... | ..... |  |
| (Liquidation of contract authority) | 1,420,000 | 1,420,000 | 1,420,000 | 1,420,000 | 1,420,000 | 1,420,000 | 1,420,000 | ..... | ..... | ..... | ..... | ..... |  |
| (Foreign currency appropriation) | 712,070,000 | 712,070,000 | 712,070,000 | 712,070,000 | 712,070,000 | 712,070,000 | 712,070,000 | ..... | ..... | (14,930,000) | (14,930,000) | (14,930,000) | |
| District of Columbia: Appropriations ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... |  |
| Interior: | | | | | | | | | | | | | |
| New budget (obligational) authority | 13,519,230,000 | 13,817,404,000 | 12,164,636,000 | 12,164,505,000 | 12,165,355,000 | 12,167,985,999 | 12,294,592,000 | (1,224,638,000) | (1,522,812,000) | 129,956,000 | 129,237,000 | 126,606,001 | |
| Appropriations | 13,549,230,000 | 13,832,204,000 | 12,194,636,000 | 12,194,505,000 | 12,197,527,000 | 12,200,999,999 | 12,324,592,000 | (1,224,638,000) | (1,507,612,000) | 129,956,000 | 127,065,000 | 124,434,001 | |
| Rescissions | (30,000,000) | (30,000,000) | (30,000,000) | (30,000,000) | (32,172,000) | (32,172,000) | (30,000,000) | ..... | ..... | ..... | 2,172,000 | 2,172,000 | |
| Crime trust fund | 15,200,000 | 187,000,000 | 187,000,000 | 187,000,000 | 187,000,000 | 187,000,000 | 187,000,000 | ..... | ..... | ..... | ..... | ..... |  |
| (By transfer) | 107,764,000 | 187,000,000 | 187,000,000 | 187,000,000 | 187,000,000 | 187,000,000 | 187,000,000 | ..... | ..... | ..... | ..... | ..... |  |
| Labor-HHS-Education: | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... |  |
| Total budget (obligational) authority | 244,495,303,000 | 268,133,087,000 | 258,971,170,000 | 257,256,285,000 | 258,357,553,000 | 257,914,331,000 | 260,151,017,000 | 15,655,714,000 | (7,982,070,000) | 1,179,847,000 | 2,894,732,000 | 2,236,686,000 | |
| New budget (obligational) authority, 1996 | 204,547,586,000 | 226,132,733,000 | 217,362,820,000 | 216,620,935,000 | 216,722,203,000 | 216,278,981,000 | 218,217,281,000 | 13,669,695,000 | (7,914,852,000) | 891,461,000 | 1,596,346,000 | 1,938,300,000 | |
| Appropriations | 205,154,584,000 | 225,956,733,000 | 217,362,820,000 | 216,667,935,000 | 216,769,203,000 | 216,325,981,000 | 218,264,281,000 | 13,109,697,000 | (7,692,452,000) | 903,461,000 | 1,495,078,000 | 1,938,300,000 | |
| Rescissions | (617,998,000) | (100,000,000) | (100,000,000) | (100,000,000) | (100,000,000) | (100,000,000) | (100,000,000) | 517,998,000 | (100,000,000) | ..... | ..... | ..... |  |
| Crime trust fund | 11,000,000 | 175,400,000 | 65,000,000 | 53,000,000 | 53,000,000 | 53,000,000 | 53,000,000 | 42,000,000 | (12,000,000) | ..... | ..... | ..... |  |
| Advance Appropriations, 1997 | 39,687,717,000 | 41,704,554,000 | 41,385,350,000 | 40,385,350,000 | 41,385,350,000 | 41,385,350,000 | 41,683,736,000 | 1,996,019,000 | (20,818,000) | 298,386,000 | 298,386,000 | 298,386,000 | |
| Advance Appropriations, 1998 | 260,000,000 | 296,400,000 | 260,000,000 | 250,000,000 | 250,000,000 | 250,000,000 | 250,000,000 | (10,000,000) | (46,400,000) | ..... | ..... | ..... |  |
| (Limitation on trust funds) | 11,396,796,000 | 12,259,261,000 | 11,487,093,000 | 11,573,093,000 | 11,490,092,000 | 11,490,766,000 | 11,546,926,000 | 150,130,000 | (712,335,000) | 59,833,000 | (26,167,000) | 56,160,000 | |
| VA, HUD: | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... |  |
| New budget (obligational) authority | 89,927,686,000 | 90,551,351,093 | 80,606,997,000 | 81,311,016,000 | 81,995,196,000 | 81,995,196,000 | 82,442,966,000 | (7,484,720,000) | (8,108,385,093) | 1,836,039,000 | 1,131,950,000 | 447,770,000 | |
| Appropriations | 90,260,686,000 | 90,746,470,093 | 80,805,046,000 | 81,509,135,000 | 82,193,315,000 | 82,193,315,000 | 82,641,085,000 | (7,619,601,000) | (8,105,385,093) | 1,836,039,000 | 1,131,950,000 | 447,770,000 | |
| Rescissions | (333,000,000) | (198,119,000) | (80,805,000) | (198,119,000) | (198,119,000) | (198,119,000) | (198,119,000) | ..... | ..... | ..... | ..... | ..... |  |
| Crime trust fund | 100,061,000 | 17,561,000 | 17,561,000 | 17,561,000 | 17,561,000 | 17,561,000 | 17,561,000 | (82,500,000) | (3,000,000) | ..... | ..... | ..... |  |
| (By transfer) | 63,000 | 17,602,000 | 17,602,000 | 17,602,000 | 17,602,000 | 17,602,000 | 17,602,000 | (606,144,500) | 15,100,000 | ..... | ..... | ..... |  |
| (Limitation on administrative e | 623,746,500 | 2,902,000 | 1,075,363,000 | 1,075,363,000 | 1,075,363,000 | 1,075,363,000 | 1,075,363,000 | (125,160,034) | (58,120) | ..... | ..... | ..... |  |
| (Limitation on direct loans) | 1,200,523,034 | 237,400,000,000 | 238,900,000,000 | 238,900,000,000 | 238,900,000,000 | 238,900,000,000 | 238,900,000,000 | (26,039,072,000) | 1,500,000,000 | ..... | ..... | ..... |  |
| (Limitation on guaranteed loans | 264,939,072,000 | 549,626,000 | 554,401,000 | 554,401,000 | 554,401,000 | 554,401,000 | 554,401,000 | ..... | 4,775,000 | ..... | ..... | ..... |  |
| (Limitation on corporate funds) | 516,041,000 | 549,626,000 | 554,401,000 | 554,401,000 | 554,401,000 | 554,401,000 | 554,401,000 | ..... | ..... | ..... | ..... | ..... |  |
| Title I—Omnibus Appropriations | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... |  |
| Total budget (obligational) authority | 375,352,631,000 | 404,372,591,093 | 379,757,258,000 | 378,743,540,000 | 380,530,338,000 | 380,103,646,999 | 383,441,929,000 | 8,089,298,000 | (20,930,662,093) | 3,684,671,000 | 4,698,386,000 | 3,338,282,001 | |
| New budget (obligational) authority | 335,004,914,000 | 362,371,637,083 | 338,111,908,000 | 338,108,190,000 | 338,894,988,000 | 338,468,296,999 | 341,508,193,000 | 6,103,279,000 | (20,863,444,093) | 3,396,285,000 | 3,400,003,000 | 3,039,896,001 | |
| Appropriations | 334,218,262,000 | 358,395,956,093 | 334,624,658,000 | 334,634,740,000 | 335,459,210,000 | 335,032,518,999 | 338,039,243,000 | 3,820,981,000 | (20,356,713,093) | 3,412,785,000 | 3,404,503,000 | 3,006,724,001 | |
| Rescissions | (1,132,248,000) | (228,119,000) | (535,519,000) | (535,519,000) | (373,191,000) | (573,191,000) | (540,019,000) | 612,229,000 | (311,900,000) | (4,500,000) | ..... | ..... |  |
| Crime trust fund | 2,338,900,000 | 4,203,800,000 | 4,020,969,000 | 4,008,969,000 | 4,008,969,000 | 4,008,969,000 | 4,008,969,000 | 1,670,069,000 | (194,831,000) | (12,000,000) | ..... | ..... |  |
| Advance Appropriations, 1997 | 39,687,717,000 | 41,704,554,000 | 41,385,350,000 | 40,385,350,000 | 41,385,350,000 | 41,385,350,000 | 41,683,736,000 | 1,996,019,000 | (20,818,000) | 298,386,000 | 298,386,000 | 298,386,000 | |
| Advance Appropriations, 1998 | 260,000,000 | 296,400,000 | 260,000,000 | 250,000,000 | 250,000,000 | 250,000,000 | 250,000,000 | (10,000,000) | (46,400,000) | ..... | ..... | ..... |  |
| (By transfer) | 264,325,000 | 242,563,000 | 310,561,000 | 310,561,000 | 310,561,000 | 310,561,000 | 310,561,000 | 46,236,000 | 67,998,000 | ..... | ..... | ..... |  |
| (Limitation on administrative expenses) | 6,061,000 | 6,061,000 | 21,161,000 | 21,161,000 | 21,161,000 | 21,161,000 | 21,161,000 | (606,048,500) | 15,100,000 | ..... | ..... | ..... |  |
| (Limitation on direct loans) | 627,209,500 | 1,076,162,120 | 1,076,104,000 | 1,076,104,000 | 1,076,104,000 | 1,076,104,000 | 1,076,104,000 | (125,160,034) | (58,120) | ..... | ..... | ..... |  |
| (Limitation on guaranteed loans) | 1,201,264,034 | 237,400,000,000 | 238,900,000,000 | 238,900,000,000 | 238,900,000,000 | 238,900,000,000 | 238,900,000,000 | (26,039,072,000) | 1,500,000,000 | ..... | ..... | ..... |  |
| (Limitation on corporate funds) | 264,939,072,000 | 549,626,000 | 554,401,000 | 554,401,000 | 554,401,000 | 554,401,000 | 554,401,000 | ..... | 4,775,000 | ..... | ..... | ..... |  |
| (Liquidation of contract authority) | 516,041,000 | 162,610,000 | 162,610,000 | 162,610,000 | 162,610,000 | 162,610,000 | 162,610,000 | (51,746,000) | ..... | ..... | ..... | ..... |  |
| (Foreign currency appropriation) | 214,356,000 | 162,610,000 | 162,610,000 | 162,610,000 | 162,610,000 | 162,610,000 | 162,610,000 | ..... | ..... | ..... | ..... | ..... |  |
| Title II—Emergency Supplemental Appropriations | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... |  |
| New budget (obligational) authority | 1,033,329,000 | 1,033,329,000 | 1,147,600,000 | 1,147,600,000 | 1,529,214,000 | 1,585,814,000 | 2,124,714,000 | 2,124,714,000 | 1,091,385,000 | 2,124,714,000 | 977,114,000 | 538,900,000 | |
| Appropriations | 1,440,000,000 | 1,440,000,000 | 70,000,000 | 847,700,000 | 901,600,000 | 901,600,000 | 193,300,000 | 193,300,000 | 53,300,000 | 193,300,000 | 123,300,000 | (708,300,000) | |
| Emergency appropriation | 1,784,329,000 | 1,784,329,000 | 1,835,600,000 | 1,835,600,000 | 1,043,100,000 | 1,093,100,000 | 1,655,600,000 | 1,655,600,000 | (128,729,000) | 1,655,600,000 | (180,000,000) | 562,500,000 | |
| Contingency emergency appropriations | 69,000,000 | 69,000,000 | 173,000,000 | 173,000,000 | 458,414,000 | 486,314,000 | 275,814,000 | 275,814,000 | 206,814,000 | 275,814,000 | 102,814,000 | (210,500,000) | |
| Rescissions | (960,000,000) | (960,000,000) | (931,000,000) | (931,000,000) | (820,000,000) | (895,200,000) | ..... | ..... | 960,000,000 | ..... | 931,000,000 | 895,200,000 | |

| | | | | | | | | | | |
|--|-----------------|-----------------|-----------------|-----------------|-----------------|------------------|-----------------|-----------------|-----------------|-----------------|
| (By transfer) | 5,500,000 | 10,500,000 | 64,900,000 | 28,500,000 | 28,500,000 | 23,000,000 | 28,500,000 | 18,000,000 | 28,500,000 | (36,400,000) |
| (Liquidation of contract authority) | 375,000,000 | 375,000,000 | 375,000,000 | 375,000,000 | 375,000,000 | 375,000,000 | 375,000,000 | 375,000,000 | 375,000,000 | (1,631,246,000) |
| (Exempt obligations) | 267,000,000 | 300,000,000 | 300,000,000 | 300,000,000 | 300,000,000 | 33,000,000 | 300,000,000 | 33,000,000 | 33,000,000 | (1,000,000,000) |
| (Limitation on direct loans) | 118,874,000 | ..... | ..... | ..... | ..... | (118,874,000) | ..... | ..... | ..... | (1,000,000,000) |
| Title III—Offsets and Rescissions ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... |
| New budget (obligational) authority ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... |
| Rescissions ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... |
| Offsets ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... |
| Rescissions of contract authority ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... |
| Emergency rescission ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... |
| Title IV—Contingency Appropriations ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... |
| Total budget (obligational) authority ..... | ..... | 3,332,900,000 | 3,332,900,000 | 3,649,102,000 | ..... | ..... | ..... | ..... | ..... | ..... |
| New budget (obligational) authority ..... | ..... | 3,332,900,000 | 3,332,900,000 | 2,382,863,000 | ..... | ..... | ..... | ..... | ..... | ..... |
| Appropriations ..... | ..... | ..... | ..... | 1,458,000,000 | ..... | ..... | ..... | ..... | ..... | ..... |
| Contingency appropriations ..... | ..... | ..... | ..... | 1,540,863,000 | ..... | ..... | ..... | ..... | ..... | ..... |
| Advance Appropriations, 1997 ..... | ..... | ..... | ..... | 1,266,239,000 | ..... | ..... | ..... | ..... | ..... | ..... |
| Rescission of contract authority ..... | ..... | ..... | ..... | (616,000,000) | ..... | ..... | ..... | ..... | ..... | ..... |
| Offset: Petroleum reserves ..... | ..... | ..... | ..... | (227,000,000) | ..... | ..... | ..... | ..... | ..... | ..... |
| Title V—Environmental Initiatives ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... |
| New budget (obligational) authority ..... | ..... | ..... | ..... | 439,000,000 | ..... | ..... | ..... | ..... | ..... | ..... |
| Appropriations ..... | ..... | ..... | ..... | 487,000,000 | ..... | ..... | ..... | ..... | ..... | ..... |
| Rescission of contract authority ..... | ..... | ..... | ..... | (48,000,000) | ..... | ..... | ..... | ..... | ..... | ..... |
| Offset: Debt collection ..... | ..... | ..... | ..... | (440,000,000) | ..... | ..... | ..... | ..... | ..... | ..... |
| TOTAL ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... |
| Total budget (obligational) authority | 375,352,631,000 | 383,224,040,000 | 386,841,052,000 | 384,623,562,999 | 381,396,397,000 | (24,009,523,093) | 381,396,397,000 | (1,827,643,000) | (5,444,655,000) | (3,227,165,999) |
| New budget (obligational) authority | 335,404,914,000 | 342,588,690,000 | 345,205,702,000 | 341,721,973,999 | 339,462,661,000 | (23,942,305,093) | 339,462,661,000 | (3,126,029,000) | (5,743,041,000) | (2,259,312,999) |
| Appropriations | 334,218,262,000 | 334,704,740,000 | 336,306,910,000 | 337,392,118,999 | 338,232,543,000 | (20,303,413,093) | 338,232,543,000 | 3,527,803,000 | 1,925,633,000 | 840,424,001 |
| Emergency appropriation ..... | ..... | 1,835,600,000 | 1,043,100,000 | 1,093,100,000 | 1,655,600,000 | (128,729,000) | 1,655,600,000 | (180,000,000) | 612,500,000 | 562,500,000 |
| Contingency emergency appropriations ..... | ..... | 173,000,000 | 458,414,000 | 486,314,000 | 275,814,000 | 206,814,000 | 275,814,000 | 102,814,000 | (182,600,000) | (210,500,000) |
| Contingency appropriations ..... | ..... | 3,332,900,000 | 4,781,500,000 | 1,540,863,000 | ..... | ..... | ..... | (3,332,900,000) | (4,781,500,000) | (1,540,863,000) |
| Rescissions | (1,188,115,000) | (1,466,519,000) | (1,393,191,000) | (1,468,391,000) | (2,171,265,000) | (983,146,000) | (2,171,265,000) | (704,746,000) | (778,074,000) | (702,874,000) |
| Rescissions of contract authority ..... | ..... | 4,008,969,000 | 4,008,969,000 | 4,008,969,000 | 4,008,969,000 | (1,000,000,000) | 4,008,969,000 | (762,000,000) | (762,000,000) | (98,000,000) |
| Crime trust fund ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... |
| Emergency rescission ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... |
| Offsets ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... |
| Advance Appropriations, 1997 | 39,687,717,000 | 40,385,350,000 | 41,385,350,000 | 42,651,589,000 | 41,683,736,000 | (777,000,000) | 41,683,736,000 | (1,000,000,000) | (777,000,000) | (1,000,000,000) |
| Advance Appropriations, 1998 | 260,000,000 | 250,000,000 | 250,000,000 | 250,000,000 | 250,000,000 | (10,000,000) | 250,000,000 | 41,683,736,000 | 250,000,000 | (110,000,000) |
| (By transfer) | 264,325,000 | 321,061,000 | 310,561,000 | 375,461,000 | 339,061,000 | 46,400,000 | 339,061,000 | 90,998,000 | 298,386,000 | (967,853,000) |
| (Limitation on administrative expenses) | 6,061,000 | 21,161,000 | 21,161,000 | 21,161,000 | 21,161,000 | 15,100,000 | 21,161,000 | 339,061,000 | 28,500,000 | (36,400,000) |
| (Limitation on direct loans) | 1,201,264,034 | 1,076,104,000 | 1,076,104,000 | 1,076,104,000 | 1,076,104,000 | (58,120) | 1,076,104,000 | 1,076,104,000 | ..... | ..... |
| (Limitation on guaranteed loans) | 264,939,072,000 | 238,900,000,000 | 238,900,000,000 | 238,900,000,000 | 238,900,000,000 | 1,500,000,000 | 238,900,000,000 | 238,900,000,000 | ..... | ..... |
| (Limitation on corporate funds) | 516,041,000 | 554,401,000 | 554,401,000 | 554,401,000 | 554,401,000 | 4,775,000 | 554,401,000 | 554,401,000 | ..... | ..... |
| (Liquidation of contract authority) | 214,356,000 | 537,610,000 | 537,610,000 | 537,610,000 | 537,610,000 | ..... | 537,610,000 | 537,610,000 | ..... | ..... |
| (Foreign currency appropriation) | 1,420,000 | 1,420,000 | 1,420,000 | 1,420,000 | 1,420,000 | ..... | 1,420,000 | 1,420,000 | ..... | ..... |

¹ Senate-reported level for Labor-HHS-Education.

The PRESIDING OFFICER. The Senator from Texas.

Mrs. HUTCHISON. Mr. President, once again, I thank the Senator from Oregon for completing a very tough job, and I commend him for the job that he has done.

Mr. President, I want to talk about my vote, because I voted against this bill on a principle that I think is very important, and I would like to step back and talk about the background.

Over the past 20 years, we have greatly improved the environment in the United States. As a Nation, we have spent over a trillion dollars to clean our air, water, and land. We have cleaner air and water than we have had for the past 40 years in our country. Now we are at a crossroads in environmental policy. We can preserve all of the environmental gains that we have made and still move forward to assure our children a safer, cleaner, and healthier environment.

But we will not be able to move forward if we continue to rely on the old, top-down command and control solutions from Washington, DC. Instead of orders from Washington, DC, we need to allow communities and businesses to find the best way to meet our national environmental standards themselves.

The administration and its leaders on Capitol Hill have used every opportunity to demagog and politicize environmental policy in order to protect the status quo and appease extremist environmental ideologists. They seek to take every opportunity to accuse Republicans of harming the environment, as if we had a separate supply of water and air to breathe.

I was accused by one of these groups of being supported by antienvironmental groups. So I asked the question, "What groups are you referring to as antienvironment?" And they said, "Realtors, home builders, electrical co-ops, farm bureaus."

Mr. President, I am proud to be associated with those groups that give to our economy and create the jobs in our country. They are not antienvironmental. And neither are any of us in this body. The rhetoric is misleading and it is even false in some cases.

They claimed that the Senate bill that we passed originally lowered clean air standards. It did not. They claimed that the Senate bill would have increased industrial pollution. It did not. It provided increases in clean water and drinking water programs.

They claimed the Senate bill would have ignored toxic waste sites. It did not. In fact, it is time for this administration to stop rhetoric like that and stop dragging its heels on Superfund cleanups, to put aside the red tape and get things done that actually clean our water and air.

So what happened tonight? In order to prevent the President from shutting down the Government again, to protect the Washington bureaucrats' power, today's bill cedes to the President too

much authority that is our authority to write laws and then to make sure that the regulators are doing what we intended for them to do. I think that is a mistake.

Last year this Congress recognized that reform of the Endangered Species Act is long overdue. It called a timeout on new listings and new designations of critical habitat. Congress recognizes that we must protect the environment at the least possible cost to American workers and families.

The conference report that was before us today permits President Clinton to suspend the moratorium on new listings at will. The Endangered Species Act has been good. It has focused us on the need to preserve plants and animals. There have been some notable successes. But the heavyhanded means that are being employed now to preserve hundreds of subspecies of bait fish and rats are increasingly counterproductive.

The moratorium on listings have kept American workers from losing their jobs. It has stopped narrow-minded interest groups from hijacking the Endangered Species Act and hurting our economy. Timber growers that have worked for years to grow trees to save for their retirement or for their children's education have had to cut trees on the basis of a rumor that their land might be listed as an endangered species habitat. Why? In order to avoid having Washington bureaucrats tell these people that they cannot cut down a tree after they have cultivated it for decades.

In central Texas, my home State, the Fish and Wildlife Service limited cutting of cedars to protect habitat for the golden-cheeked warbler. The warbler uses cedar bark to make its nest. Cedars are a weed. They are a weed. Our homeowners and land owners clear the land. If they are not cleared, in fact it hurts health. It also absorbs water that should be going into the Edwards Aquifer which is a water supply to the city of San Antonio and ranches and farms all over the area.

If we cannot rely on the support and cooperation of the people who live with the animals that we want to save, I do not think the animals are going to be saved. And that is not in anyone's interest nor is it in the interest of saving the animals.

That is why I have made such a high priority of reforming the Endangered Species Act. We need to forge a new consensus about saving endangered species. We need to make private property owners stakeholders, not adversaries in the process.

That is why I proposed and the President signed into law the moratorium on new listings. The President says we must go back to the old law that is obsolete that everyone admits does not work. Even the people who are trying to keep it admit it does not work. It puts the power back in the hands of Washington bureaucrats.

The President should not be able to change what has passed this body twice

in the last year with the stroke of a pen and take away the savings, the property, and even the jobs of hard-working Americans. We can set national environmental standards.

We can put Federal resources behind environmental cleanup and enforcement. But it must be done in a sensible way. It must take human needs into account. Before we list species again we must put common sense into the law, put control back in the hands of the people. Only then will we be able to assure a healthier, safer environment for all Americans.

Mr. President, there is some good in the bill that passed tonight. There are some lower spending levels. That was a step in the right direction in many ways. But the President pushed too far. Economic damage could occur. Jobs could be lost. If the Fish and Wildlife Service acts without considering good science, local concerns, and water supplies for people, there could be untold damage to the people of our country.

I feel that I must oppose the compromise that passed tonight on this principle and say to the President, Mr. President, you must assume full responsibility for your administration's actions. If people and communities are not considered in this process, when farmers cannot farm, and water sources for cities are shut down, and when working people lose their jobs, Mr. President, you have pushed too far, and this politicization of the environment must stop. Thank you, Mr. President.

Mr. LAUTENBERG. Mr. President, as the only Democratic member of this body who sits on both the Appropriations Subcommittee dealing with EPA and on the Environment and Public Works Committee, I have had a special interest in the funding of the Environmental Protection Agency.

And I want to thank Senators BOND and MIKULSKI for their work on these issues.

Mr. President, when the EPA budget first passed the the Senate, EPA's funding level was 17 percent below the fiscal year 1995 level. The House was 33 percent below the previous year level. Those figures were unacceptable to me, to the President and the American people.

The people of America have made clear that they want us do all we can to protect their drinking water from contaminants, their air from harmful smog and their land from the improper disposal of toxic wastes. Since the President vetoed that funding bill for EPA, there has been significant progress.

When this pending continuing resolution was considered in the Senate, I offered an amendment that would have raised EPA funding \$726 million. That would have raised EPA to the full 1995 level by adding money for state assistance for drinking water and sewage treatment, for global climate change research, for environmental enforcement and for Boston Harbor clean up.

Once that amendment was offered, there were long, and ultimately painful negotiations among the parties. Needless to say, negotiations were not easy; if they had been today would be October 25, 1995 not April 25, 1996.

I want to especially acknowledge the efforts of the Junior Senator from Massachusetts, JOHN KERRY, who fought relentlessly to fund EPA and, in particular, to address the special needs of Boston Harbor. Without his persistent efforts during our negotiations, the additional dollars for Boston Harbor would not be in this bill.

As a member of the Conference, I want to take this opportunity to thank Senator KERRY for his hard work and persistent efforts in getting the funding for this important water pollution control program.

Mr. CRAIG. Mr. President, this bill contains extremely important funding for the State of Idaho, along with other items I must clearly support. For that reason, I will be voting in favor of this bill.

However, I think it is important to make a record of some of the shortcomings of this bill.

First, I am extremely disappointed that this bill ignores the concerns of many communities and citizens in the Columbia Basin who worked honestly and deliberately over the years to develop local forest management plans. Those plans will now be summarily overridden by two gigantic environmental impact statements which will dramatically alter all the existing local plans on 144 million acres. It remains my opinion that these EIS's represent an inappropriate application of the National Environmental Policy Act. They are too big; they are too remote for comment by the citizens who will be affected; and they are too complex for any reasonable understanding by any affected party. I am told that this project will have cost the Forest Service and Bureau of Land Management up to \$30 million. I submit that the advancement of science through this project has been worth but a fraction. Despite my efforts and those of Congressman NETHERCUTT to interject some common sense and fiscal responsibility, the language we worked hard to support has been dropped. As a result, I am very apprehensive that our local governments, our citizens who depend upon the public lands for livelihood and recreation, and many others who use the forest will be locked out of the forest for reasons none of us will ever understand.

Another item missing from this agreement that concerns me is my amendment, passed by the Senate, relating to the Legal Services Corporation. Let me acknowledge the efforts of the Senate conferees—and particularly, Senator GREGG—to protect this amendment. As my colleagues will recall, this amendment was aimed at what some of us believe is a pattern of straying from the important mandate of providing legal services to the poor, instead pur-

suating a political agenda. In the case I highlighted, the Legal Services Corporation grantee drove my constituents to the edge of bankruptcy in a 6-year battle over an adoption that went all the way to the U.S. Supreme Court and twice to the Idaho State Supreme Court. Eventually, my constituents prevailed and the adoption was finalized. If anyone benefited from this gross waste of taxpayer funds, I have yet to discover it. It's my intention to continue pursuing my amendment to redress this unfairness in another forum.

Mr. HOLLINGS. Mr. President, I rise in support of H.R. 3019, the Omnibus Fiscal Year 1996 Appropriations Bill which includes five separate appropriations bills for the balance of fiscal year 1996. This bill provides full year funding for the Veterans, Housing Urban Development and Independent Agencies appropriations bill, the Labor, Health and Human Services appropriations bill, the District of Columbia appropriations bill, the Interior and Related Agencies appropriations bill, and the Commerce, Justice and State appropriations bill. It also includes emergency funding to deal with the floods in the Pacific Northwest and other disasters.

Mr. President, I serve as ranking member on the Commerce, Justice and State Subcommittee. I have served in that capacity or as Chairman of that Subcommittee since 1977. And, I want to speak today most of all in support of the conference agreement as it pertains to the departments, agencies, programs and people covered by that important appropriations bill.

We need to keep in mind that we have had 13 stop-gap "continuing resolutions" since October 1, 1995 when the fiscal year began. In the case of the CJS bill, the Senate completed action on the bill on September 29, 1995, and passed the conference report to H.R. 2076 on December 7, 1995. I voted against that conference report as did 48 of my colleagues. The President then vetoed H.R. 2076 on December 19, 1995. While the President's official veto message mentioned many problems with the CJS bill, in his actual statement he mentioned only the elimination of the Cops on the Beat program and the Advanced Technology Program as his reasons for finding the bill to be unacceptable.

So, we have now gone through this somewhat difficult process and conferenced what is essentially a new Commerce, Justice and State bill. During the past weeks, we have had negotiations between the White House and the Congressional leadership. And, during the past week, we have had intensive negotiations going on between the White House represented by President's Chief of Staff, Leon Panetta, his able assistant Martha Foley, and Jack Lew of OMB and the Congressional leadership represented by our distinguished Chairman, Senator HATFIELD, Senator BYRD, House Chairman Mr. LIVINGSTON,

and Mr. OBEY. They have had to work long hours on a number of difficult, controversial issues. I think that they have done an excellent job. I think that our Congressional team deserves special praise. They conducted these negotiations in a bipartisan manner, something that has been seriously lacking in the 104th Congress.

Mr. President, the Commerce, Justice and State portion of this agreement represents a good, realistic compromise that responds to our spending priorities at the same time that it cuts back overall spending. This conference report provides \$27.8 billion for the CJS bill. This is \$3.2 billion BELOW the level requested in the FY 1996 President's Budget request.

This agreement restores funding for several high priority programs and makes several other changes that lead me to conclude that it is a vast improvement over the CJS bill that the President vetoed. I will just mention a few.

First, and most important to me, this agreement provides \$221 million for the Commerce Department's Advanced Technology Program (ATP). I authored this program in the 1988 Trade Act and I can tell you that it is strongly supported by the President and was a high priority for our late Secretary of Commerce, Ron Brown. ATP provides cooperative agreements that are cost-shared with industry. These ATP awards are intended to help industry take leading edge technologies from the drawing board to the marketplace. It is intended to develop entirely new industries, create high-paying jobs, and to help us compete with the Japanese, French, and Germans who maintain quite similar programs.

This conference agreement is \$221 million above the vetoed CJS bill, H.R. 2076, but is still about \$210 million below the level enacted for the ATP program in fiscal year 1995. Report language notes that the highest priority should be to continue ATP awards made in fiscal year 1995 and prior years—but, the new Commerce Secretary, Mickey Kantor, is allowed under this agreement to continue to make new ATP awards.

And, I should note, that the agreement includes an additional \$2 million for the Office of our Under Secretary of Commerce for Technology, Mary Lowe Good. She is the best. And report language expresses our commitment to continue the U.S./Israel Science and Technology Agreement which is overseen by her office.

Second, this conference agreement includes \$1.4 billion for the Community Oriented Policing Services program or "COPS" as it is commonly known. This is \$100 million above the fiscal year 1995 level, \$1.4 billion above the level included in H.R. 2076, the Commerce, Justice and State bill that the President vetoed last December. I should note that it is almost the identical amount that was restored on the Senate floor in September when the Senate

considered H.R. 2076. The conference report reiterates, for the first time since the Republicans won a majority in the House and Senate, that the Congress remains committed to deploying one hundred thousand additional police officers on the beat across America by the year 2000. The conference agreement also provides \$503 million for a new local law enforcement block grant. This program is intended to meet other law enforcement needs that communities may have, such as equipment. It is my hope that this latter program will not simply become a new Law Enforcement Assistance Administration (LEAA) program.

On another crime issue, the conference report includes \$403 million for a new State prison grant program, sometimes called "Truth in Sentencing." This program, which will provide grants to States to build or renovate or expand prisons. Senator GREGG, our Chairman, and his staff director, David Taylor, worked very, very hard on this issue. I think they have come up with a program that is much better than the existing program which is authorized in the 1994 Crime Bill. This new prison program will now really address the needs of small states, and will help all states add prison cells to incarcerate violent offenders.

Third, this conference agreement includes \$1.254 billion for Department of State international organizations and conferences. For the most part this represents assessed contributions to the United Nations and other international organizations, for example the World Health Organization and Organization of American States, and for United Nations Peacekeeping. The conference agreement represents an increase of \$326 million above the vetoed CJS bill, H.R. 2076. While this is not a personal priority of mine, I know that the Administration's view was that these funds would have to be restored for the President to sign this bill.

Fourth, the agreement waives Section 15a of the State Department basic authorities Act, so the State Department can continue to obligate appropriations even in the absence of a fiscal year 1996 authorization. Only in this CJS bill do we have this crazy situation where an agency is told that it legally cannot obligate appropriations if an annual authorization has not been enacted. The Department of Defense doesn't live under this ridiculous rule. Nor does the Justice Department or Health and Human Services, or anyone else. I'm all for the importance of the authorization process—I am ranking minority and former Chairman of an authorization committee. But, I would never think of trying to stop NASA, or the Transportation Department, or the National Science Foundation or other agencies from obligating appropriations that the Congress and the President considered, approved, and enacted.

I also should note that the bill language regarding Vietnam allows the

State Department, USIA, and Foreign Commercial Service to maintain a presence in that nation. We have opened diplomatic relations with Vietnam and have an Embassy in that nation. It's time to move forward in our relations with Hanoi. I'm glad that Senators HATFIELD, KERRY, KERREY, MCCAIN, and LAUTENBERG were able to prevail on this issue.

Fifth, this bill includes some very important appropriations for disaster assistance: \$100 million is provided for the SBA for disaster loans. This ensures that parts of the United States that are hit by disasters in the future, such as tornadoes and hurricanes, can receive assistance. And, \$18 million is provided to EDA to help the Northwest and North Dakota deal with flooding and to address other disasters if necessary.

I urge my colleagues to support this bill. What is most important to note is that this bill will become law unlike the previous appropriations bills that were vetoed. This is happening because members from my side of the aisle were included in the appropriations process. The role of the Presidency was recognized and the administration's views were considered in making spending decisions. This is not the way the Appropriations Committee and the Commerce, Justice and State Subcommittee started business in the 104th Congress. I truly hope it is the way we now will continue to do business as we embark on fiscal year 1997.

In conclusion, I think there are many people who deserve credit for getting this bill to this point. But, no one deserves more credit than our distinguished Chairman, Senator HATFIELD. He and I have been Governors and know what it means to run a government. We have been legislators together in this Senate for some thirty years. Senator HATFIELD understands the responsibilities of being a Senator and what it means to be Chairman of the Senate Appropriations Committee, a Committee with such an important tradition and mission. Senator HATFIELD took control a few months ago and literally brought the appropriations process back from total chaos. During this fiscal year, he has repeatedly tried to bring some sanity, and bipartisanship to the appropriations decisions. I think the President and the many Federal employees in the Executive Branch owe him a real debt of gratitude. But, most of all, I think he has done this Senate, this Congress, and this Nation a very real service and I, for one, want to express my appreciation.

Mr. JEFFORDS. Mr. President, this conference agreement includes the final conference agreement on the District of Columbia appropriations for fiscal year 1996. Like each of the other appropriations bills contained in this omnibus agreement, the District's bill has endured a long and arduous course to enactment today.

The District of Columbia portion is not all that we would want, but it is

the best we can do. A key feature of this bill is the education reform that it contains. It would have been better and more effective if we could have included the \$15 million in additional assistance that our original conference agreement included to begin these reforms. But that was not possible. However, legislative language is included on many of the reforms and I will work with the Superintendent, the Board of Education, other city officials and the control board to make sure that these reforms are implemented. The children of this city can not, and now will not, wait another day.

The District is in a fiscal crisis. Research by the General Accounting Office and the Congressional Research Service of cities who have faced similar crises tells us that if we are to restore the economic vitality, an essential ingredient to restoring fiscal health, we must reform the schools. We must provide quality public schools to retain and attract a tax base. That pursuit within Congress begins with this bill.

One of the important reforms in the bill is the creation of a Consensus Commission on Education Reform. This group of citizens will cast a watchful eye over the reform process in the District and, if there are impediments or a failure to act on the required reform plan, it will recommend and request the control board to take the required steps to make reform a reality. I am determined that we will no longer have wonderful plans or insightful reports that go unimplemented. This time the intentions of the reformers will be realized.

The agreement does not include additional funds to carry out these reforms in 1996, but it does authorize funds for fiscal year 1997 and beyond. I can assure city officials and my colleagues that I intend to do everything that I can to see that these funds are appropriated next year and in the future so that the changes envisioned are achieved.

Mr. President, in closing I want to thank the Senator from Oregon for his tenacious and tireless work on this bill and his invaluable help in the regular D.C. conference. His help and guidance made an agreement possible. Many others contributed to the D.C. bill and the Omnibus bill's success, especially the Senator from West Virginia who helped craft the agreement we are considering today.

I also need to thank our subcommittee's distinguished ranking member, the Senator from Wisconsin, Senator KOHL, for his cooperation and support during the consideration of this bill. Finally, Mr. President, our counterparts in the House, Representative JIM WALSH and Representative JULIAN DIXON, who worked with us in a partnership to find common ground and bring this bill to this point today.

Mr. President, I urge Senators to support this agreement, we need to get on with the task of reforming public education in the District and restoring

fiscal sense to its budget process. This bill sets that course. I yield the floor.

Mrs. MURRAY. Mr. President, I rise today to gratefully express my relief that finally, 7 months into the current fiscal year, we are debating the bill that will put this year's budget to bed. And I am pleased to be able to support this bill based on changes that have been made over the past few days.

This agreement did not come easy, and it comes nearly too late for many people. It's unfortunate that it took two Government shut-downs, innumerable furloughs, and needlessly bitter partisan disputes, before we reached the path of resolution: serious bipartisan negotiations.

I do not think many families would make their budgets this way, 6 months late. I know I would not. But I am glad we've reached an agreement nonetheless.

I said to all my colleagues and the people of Washington State early last year there is a right way, and a wrong way, to balance the Federal budget. The wrong way would be to use quick and dirty gimmicks, paper tigers like the constitutional amendment or the line item veto.

I said the right way is to go through the budget line-by-line, program-by-program, and make the tough choices necessary to balance the books. Well, that is what happened on this bill. It reflects tough decisions, and strong, clearly-set priorities of both political parties.

The final agreement saves the taxpayers another \$23 billion under last year's budget, and I think that's a good thing. But it also redirects funds to support important education programs, health programs, and environmental programs. In other words, we achieved a rare balance between spending cuts and spending increases that is good for the people.

I want to talk briefly about each of these three areas, environmental priorities, education priorities, and public health priorities.

Mr. President, I am so pleased with the progress the administration made in stripping this bill of almost all environmental riders. I believe this cleaner bill represents a victory for all of us who care about the health of our environment and protection of natural resources. Two provisions I spoke against on the floor 3 days ago have been dropped: those affecting the Columbia Basin Ecosystem Project and those addressing the timber salvage provisions.

Now, the Columbia Basin Ecosystem Project can go forward, providing resource managers with comprehensive, scientific information about how best to protect the land, restore riparian habitat, and sustainably use our natural resources. This offers us one of our first opportunities to get ahead of the curve, and proactively address resource management before it we face a debilitating crisis. I appreciate my Senate colleagues agreeing to allow this project to move forward.

Likewise, I appreciate Senator HATFIELD dropping the salvage provisions. I know there was legitimate disagreement between the chairman and the President about whether these provisions would help or hinder the administration's ability to alter current timber contracts to protect old growth forests. This has been such a contentious, divisive issue that finding the right course of action in this atmosphere has been nearly impossible. I wish this Senate had chosen simply to repeal the entire timber salvage rider and replace it with the long-term salvage program I had advocated in my amendment.

Overall, the Interior portion of this bill is balanced and fair. The President's Forest Plan is well-funded, the Elwha Dam has initial acquisition funds, Native American programs have been sufficiently funded, some important land acquisitions have been made, and many vital programs remain intact. I am very sorry the Lummi People are still being coerced about water rights on their reservation and wish we could have made more progress on this provision.

Now on to education. Mr. President, my greatest concerns in this budget were the deep and painful cuts to programs that support America's young people. When we began this debate, we were faced with a proposal that would have slashed nearly \$4 billion away from the education of our next generation. Had these cuts been enacted, we would have faced the largest setback to education in our Nation's history.

Thankfully, for children in Washington State and the millions of young people who can not be heard through the vote, rational and thoughtful leadership prevailed. The add backs to education and training represent a commitment to programs that provide opportunity and hope.

We have restored \$333 million for displaced worker retraining that puts my State's timber workers back into the work force. We have added back \$137 million Head Start dollars that insure our kids begin school ready to learn. We have restored \$635 million for summer youth jobs for our young people that provide many of our most disadvantaged kids with the opportunity to give back to their communities. We have also saved the Safe and Drug Free Schools Program with \$200 million that works proactively to take the fear out of our classrooms. Finally, the School-to-Work Program, which has been proven effective in the State of Washington received an additional \$182 million. These programs, along with \$814 million new Title I dollars that provide our schools with the essentials of learning, will immeasurably benefit our kids and our Nation's future.

I also want to talk about how AIDS research, prevention, and treatment issues have been handled by this Congress. Today's agreement has been a long-time coming. Finally, we have the opportunity to vote and pass a spending measure that will give help and

peace of mind to many who need it most. Of course, we can always do more and there is always room for improvement. But, after months of debate and disagreement, we have come up with a plan that I can vote for. I recognize the need to cut spending and allocate Federal resources with strict scrutiny.

But, these decisions cannot be made at the expense of our most vulnerable citizens.

Programs like the Ryan White CARE Act receive a much needed increase. This bill raises funding for programs which care for those living with HIV/AIDS by \$106 million over last year. These are critical dollars for: emergency care for particularly hard-hit cities like Seattle; comprehensive care for all our States to cope with the epidemic; early intervention services to save money down the road; and funds for Pediatric AIDS demonstration projects.

The AIDS Education Training Center program, which I fought so hard to protect last fall, and which I fought hard for throughout this process, will be maintained. This critical program provides information to health care professionals about HIV and keeps them up-to-date on the latest in treatment for those living with HIV and AIDS. We must make sure that information and public awareness are kept at an all-time high, and I congratulate my colleagues for having the good sense to recognize the importance of the AETC program.

I also want to briefly express my relief that the blatantly discriminatory policy of discharging HIV-infected service members is repealed in this bill. This proposal was closed-minded, unfounded, and offensive to our men and women in uniform who have chosen to serve our country. The Dornan provision sent the wrong message; it said that Congress bases decisions on ignorance, fear and hate. I want no part of sending that message, and today we have the chance to right a terrible wrong.

Finally, Mr. President, while I am pleased with many of the changes that were made to this bill, I am deeply disappointed that Senator HATFIELD's language on International Family Planning was not maintained. Like many issues in this Congress, the Senate has taken a different approach than our counterparts in the House with respect to International Family Planning assistance. Throughout the debate on this issue, the Senate has continually supported funding for this program, and I have spoken many times in favor of our efforts to continue providing these services.

As it stands now, none of the appropriated funds can be spent until July 1. After that, money can only be spent on a month-to-month basis at a rate of 6.7 percent a month until the new fiscal year begins on October 1. The result is funding for U.S. population assistance will be reduced by about 85 percent

from last year's level. This is a disastrous situation that will severely hamper this program.

As a member of the Appropriations Subcommittee on Foreign Operations, I will work this year to try to restore these funds in fiscal year 1997. The millions of couples who rely on these valuable services are counting on this assistance.

Mr. President, I am glad we have finished the fiscal year 1996 budget. It's the people's business, and it's our responsibility to conduct. While the process over the past several months has been dominated by partisanship and dispute, the past few weeks have demonstrated that if reasonable leaders get together, they can usually resolve their differences and reach agreements that serve the public interest.

I sincerely hope this example sets a new tone that will carry into the fiscal year 1997 budget process. We have a short year, only a few months left to complete work on 13 new budget bills, before the political season completely overtakes Congress. I think it is in everyone's interest that we remain at the table and complete our next set of tasks with good humor and discipline.

Mr. SPECTER. Mr. President, when H.R. 3019 passed the Senate on March 19, substantial progress had been made to protect critical funding for education and training programs. The amendment I offered with Senator Harkin during Senate consideration provided \$2.7 billion more for education, job training and Head Start programs for the 1996/1997 academic year. These additional funds were fully offset, thus preserving the balanced budget objectives for discretionary appropriations in fiscal year 1996.

The conference agreement before the Senate today maintains the increased funds for education provided by the Specter/Harkin amendment. It also protects funding for other important objectives, such as, worker safety, medical research, health services, and domestic violence prevention.

Overall, H.R. 3019 appropriates \$64.6 billion for discretionary programs of the Labor, HHS and Education Subcommittee. This is \$204 million above the Senate passed bill, \$2.6 billion above the House bill, and \$2.6 billion, or 4 percent, below the 1995 post-rescission level. Included in the bill is the termination of over 110 programs viewed by the conferees as either having met their objectives, being duplicative of other programs, or having low priority. The bill's highlights include the following: \$625 million for the 1996 Summer Youth Employment Program of the Department of Labor; the House bill had terminated this program; \$1.1 billion for the Dislocated Worker Retraining Program, bringing the total \$233 million above the House bill; \$1.3 billion for worker protection programs, bringing the average funding level for each enforcement agency to 98 percent of the 1995 level; \$350 million for the School to Work Program, jointly ad-

ministered by the Departments of Labor and Education, an increase of \$105 million from the 1995 appropriated level. \$11.9 billion for medical research supported by the National Institutes of Health. This is an increase of \$654 million over the 1995 level, or 5.8 percent; \$738 million for the Ryan White AIDS Programs. This is an increase of \$105 million over 1995. Within the total is \$52 million specifically set aside for the AIDS drugs reimbursement program. These additional funds will enable states to better meet the growing cost and demand for new AIDS drugs; \$93 million to continue the Healthy Start Program. This is \$43 million above the original level passed by the House. \$3.57 billion for the Head Start Program. This is \$36 million above the 1995 level; 350 million for the GOALS 2000 Educate America Act Program. The House bill had terminated funding for this program; \$7.2 billion for the Title I, Compensatory Education for the Disadvantaged Program. This is the same as the 1995 level and nearly \$1 billion more than the House bill; \$466 million for the Safe and Drug Free Schools Program. This is \$266 million above the House bill; and \$78 million for education technology programs which assist schools in expanding the availability of technology enhanced curricula and instruction to improve educational services. This is \$23 million above 1995.

H.R. 3019 also preserves funding for student aid programs. The agreement raises the maximum Pell Grant to \$2,470. This is an increase of \$130 in the maximum grant and is the highest maximum grant ever provided. Funds also are provided to maintain the capital contributions to the Perkins Loan Program and Federal support for the State Student Incentive Grants Program.

Finally, the agreement includes \$900 million for the Low Income Home Energy Assistance Program (LIHEAP) in fiscal year 1996. The original House bill, H.R. 2127, had included no funding for the LIHEAP Program. H.R. 3019, also makes available \$420 million in "emergency" contingency funds for the fiscal year 1997 program. Regular funding for next winter's LIHEAP Program will be considered during the fiscal year 1997 appropriations process.

It is always easy to add money, but much more difficult to find the offsets for additional spending in order to not add to the Federal deficit. The conference agreement before the Senate today succeeds in both restoring funding to critical education, health and training programs and in maintaining our commitment to balance the federal budget. It is an excellent appropriations bill, and I urge my colleagues to give it their support.

Ms. MOSELEY-BRAUN. Mr. President, with the passage of this bill, and with the signature of the President, the Federal Government will, at long last, resume normal operations. The Federal Government will function as planned—for the first time in 7 months.

Much has happened in those past 7 months. Thirteen times, the Government of the United States faced uncertain funding. Twice, the Government ground to a halt. Federal services were interrupted, Federal paychecks were stopped, and Federal employees were treated as helpless pawns in the midst of congressional grandstanding. Financial markets, international image, and public confidence were put at risk. There seems to be no resolution to this situation.

Seven months of uncertainty, said some of my colleagues, yes—but a necessary sacrifice to achieve 7 years of deficit reduction and a balanced budget by 2002.

That reasoning, Mr. President, was just plain wrong.

The type of Federal spending that pays for Government salaries and Government programs, known as domestic discretionary spending, is not responsible for our Federal deficits. Discretionary spending has not increased as a percentage of the Gross Domestic Product since 1969—the last time we had a balanced budget. Discretionary spending is a mere one-sixth of the \$1.5 trillion total of Federal spending—and that is steadily declining.

The real problems with the deficit are with what are known as entitlement spending—Social Security, Medicare, Medicaid, federal retirement programs, and interest on the national debt. These programs are consuming a rapidly growing portion of overall federal revenues, and, by 2012, will consume 100 percent of the revenue the Federal Government takes in.

I know how important it is to reduce the deficit. That's why I cosponsored the Balanced Budget Amendment. We cannot leave a legacy of debt to our children. We have an obligation to restore budget discipline, so that our children—and future generations—will be able to achieve the American Dream.

In order to do that, tough choices must be made. All federal programs must be on the table. Nothing can be exempt from review. Everything must be examined to see where we can do better, and what we no longer need to do.

That does not mean, however, that reducing the debt can be achieved simply by cutting one Federal program in favor of another. Yet that's exactly what this omnibus appropriations bill attempts to do.

This \$163 billion bill funds programs normally funded through individual appropriations bills, such as education, job training, Head Start, crime and the environment. Over \$5 billion in programs once targeted for termination or deep cuts are restored, such as Community Development Financial Institutions, Head Start, Safe and Drug Free Schools, and School-to-Work programs.

The bill provides \$1.4 billion to put 100,000 additional police officers on the streets. The bill restores the Summer Jobs for Youth Program, restores \$195

million for the Goals 2000 program, for a total \$350 million; restores \$387 million more for National Service, for a total of \$402 million, and restores Title I funding for disadvantaged students. The bill also boosts Ryan White funds by \$82 million, EPA water programs by \$465 million, and Superfund by \$150 million.

The agreement deletes, or allows the President to waive such controversial legislative riders as the anti-environmental provisions associated with the Tongass National Forest, Mojave National Preserve, and Endangered Species Act.

Also included in the bill is a repeal of the discriminatory provision that would have forced HIV-positive members of the military to leave the service.

This bill is a great improvement over the spending levels initially proposed by this Congress. The restoration, or near restoration, of many of these education and job training programs means that the priorities of the American people have prevailed.

The bill still cuts important discretionary spending by \$23 billion.

Some may hail that as deficit reduction, Mr. President, and yes, a number of these program reductions and terminations are justified.

But cutting those items will not make a dent in Federal deficits. The appropriations process cannot be expected to compensate for our failure to address our deficit problem.

We can cut this \$23 billion, cut welfare and foreign aid, stop pork barrel spending, and eliminate funding for Congress altogether, but we still will not solve our more fundamental budget problems.

The only way to really balance the budget is to act based on the budgetary realities, rather than the myths. If we fail to do so, in less than 20 years, the skyrocketing growth in entitlement programs means there will not be one single dollar for agriculture, for education, for national defense, or transportation, cancer research, or flood control, or any of the myriad of other Federal activities.

It is as simple as that, Mr. President, and it's a critical fact that this bill, with all its cuts, simply misses.

We are halfway into this fiscal year. There is a time to debate, and a time to act. While I believe we can do far better than this bill, going forward with additional temporary funding extensions is something I find even more unpalatable, and that is why I reluctantly will support final passage of this conference report.

Mr. COATS. Mr. President, I rise to voice my serious concerns that this omnibus appropriations bill fails to include an important provision: a limitation on the expansion of the Federal Direct Loan Program to 40 percent of loan volume for the academic year that begins on July 1, 1996.

As my colleagues know, back in the fall when we passed the Balanced Budget

and Reconciliation Act, Congress agreed to return this questionable, big-government program to a true demonstration size—10 percent of total student loan volume. Many of us viewed the 10 percent cap as a reasonable compromise, especially in light of the House vote to repeal the program altogether. And, many of us would still prefer to repeal this misguided takeover of the student loan program.

Nonetheless, I and many of my colleagues on both sides of the aisle, were willing to support a middle ground on this issue: a limit on the expansion of direct lending to 40 percent of loan volume. I believe that this was a more-than-reasonable compromise because it would permit all currently participating schools to remain in the program. Let me say that again: not one school that is already participating in direct loans would be forced out.

However, the administration would not accept this reasonable compromise. The President allegedly threatened to veto the entire omnibus appropriations bill if a cap on direct lending was included. This is incredible! That the President would be willing to hold the entire appropriations process hostage to ensure the continued expansion of a program which is nothing more than a delivery system for loans, is truly an extreme position.

Remember, this President told the country just a few short months ago, during his State of the Union address, that the era of big Government is over. This same President stressed the need for stronger public-private partnerships in meeting the needs of the American people. Yet he threatened to stop the budget process once again if this omnibus appropriations bill included a cap on a massive, new government bureaucracy which seeks to end a public/private partnership which has been successfully serving students for 30 years!

We should not allow the President to pretend to be moderate on the campaign trail while he engineers a potentially disastrous federal takeover of the student loan industry. The President's refusal to negotiate a reasonable cap on the untested direct loan program exposes the true colors of this administration: rather than new Democrats they are clearly old-fashioned, bureaucracy-building, Washington-knows-best liberals.

Unlike the more complex debates over Medicare, Medicaid and welfare delivery systems, it is quite obvious that direct lending is an intuitively backward idea that will:

Make the Department of Education the single largest consumer finance lender in the country, while driving private lenders out of the student loan business.

Result in a \$150 billion increase in federal debt by 2002, and a \$350 billion increase over the next 20 years.

Eliminate a program where the private lenders share default risk, and replace it with a system where private

sector contractors shift the entire risk to the taxpayer.

Replace private sector competition with government contractors.

Substitute an untested student aid delivery system that has yet to demonstrate the ability to collect the loans it makes for the guaranteed loan program, which has dramatically improved the performance of the student loan portfolio in recent years.

We should keep in mind that the Department of Education's management track record bodes ill for the future of the direct loan program.

The management track record of the Department of Education over the past few years—and the last several months in particular—raises grave questions concerning whether the Department has the management ability to take over student lending without jeopardizing the uninterrupted flow of funds in the Nation's largest program of student financial assistance.

Major missteps in the past year have included:

I. Inability to process on a timely basis the Federal Application for Student Financial Aid (FAFSA), the basis calculation of financial need required of all applicants for student assistance.

Although the Department continues to blame weather and Federal furloughs for the unprecedented delays, the fact is that the Department started 6 months behind schedule, and hired new contractors using new, untested technology. In trying to cover up their very serious mistakes, the Department has had to hire additional processors and authorized 24-hour, 7-day-a-week operation, at unknown additional taxpayer cost.

Students and institutions have been severely affected by this mix-up at the Department: institutional financial aid officers and State scholarship programs are unable to offer student aid packages to prospective students; a million students do not know where or whether they will be able to attend college this fall; and 23 percent of our Nation's colleges are planning to push back their May 1 deadline for students to decide which college to attend.

II. The Department has mismanaged the congressionally mandated anti-default initiative, which is designed to terminate high-default schools from Federal student loan programs.

Although the law requires the Department to decide institutional appeals within 45 days, the Department failed to meet this requirement. In an effort to get rid of its 1992 backlog, the Department threw in the towel and accepted whatever default rate a school claimed for itself, without investigation. As a result, schools with default rates of as high as 24 percent now boast single digit official rates for fiscal year 1992. Incredibly, there is still a backlog of 400 appeals of rates calculated for 1990 and 1991!

As a result, students at high-default institutions have remained eligible for student loans—loans which have a high

probability of defaulting, burdening taxpayers with millions of dollars in unnecessary costs. The Department's default rate for 1993 for high risk schools was so flawed that it had to be withdrawn and reissued in February 1996.

III. The Inspector General severely criticized the cost effectiveness of the Department's efforts to encourage defaulters to consolidate their defaulted loans into direct lending's income contingent repayment.

The Inspector General estimated this flawed initiative could cost taxpayers \$38 million.

IV. Failure of the Department's contractor to post information received from guaranty agencies on a timely basis has resulted in thousands of defaulted borrowers having their income tax refunds wrongly withheld.

In addition, these individuals have been subjected to Federal collections efforts despite the fact that they had entered into satisfactory repayment arrangements with their guarantor.

V. The National Student Loan Data System, mandated by Congress in 1986 and only implemented by the Department in 1995, is so flawed that it has erroneously calculated school default rates and cannot be relied upon for its basic function of determining student's eligibility for grants or loans.

What does this woeful litany of mismanagement mean?

It means that the Department of Education has used poor judgment in developing its computer systems and overseeing its contractors.

It means that its current management is incapable of performing essential technological functions which it had been performing successfully for a number of years.

It means that the taxpayer will be unnecessarily burdened with additional costs incurred because of the Department's inability to manage.

It means that millions of students and their parents are, at the very least, extremely inconvenienced by the Department's inability to generate information essential to awarding of student financial aid on a timely basis. And in far too many cases, a student's entire future—whether or not he/she attends college—may be jeopardized by the Department's mismanagement.

And it means that it would be foolhardy to trust the Nation's largest student financial assistance program—student loans—to the same Departmental officials that have in the past few months mismanaged every major contract and system for which they have been responsible.

This debate is about what is the best way of delivering student loans—whether through a Federal bureaucracy, or through a private-public partnership. While I believe very strongly that the latter will prevail in the long run, the compromise that the President would not allow simply called for leaving things where they are, and not expanding this program further.

We should not be allowing the administration to go forward with its grandiose plans for taking over the student loan program with its own untested, costly direct government lending program. The administration's direct loan program is more Federal bureaucrats, more Government spending, and a more costly program. The administration wants this massive, new bureaucracy to replace the current bank-based student loan program.

By not including a cap on this experimental program in this omnibus appropriations bill we are trusting the Department of Education to distribute, account for, and collect billions of dollars in student loans. This is the same Department that is currently causing students across the country to have to worry needlessly about their financial aid awards because the Department was unable to manage the processing of the forms.

We should be stopping this insanity today. A reasonable cap of 40 percent on direct lending would have forced the Department to slow down and pay attention to all the student aid programs, not just direct lending—hopefully avoiding a repeat of the trauma which is facing students now during the application cycle. Unfortunately, this reasonable approach was lost along the way.

President Clinton's pronouncements in his State of the Union Address notwithstanding, the era of big government continues.

Mr. KOHL. Mr. President, there is no excuse for the Congress to have delayed the fiscal 1996 budget this long. But thankfully, the high stakes game of political chicken is finally over. After closing the Government on two occasions, passing 13 separate stop-gap funding bills, and waiting a full 7 months beyond the start of the budget year, Congress will finally pass the 1996 spending bill.

This \$160 billion measure funds the programs from five separate appropriations bills throughout the rest of this fiscal year. I will vote for the bill because it demonstrates that, when we work as a bipartisan majority, we can do what America has been asking us to do for a long time: cut the budget while protecting priorities like education, health care, and the environment. With this plan, overall Federal spending will be cut by \$23 billion. However, \$5 billion for health, education, environment, and job training programs has been restored under this measure.

Because some were intent on trying to score political points this year rather than finishing our budget in a timely fashion, important programs for education, public health and job training and safety had been left in precarious funding situations since October 1, the beginning of the fiscal year. State labor departments were hampered in their ability to help those affected by plant closings. Head Start administrators wondered if they would have to close doors in the middle of their pro-

gram year, negating recent gains from this early intervention program. And it looked like Americorps would be killed before the benefits from this promising community service program were ever realized.

But no cuts would have had a more detrimental and long-term effect than the proposed cuts in education. I say this as a strong advocate of balancing the budget. To get to that goal, I know we have to consider cuts in programs we support. And I am willing to do so in every area—except education. The drastic cuts in education initially proposed would have set our Nation back in the attempt to build a work force needed to lead our economy into the 21st Century.

During negotiations with the House, the Senate and the administration insisted on basing overall education funding on the levels contained in the Senate bill—that is, funding at least at last year's level. As a Member of the Appropriations Committee, I have fought for the Senate education levels. With the diligent leadership of Senators HATFIELD, BYRD, SPECTER, and HARKIN, the Senate position on education prevailed.

The title I education program, our largest contribution to schools across the country to help teach disadvantaged kids, has been funded at \$7.2 billion. This is a full restoration to last year's level. Safe and drug free schools, a program granting schools the resources they need to curb drugs and violence and create a productive learning environment, is funded at last year's amount of \$466 million. GOALS 2000 will be funded at \$350 million, \$22 million less than 1995, but enough to allow States and school districts to continue in their efforts to pursue effective education benchmarks. I am very pleased to say that the School to Work Program, which helps kids obtain technical skills critically needed in today's work force, received a \$105 million increase.

Although these levels may not seem like a huge victory, just take a look at what could have been, and what would have been, had the Senate and the President caved to extremist policies. The House proposed cutting title I education by almost \$1 billion; Goals 2000 was completely eliminated as was the State student incentive grant program; \$266 million was slashed from the Safe and Drug Free Schools Program; vocational education was cut \$83 million; and, school to work cut \$55 million.

These levels would have had dire consequences for Wisconsin's education system. Wisconsin was originally slated to lose \$28 million in education resources—including over \$1 million in cuts to Goals 2000, almost \$2 million in cuts to safe and drug free schools, over \$4 million in vocational education cuts, and an unsustainable \$20 million cut in title I, the money that goes to our most disadvantaged young students. This bill today prevents these short-sighted education cuts.

Other programs important to the future of Wisconsin received needed investments under this bill. The Ryan White AIDS programs received a \$105 million increase from last year. This total includes \$52 million directed to the AIDS drug reimbursement program so that States may better meet demands for breakthrough drugs. Healthy start, which funds a promising demonstration program in Milwaukee aimed at preventing infant mortality, was restored to \$93 million, or \$43 million above the House cut. Funding was added back to the mental health block grant, which provides resources to help adults and children with severe mental illness and emotional disturbance. Dislocated worker assistance and the Summer Youth Employment Program were also restored under the bill.

Mr. President, this bill is much more than a day late, but at least it's not billions of dollars short on education. Although I am disappointed with some provisions of the bill, I am pleased that our efforts to restore the investment in education prevailed.

I am also pleased that the most egregious antienvironmental riders have been either eliminated or modified in this bill. Further, I am pleased that a significant portion of the funding for environmental programs has been restored. While overall fiscal constraints will undoubtedly become more severe in the coming years as we take the steps necessary to move toward a balanced budget, I think we should take a closer look at our priorities for discretionary spending. In my view, spending on the environment, as an investment in our future, should be a priority.

There are some aspects of this bill with which I am much less happy. I am very disappointed that this budget fails to fund an adequate amount of crime prevention—programs that can reach young people before they are lost to a life of crime. Last fall, a bipartisan Senate agreed to shift \$80 million into crime prevention programs like Weed & Seed, the Boys and Girls Clubs, and DARE—only about one-quarter of what was authorized by the 1994 Crime Act for prevention in 1996. As we started on a new version of the budget this spring, a separate bipartisan vote of the full Appropriations Committee again set aside \$80 million for a broad range of local crime prevention—less than 5 percent out of the \$1.9 billion local law enforcement block grant.

Despite these votes, and continuing bipartisan support on the Senate side, our \$80 million in crime prevention funding was quietly stripped out of this legislation, leaving only a small increase for Weed & Seed and the Boys and Girls Clubs, and entirely neglecting those areas that do not have one of these programs. After all these months, we are shut out—and so are all of the young people who are looking for a little help in their efforts to get off the streets and stay out of prison.

The 1994 Crime Act authorized a reasonable 80 percent to 20 percent split between law enforcement and prevention. But this budget wipes out almost

all prevention funding. As any professional in the juvenile justice system will tell you, that is a big mistake.

I am also disappointed with the conferees' action on agricultural credit. The fiscal year 1996 agriculture appropriations bill was completed by Congress and signed by the President in a timely manner last year, and therefore we have not needed to include regular agriculture funding in any of the continuing resolutions. However, there is an agricultural credit provision in this bill, which seeks to rectify a credit provision of the recently passed farm bill that I believe is very unfair.

The farm bill provision in question essentially prohibits farmers from receiving USDA loans or loan guarantees if they ever had their debts restructured. During the 1980s, the Federal Government actively encouraged farmers to restructure and write down their debts. Now the new farm bill tells farmers that they are barred from getting more loans if they took that advice, even if they are creditworthy today. In my mind, that's close to a breach of contract.

A number of us in this body have cosponsored a bill S. 1690, introduced by Senators CONRAD and GRASSLEY, that would provide some short-term relief for farmers that have been caught by this mid-stream change of policy by delaying implementation of these unfortunate credit eligibility provisions for 90 days.

Further, as a member of the Agriculture Appropriations Subcommittee, I have also been working with others to try to craft language to be included in this continuing resolution to resolve this matter. While there is a provision included in the bill to try to provide some relief, I believe that it is far too narrow because it doesn't address the plight of farmers with farm ownership loans that have been approved, but not yet obligated. Even under the credit provision included in this bill, those farmers will be denied those loans that they had previously been promised. To address this problem, 11 Senators recently signed a letter asking for the necessary revisions to the provision. I am discouraged that these efforts were rejected.

All in all, I think this bill is a victory for fiscal sanity and a victory for education, health care, and the environment. Unfortunately, the battle went on too long and extracted too high a price—the uncertainty for Federal fund recipients, the Government shutdowns, the partisan budget negotiations, and the divisive parliamentary maneuvering around the 13 continuing resolutions. We should strive for a similar end next year. But let's hope that our means of getting there is more sensible, more bipartisan, and more productive.

NATIONAL COMMISSION ON RESTRUCTURING THE IRS

Mr. KERREY. Mr. President, I want to compliment the work of the distinguished Senator from Alabama, Mr. SHELBY, for securing the adoption of an amendment in the conference to mod-

ify the composition of the National Commission on Restructuring the IRS, which was authorized in Public Law 104-52. This amendment increases to 17 the number of members of the Commission. With this change, Mr. President, I believe we can stop the logjam which we have found ourselves in and get the majority and minority leaders of both bodies and the President to make their appointments to this Commission in an expeditious manner. I would, however, like to take this opportunity to clarify two points with respect to the Commission with the distinguished subcommittee chairman, Mr. SHELBY. First, by increasing the number of Commission members to 17 under section 637(b)(2) of Public Law 104-52, we intended that the number of members to constitute a quorum under section 637(b)(4), would increase from seven to nine. Is that the Senator's understanding?

Mr. SHELBY. Yes, that is my understanding. Because we did not want to reopen the Treasury chapter in the conference, this technical change was not made, but it is certainly my intention as the subcommittee chairman that the Commission should honor our intent that nine members of the Commission will constitute a quorum.

Mr. KERREY. I thank the distinguished Senator for that clarification. Finally, I want to ask if it is the Senator's understanding we intended that the Commission not issue its report until after December 31, 1996?

Mr. SHELBY. Yes, that is my understanding.

Mr. KERREY. Again, I thank the distinguished Senator for all of his work on this important matter. In addition, I want to thank the distinguished majority and minority leaders and the President for their involvement in this issue and urge them to make their appointments to this Commission as quickly as possible.

ESTABLISHMENT OF A PEDIATRIC INTENSIVE CARE CENTER IN AN EMPOWERMENT ZONE ENCOMPASSING CAMDEN, NEW JERSEY

Mr. LAUTENBERG. Mr. President, I would like to bring to the chairman's attention, and to the attention of my esteemed colleague, Senator HARKIN, that Cooper Hospital/University Medical Center and its Children's Regional Hospital are the only acute care hospitals in the empowerment zone that encompass Camden, NJ. These hospitals provide critical services to the Camden community. Now they are proposing to establish a new pediatric rehabilitation center which will address a vital unmet need in the community. There are many worthy organizations seeking these empowerment funds; however, this project is expected to provide community based quality care for children from communities in the Camden area. I strongly suggest that this project be considered for empowerment zone funding.

Mr. HARKIN. I thank the Senator for bringing this matter to our attention. I

concur with his recommendation and underscore the value of such a facility. This project should certainly be considered for empowerment zone funding.

Mr. SPECTER. I agree with my distinguished colleagues and am encouraged by the significant contributions such a project can make. Consideration should be given to the establishment of the pediatric intensive care center with empowerment zone funds.

UNIVERSAL NEWBORN HEARING SCREENING COLLOQUY

Mr. HARKIN. Mr. President, I would like to engage the chairman of the subcommittee, Senator SPECTER, in a colloquy. As you know, the Department of Health and Human Services recently issued a plan to improve the health of this country's citizens by the year 2000. Included in that plan, commonly referred to as the healthy people 2000 report, was a goal to reduce the average age at which children with significant hearing impairment are identified to no more than 12 months.

In March 1993, NIH convened a consensus panel on early identification of hearing impairments in infants and young children. That panel recommended that all children be screened for hearing impairment before they discharged from the birthing hospital. Unfortunately, at that time, few hospitals or audiologists and experience with the newborn hearing screening techniques which were recommended. Therefore, in October 1993, the Maternal and Child Health Bureau funded a consortium of sites who were experienced with NIH-recommended technique to encourage and assist with the implementation of the NIH recommendation. That consortium, with a relatively small amount of Federal money, has been extremely successful in assisting with the implementation of newborn hearing screening programs. Through their efforts, there are now over 70 hospitals in 14 different States doing universal newborn hearing screening following the NIH-recommended protocol.

Mr. SPECTER. I think the work of the consortium which you have described is the kind of work which is needed to continue universal newborn hearing screening consistent with the healthy people 2000 report and the NIH recommendations. I would support the continued funding of these activities by the Maternal and Child Health Bureau.

VISTA LITERACY CORPS

Mr. SIMON. Mr. President, I would like to clarify the intent of the conferees in regard to funding for the VISTA Program. It is my understanding that the conference agreement provides an additional \$2.1 million for VISTA and that this represents half of the \$5 million added by amendment in the Senate for the VISTA Literacy Corps. Is this correct?

Mr. SPECTER. The Senator is correct.

Mr. SIMON. Am I also correct in assuming that the conferees intend that

these funds may be allocated specifically to the efforts to combat illiteracy that have been carried out by the VISTA Literacy Corps?

Mr. SPECTER. The Senator is correct in his understanding of our intent.

Mr. SIMON. I thank the Senator and appreciate the support of the Committee for the effective work of the VISTA Literacy Corps.

DISASTER ASSISTANCE

Mr. DORGAN. Mr. President, I see the distinguished chairman of the Senate Appropriations Committee, Senator HATFIELD, on the floor and wonder if he would be willing to engage in a short colloquy with Senator CONRAD and myself on the disaster assistance section of the omnibus appropriations bill, H.R. 3019.

Mr. HATFIELD. I will be happy to respond to any questions you may have.

Mr. CONRAD. We are particularly concerned that the conference agreement does not explicitly mention that Devils Lake, ND, is eligible to receive disaster and hazard mitigation assistance from the Economic Development Administration, as was the case in the Senate-passed version of the bill.

Mr. DORGAN. Is it the Chairman's view that the ongoing and severe flooding problems at Devils Lake should be given serious consideration for EDA assistance under the terms of this agreement?

Mr. HATFIELD. That was the position of the Senate, and these severe problems remain eligible for some assistance under this agreement.

Mr. DORGAN. We thank you for your help on this extremely urgent matter for North Dakota, and sincerely appreciate your views as chairman of the Appropriations Committee.

Mr. CONRAD. I also thank the chairman, and sincerely appreciate all his assistance.

SMALL AIRPORT USER-FEE PROGRAM

Mr. COHEN. I am concerned that section 107 of this bill, which lifts the cap on the amount of funds that may be expended on a customs service program for small airports, could lead to abuse of this program and unfair competition.

Under current law, all large airports, such as Bangor International Airport, which are designated ports of entry, must charge passengers \$6.50 per ticket to pay for the cost of customs inspection and processing. In 1984, Congress established a program for small airports that could not qualify for port-of-entry status to enable them to provide customs services to international passengers. Passengers arriving at airports that qualify for this program do not pay the \$6.50 fee. Instead, a user-fee airport pays a user fee directly to the Customs Service, which goes into an account that pays the salaries of the customs inspectors and the cost of customs inspections and other services at the user fee airport. By law, the Secretary of the Treasury may only qualify an airport to participate in this user-fee program upon finding that the

volume or value of business cleared through such airport is insufficient to justify the availability of customs services at such airport.

Guidelines published by the Customs Service provide that airports with over 15,000 international passengers annually, or which meet other criteria, can qualify for port-of-entry status. By implication, airports receiving more than 15,000 passengers annually should not qualify for the user-fee program because they have sufficient volume to justify full-time customs' services. Unfortunately, there is no mechanism under current law for automatic graduation of user-fee airports into port-of-entry status. This loophole enables airports designated by the Secretary as a user-fee airport to service substantial numbers of international passengers, but circumvent the \$6.50 per passenger fee that must be paid by passengers arriving at port-of-entry airports. Unless the law is changed, airports with user-fee status, that nonetheless enter the business of large-scale international transit, have a built-in competitive advantage over port-of-entry airports that must charge each passenger \$6.50.

I would like to ask the Chairman of the Finance Committee for his comments on this situation.

Mr. ROTH. I agree that there appears to be a significant loophole in the current law that should be closed regarding user fee airports. We need to ensure that the advantages of the user-fee program benefit the small airports it is designed to help and not give an unfair and unintended advantage to big airports that remain in the program.

Therefore, I think we need to find a way to discourage user fee airports that have a substantial increase in the number of international passengers from remaining in the user-fee program and to encourage their designation as a port of entry, which is appropriate for larger airports. Otherwise, a user fee airport could receive an unfair competitive advantage over port-of-entry airports merely by avoiding the \$6.50 passenger processing fee on airline tickets, as the Senator from Maine has pointed out.

Ms. SNOWE. I thank the distinguished chairman of the Finance Committee for his comments. As the chairman may be aware, this is a critical issue for the State of Maine, as abuse of the user-fee program by airports that no longer qualify for that program have the potential of causing severe economic harm to Bangor International Airport, one of Maine's most important employers. If this abuse of the program is permitted to continue, flights that currently refuel and clear Customs in Bangor could decide to move their refueling operations to Canada, where the Government heavily subsidizes fuel costs at competing transit airports. Those flights could then continue on to Sanford Airport in Florida, a user-fee airport that has been able to gain an unfair competitive advantage because it can offer to international charter flights the ability to

avoid the \$6.50-per-passenger fee that must be paid by port-of-entry airports such as Bangor. Indeed, there can be little doubt that this diversion of air traffic will occur, as, according to press reports, Sanford Airport is scheduled to receive 325,000 passengers during the remainder of the year, a level far above the 15,000-passenger threshold for user-fee airports. I am very concerned that the expansion of the user-fee program, made possible by the lifting of the funding cap in this appropriations bill, will create an immediate threat to Bangor International Airport's business and have the unintended effect of diverting to a Canadian airport important international air traffic that currently uses American transit airport facilities.

Can the chairman of the Finance Committee provide assurances that this problem will be dealt with as expeditiously as possible and that he will support a legislative remedy to close the loophole that currently provides user-fee airports engaged in substantial international business to circumvent the \$6.50 per passenger fee?

Mr. ROTH. I am sensitive to the imminent problems facing Bangor International Airport as a result of the loophole in the user-fee airport program. I assure you that I will provide whatever help I can to ensure that the customs laws provide a level playing field for all airports that receive significant numbers of international passengers.

TONGASS LAND MANAGEMENT PLAN

Mr. MURKOWSKI. Mr. President, the language agreed to by the conferees and the President directs the Secretary to: first, maintain the land base of the 1992 Tongass Land Management Plan—1.7 million acres—for timber for 1 year; and second, release the enjoined AWRTA sales. The President may waive either or both of these requirements. If he so chooses, he triggers a \$110 million appropriation over 4 years—fiscal years 1996–99—for timber worker employment, community development, and to replace lost timber sale receipts.

I want to extend to my colleague, Senator STEVENS, well deserved credit for protecting the people of southeast Alaska and penalizing the administration for not meeting its obligations under the Tongass Timber Reform Act of 1990 to sustain the timber dependent communities of southeast Alaska. And I want to thank all of my colleagues, particularly Senator HATFIELD and Senator GORTON, for standing by us in the fact of Clinton administration recalcitrance, ignorance about the conditions in Alaska, and extreme prejudice about sustainable forest management.

Like the Sierra Club earlier this week, the Clinton administration appears opposed to any forest management on the national forests. I suppose this should not be terribly surprising, given the high number of former Sierra Club lobbyists in the Clinton administration. At least the current lobbyists at the Sierra Club had the honesty to

publicly announce their total opposition to all timber harvesting.

I am going to be equally candid. My bottom-line goal over the next year is going to be to make it as difficult and painful as possible for the administration to complete its draft Tongass Land Management Plan preferred alternative and suspend the 1.7 million acre land base requirement that we have just enacted. It would unacceptably reduce the productive forest land base and throw workers out of jobs and families in the streets. The draft TLMP contains alternatives that maintain the 1.7 million acre land base and allowable sales quantity. One of these alternatives can and should be selected.

Let me make a few additional points so that there is no confusion about what we are doing today and so that all of my colleagues have a complete context for the current and coming debate. And the debate will definitely continue.

The purpose of today's amendment is to penalize the Clinton administration for failing to meet its multiple use obligations under the Tongass Timber Reform Act of 1990, and to make it as difficult as possible for the administration to shirk these obligations in the future.

The administration has been—and, under our amendment, will continue to be—required to seek to meet market demand for Tongass forest products and thereby protect southeast Alaska communities under the provisions of the 1990 act.

All along, what we have wanted to do was to protect the forest land base so a sustainable industry and associated communities can exist in southeast Alaska. We can't make the administration—particularly this administration—manage the forest. Our hope is that we can at least protect the landbase, and to the greatest extent possible we have done this.

In my oversight of the Forest Service's development of a new Tongass Land Management Plan I have been flatly appalled by: first, the lack of sound scientific information involved in the effort; second, the poor credibility of the socio-economic impact analysis conducted; third, the offering of more multiple-use promises that can't be kept; and fourth, the rush to complete this effort which is, in part, politically driven. Indeed, the White House press office's statement today that the President would use the suspension, without even consulting with the Forest Service is evidence of crass politicization of the resource agency. Last week, we had an 8-hour hearing on this draft plan. Here are the transcripts; I would be happy to share them with anyone who wants to read them to see how little the Forest Service knows about the resources and the people of the Tongass.

The TLMP uses voodoo economics to evaluate the effects of weird science employed to justify Greenpeace politics in southeast Alaska.

We will proceed with our oversight of the TLMP process to continue to press the Forest Service to do a professionally credible job in developing a final plan.

This is important because nothing requires the Forest Service or the President to ignore the requirements of common sense and multiple use and reduce the forest land base. There are TLMP alternatives which would maintain the land base.

The challenge today's amendment lays before Bill Clinton is to manage a Federal forest resource wisely to protect the environment, provide jobs, and sustain communities without falling back as a substitute to the old, large Federal grants programs of the past. We sincerely hope the President doesn't rely on a failed policy of large Federal grants to shore up a failed policy of forest preservation that has reduced the health of our forests nationwide.

The challenge to Phil Janik, our regional forester, is to get a lot better data before he selects an approach which costs the taxpayers \$110 million. But at least the people of southeast Alaska will not be penalized if he fails to meet this responsibility.

Janik is a \$110 million man. His decisions, if not wisely made, will take \$110 million from the U.S. Treasury, assuming the administration does not eliminate his authority to make a decision.

Mr. DOLE. Mr. President, we have just passed in the last hour and a half the Omnibus Appropriations Act for fiscal year 1996. I think we have dealt a big blow to the era of big government. My view is the Americans—whether Republicans, Democrats or Independents—wanted us to make changes, and we have delivered a true victory for all of America's taxpayers.

We have saved \$23 billion over last year's level of discretionary spending. That is \$23 billion less Washington spending, and \$30 billion less than the President requested. That is a lot more savings than many people predicted. I think we probably could have done more had we had a little more time. It is the biggest decrease in Washington spending in more than half a century, according to some who have been around.

It has been a long and difficult process and has taken a lot of bipartisanship in many cases, working with the White House in other cases, but it covers five separate appropriations bills, nine Cabinet agencies, and appropriates over \$160 billion.

There has been a lot of back and forth with the White House. A lot of negotiations. A lot of give and take. Both sides had to give a little. Certainly nobody got everything they wanted in the final version of this bill.

But what the American people got was a spending bill that is \$23 billion less than last year and \$30 billion less than President Clinton's request. We did our duty for the taxpayers of America.

If we maintain our path of savings, we will stay on path to a balanced budget in 2002.

We will continue to follow through on our promise for smaller Government, less Washington spending, and letting America's working families keep more of their hard-earned money.

There is also good news in other parts of this bill. For instance, the "stop-fril" language will help stop frivolous inmate litigation. This much-needed legislation makes it harder for inmates to sue States and localities on prison conditions—like the prisoner who sued because he wanted "Reebok" brand tennis shoes instead of the "Converse" brand shoes provided by the prison.

Some 33 States have estimated that frivolous lawsuits cost them more than \$55 million annually. We are doing something about that in this bill.

I also want to say a word about the funding restriction on Vietnam in this legislation. I am disappointed the certification standard was changed from "fully cooperating" to "cooperating in full faith" in this conference report. This is an issue of great importance to many Members of Congress, including myself. I know some voted against the entire bill because of this provision. It is also very important to me. The administration was successful in including this change, but Congress will continue to monitor cooperation on POW/MIA issues very closely—regardless of the certification standard.

I want to thank the chairman of the Appropriations Committee, Senator HATFIELD, for his leadership, and also the distinguished ranking minority member, Senator BYRD, for his leadership, in putting together this historic legislation, as well as all the other Senators on the Appropriations Committee who worked so hard and so successfully on this legislation.

Mr. KEMPTHORNE addressed the Chair.

The PRESIDING OFFICER. The Senator from Idaho is recognized.

ENDANGERED SPECIES ACT

Mr. KEMPTHORNE. Mr. President, first, I would like to acknowledge the Senate Appropriations Committee chairman, Senator HATFIELD, for his efforts on bringing us to the point where we now have the appropriations bills resolved. Tough, tough assignment. Senator HATFIELD did it with a great deal of insight and skill.

Mr. President, I would like to make a few points concerning the language that is contained in the appropriations bill. I would like to reference the moratorium on the listing of the endangered species. I appreciated what the Senator from Texas, Senator HUTCHISON, stated in her comments. I also want to inform Members of the Senate as to the progress toward reform of the Endangered Species Act. The appropriations bill before us continues the moratorium language that has been in previous bills before this Congress. I remind all of us that the authorization of

the Endangered Species Act expired in 1993. Yet, the act continues. And it is not working.

It also contains a provision that allows the President to waive the moratorium in its entirety. I am concerned that the latter provision will bring a halt to real progress for Endangered Species Act reform.

When the Senate adopted the omnibus appropriations bill, which continued the moratorium, I was already in negotiations on Endangered Species Act reform with Senators CHAFEE and REID. Soon following that, Senator BAUCUS joined us in a very intensive effort in finding a way to reform the Endangered Species Act in a true bipartisan fashion. We have made significant progress in these talks.

Starting in each case with Senate bill 1364, the Endangered Species Conservation Act, which I have introduced, and its companion bills, S. 1365 and S. 1366, we have come to agreement on reform of conservation plans; we are near agreement on recovery; and will soon discuss listing and consultation. There are a number of other issues, no less important, that we are already discussing that are on the table as well.

As of this week, the U.S. Fish and Wildlife Service informs me that they have proposed 239 United States and foreign species for which they have not completed final action. I am told the National Marine Fisheries Service has no proposed rules outstanding at this time.

I want to provide you with a summary of the list of proposed species that could be immediately listed upon lifting of the moratorium, which the President may do.

I ask unanimous consent that this data provided by the Department of the Interior be printed in the RECORD.

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

STATE LISTS OF SPECIES PROPOSED FOR LISTING

The U.S. Fish and Wildlife Service has proposed 239 species for which they have not completed a final action (U.S. and Foreign as of October, 1995).

The National Marine Fisheries Service has no proposed rules outstanding at this time.

Most of the 239 FWS species are from California (>120) and Hawaii (79). Twenty-five other states have from 1 to 9 species proposed more than one year ago.¹ They are:

ALABAMA

Combshell, Cumberlandian (*Epioblasma brevidans*)
Mussel, oyster (*Epioblasma capsaeformis*)
Slabshell, Chipola (*Elliptio chipolaensis*)
Bankclimber, purple (*Elliptoides slootianus*)
Pocketbook, shiny-rayed (*Lampsilis subanguata*)
Gulf moccasinshell (*Medionidus panicillatus*)
Pigtoe, oval (*Pleurobema pyriforme*)
Eggert's sunflower (*Hellanthus eggertii*)

ALASKA

Elder, Steller's (AK breeding population) (*Polysticta stelleri*)

ARIZONA (9) NOTE: 8 ON MAP

Lizard, flat-tailed horned (*Phrynosoma mcalli*)
Talussnail, San Xavier (*Sonorella aremita*)
Parish's alkali grass (*Puccinella parishii*)
Spindace, Virgin (*Lepidomada mollispiris mollispiris*)
Jaguar, US population (*Panthera onca*)
Pygmy-owl, cactus ferruginous (*Glaucidium brasilianum cactorum*)
Salamander, Sonoran tiger (*Ambystoma tigrinum stebbinsi*)
Hauchuca water umbel (*Lilaeopsis schaffneriana* ssp. *recurva*)
Canelo Hills ladies'-tresses (*Spiranthes delitescents*)

ARKANSAS

Shiner, Arkansas River (native pop. only) (*Notropis girardi*)

CALIFORNIA (121) NOTE: 123 ON MAP

Sheep, Peninsular bighorn (*Ovis canadensis cremnobates*)
Lane Mountain (=Coolgarden) milk-vetch (*Astragalus jaegarianus*)
Coachella Valley milk-vetch (*Astragalus lentiginos* var. *coachellae*)
Shining (=shiny) milk vetch (*Astragalus lentiginos* var. *micans*)
Fish Slough milk-vetch (*Astragalus lentiginos* var. *Piscinansis*)
Sodaville milk-vetch (*Astragalus lantiginos* var. *sesquimetalis*)
Pairson's milk-vetch (*Astragalus magdinae* var. *pairsonii*)
Triple-ribbed milk-vetch (*Astragalus tricarinaris*)
Braunton's milk-vetch (*Astragalus brauntonii*)
Conejo dudleya (*Dudleya abramsii* ssp. *parva*)
Marcascent dudleya (*Dudleya cymosa* ssp. *marcencans*)
Santa Monica Mountains dudleya (*Dudleya cymosa* ssp. *ovatifolia*)
Verity's dudleya (*Dudleya verityi*)
Lyon's pentachaeta (*Pentachaeta lyoni*)
Hartweg's golden sunburst (*Pseudobahia bahifolia*)
San Joaquin adobe sunburst (*Pseudobahia peirsonii*)
Fleshy owl's-clover (*Castilleja campestris* ssp. *succelenta*)
Hoover's spurge (*Chamaesyce hooveri*)
Colusa grass (*Neostaplia colusana*)
San Joaquin orcutt grass (*Orcuttia inequalis*)
Hairy (=pilose) orcutt grass (*Orcuttia pilosa*)
Slender orcutt grass (*Orcuttia tenuis*)
Sacramento orcutt grass (*Orcuttia visida*)
Green's orcutt grass (*Tuctoria greenii*)
Del Mar manzanita (*Arctostaphylos glandulosa* ssp. *crassifolia*)
Encinitis baccharis (=Coyote brush) (*Baccharis vanessae*)
Orcutt's spineflower (*Chorizanthe orcuttiana*)
Del Mar sand aster (*Corethrogyne filaginifolia* var. *linifolia*)
Short-leaved dudleya (*Dudleya blochmaniae* ssp. *bravifolia*)
Big-leaved crownbeard (*Verbesina cissita*)
Lizard, flat-tailed horned (*Phrynosoma mcalli*)
Splittail, Sacramento (*Pogonichthys macrolepidotus*)
Frog, California red-legged (*Rana aurora draytoni*)
Whipsnake, (=striped racer) Alameda (*Masticophis lateralis euryxanthus*)
Butterfly, Callippe silverspot (*Speyeria callippe callippe*)
Butterfly, Behren's silverspot (*Speyeria zerene behrensi*)
Parish's alkali grass (*Puccinellia parishii*)
Stabbins morning glory (*Calystegia stubbinsii*)
Pine Hill ceanothus (*Ceanothus roderickii*)
Pine Hill flannelbush (*Fremontodendron decumbens*)
El Dorado bedstraw (*Callum californicum* ssp. *sierrae*)

¹ These lists were made from a Department of Interior list and map. Discrepancies between the list and the map in the number of proposed species in each State are shown.

- Layne's butterweed (*Senecio layneae*)
 Grasshopper, Zayanta band-winged (*Trimerotropis infantilis*)
 Beetle, Santa Cruz rain (*Pleocoma conugens conjugens*)
 Beetle, Mount Hermon June (*Polyphyllia barbata*)
 Jaguar, U.S. population (*Panthera onca*)
 Butterfly, Quino checkerspot (*Euphydryas editha quino*)
 Skipper, Laguna Mountains (*Pyrgus rurlis lagunae*)
 Fairy shrimp, San Diego (*Branchinecta sandiegoensis*)
 Cuyamaca Lake downingia (*Downingia concolor* var. *brevior*)
 Parish's meadowfoam (*Limnanthes gracillis* ssp. *parishii*)
 Rawhide Hill onion (*Allium tuolumnense*)
 San Bruno Mountain manzanita (*Arctostaphylos imbricata*)
 Chinese Camp brodiaea (*Brodiaea pallida*)
 Carpenteria (*Carpenteria californica*)
 Mariposa pussy-paws (*Calyptridium pulchellum*)
 Springville clarkia (*Clarkia springvillensis*)
 Greenhorn adobe-lily (*Fritillaria striata*)
 San Francisco lessingia (*Lessingia germanorum* var. *germanorum*)
 Mariposa lupine (*Lupinus citrinus* var. *deflexus*)
 Kelso Creek monkey-flower (*Mimulus shevockii*)
 Plute Mountains navarretia (*Navarretia setiloba*)
 Red Hills vervain (*Verbena californica*)
 Munz's onion (*Allium munzii*)
 San Jacinto Valley crownscale (=saltbush) (*Atriplex coronata* var. *notator*)
 Thread-leaved brodiaea (*brodiaea filifolia*)
 Navarretia few-flowered (*Navarretia leucocephala* ssp. *pauciflora*)
 Navarretia, many-flowered (*Navarretia laucocephala* ssp. *pleantha*)
 Lake County stonecrop (*Parvisadum leiocarpum*)
 Suisun thistle (*Cirsium hydrophilum* var. *hydrophilum*)
 Soft bird's-beak (*Cordylanthus mollis* ssp. *mollis*)
 Hoffmann's Rock-crass (*Arabis hoffmannii*)
 Santa Rosa Island manzanita (*Arctostaphylos confertiflora*)
 Island barberry (*Barberis pinnata* ssp. *insularis*)
 Soft-leaved paintbrush (*Castilleja mollis*)
 Catalina Island mountain-mahogany (*Cercocarpus traskiae*)
 Santa Rosa Island dudleya (*Dudleya blochmaniae* ssp. *insularis*)
 Santa Cruz Island dudleya (*Dudleya nesiotica*)
 Island bedstraw (*Galium burifolium*)
 Hoffmann's gilla (*Gilla tenuiflora* ssp. *hoffmannii*)
 Island rush-rose (*Helianthemum greenii*)
 Island alumroot (*Heuchera maxima*)
 San Clemente Island woodland-star (*Lithophragma maximum*)
 Santa Cruz Island bush-mallow (*Matacothamnus fasciculatus* var. *nesioticus*)
 Santa Cruz Island malacothrix (*Malacothrix indecora*)
 Island malacothrix (*Malacothrix squalida*)
 Island phacelia (*Phacelia insularis* var. *insularis*)
 Santa Cruz Island rockcress (*Sibara filifolia*)
 Santa Cruz Island lacepod (=fringe-pod) (*Thysanocarpus conchuliferus*)
 Munchkin dudleya (*Dudleya* sp. nov. *fined* "East Point")
 Black legless lizard (*Anniella pulchra nigra*)
 Sonoma alopecurus (*Alopecurus awqualis* var. *sonomensis*)
 Johnaton's rock-cress (*Arabis johnstonii*)
 Pailid manzanita (*Arctostaphylos pailida*)
 Bear Valley sandwort (*Arenaria ursina*)
- Clara Hunt's milk-vetch (*Astragalus clarianus*)
 Coastal dunes milk-vetch (*Astragalus tener* var. *titi*)
 White sedge (*Carex albida*)
 Ash-gray Indian paintbrush (*Castilleja cinerea*)
 Vine Hill clarkia (*Clarkia imbricata*)
 Gowen cypress (*Cupressus goveniana* ssp. *goveniana*)
 Southern mountain wild buckwheat (*Eriogonum kennedyi* var. *austromontanum*)
 Pitkin Marsh lily (*Lilium partalinum* ssp. *pitkinense*)
 Yaden's piperia (*Piperia vadenii*)
 Callstoga allocarya (*Plagiobothrys strictus*)
 San Bernadino bluegrass (*Pos atrorubra*)
 Napa bluegrass (*Poa napensis*)
 Hickman's potentilla (*Potentilla hickmanii*)
 Kenwood Marsh checkermallow (*Sidalcea oregana* ssp. *valida*)
 California dandelion (*Taraxacum californicum*)
 Hidden Lake bluecuris (*Trichostema austromontanum* ssp. *compactum*)
 Showy Indian clover (*Trifolium amoenum*)
 Monterey (=Del Monte) clover (*Trifolium trichocalyx*)
 San Diego thornmint (*Acanthomintha liciifolia*)
 Laguna Beach liveforever (*Dudleya stolonifera*)
 Otay tarweed (*hemizonia conjugens*)
 Willowy monardella (*Monardella linoides* ssp. *viminea*)
 Nevil's barberry (*Berberis nevinii*)
 Vail Lake ceanothus (*Ceanothus ophiocylus*)
 Mexican flannelbush (*Fremontodendron mexicanum*)
 Dehasa bear-grass (*Nolina interrata*)
 COLORADO (1) NOTE: 0 ON MAP
 Jaguar, US population (*Panthera onca*)
 FLORIDA
 Mussel, fat three-ridge (*Amblema naisterii*)
 Slabshell, Chipola (*Elliptia chipolaensis*)
 Bankclimber, purple (*Elliptodeus sloatianus*)
 Pocket, shiny-rayed (*Lampsilis subanguata*)
 Gulf, moccasinshell (*Medionidus penicillatus*)
 Ochlockonee, moccasinshell (*Medionidus simpsonianus*)
 Pigtoe, oval (*Pleurobema pyriforme*)
 GEORGIA
 Mussel; fat three-ridge (*Amblema neisterii*)
 Bankclimber, purple (*Elliptodeus sloatianus*)
 Pocket, shiny-rayed (*Lampsilis subanguata*)
 Gulf moccasinshell (*Medionidus penicillatus*)
 Ochlockonee, moccasinshell (*Medionidus simpsonianus*)
 Pigtoe, oval (*Pleurobema pyriforme*)
 HAWAII
 Wahane (=Hawane or lo'ulu) (*Pritchardia aylemer-robinsonii*)
 Amaranthus brownii (plant-no common name)
 Lo'ulu (*Pritchardia remota*)
 Schledde verticillata (plant-no common name)
 Delissea undulata (plant-no common name)
 Kuawawaenohu (*Alsinidendron lychnoides*)
 'Oha wal (*Clermontia drepanomorpha*)
 Mapele (*Cyrtandra cyaneoides*)
 Hau kuahiwi (*hibiscadelphus gitfanianus*)
 Hau kuahiwi (*hibiscadelphus hualalensis*)
 Kokl'o ke'oke'o (*Hibiscus waimeae* ssp. *hannerae*)
 Kaua'i Kokl' o (*Kokia kauaiensis*)
 Alani (*Melicope zahibuckneri*)
 Myrsine llinearifolia (plant-no common name)
 Neraudia ovata (plant-no common name)
 Kiponapona (*Phyllostegia racemosa*)
 Phyllostegia velutina (plant-no common name)
 Phyllostegia warshaureri (plant-no common name)
 Hala pepe (*Pleomela hawaiiensis*)
 Loulu (*Pritchardia napallensis*)
 Loulu (*Pritchardia schattaueri*)
- Loulu (*Pritchardia viscosa*)
 Schiedea membranacea (plant-no common name)
 'Anunu (*Sicyos alba*)
 Nani wai 'ale 'ale (*Viola kauaiensis* var. *wahiauaensis*)
 A'e (*Zanthoxylum dipetum* var. *tomentosum*)
 Aisinodendron viscasum (plant-no common name)
 Haha (*Cyanea platyphylla*)
 Haha (*Cyanea recta*)
 Oha (*Dollsea rivularis*)
 Phyllostegia knudsenii (plant-no common name)
 Phyllostegia wawrana (plant-no common name)
 Schiedea helleri (plant-no common name)
 Lailiillilhi (*Schleda stellarioides*)
 Haha (*Cyanea remyi*)
 Hau kuahiwi (*Hibiscadelphus woodii*)
 Kamakahala (*Labordia rivularis*)
 Haha (*Cyanea grimesiana* ssp. *grimesiana*)
 Pu'uka'a (*Cyperus trachysanthos*)
 Ha'iwale (*Cyrtandra subumbellata*)
 Ha'iwale (*Cyrtandra viridiflora*)
 Fosberg's love grass (*Eragrostis fosbergii*)
 Aupaka (*Isodendron laurifolium*)
 Kamakahala (*Labordia cyrtandrae*)
 'Anaunau (*Lepidium arbuscula*)
 Kotea (*Myrsine juddii*)
 Lau 'ehu (*Panicum nilheuense*)
 Platanthera holochila (Plant, no common name)
 Schiedea hookeri (Plant, no common name)
 Schiedea nuttallii (Plant, no common name)
 Trematolobelia sinoularis (Plant, no common name)
 Viola cabuansis (Plant, no common name)
 Achyranthes mutica (Plant, no common name)
 Haha (*Cyanea dunbarii*)
 Ha 'lwale (*Cyrtandra dentata*)
 'Oha (*Delissea subcortata*)
 'Akoko (*euphorbia haelaeleana*)
 Aupaka (*Isodendron longifolium*)
 Lobelia gaudichaudii ssp. *koolauensis* (Plant, no common name)
 Lobelia monostechya (Plant, no common name)
 Alani (*Melicope saint-johnii*)
 Phyllostegia hirsuta (Plant, no common name)
 Phyllostegia parviflora (Plant, no common name)
 Loulu (*Pritchardia kaatae*)
 Sanicula purpurea (Plant, no common name)
 Ma 'oli 'oli (*Schiedae kealiae*)
 Kamanomano (*Cenchrus agrimonoides*)
 Haha (*Cyanea* (=Rollandia) *humboldtiana*)
 Haha (*Cyanea* (=Rollandia) *st-johnii*)
 Lysimachia macima (=tenmifolia) (Plant, no common name)
 Schladea kavalsensis (Plant, no common name)
 Schladea sarmentosa (Plant, no common name)
 'Akoko (*Chamaesyca herbstii*)
 'Akoko (*Chamaesyca rockii*)
 Haha (*Cyanea koolauensis*)
 Haha (*Cyanea acuminata*)
 Haha (*Cyanea longiflora*)
 Nanu (*Gardenia mannii*)
 Phyllostegia kallaensis (Plant, no common name)
 ILLINOIS
 Snake, northern copperbelly water (*Nerodia erythrogaster neglecta*)
 INDIANA
 Snake, northern copperbelly water (*Nerodia erythrogaster neglecta*)
 KANSAS
 Shiner, Arkansas River (native population only) (*Notropis girardi*)
 KENTUCKY
 Snake, northern copperbelly water (*Nerodia erythrogaster neglecta*)

Elktoe, Cumberland (*Alasmidonta atropurpurea*)
 Combsshell, Cumberlandian (*Epioblasma brevidans*)
 Mussel, oyster (*Epioblasma capsaeformis*)
 Rabbitsfoot, rough (*Quadrula cylindrica strigillata*)
 Eggert's sunflower (*Hellanthus eggertii*)
 LOUISIANA
 Jaguar, US population (*Panthera onca*)
 MAINE
 Atlantic salmon (*Salmo salar*) distinct pop. in seven Maine rivers.
 MICHIGAN
 Snake, northern copperbelly water (*Nerodia erythrogaster neglecta*)
 MONTANA (1) NOTE: 0 ON MAP
 Parish's alkali grass (*Puccinellia parishii*)
 NEVADA (2) NOTE: 1 ON MAP
 Sodaville mild-vetch (*Astragalus lentiginosus* var. *Piscinensis*)
 Spindace, Virgin (*Lepidomeda mollispinis mollispinis*)
 NEW MEXICO
 Parish's alkali grass (*Puccinellia parishii*)
 Spindace, Virgin (*Lepidomada mollispinis mollispinis*)
 Jaguar, US population (*Panthera onca*)
 OHIO
 Snake, northern copperbelly water (*Nerodia erythrogaster neglecta*)
 Snake, Lake Erie water (*Nerodia sipadon insultarum*)
 OKLAHOMA
 Shiner, Arkansas River (native population only) (*Notropis girardi*)
 OREGON
 Golden paintbrush (*Castilleja levisetta*)
 TENNESSEE
 Elktoe, Cumberland (*Alasmidonta atropurpurea*)
 Combsshell, Cumberlandian (*Epioblasma brevidans*)
 Mussel, oyster (*Epioblasma capsaeformis*)
 Rabbitsfoot, rough (*Quadrula cylindrica strigillata*)
 Bean, Purple (*Villosa perpurpurea*)
 Spring Creek badderpod (*Lesquerella perforata*)
 Eggert's sunflower (*Hellanthus eggertii*)
 TEXAS (4) NOTE: 7 ON MAP
 Salamander, Barton Springs (*Eurycea sosorum*)
 Jaguar, US population (*Panthera onca*)
 Shriner, Arkansas River (native population only) (*Notropis girardi*)
 Pygmy-owl, cactus ferruginous (*Glaucidium brasillanum cactorum*)
 UTAH
 Spindace, Virgin (*Lepidomada mollispinis mollispinis*)
 Least chub (*Lotichthys phlegethontis*)
 VIRGINIA
 Combsshell, Cumberlandian (*Epioblasma brevidans*)
 Mussel, oyster (*Epioblasma capsaeformis*)
 Rabbitsfoot, rough (*Quadrula cylindrica strigillata*)
 Bean, Purple (*Villosa perpurpurea*)
 WASHINGTON
 Golden paintbrush (*Castilleja levisetta*)

Mr. KEMPTHORNE. Mr. President, most of the 239 species are from California and Hawaii; 25 other States have from 1 to 9 species proposed each. If I may, I would like to just reference this chart and show you a sampling of what we are talking about.

In the State of California, you see ready to be listed 123 species. In Ha-

waii, there are 79. In State of Arizona, 8. Texas, 7 species. Alabama, 8. Georgia has 6. Florida has 7. Tennessee has 7 species. Kentucky has 6 species.

I am concerned that the President will decide to waive the moratorium. I am concerned for the people whose lives will be affected by an additional 239 species being placed on the list. These people, and those species, would fall victim to a law that does not work.

If this language passes, I urge the President to not waive the moratorium language. I hope that he will agree with me that it is better to consider these species for listing under a new reformed bill that we have worked together to create. In 23 years, since the Endangered Species Act first became law, we have made significant progress in science that has been identified, and techniques that have been utilized, and in management practices.

I remind the President that if there are species that are in imminent danger of extinction, he can still use the emergency authority to list them. Rather than exercise the waiver, I believe the administration would be wiser to accelerate negotiations with Congress on a comprehensive reform of the Endangered Species Act.

Now, should the President choose to waive the moratorium on these 239 species, there are other considerations. I think under the current law we can expect these newly listed species to be the subject of many lawsuits. The \$4 million that we have provided to accomplish emergency listing activities, to manage petitions, and deal with existing lawsuits would soon be totally exhausted. Waiving the moratorium would leave us worse off than before.

I met with my negotiating partners this week. We made a commitment to continue our talks. We have made a commitment that we are going to do everything possible to reach a reformed Endangered Species Act that will have bipartisan support. I sincerely hope the possible lifting of the moratorium on listings will not change that commitment. Now I urge all of the Members of the Senate to join Senators CHAFEE, BAUCUS, REID, and myself, in reforming the Endangered Species Act this year. This is a task we must accomplish so that endangered and threatened species can be protected for future generations and, also, so that future generations will have the quality of life that goes with a strong economy. We can and, I believe with all sincerity, we will save species without putting people and their communities at risk.

DISASTER RELIEF

Mr. President, contained in the omnibus bill is disaster relief for a number of States that have experienced recent disaster. In the State of Idaho, in February, 10 of the northern counties were deemed national disasters because of the onslaught of flooding. As of yesterday, Mr. President, 6 of those 10 counties have, once again, by the Governor of Idaho, been declared disasters because the rains, once again, are hit-

ting. In a 24-hour period, one river rose 4 feet. So, once again, we are right back in it. Therefore, these funds are so critical and the timing of this is absolutely important.

While we can rebuild and we can put back into place the infrastructure for these communities, and while people can see their homes restored, I have to point out that one of the other provisions that was lost in this omnibus bill is the fact that we no longer have the timber salvage language in there. They dropped the Senate additions made during the March conference.

I can show you in the State of Idaho miles upon miles the acres of blackened forest from forest fires. We simply wanted to get in there and be able to remove up to 10 percent of the dead trees because there is still economic value in those trees. We also wanted to remove them because they simply become new fodder for future forest fires.

That is what that language provided. It also provided jobs to the people that live in those areas that have been so devastated by the floods. Yes, we will rebuild the infrastructure. But I do not know what kind of a future is upon us now.

That is one of the implications of the passage of this omnibus bill. It concerns me deeply. And, therefore, again I urge all Members of the Senate, let us work together to find a solution to this so that we, the stewards of this land, can demonstrate our love and appreciation for this environment but also so that a good, strong environment also can produce a good, strong economy. They are not mutually exclusive.

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

DEPARTMENT OF DEFENSE INFRASTRUCTURE COSTS

Mr. GRASSLEY. Mr. President, I would like to speak briefly about Department of Defense [DOD] infrastructure costs.

DOD is expected to spend \$152 billion in fiscal year 1996 on infrastructure. Infrastructure dollars are spent to maintain the bases, facilities, and activities that house and sustain the Armed Forces. They support costs.

The General Accounting Office [GAO] has just completed a report on DOD infrastructure costs. The report was prepared by one of GAO's best analysts, Mr. Bill Crocker.

The GAO's findings are truly amazing. Despite four rounds of base closures since 1988 and dramatic cuts in the force structure, there are no savings. DOD infrastructure costs are going up—not down.