

you go on back to the Senate of the United States on the 8th and 9th, OK, take care of those small business men and women, up to \$13 billion in terms of additional kinds of help and support; OK, take care of those small businesses—and many of those provisions I will support—but do not go in and carve out the millions and millions of Americans who otherwise would have participated in an increase in the minimum wage.

I am grateful for this agreement, and I thank the Senator from South Dakota, the Democratic leader, who has been the leader on this issue as in so many other issues and with his leadership has really brought us to this place where at last we will have an opportunity to vote on this matter.

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

#### NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 1997

The Senate continued with the consideration of the bill.

Mr. THURMOND. Are we ready to vote?

Mr. LIEBERMAN addressed the Chair.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. LIEBERMAN. Mr. President, I would like, in responding to the chairman, to now—

Mr. THURMOND. Has the Senator proposed the amendment yet?

Mr. LIEBERMAN. We have not, and if it is OK with the chairman, I would like to go ahead and introduce the amendment now.

#### AMENDMENT NO. 4156

(Purpose: To provide for a quadrennial defense review and an independent assessment of alternative force structures for the Armed Forces)

Mr. LIEBERMAN. Mr. President, I call up amendment No. 4156 to the Department of Defense authorization bill and ask for its immediate consideration.

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

The legislative clerk read as follows:

The Senator from Connecticut [Mr. LIEBERMAN], for himself, Mr. THURMOND, Mr. COATS, Mr. ROBB, Mr. MCCAIN, Mr. NUNN, Mr. INHOFE, Mr. KEMPTHORNE, Mr. WARNER, Mrs. HUTCHISON, Mr. SANTORUM, Mr. MURKOWSKI, Mr. LEVIN, Mr. FORD, and Mr. BOND, proposes an amendment numbered 4156.

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

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

The text of the amendment is printed in today's RECORD under "Amendments Submitted."

Mr. LIEBERMAN. I thank the Chair.

Mr. President, as previously discussed, this is the amendment which would provide for both an in-the-Pentagon-and-outside-the-Pentagon, under

the Secretary of Defense, national defense panel review of our national security structure to answer basic questions: What are the threats to our national security in the coming decades, and how can we best meet them? It is an attempt to get out of the box, get out of the day-to-day here and look forward, over the horizon, so that we are ready to face and meet whatever threats to our security exist, and to do so in the most cost-effective way.

Mr. President, I appreciate the broad bipartisan support for the amendment, including the statement from the chairman of the committee, Senator THURMOND. I believe my cosponsor, the Senator from Indiana, who spoke only briefly before, does have further comments.

I do want to indicate to my colleagues here that Senator COATS and I do intend to ask for a rollcall vote on this. We do not expect the debate will be long, but we do hope to do so sometime soon this afternoon.

I look forward to the debate and I yield the floor.

The PRESIDING OFFICER. The Senator from Indiana.

Mr. COATS. Mr. President, America's preeminence in the world is accompanied by the opportunity and burden of leadership to shape the international community. I have been somewhat perplexed that our concerns with national defense are often no broader than the level of defense spending, which we generally debate only during the annual authorization and appropriation cycles. It is incumbent that we consider the scope of the demands and expectations placed on our military in support of America's role in shaping the work today, and through the next century. Included are the fundamental issues of our national security interests, the nature of future conflicts, and the most appropriate military strategy for which the Department of Defense should develop its military capabilities. These considerations must be made deliberately, not by default. Failing to do so will lead the United States to react, rather than control, events in the next century.

The actions we take on the defense authorization bill will fundamentally influence our national security strategy and force structure well into the next century. Properly done, these decisions will be a powerful investment in the future. Unfortunately, there is widespread consensus—both in and out of the Pentagon—that the administration's 1993 Bottom Up Review strategy is not the strategy America needs to guide its military into the 21st century. The strategy has been chronically underfunded, with shortfall estimates ranging anywhere from \$50 to \$150 billion. There is great skepticism with the two major regional conflict [MRC] yardstick that undergirds the Pentagon force planning. And, perhaps most disquieting, is the BUR's implicit assumption that the nature of future conflicts will closely resemble those of

the past. The effects of misinvesting in a strategy that has lost its relevance are immense.

Congress has done its best to reconcile the sizable disconnect between the BUR's requirements to fight and win two nearly simultaneous MRC's and the funding needed to execute such a strategy. But, while Congress has supported the military in sustaining readiness, in modernizing for the future, and in holding the line against additional force structure cuts in order to meet the BUR requirements, the administration has accused Congress of pork barrel politics. When Congress has tried to rectify serious funding shortfalls in programs at the urgings of senior military leaders, the administration has accused Congress of contributing to inefficient defense spending. The political gamesmanship over issues crucial to America's national security has created such hyperbole that the merits in investing defense dollars today for an uncertain future tomorrow confuse most Americans. I have serious concerns over the impact this political spin may ultimately have a public support for our troops.

In an era of competing budget priorities, an expanding continuum of military operations, the uncertainty of future threats and emerging new technologies, we can ill afford a business as usual approach on investing in our future defense. Senator LIEBERMAN, myself, and a host of cosponsors have worked in a bipartisan effort to ensure that the Defense Department and Congress will make only the most prudent investments in defense. Through this amendment—a review of the Armed Forces force structure—we intend to do more than affect the next military strategy and its resultant force structure. In establishing an independent, nonpartisan National Defense Panel, prominent defense experts will assess alternative force structure strategies in light of future threats, emerging technologies, required capabilities, and a broad continuum of military operations that may be likely in the future. The National Defense Panel's assessment will be far more comprehensive than previous force structure assessments, and will explore innovative, forward-thinking ways of meeting future national security challenges. The complete assessment will provide alternatives to a singular military strategy and its resultant force structure that will, in turn, enable Congress, the Defense Department, and the American public to better consider the level of defense spending our Nation requires in support of its national interests.

The National Defense Panel will also assist the Defense Department as it undertakes its quadrennial strategy review over the next year. The Department's Quadrennial review, while more narrow in focus, will examine force structure, modernization plans, infrastructure, defense policies and other elements of the defense program to develop a new defense strategy replacing the Bottom Up Review.

A salient feature of this amendment is that it will challenge current thinking about defense. Senator LIEBERMAN and I, along with the cosponsors of this amendment, share the concern that the tendency to focus on immediate issues has distracted from the task of structuring the military to meet new operating environments, accommodate revolutionary changes in military technology and prepare for the possibility of entirely new kinds of threats and competitors. As Paul Bracken wrote in his 1993 article entitled "The Military After Next,"

The military posture for the next 20 years is conceptualized implicitly in terms of the problems of today, rather than in terms of deeper forces that reflect both the changing character of war and the military transformation taking place in the world. Immediate U.S. problems are characterized by deep military budget cuts, regional contingencies, "messy operations" [such as Bosnia, Haiti and Somalia] and a substantial military capacity inherited as a legacy from the Cold War. All of these are worthy of attention. But, if anything is certain, it is that in 20 years the current budget crisis, the regional strategy . . . will be forgotten as new problems of national security and international order appear.

Although our Nation still faces a range of current threats, we must not let current threats lead us into assuming that incremental improvements to our military will be sufficient to deal with the range of scenarios we may face in the 21st century. Our country has a strong tendency to defer revolutionary changes in favor of these incremental improvements. The BUR strategy of fighting 2 MRC's is a prime example, taking the Desert Storm model and geographically tailoring it to future scenarios. But it is not an adequate guide for future innovation. We can no longer afford to conveniently fit current situations to existing planning and resource allocation processes. Doing so will yield a defense program geared to the most familiar threats, as opposed to those most likely to occur.

In closing, I would submit that the familiar path of the past—as convenient as it may be—will not necessarily lead us to the future we wish to shape. The review of the Armed Forces force structures amendment before us now will provide Congress and the Defense Department with comprehensive analysis addressing a range of force structures and capabilities appropriate for future threats. It is our hope that, ultimately, this amendment will serve to further public and congressional debate over the priority our Nation should place on its defense. Our Nation must have confidence in its military strategy, must provide for the capabilities our Armed Forces require to perform the missions expected of them, and must understand and accept the risks of doing otherwise. I urge the support of this amendment—it is a major step forward toward smarter defense planning and investing, and enjoys wide bipartisan support from Members throughout the Senate.

Mr. President, let me state this is the culmination of some effort on the part of the Senator from Connecticut, who has taken the lead in this effort, myself, and a number of other members of the Armed Services Committee who are concerned that we are not adequately addressing some of the major questions that need to be addressed in preparing a strategy and setting a program in place relative to our national security needs for the next century. The next century sounds like a long way away, but it is only 3½ years. In fact, it is actually the next millennium. It is almost difficult to comprehend.

As history has shown, civilizations have been weakened and even collapsed, and mighty armies and navies have been defeated because they were rooted in the wars of the past. They were rooted in the procurement of weapons to fight those wars based on what worked before, not what they might need in the future.

None of us has a crystal ball that can tell exactly what will constitute an adequate national security apparatus and national defense in the future. Yet we need to examine the questions about the kinds of threats and the nature of those threats that we will be faced with in the future.

We are in the midst of a technology explosion that obviously is impacting on warfare. We had a glimpse of that explosion and what it means during our viewing of the Persian Gulf war on "CNN Live." There were remarkable pictures of a war in progress and a demonstration of what technology can do in terms of changing the terms of warfare. I am sure the nation of Iraq thought it was amply prepared to successfully defend its aggressive takeover of Kuwait, only to find itself hopelessly, not outmanned, but outsmarted, from a technological standpoint. No nation is going to make that mistake again. No aggressor is going to make that mistake again. Future aggressors will contemplate about what it is going to take in the future to encounter the United States. The conflicts we face in the future will be much different from those we have encountered in the past.

We need to take advantage of the remarkable research, development, time and ability to bring new technologies to bear in terms of our armed services and our national defense. Unfortunately, it seems the Congress is locked into a "what do we need right now" mentality. We do our thinking and spending and planning in 1-year increments, 2 years at best. As a result, it seems we are measuring on the basis of what we did last year, and trying to make a decision on what incremental changes we can adjust to for the future years. Basically what we do is make incremental changes.

The Pentagon is well aware of this problem, and they are attempting to address this through a strategy called the quadrennial review. That takes a 4-year look and it coincides with the pos-

sibilities of each administration, each new administration. But we need to look beyond that. To do so, we are asking the Pentagon to address a number of issues of concern to us, and establish an independent review panel to give us certain assessments. The results of these assessments will provide us with a better, broader body of knowledge with which to evaluate the potential threats, with which to evaluate the potential strategies—and I use the plural, not the singular use of the word—which we might employ to deter or counter those threats and on which we can make procurement decisions, research decisions, and allocate the increasingly scarce dollars available for our national defense. This was less of a problem in the 1980's because we had ample funds available from which to take advantage of many different alternatives and select the one which best fit. We do not have that luxury now. We do not have anywhere near that luxury. Defense is now in its 12th straight year of decline in terms of budget allocations. The military has been scaled back nearly 40 percent in just about every category. We have to make decisions on the basis of a far smaller margin of error.

In that regard, having a broader assessment of our potential threats, our potential responses to those threats, is going to allow us to make better decisions to spend those dollars more wisely. That is really what this amendment is all about.

I was pleased to have the opportunity to work with the Senator from Connecticut and with others of my colleagues on the Senate Armed Services Committee. I am pleased this amendment has a growing list of bipartisan—nonpartisan—support. I think a year from now we are going to be in the midst of a process which is going to give us some very relevant information from which we can base decisions that are extremely critical to our future. So I am pleased to be a coauthor and a cosponsor of this amendment.

With that, I observe we might be prepared, unless the managers are aware other Senators are coming to the floor to speak, to move to a vote.

I believe it is appropriate to ask unanimous consent the pending amendments be set aside. I am not exactly sure what the parliamentary request needs to be in order to bring this amendment up.

Mr. LIEBERMAN addressed the Chair.

Mr. COATS. Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. LIEBERMAN. Mr. President, it was my understanding the pending amendments had been set aside and this amendment was now the pending business. Is that correct?

The PRESIDING OFFICER. The Senator is correct.

Mr. LIEBERMAN. Mr. President, after consultation with the chairman

of the committee, I ask unanimous consent that, when the vote occurs on this amendment, it occur by rollcall and the rollcall be held at 5 this afternoon, with no second-degree amendments in order.

Mr. THURMOND. Mr. President, we have no objection.

The PRESIDING OFFICER. Is there objection to the vote occurring at 5 o'clock and that no second-degree amendments be in order?

Without objection, it is so ordered.

Is the Senator seeking the yeas and nays?

Mr. LIEBERMAN. I was about to do that. I was going to ask when a vote be taken it be taken by the yeas and nays.

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

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

Mr. MCCAIN. Mr. President, I rise as an original cosponsor of an amendment to require a much-needed new assessment of future U.S. military force structure requirements. In March of this year, I released a paper which called for a new study of our national security strategy and the military force structure that supports our strategy. If adopted, this amendment will ensure that the Department of Defense and the Congress work together to create a flexible U.S. military force structure capable of adapting effectively to meet the ever-changing challenges of the 21st century.

Very briefly, let me summarize the amendment. First, it would require the Secretary of Defense to provide a report to Congress on the quadrennial defense review, which is expected to be completed in the spring of 1997. The QDR is the Secretary's effort to reassess our current strategy and force structure and is intended to form the basis of our military planning through the year 2005. The amendment would require the Secretary to consider certain specific issues in his review.

The amendment would also provide for two separate, independent assessments of the quadrennial defense review, to ensure that the Congress has a full understanding of the assumptions and conclusions of the QDR.

One assessment would be done by the Chairman of the Joint Chiefs of Staff and provided to Congress with the QDR. This provision is included in the amendment because it is essential that we have the views of our professional military leaders as we determine the future of our military strategy and force structure for the next century.

Another assessment of the QDR would be undertaken by an independent, nonpartisan National Defense Panel, which the amendment would establish. The Panel would also be charged with developing a variety of alternative proposals for force structures and budgets, using analyses and information acquired from the Department of Defense, the Joint Staff, and

other agencies. The Panel would focus on developing a longer term assessment than the QDR, through the year 2010 and beyond, where possible. The Panel's assessment of the QDR and alternative proposals would also be provided to Congress.

Mr. President, the amendment enjoys broad bipartisan support among Senators with experience in defense issues. The principal cosponsors are Senators LIEBERMAN, COATS, and ROBB, joined by others of our colleagues.

Mr. President, we crafted this amendment in recognition of the pressing need for a full reassessment of our military force structure in light of the changing realities of the post-cold war world. In the past 5 years, since the collapse of the Soviet Union, our Armed Forces have shrunk from a force of 2.1 million active duty personnel to approximately 1.4 million people today. While these reductions were being implemented, the Pentagon has conducted two evaluations of the organization, composition, and equipment requirements of our smaller force in light of the changing realities of the post-cold war world. The results are contained in the Bush administration's "Base Force" and Clinton administration's "Bottom Up Review" assessments.

Both assessments were laudable early efforts to adjust the post-cold war world, and both served an important purpose in focusing attention on the need to reevaluate the military posture of the United States. But neither were truly innovative approaches to a comprehensive, critical review, and reshaping of our strategy and military forces. In fact, the Bottom Up Review was a top down directive, shaped largely by budget targets established before the exercise began and by strategy and force goals that then-Congressman Aspin had developed a year earlier.

The pending amendment seeks to address many of the concerns expressed by Congress and national security experts alike about the last attempt to conduct a strategic review. The amendment is also driven by the recognition, just 3 years after completion of the Bottom Up Review, that the swift pace of global change has created the need for a new and fundamental reassessment of the force structure of the Armed Forces required to meet threats to the United States in the 21st century.

First, the amendment would require a comprehensive assessment of potential threats to our future security, which is an essential element of determining our future military force requirements. The amendment specifically identifies several categories of potential threats to our future security, both near- and long-term, which must be addressed in any strategic review. These threats include:

The continuing proliferation of weapons of mass destruction and means to deliver them, as well as the transfer of technology relating to such weapons,

Conventional threats across a spectrum of conflicts, which would include the rise of radical Islamic fundamentalism and other political extremist movements,

The vulnerability of our information systems and other advanced technologies to nontraditional threats,

Domestic and international terrorism, and

The potential emergence of a major challenger in the future.

The amendment would specifically direct the independent National Defense Panel to analyze each of these threats and provide an assessment of the challenges posed to our future security. The Panel would also provide its comments with respect to the threat assessment underlying the quadrennial defense review, thus ensuring that all foreseeable future threats are examined and considered in the review.

Second, the amendment would ensure that both the quadrennial defense review and the Panel's independent assessment consider some very important issues which were not fully addressed in connection with the Bottom Up Review. Let me take a moment to mention several of the explicit instructions contained in this amendment:

The amendment requires a full analysis of the potential impact of allied cooperation and mission sharing on U.S. force size and structure.

It requires a clear explanation of assumptions about levels of acceptable risk in conflict scenarios and force levels.

It also requires a clear statement of the assumptions about warning time for future conflicts and planning for simultaneous or nearly simultaneous conflict scenarios.

It requires a full assessment of the impact of preparing for and participating in peace operations and military operations other than war on force structure requirements in likely conflict scenarios.

It requires a detailed description of anticipated future technology advancements and their impact on force size and organization.

It requires an analysis of manpower and sustainment policies, Reserve versus active component mix, tooth-to-tail ratio, and airlift and sealift requirements for the future.

These specific guidelines will result in a more thorough and detailed review of the military capabilities required to meet future threats.

Finally, this amendment recognizes the inadvisability of predetermining future Defense budgets before conducting an analysis of our security requirements—a significant flaw of the Bottom Up Review. The amendment would require that a topline funding projection be developed for each scenario-driven force structure plan developed by the Panel. It would also require the Panel to independently assess the validity of the budgetary requirements reported by the Secretary of Defense

for his quadrennial defense review. In this way, the Department of Defense and the Congress will be able to consider both security requirements and affordability when reviewing alternative force structure options.

Mr. President, this last point is very important. We cannot ignore fiscal reality in military planning, but we must never acquiesce to demands for reduced defense spending regardless of the threats to our national security.

Because of the cuts in defense spending over the last 12 years—a nearly 40-percent reduction in real, inflation-adjusted terms, we now face a significant gap between our overall force plans and the resources available to implement them. Independent assessments of the cost of the Bottom-Up Review force show that it exceeds the funding levels dedicated by the Clinton administration in the Future Years Defense Program by \$150 to almost \$500 billion. As a result, we have had to make a series of Hobson's choices among defense priorities. We have had to choose among cutting force strength, maintaining readiness, or funding force modernization. The result has been reductions in all three areas.

The Republican-led Congress has added more than \$18 billion to the defense budget in the past 2 years, but even this amount has not slowed the too-rapid decline in defense spending. The fact remains that our rising Federal debt and ongoing efforts to achieve a balanced Federal budget will continue to put enormous pressures on Federal spending.

Mr. President, this amendment will help us determine the appropriate level of funding to ensure our Nation's security in the next century. This amendment would ensure both the Department of Defense and the independent National Defense Panel conduct a thorough assessment of the threats we are likely to face, take a realistic look at potential future conflict scenarios, and provide alternatives for an effective military posture together with credible budget estimates. With the information this amendment would make available, the Congress and the administration could work together to ensure that our future national security requirements will be met while, at the same time, recognizing appropriate fiscal constraints.

Mr. President, let me take just a moment to thank Senator LIEBERMAN for taking the lead in putting this amendment together. I particularly want to thank John Lilley, who has left Senator LIEBERMAN'S staff for a more lucrative position in the private sector. He worked very closely with my staff and with the staffs of the other principal cosponsors of the amendment, and he is to be commended for his diligence and fairness in addressing all of our concerns.

Mr. President, in closing, the fast pace of change in our world requires that we create and maintain a flexible military force for the future, which

will be able to adapt quickly to the changing requirements of our future security. It is now time to undertake a thorough and innovative effort to reassess our military force structure and the national security strategy that it supports. This amendment would ensure that all aspects of national security planning are thoroughly assessed in formulating recommendations for our future military force structure. I urge my colleagues to support the amendment.

Mr. FORD. Mr. President, I am happy to join my cochairman of the Senate National Guard Caucus in cosponsoring the amendment by Senators LIEBERMAN, COATS, ROBB, and MCCAIN to review the Armed Forces force structure.

Just a few years ago, Congress approved the establishment of the Roles and Missions Commission. However, many of us were very disappointed with the Commission's findings, because those findings were clearly written with a bias against the National Guard.

Mr. President, the authors of this amendment have worked with Senator BOND and myself to make sure that the National Defense panel established by this legislation considers the Guard and Reserve without prejudice. To accomplish this, the amendment directs the "review is to involve a comprehensive examination of defense strategy to include Active, Guard, and Reserve components."

Just a few months ago, the chairman of the Readiness Subcommittee, Senator MCCAIN, along with the ranking member Senator GLENN, held a hearing on the readiness requirements of the National Guard and Reserve forces. At that time, the General Accounting Office presented information that Senator BOND and I found to be either out of date or simply inaccurate. I ask unanimous consent that the letter Senator BOND and I sent to Senator MCCAIN be printed in the RECORD at the end of my statement.

The PRESIDING OFFICER. Without objection, it is so ordered. (See exhibit 1.)

Mr. FORD. Mr. President, the National Guard Caucus is very concerned by the determination of individuals within the Defense establishment to keep putting out negative information on the National Guard. The inaccurate and out-of-date information from GAO is just another example in a long string of misinformation.

It is my hope this report will be different—that it will be accurate. Because the sponsors of this amendment have assured me that it will, I join with my cochairman, Senator BOND, in cosponsoring this amendment.

#### EXHIBIT 1

U.S. SENATE,  
Washington, DC, April 29, 1996.

Hon. JOHN MCCAIN,  
Chairman, Readiness Subcommittee, U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: As Co-Chairmen of the Senate National Guard Caucus, we com-

mend you and Senator Glenn on your active roles in examining the readiness requirements of the National Guard and Reserve forces. We strongly support your efforts to provide sufficient resources to ensure that the nation has a capable and well trained military force. The Caucus remains convinced that, under the pressures of a reduced defense budget, the requirements to develop and produce modern replacement weapon systems coupled with a continued draw-down of our active forces, will result in an ever-increasing requirement for our nation to once again rely on part-time citizen soldier combat forces—the National Guard.

Over the past several years, the Caucus has attempted to identify those areas that are impediments to producing a combat ready National Guard which would be available in a timely manner to respond to major contingencies around the world. We are convinced that the recently-announced National guard proposal to convert and realign a large portion of the Guard combat divisions to meet other identified Army requirements, have gone a long way toward reaching that objective.

We do however have concerns regarding some of the material presented at your Subcommittee hearing by witnesses from the General Accounting Office. We believe this information to be out-of-date or otherwise inaccurate.

1. The GAO contended that the National Guard Enhanced brigades can't meet the 90-day readiness goal set for them in the current military strategy.

During Operation Desert Storm in 1990-91, the 48th Infantry Brigade was certified as combat ready in 91 days of which only 55 days were actually needed for training. This number is very close to their pre-mobilization estimate of up to 42 days.

2. The GAO testified that the brigades are having difficulty meeting the training goals set for their platoons.

Since the GAO did not indicate which brigades are supposedly having trouble, we can only say that the most up-to date information the Senate National Guard Caucus has indicates that the platoon goals of the Enhanced Brigades are being met ahead of time and some of the Enhanced Brigades are already operating at the battalion level.

3. The Roundout Brigades weren't ready in time "when they were needed" in Desert Storm.

The 48th Brigade from Georgia and the 155th of Mississippi had been replaced within their parent Division by active army units months before they were mobilized. The other brigade, the 256th from Louisiana rounded out an active duty army division that did not deploy. The major reason given by the Defense Department for not calling these units up earlier was the law at the time (10 USC 673) permitted only a 90 day call up with a 90 day extension and DOD felt at the time that the deployment would be for a longer period. As you are aware, Congress authorized a longer call up and these Brigades began mobilization on November 30, 1990. The brigades did not have to undergo six months of postmobilization training. The 48th had been validated as combat ready in 91 days (55 days of actual training). If the 48th had been mobilized when the Presidential Selected Reserve Call-up was authorized (August 22, 1990) and validated 91 days later (November 21, 1990), it could have deployed before the VII Corps began moving from the U.S. and Germany to Saudi Arabia.

4. Turbulence and turnover rates preclude reaching readiness goals and higher unit training.

This is the oddest GAO statement yet made and they obviously did not bother talking to anyone at the National Guard Bureau.

If the GAO had bothered to check their facts, they would have learned that the turbulence and turnover rates in the National Guard enhanced readiness brigades are generally well below those of comparable active Army units! It is incredible that the GAO does not know that turbulence in the military is not caused by promoting a loader in a tank crew to the position of driver in the same crew! Maybe the Director of the General Accounting Office ought to send his employees to Fort Knox to learn about how a tank crew operates before they are assigned to develop a report such as that provided to your Committee. Military units—Active or Reserve—need a certain amount of turnover; they cannot keep the same soldiers in the same job forever. American soldiers, whether in the National Guard or active Army units, seek additional responsibility and status that come with promotion. Units that don't have a healthy level of turnover stagnate and have over-age-in-grade problems.

5. Combat arms jobs, particularly armor and infantry, are too hard to do for reservists with only 38 days training each year so our reserve components should be limited to only those tasks that are similar to what the soldiers do in their civilian occupation.

The average Guardsman trains 45.1 paid days each year. Officers and NCOs are more likely to train more than 45.1 paid days. At the lower enlisted levels, combat arms jobs are no harder to train for than most support jobs such as positions in Engineer and Field Artillery units. Yet National Guard Field Artillery brigades were deployed to Desert Storm with minimal post-mobilization training and performed well. The Marine Corps reserve deployed tank battalions to Desert Storm and performed well.

6. The Reserve Component soldiers can do well only those tasks that are similar to their civilian jobs so their roles should be limited to support tanks.

Once again it is obvious that the GAO did not discuss this conclusion with the National Guard Bureau. Had the GAO checked with the Guard they would have learned that there is very little correlation between Reserve Component civilian skills and military duties; across the board, fewer than 20% of the Guardsmen and women in a particular military field do a similar job in civilian life. Here are some of the figures supplied to us by the National Guard Bureau: Aviators 14.8%; Military Police 19.4%; Truck Drivers 5.8%; Mechanics 16.9%; and Engineers 10.7%.

7. The GAO says it would take years to deploy all 15 Enhanced Brigades.

Since the GAO does not identify their source for this information, we think the Committee should take the information from responsible professionals at the United States Army Forces Command which is the responsible agency for developing plans to ensure that all Reserve Components are validated for deployment following mobilization. Their current plan, using only four post mobilization training sites, would deploy the first four brigades in 90 days or less and all 15 brigades in 180 days. Should additional sites be available and additional training resources be made available, potentially all 15 brigades could be deployed in 90 days or less. As to GAO's claim that there has been no analysis to justify the National Guard's 15 brigades and eight divisions, the only analysis that has been done to date (1993 Bottom-up Review) calls for the very force that exists today.

As the Defense Department forces are called upon to do more and more will less and less, the National Guard and Reserve will be required to perform their Federal missions with greater regularity. Military analysts agree that, in the near future, a spike in funding for the National Guard and

Reserves will be required in order to keep these forces adequately resourced. We raised these issues in order to highlight our concern over the funding, manning and utilization of our National Guard and Reserve forces nationwide.

We look forward to working with you and your staff during the year to ensure the National Guard remains a viable partner in the Total Force defense posture of the nation and remains more than capable of performing its state and Federal missions.

Sincerely,

CHRISTOPHER S. BOND.

WENDELL H. FORD.

The PRESIDING OFFICER. The Senator from Indiana.

Mr. COATS. Mr. President, I ask unanimous consent the pending business be temporarily set aside and I be allowed to speak in morning business for no longer than 5 minutes.

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

The Senator from Indiana is recognized.

Mr. COATS. I thank the Chair.

(The remarks of Mr. COATS pertaining to the introduction of S. 1904 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mr. COATS. Mr. President, I yield the floor.

Mr. MOYNIHAN addressed the Chair.

The PRESIDING OFFICER. The Senator from New York.

Mr. MOYNIHAN. Mr. President, I rise briefly to associate myself most emphatically with the remarks of the Senator from Connecticut and the Senator from Indiana in regard to the National Defense Panel to review of our defense needs. I ask unanimous consent that I be made a cosponsor of that amendment.

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

Mr. MOYNIHAN. Mr. President, I do so in the context of a commission created in the 103d Congress, the Commission on Protecting and Reducing Government Secrecy, which was established to review the whole pattern of the protection of the Nation's intelligence and defense secrets as we moved into a very different era from that from which we are clearly emerging.

The present regime for protecting secrecy in our country was basically put in place in a very few days, weeks at most, in the aftermath of the declaration of war on Germany in 1917. The Espionage Act of 1917 was introduced in the first week of April, 1917, as the United States entered the First World War, and is still in place, though an amendment passed the following year known as the Sedition Act—largely a revision of section 3 of the Espionage Act—was subsequently repealed.

In that same first week of April 1917, the Civil Service Commission presented to President Wilson a request for an Executive order on the question of the loyalty of Federal employees. Again, demonstrating a pattern, although one interrupted, that we see in our present situation—the arrange-

ments put in place near the beginning of the century remain in place today.

These are very considerable arrangements. Some 2,300,000 American civil servants have clearances for various levels of access to classified material. Some 850,000 persons in civilian employment in defense industries in the main are similarly cleared for classified material. The cost is very considerable, the issue is consequential.

We did deal at great length with the problem of espionage in this country during the First World War. The Central Powers and the Allied Powers were very much contending for American support. It is a known fact that the German Ambassador to this country brought with him on one of his trips \$150 million in Treasury bonds, the equivalent of \$1 billion today, to use for just that purpose. And it had its consequences.

During the 1930's, again, there were efforts of this kind from Hitler's Germany. Simultaneously, from the beginning of the establishment of the Communist Party in the United States, the Soviet Union had been involved in espionage activities, having as their most dramatic event the infiltration of the Manhattan Project. They successfully transferred to the Soviet Union the essential plans for the first atomic bomb. The Soviet Union had an atomic bomb about four years from the time that the United States did. It was almost, bolt for bolt, modeled on the original device tested at Alamogordo and the bomb that was dropped on Nagasaki, Japan.

The details of this espionage effort are just emerging as the Venona transcripts are being released by the National Security Agency. We feel in our Commission that we have been something of a catalyst with regard to the Venona release, and with it we are beginning to see just how much the United States was up against and how necessary some of these measures were. We also begin to ask ourselves whether they are still necessary in the face of a very different international setting today.

The Commission has a distinguished membership. I serve as Chairman; the Honorable LARRY COMBEST, the chairman of the House Permanent Select Committee on Intelligence is Vice Chairman; the Honorable John Deutch was originally appointed when he was Deputy Secretary of Defense, and continues to serve on the Commission in his role as Director of Central Intelligence.

We are finding, and I think the Senator from Connecticut will know this and will agree, that in the new world of electronic communication, the security of American encrypted messages is very much problematic, and the capacities of persons all over the world, for whatever reason, to break into the Pentagon files and intercept messages is almost difficult to comprehend for someone over the age of 30. We learned just yesterday in the New York Times

that a 16-year-old British youth with a small computer in his bedroom in North London was intercepting messages from American agents in North Korea, and there are several criminal prosecutions going on in the United Kingdom of that kind. How to deal with this entirely new set of challenges is the reason for establishing such bodies as the Commission on Protecting and Reducing Government Secrecy—and I think that the commission proposed here to inquire into the nature of our military defense needs in the future, with a larger view than the quadrennial review—is wholly in order. I am honored to be a cosponsor of the amendment. I hope the work of the Commission on Protecting and Reducing Secrecy might be of some utility to this commission, as it begins its work.

I thank the sponsors, and I yield the floor.

Mr. LIEBERMAN. Mr. President, I thank my friend and colleague, the Senator from New York, for joining me as a cosponsor and for his characteristic informed comments. He goes right to the heart of it.

The fact is that it was the experience of the commission with regard to the Nation's intelligence structure that worked in the 1970's that is the inspiration for that concept being included in this amendment. The work he is doing now in this area with this commission, I hope, will be considered by the panel convened under the amendment.

As the Senator indicates, changes that have occurred are extraordinary. Former Deputy Chief of Staff, Admiral Owens, who was very comfortable with the new technologies and very farsighted, said we are now at a point where our commanders can, for the most part now or on the verge in the very near future, can see the whole battlefield for miles ahead, around them, and in front of them. That has never been the case for people who have gone to war. This is because of these extraordinary not only satellites but helicopters, the unmanned aerial vehicles. The fact is at a given moment in real time today the commanders on the field—in fact, the heads of our military structure back at the Pentagon—can see exactly what is happening on the battlefield and be involved.

As the Senator indicated, the dependence we have on communication and information, the potential threats to current methods of encryption of our messages is exactly what I hope this commission will go at. The fact is that part of what we are asking it to do is look at the United States not as the world's great superpower, but from the perspective of one who would want to do us harm, and to begin to determine what are the points of vulnerability.

It may be, as Senator COATS indicated before, we are tremendously well defended to fight the last war, but some relatively weaker power than we may have the capacity to either break our communication systems or to shake up or incapacitate our informa-

tion systems in a way that renders us as weak, as if we had suffered a major conventional military defeat.

I want to thank the Senator for his support and for his right-on-target comments and the thought-provoking words that he spoke. I thank the Senator.

Mr. MOYNIHAN. I thank my friend.

Mr. NUNN. Mr. President, I want to commend Senator LIEBERMAN and Senator COATS for their leadership on this issue. The amendment they are offering, of which I am an original cosponsor, and which I worked with them on, will build upon the recommendations of the 1995 report on the Commission on Roles and Missions of the Armed Forces, that there be a quadrennial defense review.

Secretary Perry has decided to conduct that review. This would ensure that a number of important defense issues are addressed during the course of that review, and will establish a national defense panel that will play a key role in the defense review that would conduct its own forward-looking review of force structures.

I am reminded, Admiral Owens, former Vice Chairman of Joints Chiefs of Staff, in his testimony on the eve of his retirement, and in frank discussions with many of us, stated that he believed that the acquisition of new platforms such as planes, ships, and tanks, are far less important than the incorporation of new, forward-edge technologies and information systems and the platforms already in the military's inventory. He even stated that such technologies would permit cuts in existing platforms, in terms of numbers.

It is my belief and my hope that national defense panel would be able to chart a road forward for us that takes a look at, certainly, Admiral Owens' review, looks at contrary views to that, and makes some recommendations that would be a benefit to both the Congress and the administration. I urge adoption of the amendment.

Mr. LIEBERMAN. Mr. President, I note there is a minute or two remaining. I add this word to everything that has been said. In one sense, Senator COATS said this is an attempt to liberate the process from the inevitable instinct that institutions have to continue down the road they have been down before and to make sure that the roads that we are heading down are the right roads. I am talking not just about the Defense Department, but our institution, as well.

In one sense, what I hope will come out of this, both from within the Quadrennial Review and the National Defense Panel, is the continuing effort that certainly has been going forward under Secretary Perry with the various reforms to our procurement, the examination of ways in which to essentially outsource, to bring in, to privatize, to gain the economic benefits of these creative actions, to make sure that we have maximum dollars available to actually provide for our national defense.

In one sense, what we are asking for here—and it is a big order—is to do what in the private sector we call re-engineering the corporation, to go back and ask, if a piece of paper of the organizational structure and system in front of us was blank, what would we write on the paper to make sure we were fulfilling the goals that we have? I understand that is a big order in a system as historically successful and complicated as ours.

Essentially, what we are asking here in our national interest is that, together, we go back to first questions and say, what are the threats we are going to face to our security in the next century? If we could begin it all over again, how would we most effectively and efficiently meet those threats, and then to try, in the reality of the process, to get as close to that as we possibly can.

Again, I thank all of those who have spoken. I think it has been a very thoughtful and constructive debate. I cannot thank enough the broad group of bipartisan sponsors of this proposal, including, particularly, the chairman of the committee, Senator THURMOND, and the ranking Democrat, who I have occasionally burdened by referring to him as my mentor, the Senator from Georgia, Mr. NUNN.

I urge my colleagues to support the amendment. I thank the Chair and yield the floor.

The PRESIDING OFFICER. The hour of 5 o'clock having arrived, the question is on agreeing to the amendment of the Senator from Connecticut.

The yeas and nays have been ordered.

The clerk will call the roll.

The bill clerk called the roll.

The result was announced—yeas, 100, nays, 0, as follows:

[Rollcall Vote No. 169 Leg.]

YEAS—100

Abraham	Ford	Mack
Akaka	Frahm	McCain
Ashcroft	Frist	McConnell
Baucus	Glenn	Mikulski
Bennett	Gorton	Moseley-Braun
Biden	Graham	Moynihan
Bingaman	Gramm	Murkowski
Bond	Grams	Murray
Boxer	Grassley	Nickles
Bradley	Gregg	Nunn
Breaux	Harkin	Pell
Brown	Hatch	Pressler
Bryan	Hatfield	Pryor
Bumpers	Hefflin	Reid
Burns	Helms	Robb
Byrd	Hollings	Rockefeller
Campbell	Hutchison	Roth
Chafee	Inhofe	Santorum
Coats	Inouye	Sarbanes
Cochran	Jeffords	Shelby
Cohen	Johnston	Simon
Conrad	Kassebaum	Simpson
Coverdell	Kempthorne	Smith
Craig	Kennedy	Snowe
D'Amato	Kerrey	Specter
Daschle	Kerry	Stevens
DeWine	Kohl	Thomas
Dodd	Kyl	Thompson
Domenici	Lautenberg	Thurmond
Dorgan	Leahy	Warner
Exon	Levin	Wellstone
Faircloth	Lieberman	Wyden
Feingold	Lott	
Feinstein	Lugar	

The amendment (No. 4156) was agreed to.

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



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

Mr. LIEBERMAN. Mr. President, I would like to take this opportunity to give very special thanks to several individuals who worked very hard on the amendment providing for the study of alternative force structures for the Armed Forces. They spent many long hours amidst their very heavy workloads assisting their Senators and me in developing the concept of a bipartisan approach toward pointing our Armed Forces in the right direction for the 21st century.

In particular, I would like to thank Ann Sauer of Senator MCCAIN's office, Rick Debores of Senator NUNN's staff, Sharon Dunbar, a Brookings Institution Fellow working in Senator COATS' office, Bill Owens of Senator ROBB's office, and Stan Kaufman, a Brookings Fellow who works for me. Their dedication, expertise, professionalism and public service made me very proud to be associated with them. It has been a real pleasure being involved in such a successful bipartisan effort. In addition, I would also like to call out the exceptional responsiveness and quality advice we received from Charlie Armstrong of the Senate's Legislative Counsel's Office. When the staffers worked late into the evenings and over the weekends on this amendment, Charlie was right there for us.

But I would like to convey particular thanks to John Lilley, a former staffer of mine who recently left my employ to move on to a situation which could provide him more time to spend with his young family. When I originally conceived the idea of the alternative force study, it was John who was instrumental in developing the detailed proposals we have been discussing today and in working closely with the staff of the cosponsors in achieving a common approach. I will miss John's good counsel very much, and I wish him well in his future endeavors.

Mr. BYRD addressed the Chair.

The PRESIDING OFFICER. The Senator will withhold.

The Senate will come to order, please.

The Senator from West Virginia is recognized.

Mr. BYRD. Mr. President, I ask unanimous consent that the pending amendments be set aside that I may offer an amendment.

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

#### AMENDMENT NO. 4274

(Purpose: To provide for certain scientific research on possible causes of Gulf War syndrome; and to provide military medical and dental benefits for children of Gulf War veterans who have congenital defects or catastrophic illnesses)

Mr. BYRD. Mr. President, I send an amendment to the desk.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from West Virginia [Mr. BYRD] proposes an amendment numbered 4274.

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

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

The amendment is as follows:

At the end of title VII add the following:

#### SEC. 708. RESEARCH AND BENEFITS RELATING TO GULF WAR SERVICE.

(a) RESEARCH.—(1) The Secretary of Defense shall, by contract, grant, or other transaction, provide for scientific research to be carried out by entities independent of the Federal Government on possible causal relationships between the complex of illnesses and symptoms commonly known as "Gulf War syndrome" and the possible exposures of members of the Armed Forces to chemical warfare agents or other hazardous materials during Gulf War service.

(2) The Secretary shall prescribe the procedures for making awards under paragraph (1). The procedures shall—

(A) include a comprehensive, independent peer-review process for the evaluation of proposals for scientific research that are submitted to the Department of Defense; and

(B) provide for the final selection of proposals for award to be based on the scientific merit and program relevance of the proposed research.

(3) Of the amount authorized to be appropriated under section 301(19), \$10,000,000 is available for research under paragraph (1).

(b) HEALTH CARE BENEFITS FOR AFFLICTED CHILDREN OF GULF WAR VETERANS.—(1) Under regulations prescribed by the Secretary of Defense, any child of a Gulf War veteran who has been born after August 2, 1990, and has a congenital defect or catastrophic illness not excluded from coverage under paragraph (2) is eligible for medical and dental care under chapter 55 of title 10, United States Code, for the congenital defect or catastrophic illness, and associated conditions, of the child.

(2) The administering Secretaries may exclude from coverage under this subsection—

(A) any congenital defect or catastrophic illness that, as determined by the Secretary of Defense to a reasonable degree of scientific certainty on the basis of scientific research, is not a defect or catastrophic illness that can result in a child from an exposure of a parent of the child to a chemical warfare agent or other hazardous material to which members of the Armed Forces might have been exposed during Gulf War service; and

(B) a particular congenital defect or catastrophic illness (and any associated condition) of a particular child if the onset of the defect or illness is determined to have preceded any possible exposure of the parent or parents of the child to a chemical warfare agent or other hazardous material during Gulf War service.

(3) No fee, deductible, or copayment requirement may be imposed or enforced for medical or dental care provided under chapter 55 of title 10, United States Code, in the case of a child who is eligible for such care under this subsection (even if the child would otherwise be subject to such a requirement on the basis of any eligibility for such care that the child also has under any provision of law other than this subsection).

(c) DEFINITIONS.—(1) In this section:

(A) The term "Gulf War veteran" means a veteran of Gulf War service.

(B) The term "Gulf War service" means service on active duty as a member of the Armed Forces in the Southwest Asia theater of operations during the Persian Gulf War.

(C) The term "Persian Gulf War" has the meaning given that term in section 101(33) of title 38, United States Code.

(D) The term "administering Secretaries" has the meaning given that term in section 1072(3) of title 10, United States Code.

(E) The term "child" means a natural child.

(2) The Secretary of Defense shall prescribe in regulations a definition of the terms "congenital defect" and "catastrophic illness" for the purposes of this section.

Mr. BYRD. Mr. President, last Friday, the Department of Defense made a remarkable admission—as a matter of fact, it was a startling admission—regarding the possible exposure of some gulf war veterans to chemical warfare agents resulting from the destruction of Iraqi ammunition bunkers. In a widely covered news conference, Department of Defense spokesman Kenneth Bacon announced that between 300 and 400 U.S. soldiers were within 3 miles of a bunker complex when it was destroyed in March, 1991 and may have been exposed to mustard gas and sarin. U.N. inspectors have confirmed that the bunker complex contained rockets and artillery shells containing the chemical nerve agent sarin and the blister agent mustard gas.

Although none of these soldiers exhibited any symptoms associated with acute exposure to these chemical warfare agents, the Department of Defense announced that it would initiate research efforts into whether this exposure might have had long-term effects on the health of the soldiers.

I am concerned about the possible harm that might have been done to these 300 to 400 soldiers. I am even more concerned that they may only be the first drop in the bucket. Between 80,000 and 100,000 veterans are on the Department of Defense and Department of Veterans Affairs registry for gulf war veterans who suffer from a wide range of disabling symptoms collectively known as "gulf war syndrome." Some of these sufferers believe that they may have been exposed to chemical warfare agents while serving in the gulf and that this exposure may be the cause of their illness. DOD spokesman Kenneth Bacon alluded to the possibility when he noted that DOD is examining other reports and other bunkers for chemical weapons, so other groups of soldiers may also be at risk.

Additionally, U.S. and coalition forces bombed many bunker complexes and chemical and biological weapons production facilities during the air war in 1991, so U.S. forces may have been exposed as a result of those actions as well. This is a very troubling situation.

Mustard gas and sarin, the two chemical agents that were found in the destroyed bunker, are known, I am advised, to cause central and peripheral nervous system problems as well as to cause birth defects in children born to exposure victims. Medical research is needed to determine whether exposure to low levels of chemical warfare agents causes the symptoms described by gulf war veterans.

Previous funding provided by Congress for medical research into gulf war syndrome, awarded only last Thursday by the Department of Defense, investigates the possible links between the illness and exposure to diesel fuel, pesticides and insect repellents, stress, disease, fatigue, and nerve agent pretreatment pills. Almost \$1 million of the \$7.3 million total is designated for a study of ill British veterans. None of the research funded thus far examines the link between the illness and the exposure to chemical warfare agents. The amendment I am offering would provide \$10 million from within other defense medical research efforts for independent medical research into this issue.

This amendment also provides relief to the most helpless victims of that war—the children of gulf war veterans with birth defects or other catastrophic illnesses that may be linked to their parents' exposure during the gulf war.

Life magazine ran a story about these children in November 1995. On the cover—and here is a replica of the cover of Life magazine, which ran the story about these children in November 1995. On the cover is a picture of Jayce Hanson, with his father. His father is Sergeant Paul Hanson of Wheeling, WVA. Three years old, Jayce was born with hands and feet attached to twisted stumps. As those who observe the picture of the cover of Life magazine can see in the picture to my left, they will notice the hands that were attached to twisted stumps, and his lower legs, which were amputated in order to accommodate prosthetic legs. He also had a hole in his heart and suffers from a hemophilia-like blood condition and underdeveloped ear canals that cause frequent ear infections.

Sergeant Hanson is still in the Army and is currently serving in Bosnia. During the Persian Gulf war, serving with the 16th Engineers of the 1st Armored Division, Sergeant Hanson was involved with bunker- and mine-clearing operations. He was not, apparently, involved in destroying the chemical weapons bunker identified in the Department of Defense announcement, but it is not known if other bunkers he helped to destroy contained chemical weapons.

Mr. President, these children, like Jayce, suffer twice. First they are born with disabling and disfiguring birth defects, or suffer from invisible but equally devastating illnesses. Their parents may be suffering from gulf war syndrome. Then, when their soldier parent leaves or is discharged from the military as medically unfit due to illness, the family loses its health care. The insult added to the injury comes when the child is denied civilian health insurance because of its preexisting medical condition—its birth defect or illness.

Even gulf war veterans still on active duty, with birth-defect children, face difficulties. They must seek appro-

priate medical care from civilian doctors through the Department of Defense's CHAMPUS program, which has a 20 percent copayment requirement. These children need continuing medical attention; they may need multiple operations or expensive medical treatments before they can function normally. The costs of this care can reach \$100,000, and a 20 percent copayment, or \$20,000, can be financially crippling for an enlisted serviceman.

Sergeant Hanson's family has been helped by the Shriners organization, which has paid some of Sergeant Hanson's son's medical costs, but they were forced to seek assistance through the SSI program. Now Sergeant Hanson's combat pay for serving in Bosnia has pushed his income over the limit for SSI eligibility, so assistance is no longer available from that source.

Mr. President, an enlisted service member should not have to rely on a welfare program or charity to meet the health care needs of his family, particularly when there is some reason to believe that the catastrophic health care needs of his child might have resulted from his military service. Jayce deserves better than that. His father is willing to risk his life in the service of his country. He should not be asked to risk the life and health of his son.

The amendment I have offered would make these children eligible for care in the military health care system, which includes military hospitals and civilian practitioners through CHAMPUS, and would waive the 20 percent copayment requirement. The number of children affected is not large, according to the Department of Defense, but they are in truly desperate straits. Until research can prove that these children's maladies are not linked to their parents' service in the gulf war, they should be given the benefit of the doubt.

President Clinton last month announced that he would seek legislation to provide benefits for children of Vietnam veterans born with spina bifida as a result of their parents' exposure to Agent Orange. Let us not wait 20 years before we acknowledge the incalculable difficulties faced by the children of the gulf war that may have resulted from their parents' service.

Mr. President, I yield the floor. I had understood that the managers might be willing to accept the amendment.

The PRESIDING OFFICER. The Senator from South Carolina.

Mr. THURMOND. Mr. President, it appears this amendment has merit, and we will accept it.

Mr. BYRD. Mr. President, I thank the distinguished chairman of the committee, Mr. THURMOND.

The PRESIDING OFFICER. If there is no further debate, the question is on the amendment.

Mr. DOMENICI. Mr. President, before Senator BYRD leaves the floor, might I just take 1 minute? Is there a time limit on this?

The PRESIDING OFFICER. There is not.

Mr. DOMENICI. First, I congratulate Senator BYRD for bringing up this issue. Clearly, we have to come up with a better scientific answer to this problem than we have come up with. I just want to share with the Senator another research effort that is taking place. It is not in need of any of the resources he speaks of, but, in the State of New Mexico, there is a world renowned toxicology center that deals with what happens to our lungs depending on what we breathe. I have just recently learned that they are engaged now in an indepth research project with reference to the war that the Senator speaks of that centers around the kerosene heaters; that, in fact, they are going to be checking in depth to see if there possibly could be a relationship between some of the fume components and some injury to the pulmonary—breathing apparatus. I just wanted to share that as another proof of the fact that this is serious enough for our country to be involved in a very major way.

Of course, the Senator has added one that has not been looked at at all, that has just recently come to light. I wanted to share that with the Senator and commend him.

Mr. BYRD. Mr. President, I thank the distinguished Senator from New Mexico for his observation and his sharing of this information with me. I thank him also for his expression of support for the amendment.

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

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. Is there further debate?

The Senator from Georgia.

Mr. NUNN. Mr. President, I support the amendment offered by our colleague from West Virginia, Mr. BYRD. We need to do all we can to deal with gulf war syndrome. We have seen reports, just in the last week, about new discoveries that have been made relating to the Iraqi chemical stockpile and the possibility of that being connected to some of the terrible problems that our service people are experiencing.

We all know all the problems with Agent Orange and how long we spent on that one. I think it is time to come to grips with this, and I believe the Byrd amendment is a positive step in the right direction. So I urge our colleagues to support the amendment.

Mr. BYRD. Mr. President, I thank the distinguished Senator from Georgia for his support.

Mr. President, I ask unanimous consent the amendment be laid aside temporarily.

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

Mr. BINGAMAN addressed the Chair.

The PRESIDING OFFICER. The Senator from New Mexico.



AMENDMENT NO. 4275

(Purpose: To require the Secretary of Defense to take such actions as are necessary to reduce the cost of renovation of the Pentagon Reservation to not more than \$1,118,000,000)

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

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from New Mexico [Mr. BINGAMAN], for himself, Mr. BRADLEY, and Mr. FEINGOLD, proposes an amendment numbered 4275.

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

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

The amendment is as follows:

On page 398, after line 23, insert the following:

**SEC. 2828. RENOVATION OF THE PENTAGON RESERVATION.**

The Secretary of Defense shall take such action as is necessary to reduce the total cost of the renovation of the Pentagon Reservation to not more than \$1,118,000,000.

Mr. BINGAMAN. Mr. President, this is an amendment that would have the effect of reducing the \$1.2 billion cost of renovating the Pentagon by \$100 million. I send this to the desk on behalf of myself, Senator BRADLEY, and Senator FEINGOLD. This would be the first reduction in funds for this very expensive project since its inception half a decade ago. It would amount to about a 10-percent reduction in the total.

Mr. President, dramatic shifts have occurred in geopolitical terms during the past decade, and these shifts have caused fundamental changes in our defense posture. As we have realigned our defense programs to meet changing needs, the funds for many projects have been reduced and eliminated.

Despite significant reductions in defense spending, the Pentagon renovation project has enjoyed a steady flow of cash. In my view, the time has come to impose greater financial discipline on the Pentagon, just as the Pentagon has asked other military organizations to be more frugal. Too many of our military members are forced to work and live in unhealthy and unsafe conditions. We need to ensure that the renovation of the Pentagon does not jeopardize funding for other more urgent needs.

Many things have changed in this world since this 15-year-long project began, and I believe the Pentagon renovation plans can be better aligned with today's new realities. There are many factors which ease the impact of a reduced renovation budget. For example, the Department of Defense is downsizing. As the civilian military work force is steadily reduced, demands for work space have eased as well. Construction costs in the Washington, DC, area have fallen. Contract costs for the renovation have turned out to be considerably lower than originally estimated.

On one construction contract alone, for example, costs were 36 percent less than anticipated. Also, modern communications technology makes it unnecessary to have large staffs at the Pentagon to manage dispersed operations.

Mr. President, in 1990, Congress transferred responsibility for the operation, maintenance, and renovation of the Pentagon from the General Services Administration to the Secretary of Defense. Congress recognized that the serious structural problems in the Pentagon building had to be addressed without further delay, and we took this action to get the long overdue project moving forward.

Congress earmarked \$1.2 billion that the DOD would have paid to GSA in rent for the next 12 or 13 years as a breakeven way to pay for the renovations. The \$1.2 billion was not based on any projected cost of renovation, it was simply a sum that was available. This seemed to be a logical way to fund the renovation, so Congress provided the Department of Defense great flexibility in managing the project.

Mr. President, this \$1.2 billion cap people need to understand, Senators need to particularly understand that this \$1.2 billion cap which has been in the law for several years now does not include all the renovation costs. In fact, there are four categories of expenses which add substantial amounts to the total.

For example, the Pentagon estimates that the cost of buying and installing information management and telecommunications equipment will be another \$750 million. This amount is not part of the \$1.2 billion cap. Neither is the heating and refrigeration plant, the classified waste incinerator, the furniture or the 780,000 square feet of leased space for people who have to be moved during the renovation itself. The figure of \$1.2 billion is, therefore, misleading. The expense of renovating the Pentagon easily will exceed \$2 billion.

Last year, the Senate did pass essentially this same amendment that I am offering today to cut the Pentagon renovation expenses by \$100 million. During the conference, unfortunately, the conferees agreed to eliminate that requirement and, instead, they directed that the Department of Defense review the renovation plans and recommend some cost saving options.

This review has been underway, I am informed, since March of 1995. The well-publicized review was supposed to produce a report which was expected in February of this year. We did not receive that report. On the 5th of June, the Armed Services Committee staff did receive a single-page memo which states that the Department has found a savings of \$37 million and will continue to look for more.

A reduction of \$37 million out of a total of \$1.2 billion is not what I consider an aggressive response to our call to reduce costs, and the one-page

memo is not what I consider a thorough analysis of options for reducing costs. Over the past 6 years, we have dramatically reduced defense spending and manpower without once reducing the funds for the renovation of the Pentagon.

Fifteen months ago, the Pentagon itself publicly announced its intent to reduce the cost of the project. The Department identified a new spending target only after last year's threat of a reduced cap and after I announced at the Readiness Subcommittee markup on April 30 that I would offer this same amendment this year if I was not convinced by the Pentagon's long overdue report.

Mr. President, that long overdue report is still overdue. I am not convinced that \$37 million is the best the Pentagon can do in the way of savings. The only way in which we can force additional savings is to keep up the pressure and insist on more in the way of accountability for this very, very large project. That is what this amendment does. Americans have been asked to tighten their belts. They expect no less from their Government. The Pentagon needs to be expected to do the same.

I yield the floor.

YEAS AND NAYS VITIATED—AMENDMENT NO. 4274

Mr. BYRD. Mr. President, I ask unanimous consent that the order on the yeas and nays on my amendment be vitiated.

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

Mr. THURMOND addressed the Chair.

The PRESIDING OFFICER. The Senator from South Carolina.

AMENDMENT NO. 4275

Mr. THURMOND. Mr. President, I want to say to the Senator that we think he has a meritorious amendment, and we will accept it.

Mr. NUNN. Mr. President, I urge the adoption of the Bingaman amendment and, as I have already done, I urge the adoption of the Byrd amendment.

The PRESIDING OFFICER. If there is no further debate on the Bingaman amendment, the Senate will proceed to vote.

The question is on agreeing to the amendment.

The amendment (No. 4275) was agreed to.

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

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

The motion to lay on the table was agreed to.

VOTE ON AMENDMENT NO. 4274

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from West Virginia.

The amendment (No. 4274) was agreed to.

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

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

The motion to lay on the table was agreed to.

Mr. THURMOND. I believe Senator BINGAMAN has an amendment.

AMENDMENT NO. 4276

(Purpose: To repeal the permanent end strengths)

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

The PRESIDING OFFICER. Without objection, the pending amendments are set aside. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from New Mexico [Mr. BINGAMAN] proposes an amendment numbered 4276.

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

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

The amendment is as follows:

Strike out section 402 and insert in lieu thereof the following:

**SEC. 402. REPEAL OF PERMANENT END STRENGTHS.**

(a) REPEAL.—Section 691 of title 10, United States Code, is repealed.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 39 of such title is amended by striking out the item relating to section 691.

Mr. BINGAMAN. Mr. President, this amendment that I have just sent to the desk would propose to repeal a provision that was adopted in last year's defense authorization bill. That provision makes it the permanent law of the land that we will have at least 1,445,000 active duty military personnel, including at least 495,000 in the Army, at least 395,000 in the Navy, at least 174,000 in the Marine Corps, and at least 381,000 in the Air Force.

That is a permanent provision of law that we added last year. The provision states these "end strengths . . . are the minimum strengths necessary to enable the armed forces to fulfill a national defense strategy calling for the United States to be able to successfully conduct two nearly simultaneous major regional contingencies."

The provision gives the Secretary of Defense only half a percentage point leeway in meeting these minimum active duty levels. Even if the Secretary of Defense, in any given year, persuades Congress to go to a lower end strength level, under the provision which is now permanent law, the following year the Secretary is again bound to the 1,445,000 end strength level unless he again asks and again Congress agrees to approve a waiver.

Mr. President, it is just bad law. The committee has included a provision in the bill before us that makes it minimally tolerable in the coming year by giving the Secretary of Defense not half a percent leeway but instead a 5 percent leeway for each of the services. The committee report points out that "the committee has found that one-

half percent flexibility is not enough, is insufficient to prevent the services from taking short-term management actions that may adversely affect service members, solely to meet the assigned end strengths at the end of the fiscal year."

Mr. President, every year since I came to the Senate, section 401 of the defense authorization bill has established a maximum active duty end strength for each of the services. That seemed to me to make some sense. Last year however was the first time in memory that Congress established a minimum active duty end strength as well as a maximum.

In this coming year the minimum and maximum will be identical, or almost identical, for three of the services, the Army, the Marines, and the Air Force. This makes no sense from the point of view of running a personnel system.

This provision in permanent law is not just bad personnel policy; it is fundamentally flawed in its ties to the Bottom-Up Review and the need to "successfully conduct two nearly simultaneous major regional contingencies." This is the only place that I am aware of where the Congress has chosen to memorialize the Bottom-Up Review in permanent law.

During the debate we just had a few minutes ago on the Coats-Lieberman amendment, which mandates a new strategic review to replace the Bottom-Up Review, we heard a great deal of criticism of the Bottom-Up Review and its underlying assumptions. I agree with that criticism.

How then, assuming that criticism is accurate—and the vote certainly would reflect the Senate agrees that the criticism is valid—how do we justify leaving this provision in title 10 of the United States Code the permanent law of the country, when we know that next year, whoever is President, the Bottom-Up Review will be overtaken and the two major regional contingency assumptions will be history?

Mr. President, let me remind my colleagues that the Republican Congress and the President are fundamentally in agreement on the total resources this Nation will devote to defense in the coming years.

Let me just show a chart here that makes that point very dramatically, I believe. I know we hear a lot of rhetoric on this Senate floor about who is stronger, which of the parties has the strongest position with regard to our national defense, but this chart makes the case, I think very persuasively, that spending between fiscal year 1997 and 2002 under the President's budget as scored by the CBO and spending under the final Republican budget resolution is essentially indistinguishable.

The total spending increase over the 6 years proposed by the Republicans is \$18.6 billion, with \$11.3 billion of that coming in the first year. When you go through all the different numbers, Mr. President, it is clear that we have less

than a 1 percent increase difference. This is the dire emergency that we have heard discussed in reference to spending. It turns out that President Clinton was 99 percent right on defense spending levels according to the Republican defense spending plans, if not according to their defense oratory.

Mr. President, the central justification which has been made for much of the additional money that is being added to this bill is that the Pentagon is underfunding modernization of our military. The bill that we have before us adds about \$7.7 billion in procurement, about \$3.7 billion in research and development. We have heard often during debate on this bill about the Joint Chiefs' \$60 billion target for procurement and how short the bill is in meeting that goal, even with the additional money that we are adding in.

The fact is that the Republican out-year defense budgets will never reach that target either unless there is a significant additional drawdown in military personnel on the order of several hundred thousand active duty personnel. The fact is the Republican deficit hawks who put a premium on balancing the budget by 2002 have won the battle, the budget battle, over the Republican defense hawks. But they have generously granted a 1-year reprieve, one last spending spree to the defense hawks in an election year.

Mr. President, this does not make sense. You cannot say that you are going to balance the budget, that you are going to increase funds for modernization and for quality of life and for readiness, and you are going to keep the active duty force level at 1,445,000.

The Republican budget resolution does not add up, nor, for that matter, does the President's defense budget. What is going to give, I predict, whoever is President, has clearly got to be the force structure level.

Mr. President, I favor modernization of our Armed Forces. I favor quality housing for our troops. I favor providing full pay raises to our forces. I favor long-term research to help keep our forces at the forefront of this "revolution in military affairs."

I favor investments in the mobility of our forces and maintaining the readiness of our forces, although I welcome the efforts that have been made to look at tiered readiness.

But for this Senator, all of these priorities—modernization, pay, housing, readiness, mobility and research—all of them take precedence over the size of the force structure within constrained budgets. The Nation needs a well-equipped and well-paid and well-housed and highly mobile military to deal with the reduced threats of this post-cold-war world. It will be a smaller force than the Bottom-Up Review force. We will not have 1,445,000 active duty personnel.

We all know that that is where the Pentagon is headed next year, whoever is elected this fall. Under the bill that

we have before us, we are going to put off until next year, perhaps even the year after, any serious discussion about future force requirements. We are going to put off any serious discussion about necessary trade-offs between force structure and modernization and readiness within budget constraints. This year this bill proposes one last shopping spree before we cut up the credit cards. That is not what we should be doing.

Mr. President, by passing my amendment and by repealing the provisions from last year's authorization bill that mandates the 1,445,000-person active duty force in permanent law, the Senate would spur a debate on these trade-offs. If we do not repeal the provision this year, we will be doing it next year or the year after. It is only a matter of time. I urge the adoption of my amendment. Mr. President, I yield the floor.

Mr. THURMOND addressed the Chair.

The PRESIDING OFFICER. The Senator from South Carolina.

Mr. THURMOND. Mr. President, I rise to oppose this amendment.

This amendment would repeal the end strength floors enacted in the National Defense Authorization Act for fiscal year 1996. The goal in establishing these floors was to prevent the Department of Defense and the administration from sacrificing active duty strength below levels necessary to successfully prosecute two major regional contingencies in favor of other budget priorities.

Earlier this afternoon, we debated and adopted an amendment offered by Senators LIEBERMAN, COATS, MCCAIN, NUNN, LOTT, ROBB, THURMOND, and others which called for a commission to review the national security strategy and to recommend a new, requirements-based force structure plan. I support that amendment and I think that repealing the active duty end strength floors before such a force structure review is completed would be premature.

Mr. President, just to set the record straight, I want my colleagues to understand that the uniformed personnel chiefs have not opposed the end strength floors. The floors are set at the level requested in the administration's Bottom-Up Review. This number represents the end state of the defense downsizing. No military or civilian leader in the Department of Defense has requested more reductions to our active force during testimony before our committee. Section 401 of the defense authorization bill we are now debating provides the services the flexibility which the uniformed personnel chiefs requested.

Any further reductions to military strengths must follow congressional concurrence with a new force structure review and a comprehensive revision to the roles and missions of our Armed Forces. Repeal of the active duty end strength floors in the absence of such reviews and recommendations would be foolhardy and ill-advised. I urge my colleagues to oppose this amendment.

Mr. President, I thank the chair and yield the floor.

The PRESIDING OFFICER (Mr. SANTORUM). The Senator from New Mexico.

Mr. BINGAMAN. Mr. President, I am persuaded that my amendment would substantially improve the bill if it were adopted. I think the legislation in the bill, the permanent law we are dealing with, is not appropriate for the time we live in and not appropriate for the budget constraints that we realistically have to deal with. I am also well aware that in this even-numbered year, it is very difficult to get the necessary majority to vote for an amendment such as the one I have proposed here.

One of the real fears of many in this body, I am sure, is that they might in some way be viewed as being soft on crime or weak on defense. I do not in any way think that my amendment is a signal that a person is weak on defense. I think it is a sign that a person is realistic about the resources that we have to devote to our national defenses, and that both the President and the Republican leadership here in Congress have committed to devote to our resources over the next several years.

I think we would be well off to get on with the repeal of these minimum force provisions that are in permanent law. I recognize, though, that with the opposition of the leadership of the Armed Services Committee on this issue, that we would not prevail with this amendment. For that reason, I will withdraw the amendment and keep it for another day when we will have a greater opportunity to prevail with it.

At this point, I withdraw the amendment.

The PRESIDING OFFICER. Without objection, the amendment is withdrawn.

The amendment (No. 4276) was withdrawn.

Mr. THURMOND. Mr. President, I wish to thank the able Senator from New Mexico for withdrawing the amendment.

#### NATO SECURITY INVESTMENT PROGRAM

Mr. CAMPBELL. Mr. President, as we consider the fiscal year 1997 Defense Authorization bill, I would like to take this opportunity to point out our financial and security investments in NATO.

Too often, Mr. President, we in Congress find ourselves in the position of having to justify to our constituents the rationale for providing foreign assistance, particularly during a time when budgetary constraints are hindering what we can do right here in our own home towns. For this reason, foreign spending often has become negative and is distorted in the public eye. While this is an understandable concern, few recognize just how much the United States benefits from its financial investments and active participation in foreign activity. The NATO Security Investment Program is a model that readily defies this negative image and I would like to highlight this for my colleagues today.

The NATO Security Investment Program, which sustains the NATO Alliance facility operations and technical requirements, supports U.S. security and economic interests, while providing an impressive commercial return on our investment. Where the United States has invested approximately \$1 billion in the NATO Security Investment Program over the past 5 years, U.S. businesses have enjoyed a total of \$1.7 billion in high-tech contracts. During this same time period, a \$25 million investment of U.S. dollars yielded \$100 million worth of military construction contracts which were awarded to U.S. companies. In fact, nearly 40 percent of all NATO high-tech and communications projects are awarded to U.S. contractors.

This current rate of return continues to grow and benefit the U.S. economy. Right now, there are 12 NATO contracts under way which total \$73 million in returns for U.S. companies, significantly impacting five States. In the upcoming years, there will likely be 10 NATO projects awarded to American contractors in five States which will total nearly \$169.8 million.

Since the collapse of the Warsaw Pact, the NATO alliance has undergone fundamental and significant changes as its strategy has shifted from a stationary defensive position to a lean, responsive body, capable of handling a variety of challenges. With the drawdown and overall mission redefinition complete, the NATO alliance has embarked upon several projects and operations that will refocus NATO's efforts throughout the European theater. These operations need our strong financial support.

Opposition remains, however, as many continue to argue that with the end of the cold war should come a decreased need for U.S. military dollars abroad. This position is readily refuted, when one considers the truly surprising financial opportunities and benefits that exist for our economy within these operations.

We must continue to recognize the tremendous tangible rewards that are generated by our leadership and participation in such foreign investment. These figures clearly reflect the direct benefits and future potential of our involvement in NATO, not only in terms of security but in economic terms as well. I would encourage my colleagues to observe and remember the many benefits the United States is afforded through our involvement in the NATO alliance.

#### AMENDMENT NO. 4277

(Purpose: To state the sense of the Senate relating to the apparent inappropriate use of Federal Bureau of Investigation files)

The PRESIDING OFFICER. The Senator from New Hampshire.

Mr. GREGG. Mr. President, I send an amendment to the desk.

The PRESIDING OFFICER. Without objection, the pending amendment will be set aside.

The clerk will report the amendment.

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

Mr. FORD. Mr. President, I object.

The PRESIDING OFFICER. The clerk will report the amendment.

The assistant legislative clerk read as follows:

At the appropriate place, insert the following:

SEC. . (a) The Congress finds that—

(1) Federal Bureau of Investigation background files contain highly sensitive and extremely private information;

(2) the White House is entrusted with Federal Bureau of Investigation background files for legitimate security purposes but it should ensure that any files requested are needed for such purposes and that these files remain confidential and private;

(3) the White House has admitted that the personnel security office headed by Mr. Livingstone inappropriately requested the files of over 400 former White House pass holders who worked under the past two Republican Presidents;

(4) Craig Livingstone, the director of the White House personnel security office, has been placed on paid administrative leave at his own request;

(5) the President has taken no action to reprimand those responsible for improperly collecting sensitive Federal Bureau of Investigation files; and

(6) the taxpayers of the United States should not bear the financial responsibility of paying Mr. Livingstone's salary.

(b) It is the sense of the Senate that the President should terminate Mr. Livingstone from his position at the White House immediately.

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

The PRESIDING OFFICER. The Senator from New Hampshire is recognized.

Mr. GREGG. Mr. President, I do believe it is appropriate for us to discuss this issue at this time. It is very obvious, in my opinion, and I think the opinion of many in this Chamber, that something unusual and inappropriate and—

Mr. FORD. No more votes tonight.

Mr. COATS. Mr. President, could we have order in the Senate, please.

The PRESIDING OFFICER. The Senate will be in order.

Mr. GREGG. More than 400 names, with FBI files, have been requested by the White House, pursuant to what appears to be the request of the director of the White House personnel security office. In this instance, this is clearly a violation of a proper handling of the most sensitive information about individuals who have worked for the Government or who may be politically active.

It appears from all press reports that these files represented primarily Republican members or Republican individuals who identify themselves with the Republican Party. The fact is that has created a clear concern amongst not only those people whose files were requested, but I think amongst anyone who is interested in the proper functioning of a democratic Government.

The issue here is, at what point can the police powers of the State be used

for purposes of investigation which exceed the legitimate purposes of the White House or some other agency of the Government? The issue here involves the question of, when does the police power of the State, when abused, significantly abridge the rights of individuals and citizens of the country, because this information was collected under the authority of the police power, the FBI. But how information regarding 400 individuals, many of whom had not been involved in any form of White House access for years, could be legitimately requested by the White House raises very significant and serious questions. There is no doubt, really, that what happened here was some sort of, at the minimum, fishing expedition for information, and one suspects and is concerned that the goal and the purpose of that fishing expedition was not involved in the necessary function of access to the White House, because a large number of the people on this list involve people who had no active involvement with the White House and who, clearly, had no potential future active involvement with the White House. And, therefore, to obtain this sort of information on them makes no logical sense in relationship to the purpose of the security office of the White House. So what you have is a very serious issue of the proper usage of information, which had been developed by the FBI, or the police power of the State, in the functioning of the Government.

It has become pretty obvious from this exercise that at least one individual is primarily culpable for this action—this action which is not defensible. In fact, the White House has said it was not defensible. In fact, the White House has used terms such as "inexcusable." I believe the President has even used that term. Clearly, the Chief of Staff has used that term. But that individual continues to be paid by the taxpayers of this country. He was not asked to leave. He is on self-requested administrative leave, I believe. So your tax dollars, my tax dollars, the American people's tax dollars, and even the tax dollars of those 400 folks whose files have been gone through in this manner, are being used to fund the salary of this individual. That seems, to me, to be not only incredibly ironic, but extraordinarily inappropriate and inconsistent with the policy stated by the President when he was running for this office.

When the President was running for office, if people will recall, there was an incident that occurred at the State Department that involved the review of the passport file of the then-candidate, Governor Clinton. At that time, he stated with considerable and, I think, appropriate outrage that had such an incident occur during his administration, that person would be—the person responsible for that action—quickly terminated.

Well, not only has the person responsible not been quickly terminated, but

the person responsible is now actually being paid by the taxpayers of this country his full salary. That is wrong.

I think it is wrong on all sorts of levels, but it is wrong on the issue of logic. It is wrong on the issue of fairness to the people whose files were gone through, but, most importantly, it sends the wrong signal on a matter of this seriousness. He should have been fired outright, as I think the President suggested when he was running for office. There is no question about that. That would have been the proper course of action. But, at the minimum, he should not have been able to request administrative leave. He should have been put on leave by this White House, without pay. What has happened, however, is just the opposite. He was put on leave at his request, with pay, an action which one has to question rather significantly.

Now, let us review again what happened. There were 400 names—maybe more, we are not absolutely sure yet—which were requested by the director of the office of White House personnel security. Now, the director of White House personnel security has the obligation, under the White House rules, to manage who has access to the White House. Traditionally, that post has been under the direction of career individuals, people who specialize, through their activities in the Government, in the management of security for the White House. That has been the traditional individual who has managed that office.

However, with the ascension of President Clinton to this White House, there was an individual appointed as director of the office of personnel security named Mr. Livingstone. It has been reported, rather widely, that Mr. Livingstone's basic experience was as a political operative within the campaigns of several different candidates—the President's candidacy, obviously, but I believe even the Vice President's candidacy at one time, and I believe he also worked for former Congresswoman Geraldine Ferraro. His basic purpose was to manage political affairs and security within the campaign structure. So he was moved into this position of director of the White House personnel.

It has, again, been reported that, in that position, he reported to a series of people within the White House, many of whom also managed political activity within the White House. That, of course, raises the question of, what is the proper way to manage this office? But that is a secondary question. The primary question was, why would this individual have requested these 400 files on these 400 individuals, almost all of whom are Republicans?

FBI files, by the way, are very unique files. They are not a credit union file. They are very serious reviews of a person's activities, going into all sorts of background checks that are extraordinarily substantive. The FBI, if nothing, is one of the most thorough investigative organizations in the country.

They are not a credit union report. In fact, FBI files are so seriously viewed that when I, as a Member of the Senate, asked to look at an FBI file of a person nominated for a position, which is subject to senatorial review—for example, say, the Surgeon General—before I could look at that file, I have to request that file of the FBI, the FBI has to clear that request through the White House, and then a White House individual, who is designated by the FBI—and they may actually work for the FBI; I am not sure which, because sometimes I think it differentiates—in any event, a person from the White House physically comes to my office, or I go to their office, and sits with me while I review that file. And I am only allowed to review that file by myself. I am not allowed to make any copies of anything in that file. I am not allowed to in any way reproduce any part of that file. While I review that file, sitting directly across from the table is this handler of that file—usually a White House individual but I believe a detailee of the FBI at the White House.

So it is not a casual event that somebody looks at an FBI file. It is not a casual event at all. It is a very seriously viewed event. It is that way because these files are so in depth and because they involve such a totality of information about the person whose name is in that file. These same types of files are no different from the one that I must sit in an office and review by myself with a member of either the FBI or the White House present. These same types of files are the exact types of files which were sent down to the White House en masse—400 of them approximately—and kept there under the auspices of the Director of White House Personnel for Security, Mr. Livingstone.

You would ask: What would he do with those 400 files as security officer? Logically, if somebody was going to come into the White House, the White House has every right to say, "We have to check out who that person is. We have to know who that person is. We have to know their background for security reasons."

So they have every right to an FBI file on individuals who are seeking access to the White House. But these 400 names were not people who had asked to get into the White House. That is the point. They had not asked for it. They were not seeking access. Many of them never expected to return to the White House in their life even for a tour, I do not think. Some of these 400 people were just folks who had a job there when Ronald Reagan was President or when George Bush was President; did their job, and had gone home. Some of them were national figures of fairly significant notoriety. But the one thing they had in common was that almost all of them were not seeking access to the White House.

In fact, one of the interesting questions here is, "Well, where did the list of 400 names come from if they had not

actually asked to get into the White House?" Nobody appears quite clear on that. There was an indication, initially made by Mr. Livingstone, that the 400 names came off the list that he had been supplied by the Secret Service. But the manner in which these names were listed and the manner in which the files were requested is inconsistent with the Secret Service's filing system. They do not have a list of names which go from A to G—which are the names involved—that meets the identification or would be listed in the manner in which they are requested by the White House security. They do not have them in that form. So it was not the Secret Service which had brought the list of names forward. Rather, it was very clearly some other manner in which these names had evolved.

So, as a practical matter, what we have is a situation where a group of names were requested, 400 names with their FBI files, and the responsibility for that request—which was totally inappropriate, which was out of the normal mode of operation of the White House security office, and which was inconsistent with the rights of these individuals whose names were in these files—was under the auspices and management of the Director of White House Personnel and Security, Mr. Livingstone.

For the moment all roads, therefore, lead back for this rather incredible act of disregard for the constitutional rights of American citizens to Mr. Livingstone. And one must conclude that when the President said—or his spokesperson, Chief of Staff, Mr. Panetta, said—it was an inexcusable act, that it was just that and therefore it should not be excused. What do you do when you have an inexcusable act? You do not excuse it. You do not reward it. You do not say, "Well, we are going to continue to pay you. You did an inexcusable act, and we are going to continue to pay you." No. You should fire the person, and you should terminate their pay. But in this instance that has not happened.

So the taxpayers I believe have a right to ask: Why has this individual not been terminated? Why has his pay not been terminated? What is it that this individual has done which justifies him to continue to be paid by the taxpayers of this country? Even if you are not going to fire him, you should at least put him on leave without pay.

I suppose by some contorted manner of logic you could argue that he should not be fired. It would be inconsistent with what President Clinton had originally suggested during his campaign for the Presidency. But let us assume that was the decision that was made. But clearly, if he is going to be put on leave, he should not be paid.

I am not the only person that has reviewed this. In fact, I have sensed that on the other side of the aisle there is a fair amount of consternation about what has happened here, and I believe that is reasonable because there are

good and decent people who are concerned about the status of the Constitution; many. All of us in this Chamber are. Some have reviewed and evaluated this situation and have said, "Listen. This individual should be fired." I believe the Senator from Illinois has made that statement on occasion, and I believe the Senator from Vermont has also.

So it is not a partisan position. It is simply a logical position that, if someone has acted in this manner, they should not be rewarded with taxpayer dollars.

Do we have the capacity in this bill to terminate him? Do we have the capacity to fire him? Do we have the capacity to say he should not be paid as a matter of law? Well, we might, I suppose. But it would be very hard and complex, and it would be tortuous to do that.

So rather than make it an amendment that would have the force of law, I have simply suggested that as a sense of the Senate we go on record and say that we feel that this individual should no longer be paid by the taxpayers of the United States. We are basically suggesting that what is right should be done. And it is not unreasonable to seek to do what is right.

This is such an obvious point—that what is appropriate and right almost should go unsaid. It should not have to be said. There should not have to be a sense of the Senate on this point. The President should have just done it just like he suggested that he would during the campaign. But in this instance that has not occurred.

So I believe it is appropriate that we take up this sense of the Senate. As a result, I have brought it forward at this time. I recognize the consternation this may create, and I certainly wish to apologize to the leader of the Armed Services bill, the Senator from South Carolina, who I greatly admire, and, as does everyone in this institution, hold in absolute esteem. But the vehicle to bring this up is the only vehicle that is on the floor. And if it were not brought up on this vehicle it would not be able to be brought up probably for weeks—certainly until after the Fourth of July recess, and maybe not even then. Thus, I feel that I should go forward at this time. And thus, I have.

At this point I would ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is not a sufficient second.

Several Senators addressed the Chair.

Mr. THURMOND. Mr. President, if the Senator will withdraw it for just a moment.

The PRESIDING OFFICER. The Democratic leader.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. GREGG. Mr. President, I ask unanimous consent that further proceedings under the quorum call be dispensed with.

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

AMENDMENT NO. 4277, WITHDRAWN

Mr. GREGG. Mr. President, in order to move the process along, and in order to help the Senator from South Carolina, whom I greatly admire, I have decided at this time to withdraw my amendment. I ask that the amendment be withdrawn.

The PRESIDING OFFICER. The amendment is withdrawn.

The amendment (No. 4277) was withdrawn.

Mr. NICKLES. Mr. President, one, I compliment the Senator from New Hampshire for offering this amendment. This amendment deals with the issue of Filegate. It is not related to the Department of Defense bill. The chairman of the Armed Services Committee, Senator THURMOND, requested that he set this amendment aside or withdraw it so we can move ahead with the Department of Defense bill. I understand Senator THURMOND's request. Senator GREGG has assented to that request. But I think his amendment is an important one and it is a timely one.

There were very serious actions or deeds taken by officials in the White House that are very troubling. Over 400 FBI files were requested and received by White House officials, almost all of which are on Republicans who previously worked in the White House. They were requested in December 1993 and beyond so, in other words, all those officials had left the White House at least a year before, some quite some time before that. Yet, FBI files were requested as if for access to the White House, when those individuals did not need access to the White House.

That is a serious problem. It may have been a crime. I remember one individual became somewhat famous during Watergate. Chuck Colson went to prison for misusing or disclosing an FBI file. FBI files are very privileged information. I know in my tenure in the Senate I have only seen them a few times, primarily on judges for confirmation or possibly U.S. attorneys or marshals or something.

But I remember, every time we had an FBI file brought to my office, it was for my eyes only. While I had access to that FBI file I did not Xerox it, I could not make notes from it. I was not entitled to take that file home. I was not entitled to keep it in my office alone. During access to that file, there was an FBI agent present or a Senate staff person who had a particular clearance. So in other words, in the Senate we really protect FBI files, as we should. The files are locked up. They are not opened for staff. They are not opened for rummaging through the files. As a matter of fact, it is against the law to do so.

The Privacy Act, which was passed post-Watergate, was passed to protect

individuals, to make sure that those files would not be misused or abused. That information should be kept secret for very limited access purposes, to make sure that individuals that have very high security operations or needs would be cleared, to make sure there are no real problems.

This is maybe the most serious abuse of FBI files in history. It remains to be seen. The Senator from New Hampshire is saying that the individual primarily responsible for that, Mr. Livingstone—he is still on salary, still on paid vacation, I guess. He is on leave but he is being paid. That is troubling. The Senator had a resolution that said he should be terminated. He should be terminated. I know I have heard that not just from Republicans, but Democrats alike.

So, Mr. President, I compliment the Senator from New Hampshire for, one, bringing this issue to the floor of the Senate. I note there will be hearings tomorrow dealing with this issue. Mr. Livingstone, and others, will be testifying before Congress. This is important. It is vitally important that Congress get to the bottom of it, find out the information. But in the process, it is troubling to think that at least one of the individuals that was responsible for it is not only on leave, but he is also on paid leave, that he is on a paid vacation, I guess, at taxpayers' expense.

So the Senator from New Hampshire, I think, had a resolution that if we vote on—I might mention he has withdrawn it so the Senate can proceed. I ask our colleagues on the Armed Services Committee to return to the floor so we can conduct business on the DOD authorization bill. He has withdrawn it so we can proceed. He agreed to the request by Senator THURMOND, the chairman of the Armed Services Committee, to move forward.

I respect the Senator from New Hampshire for his willingness to do so. I respect the Senator from South Carolina for his desire to move this bill forward. He also has a right to reoffer it at a different time, just as the Senator from Arkansas has for an amendment dealing with pharmaceuticals. He offered it last week; he withdrew it. He has a chance to offer it again. That is his right. It may be germane to this bill to some extent but somewhat limited in its germaneness. It is my hope, too, that we will pass this bill.

So, again, I thank the Senator from New Hampshire for his action in bringing this issue to the floor of the Senate and also for his willingness to withdraw the amendment so we can proceed and move forward with this bill tonight and hopefully make significant progress on this bill tonight.

Mr. COATS addressed the Chair.

The PRESIDING OFFICER. The Senator from Indiana.

Mr. COATS. Mr. President, I also want to thank Senator GREGG. As a member of the Armed Services Committee obviously interested in moving this defense authorization bill forward,

I appreciate Senator GREGG's willingness to withdraw the amendment. But I guess I join my colleague from Oklahoma in stating that it is a perfectly justifiable amendment given the circumstances of the situation.

I think a lot of us are feeling we do not quite understand what is going on down at the White House. The person in charge of the travel office, who is not political, gets fired because they want to put somebody who is political in the office; but the person who is political does not get fired. It seems to be kind of a double standard and a disconnect.

So Senator GREGG is pointing out something that I think needs to be addressed. I just appreciate the fact that he is willing to allow, in deference to the Senator from South Carolina and those of us who feel it is important to go forward with the defense authorization bill, the opportunity to move forward with this legislation.

But what is happening here is nothing more than what has happened to us. We have tried to move relevant legislation forward, and the Senator from Massachusetts and others insist on adding nongermane, nonrelevant amendments to every bill that the Republicans put on the floor. So, whether it is the minimum wage or whether it is the Glaxo issue, or whatever, there is a whole series of nongermane, nonrelevant amendments being offered to bills that everybody agrees need to be moved forward. So I think Senator GREGG is perfectly within his rights in offering that amendment. I think it is an appropriate subject for debate and discussion. I do commend him for recognizing the importance of the defense bill and being willing to withdraw it at this time.

I hope, Mr. President, that Members on the other side of the aisle will not now take the opportunity to continue the practice of offering nongermane bills, and I hope Members on this side of the aisle would also honor that from this point forward. It is a little tit for tat here. We spent 3 weeks, or a little less than that, trying to resolve an issue of a nongermane, nonrelevant amendment being offered on bill after bill after bill. We finally had a tortuous unanimous consent agreement—it probably set a record for the number of words or pages in that unanimous consent agreement—finally worked out by the new majority leader and the minority leader. Maybe the best thing we can do here is to agree to both move forward with the business at hand and then allow Members to take up these other issues.

Certainly the Senator from Massachusetts has the right to address the issue of minimum wage, but it ought to be done on a relevant bill. Certainly the Senator from Arkansas has the right to address the issue of the Glaxo-GATT matter, but it ought to be done on a relevant or standalone basis. Certainly the Senator from New Hampshire has the right to address what I

think is one of the most fundamental ethical issues that we are dealing with at this particular time.

I yield the floor.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. SANTORUM. Mr. President, I also want to commend the Senator from New Hampshire for offering that amendment. I know it is not germane to the defense authorization bill, yet I think it is important that we begin to discuss some very serious issues that I think deserve to be debated and discussed here on the floor of the U.S. Senate.

I was just made aware that the other partner in crime or potential partner in crime, Mr. Marceca, just announced that he has made available 300 additional files, in addition to the 481; there are now 300 additional files, some of them national security files, that he has now made available and has just showed up on an AP wire. This issue continues to get broader and broader and broader and more and more files trickling out. Frankly, not much has been said here on the floor of the U.S. Senate one way or another.

I can say this is an important issue. This is an important issue beyond the politics of it. It is an important issue of who has access to secure documents? Who has access to national security documents? And what are they doing with those documents? How to we treat people who do things with those documents? Who ordered them to do it? Who else knew about it? I like to think that Mr. Livingstone, maybe, was just a wild guy acting on his own, and Marceca was another one of these wild men who was off doing his own thing. I know a little bit about how things function in this town, and there are very few things that are run independently.

Now we are seeing this list getting broader and broader and information trickling out. We still have 2,000 pages under subpoena in the House that the Executive Office is claiming privilege over. By the way, they claim "privilege" over the original 1,000 documents, of which this file information was uncovered. If they claimed that under the original 1,000, what is in the 2,000 they are holding on to? Maybe some of these national security documents that are now being discussed or mentioned in these 2,000 documents being held by the White House under claim of Executive privilege.

I commend the Senator from New Hampshire for bringing this issue to the floor, for talking about the firing of Mr. Livingstone, but I do not think we want to make Mr. Livingstone to be the heavy here. The fact of the matter is this was a man who was trusted by very high-up people in the White House. George Stephanopoulos said this is a man who "knows how to get things done." If he only knew. Or maybe he did know. I do not know.

Those are the kind of things I think we should be discussing here and we

should be investigating here. I think the Senator from New Hampshire's resolution was, frankly, pretty mild. I suspect if we had a public vote on that resolution—and the reason we are not having a public vote on that resolution is because, obviously, the other side does not want to debate or discuss this; they put in a quorum call, which means we have a time out and we cannot go back into play on the field here to move forward with our business until the other side allows us to go back into play. This institution would have been shut down the rest of the night as long as the Senator from New Hampshire's amendment was on the floor because they do not want to talk about this. They certainly do not want to vote on this. I suspect if there is a public vote on this, which is the way we do things in the U.S. Senate, it would pass 100 to 0. I do not think there are too many who would stand up and defend the conduct of Mr. Livingstone. I do not think the issue is that there are too many people over there that want to defend Mr. Livingstone.

The issue is that a lot of people do not want this to be the discussion on the U.S. Senate floor. I do not blame them. This is not a pretty subject, but it is a serious matter. It is a very serious matter, and it is not a political matter. Yes, there are political implications, I am not naive to that. But this is a very serious breach of security matter. The American public must have faith in their Government's ability to keep classified information just that, classified, and away from people for using it for dirty tricks or just for their own jollies, as may be the case here.

I do not know, maybe it was two rogue guys who were just having fun or maybe it was a bureaucratic snafu, where someone just made a mistake. But if someone just made a mistake, and I am the general counsel, and I am looking through these documents that were released just a few days ago, and I see in here that we have 481 documents that we should not have had sitting at the White House for a year at that time, when I am reviewing the subpoena request from the House and I see this, and I claim Executive privilege over this information for a year, then somebody else had to know something. It is not just these two folks running around having fun in the basement of the White House. Someone very high up said, "Yes, we know these documents are here. In fact, we will let them sit here for another year, and we are going to claim privilege over these documents." That someone, at least tacitly, is condoning what they are doing in the general counsel's office.

The American public has a right to know that people in the White House or in the Congress are not playing fast and loose with the private lives of ordinary American citizens. At the very least, that is what is going on here. I heard the Senator from Oklahoma talk about when he has reviewed FBI files. I

have reviewed FBI files as a member of the Armed Services Committee. They do bring the files and they sit there with you while you review them. You cannot take notes, you cannot make copies, you cannot do anything with those files. If you have a question, you ask the question of the individual and they track down the answer for you. They do treat these things as very confidential because there is information in there that is not substantiated. It is a lot of hearsay in many cases. "A said this about B, who said this about this person." There is all sorts of stuff in there, and a lot of it is unsubstantiated, and probably some of it is false. It is a complete record. It is unedited. To have those laying around the White House or someplace for 2 years, 1 of those 2 years the information letting us know that those documents were there, was under subpoena, and they held it, that is serious.

To suggest the Senator from New Hampshire should not be able to come up here and debate that subject and get a decision on the part of the U.S. Senate when the evidence is very clear of what is going on here—we will have testimony tomorrow by these two gentlemen who are going to tell their story, or maybe tell their story. We will see. I do not know whether they will tell their story. I hope they do. They will be there tomorrow. Maybe after we hear the testimony of Mr. Livingstone, maybe there will be a resolution that will be bipartisan that calls for his resignation or dismissal. Somehow, I think we need to send a message out of the floor here of the U.S. Senate that this is a serious matter that should be treated as such by a President, who I think right before the election said he would have the most ethical administration in the history of this country. Do you want to talk about a promise? That is a great promise. I will leave it to you to determine whether you think he has kept that promise, whether you believe this administration has been the most ethical administration in the history of this country, whether you believe it is ethical for members of the administration to gather FBI files on, conveniently, almost all Republicans and have them laying around the White House—private, confidential files, classified files—for 2 years.

As I said, that is only a third of the papers that have been asked for. There are still other documents out there that we are waiting to look at, which are being protected by the White House, which I suspect they consider more politically damaging. I think we have an obligation, not from a partisan perspective, but from the perspective of getting to the bottom line of what is going on here. Maybe all of those 2,000 pages will show the snafu, will exonerate the President, will exonerate everyone up and down the chain of authority there, that this was, in fact, what they are claiming—a little mistake. It would take a lot of paper—much more



than 2,000 pages, in my opinion—to do that, but maybe it will.

So be it. But we should have that information. What is hanging over this investigation right now is a cloud of potential criminal activity. The White House knows if there is potential criminal activity discussed in those documents, they cannot claim Executive privilege. It is clear that they cannot claim Executive privilege if there is illegal activity involved in those documents.

So let us wait and see. Let us wait and see how this is going to play out. If there is any problem I have with the resolution of the Senator from New Hampshire, it is that it targets one person. I would suspect that what we are going to see here, as this issue develops, is that we are going to see everyone turn in their guns on Mr. Livingstone and Mr. Marceca. They are going to have horns and a little beard, and they are going to be the scapegoats, the bad guys. Everybody is going to point the finger at them and try to make them out to be the villains and the guys who did all the bad things here, and all of the rest of us are as pure as the wind-driven snow, and we did not know what the bad boys were doing all this time.

That is what, I guarantee you, will be the line. Once we find out this was not a snafu, that this was, in fact, a pretty bad happening, we will then turn from the snafu to the scapegoat. And they will stonewall and stonewall as long as they can, putting those two guys out front to take the fall.

Well, let us see what this body is going to do about it. Let us see how bipartisan we can be to get to the truth on something that has serious, serious liberties implications. Let us see how bipartisan we are going to be. Let us see how much we really want to find out the truth, or how much we want to protect for political purposes.

I am willing and anxious to see the bipartisanship on this investigation. I am anxious to see resolutions brought to the floor that have bipartisan support, which say that we need to get to the bottom of this, and we need to speak as one voice in the Senate and speak up for privacy rights of individuals and against unethical behavior in the White House.

When I start to see some of that happening, then maybe we will not have to have these little breaks in time here on the floor. Maybe we would not have to have a shutdown like the one that occurred this afternoon, the shutdown of this bill, which is a very important bill to this country, the defense authorization bill. Maybe we will not have to see a shutdown. Maybe we will see true cooperation for the betterment of this country, instead of a continual, well, let us try to put this behind us. There is an investigation going on, and let us not deal with this. Let us not talk about it. Let us not put it before the American public so that they know what the heck is going on. Let us not

tell them what is really at stake here, and what classified files really mean.

Mr. President, I think we do need to talk about that. I think the American public needs to know what is involved in these documents, what is involved in the law. I hope that Members who certainly know the acts better than I do, who are on the Judiciary Committee, will come here and actually talk about that, talk about what is involved. I know many Senators have done so. I think it needs to be explained more.

This is a serious problem, and the Senator from New Hampshire, who, I would say, somewhat courageously stood up and took the risk of getting some missiles fired at him—which was done—did so. But I think he did so to let it be known that this is not an issue that we believe is exempt from discussion here on the Senate floor during this very important time.

So I am anxious to see what happens tomorrow. And maybe depending on what happens tomorrow, we may be back here on the Senate floor with further discussion and possibly other kinds of resolutions that express the sense of the Senate, or even do more than that, with regard to this situation. It is one that I hope we can deal with in a bipartisan fashion, as I said before. If the Senator from New Hampshire actually had a chance to have a vote on his resolution, I think if the vote was public, it would be 100 to 0—even if it was private, it would be 100 to 0. That is how most Members feel about it.

Most Members feel very uncomfortable about this. I am not asking them to defend this. There is a reasonable side to say that the jury is still out, and let us wait and see what happens, let us not draw conclusions from everything. I think, certainly, from the evidence revealed so far, we have some very serious problems here that need to be addressed, and I hope this body will be as active in pursuing that oversight responsibility that we have as the House of Representatives Government Oversight Committee.

I want to commend my colleague from Pennsylvania, someone whom I have known for a long, long time, BILL CLINGER, the chairman of the Governmental Affairs Committee over in the House of Representatives. I had the honor, as a college student at Penn State, to work as an intern for BILL CLINGER. He is someone who I think, frankly, is seen in the House as being beyond partisanship. BILL has been a stand-up guy, who is not engaged in partisan activities. I think maybe more than any other Member over there, he has the ability and legitimacy to take on this issue in a very fair-minded way. I think he has done that. BILL CLINGER does not pursue things unless he believes there were some misdeeds. He pursued it, and he pursued it honestly and forthrightly. He did not make partisan statements during that time. He stuck to his guns, stuck to the facts, and he has done an outstanding job. I

am only disappointed that he is not running for reelection. I hope he does so, and that he finishes his term in the same manner that he has conducted himself—keeping to the facts, keeping on this case, and following through to its conclusion.

Thank you, Mr. President.

Mr. DORGAN addressed the Chair.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. DORGAN. Mr. President, normally they serve sandwiches and coffee following a political speech. We have had four of them. Although the Senate is not a Republican precinct convention, and it would violate the rules to serve sandwiches and coffee, one would almost expect that following the speech we have been treated to.

I come from ranching country in western North Dakota. I am thinking of the old phrase, "All hat and no cattle." It is kind of interesting to listen to this discussion. The last speaker just told us that he has registered his verdict on a whole series of issues, and now tomorrow he is going to a committee hearing to hear the evidence. That is a new approach, I guess, to making judgments about things.

One hour ago this Chamber was filled with Senators. In these six seats sat the chairman of the Armed Services Committee, the ranking member of the Armed Services Committee, and their staff. We were voting on defense authorization amendments. Senator BYRD offered an amendment. Senator BINGAMAN offered an amendment. We had other amendments. We were working on a series of amendments on the defense authorization bill. Some of us thought that those who said they wanted to finish this bill were serious and we were interested in getting the work of the Senate done and offering amendments to this bill.

Then a Senator, perfectly within his rights, jumped up and offered an amendment that had nothing at all to do with this bill but had instead to do with an issue dealing with the White House. In four subsequent speeches, four Members of the Senate used the time of the Senate sufficiently so that now nearly 2 hours later the Senate is vacant. There will be no more business tonight. There will be no further votes tonight. There will be no further work done on the serious business of the defense authorization bill.

But the accomplishment was that four relatively political speeches were made on the floor of the Senate. It is an election year. It is June. The election is in November. We understand it all. I am not divergent about all of this. I understand. Everyone has the right to do this. But you do not have the right, it seems to me, to complain that you are not getting anything done if you are causing the circumstances to avoid getting things done.

Last week on this bill we were treated to an amendment—and I think a several-hour debate—about whether Pennsylvania Avenue in front of the

White House should be opened or closed; a very significant military issue apparently. Or was it an issue that had nothing at all to do with this bill? I think it was the latter.

The issue has been raised about files at the White House. I would say this—I think the President would say this if he were standing on the floor of the Senate: If anyone has been guilty of wrongdoing, if laws have been violated, if people have abused their privileges with respect to those files, they deserve to be fired—end of story; no excuses. As all my colleagues know, we have an independent prosecutor, an independent counsel, now at the request of the Attorney General conducting an investigation at the White House, hopefully as we speak. If it is discovered that anyone has abused those files, or misused information in the files, or requested files that were inappropriate, or done anything in any way that would lead the American people and Members of Congress to believe that they have not behaved properly, I fully expect this President to discharge them and to do so immediately. But that is not what this is about.

There is one common element between all of the Members who spoke—myself, my friend, the Senator from Kentucky, and the Senator from West Virginia. There is one common element that binds us all together tonight; that is, none of us know the facts. We are going to. But we do not know because there is an independent investigator trying to understand what those facts are. If ignorance is bliss, this place must be ecstatic on this issue. None of us understand the facts. Get the facts, get them quickly, understand them, digest them, and then take appropriate action.

But that is not what this was about. This was about something much different from that. We have for a number of months here in the U.S. Senate seen an agenda in the Senate that wants to stay away from things that really affect families and their circumstances as they try to work every day, do their business, and take care of their needs.

That is not what the agenda has been on the floor of the Senate by the majority party. One aspect of being in the majority is that you control the agenda on the floor of the Senate. You decide what comes up and when it comes up. The fact is the majority party did not want the minimum wage to come to the floor of the Senate.

Some of us suggested the last time there was an adjustment in the minimum wage was in 1989. Those who work at the bottom rung of the minimum wage economic ladder, 40 percent of whom are the sole breadwinners of their family out working hard trying to make ends meet, those people have not had an adjustment in 6 years. Some said maybe it is time for at least a modest adjustment on the bottom. We have folks on the top getting adjustments worth millions. They downsize, fire 20,000 people and get a \$4 million

raise; that is, the folks at the top of the economic ladder.

We ask whether it was not reasonable that the folks at the bottom of the ladder, the kind of people that I referred to in some letters I used the other day who work at the bottom of the ladder for minimum wage—the woman who told me that they had lost everything in a fire in their trailer house. They had sickness and problems in their family. She works. Her husband works for minimum wage. She says,

I don't know how I am going to tell my two sons who want to play summer baseball that I do not have the \$25 that it requires as a fee to sign them up let alone buy them baseball gloves.

That is the daily story of people at the bottom of the economic ladder.

We said that we would kind of like to see an adjustment after 6 years. But they do not want that on the floor of the Senate.

So for 4 months we have been wrestling with the notion of whether we could bring to the floor of the Senate a modest adjustment that helps those at the bottom of the economic ladder. For 4 months we are the ones that have advanced this legislation saying that we ought to do something about health care.

We finally passed the Kennedy-Kassebaum health care bill that says you can take your insurance with you when you move from job to job so you are no longer held prisoner in a job because you are going to lose your insurance. It says you are not going to be able to be denied insurance because of preexisting conditions. It is the right thing to do. But do you know what? That is being held hostage because we have people saying we are not going to let you pass that bill that millions of American families need unless you agree with us on these things called medical savings accounts, and if you do not agree with us, as far as we are concerned, they say, we are going to hold that bill hostage.

So they would deny the opportunity to get a minimum adjustment on the minimum wage at the bottom of the economic ladder, deny the opportunity of families to have the kind of health coverage and protection that will be allowed them under the Kassebaum-Kennedy bill. What they say is, Well, we want tax cuts. So we say to them, All right, you want tax cuts. We think we ought to reduce the deficit first. Let us reduce the deficit first and then let us talk about tax cuts. They say no, they cannot do that. We want tax cuts. We want to cut Medicare to give you tax cuts. We said, Well, look, is there any common ground at all? How about agreeing with us on this? How about agreeing with us that you will limit the tax cuts to those families earning \$100,000 a year or less? They said no, we will not agree to that at all.

We had a vote, a partisan line vote. We lost. We say, Well, what about at least agreeing with us that you limit the tax cuts to those families making

under a quarter of a million dollars a year and less? No, we will not agree to do that. We insist people above a quarter million dollars a year get a tax cut as well. All right, we said. At least could you agree that at a time when we are up to our neck in debt trying to reduce the Federal deficit, at a time when you are saying that 60,000 kids, all of whom have names, aged 3 and 4, living in homes of low income and in difficult circumstances, you are going to say to them we cannot afford to keep you on the Head Start Program, Timmy, Tommy, Jane, we are going to kick you off the Head Start Program, a program that we know works, a program that we know improves their lives; cannot we at least agree when you are suggesting that we will not give tax breaks to families whose incomes are over \$1 million a year, at least limit the tax cuts to families \$1 million a year and less? Do you know what? The majority voted no. Said, no, we will not limit it. Why? Because the package of tax cuts that they truck into this Chamber is a package of tax cuts that have very, very generous plums to some of the richest, the wealthiest families in this country, at a time when we have a deficit problem, at a time when we are telling children that we cannot afford them on the Head Start rolls, at a time when they are saying that it ought not be an entitlement that a child be eligible for Medicaid, at a time we are saying that it ought not be an entitlement for a poor kid to get a hot meal in the middle of the day at school because we cannot afford it. But we can afford to give a family that has \$10 million a year in income a big tax cut?

That is the agenda that they do not want discussed. Instead, what they want to do is talk about extraneous issues, nongermans amendments offered to this bill and that bill in order to take us over into this political corner or that political corner.

I have been trying to offer an amendment for some long while that I would have hoped one of these days I could get passed. It defies imagination that we actually say to companies in this country, shut your doors, close your company, fire your workers, and move overseas and hire a bunch of foreign workers and ship your goods back to America. Guess what? If you do that, we will give you a tax break.

Yes, that is right. That is what our Tax Code says. Move your plant overseas. Get rid of your American workers. Hire foreign workers. Make the same product and ship it back, and we will pay you to do it—\$2.2 billion in 7 years. We will pay you to do it. But you think we can get that amendment, the amendment that shuts down that insidious tax break, that actually pays companies to move jobs overseas, do you think we can get that back in this Chamber to get rid of that tax break? No, because that is not part of the agenda. You see, that tax break inures to the largest multinational companies

that no longer say the Pledge of Allegiance, that are international corporations, and whatever they want—if they have a headache, we want to treat them. If they have a shoulder ache, we want to give them an aspirin. That is the attitude of the majority party.

Let me conclude by saying there will not be any wallflowers in this Senate, in my judgment, on the issue of protecting the confidentiality of the American people with respect to any files, FBI files or any files. If someone is determined to have broken the law, to have violated procedures, to have in any other way abused the privileges of the information contained in those files, then they ought to be fired and fired instantly.

I will say this about President Clinton. Some might say they like him, some do not like him. It seems to me that this President has done exactly what he was required to do when this latest issue developed, and that is to have his Attorney General immediately investigate, and she decided she wanted the independent counsel to do that investigation. Wherever that investigation leads, this President will, in my judgment—I am confident he will—take immediate action to resolve it.

Not only that, but this administration has taken action now with respect to the files that are used for background checks, has taken steps that are unprecedented, that have never been taken before in this country to safeguard that information. But there is not disagreement between any of us and any others in this Chamber about whether this ought to be investigated. Of course, it should, and it is.

There is not disagreement, I hope, about the fact that none of us know what has happened, including the President at this point. When this investigation tells us what has happened, then I would expect the President to be the first to take action, appropriate action and decisive action, so the American people can have confidence in this process.

I finally say this. I hope that as we meander through this process this year in the Senate and talk about the agenda we want to pursue, the agenda is one that finally begins to address some of the things we are concerned about, and those things are the things that families talk about at night when they sit down for supper and talk about their lot in life. How is it going? How is the job? Did you get downsized? Are you age 50 and just lost your job, have no more health care? You expected your retirement to be there, but somebody took it. How about Junior? Junior is getting out of college. Will Junior have a job? And how about the daughter-in-law who is working on minimum wage and has been there 4 years and has not had a change in the minimum wage?

Those are some of the issues we ought to deal with, appropriate issues, issues that respond to the needs of families who, when they sit down and talk

about their lot in life, worry about these things.

So, Mr. President, I started by suggesting there should be sandwiches and coffee following the other four speeches. I suppose some would suggest that they could now be served as well. It was my intention, however, to have talked about the things that I think we should be addressing in the Chamber of the Senate.

Everyone has a right to offer an amendment even if it is nongermane. Everyone has a right. The Senator who offered this amendment early this evening is a good friend of mine. I like him a lot. He has the right to do that. But another Senator stood up a little later and complained about those who offered nongermane amendments; you cannot do that.

I do not understand this. They offer nongermane amendments, and then they stand up and complain about people who offer nongermane amendments? Walk around with a mirror, for gosh sakes. Either we are going to finish this bill and stop this political nonsense, or we are not. If we have people who want to just play political games on this bill, then this bill is never going to get done. My preference would be we decide let us advance down the road, do the amendments, get rid of this bill, deal with the bill appropriately.

This is a very large piece of legislation with very important issues involved in it, but it is not going to help this Senate to do what we just saw happen about 2 hours ago. It essentially shut down the process. There will be no further work tonight, and that puts us behind rather than ahead. I hope that this is not the way we will begin a new set of leadership and begin dealing with the issues that all of us know this Senate has a responsibility to deal with in the weeks and months ahead.

Mr. President, I yield the floor.

Mr. ROCKEFELLER addressed the Chair.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. ROCKEFELLER. Mr. President, a long time ago, I was a Republican, and I was brought up in a Republican family. It was not the kind of Republican family which is very much respected these days because it was referred to as "Rockefeller Republicanism," and that is about the worst thing you can say about a Republican because this primarily came from my Uncle Nelson, who liked to get things done for the people of New York State and also for the country. He was also Vice President. He was very active. He was constantly worried about housing, and he wanted to get things done.

I grew up, and I was not very political, was not very interested in politics. I was interested mostly in Japanese language and Chinese history and all kinds of things which were not very germane to politics. But I got into politics the way people really should get into politics, and that is because they

started a program. I remember President Eisenhower used to call it "the Kiddy Corps," and I was still in Japan at the time. It was actually the Peace Corps they were talking about starting, and I was in Japan when President Kennedy was elected. He was my first vote. I came back in time to vote for him and not for Nixon, but that did not make me a Democrat. It was just that Kennedy was obviously going to be a better President than Nixon.

I did not care that much about politics. Then I got into the Peace Corps, and I saw what was going on in the rest of the world. And then I joined a program which really was started by the Democrats also, in this case, President Johnson, along with Bobby Kennedy, that now is called VISTA.

As the Senator from Kentucky knows, I went to West Virginia in 1964, and I was a registered Republican. Now, I had been voting Democratic, but politics did not mean that much to me. What West Virginia taught me and what the people of West Virginia taught me was that getting things done for people that have a variety of types of problems, much like the Senator from North Dakota was talking about, was what really interested me. I really cared about that.

I did not know I had really cared about that. I was in my midtwenties, but that was something that really grabbed me, and all of a sudden being able to speak Chinese or talk about Japanese history or whatever did not seem quite as important to me. So I made a decision to get into politics. At that point, I had been, in effect, a Democrat for 6 years.

It is very interesting, this whole day and particularly this last couple of hours helps me understand again and again and again and again why it was I became a Democrat, because the complaint that you constantly hear about Republicans and about us in Congress in general, but the Republicans run the Congress—they run the House. They run the Senate. We just had an election of the new majority leader. He has a new team, all in power, all set to go. And the question that is always raised is: Why don't they ever talk about things which affect average people's lives?

I think that is a pretty fair question, because they do not. It is the fact that the Senator from New Hampshire got up and started rambling on about something he did not know anything about, or when he withdrew the amendment the Senator from Pennsylvania, who represents people who have all kinds of problems in Allegheny County, PA, and the counties around there, and the steel towns and coal towns—used to be coal towns and steel towns—lots of unemployment, lots and lots of problems, that he went on for a long period of time after the amendment had been withdrawn. And, as the Senator from North Dakota said, it shut down the Senate. We were on an authorization bill. We had the Senator from South

Carolina who certainly, shall we say, has some experience around here and has put in some time around here. I assume he wants to get that done. It is called defense authorization, one of the most important bills that we have. Now that is dead and gone.

Yesterday, I gave a speech about things we have to take up in this Congress, that we have to solve, that people expect us to solve. We are the only people who can solve it. It cannot be done by Executive order. It cannot be done by the States. It can only be done by us. I do not know exactly how many legislative days we have left, but it cannot be very many, 35, 40, 45 days? If this is the way we are going to spend our time, then I can understand why the American people say those people up there do not get anything done. But, even more, it helps me understand why it is that I am a Democrat, because Democrats keep worrying and coalescing and forming coalitions and meeting about how they were to get things done for average working families.

Raising the minimum wage is one of them. What is the minimum wage worth today? About \$3.10 in purchasing power, compared to 20 years ago. That would affect, I say to the Senator from Kentucky, one out of every four workers in West Virginia, working people in West Virginia—not people on welfare, people who work every day who could go on welfare and who, in many cases, would do better to go on welfare in terms of their own financial self-interest because they would get health care, they would get lower rent, they would get food stamps. But no, they are interested in something called pride. Welfare is down in West Virginia; work is up in West Virginia, as it is in a lot of the country.

We should be doing something about raising that minimum wage to encourage people to stay off welfare and to continue working. Some of us spent a lot of time fighting for something called the earned-income tax credit. I would say to the Presiding Officer, if the earned-income tax credit was combined with the minimum wage, increased as we did it for George Bush in 1991, with bipartisan support—I do not know what is so different about today—then the great majority of American families would move out of poverty. That may not be of interest to the majority party but that is of enormous interest to me and makes me very proud about being a Democrat, and very concerned about doing something about these problems. The politics part is not important but the inactivity part is important, the fact that nothing is getting done here, week after week after week after week after week.

Tomorrow or the next day in the Finance Committee, on which I serve, they are going to take up Medicaid and make it into a block grant. The majority party is going to pass that. It will pass the Senate Finance Committee be-

cause they control that. They control the floor. It will pass. It will happen. And then we are going to see the results.

But we have done nothing, and we have been talking about it for months, about the Kassebaum-Kennedy bill. The Senator from Kansas, with all of the things she has done for her people and this country over all of these years, I would think there would be some on the other side who would really want to make certain that, when she left, she had her name on the only piece of health care legislation that passed in the first 4 years of the Clinton Presidency. But I am now beginning to be convinced that the majority party does not want to see that happen. I really do not understand that. That is very hurtful to the people I represent, many of whom are Republicans, many of whom are Democrats. Why do they not want to do that?

It is because of a single insurance company that had a tremendous amount of influence on a previous Member, so it was laid out there, and the House Republican leadership is very strongly attached to that concept, and it is called MSA's, medical savings accounts. It is very, very effective for savings and for all kinds of things for people who are rich and healthy, and does absolutely no good to people who are average working families and are not wealthy, and are not necessarily healthy.

Why can we not pass the Kassebaum-Kennedy bill? It passed the Senate 100 to nothing. Why can we not pass that? Nothing takes place around here. That is why the American people say, about the majority party, why do they not ever talk about things which relate to my life? And they do not. We get, instead, diatribes on political things. People fire up from the other side—and we do from our side, presumably, from time to time—but they fire up. For anything that is remotely political they are on their feet and ready to go. I am so sick of telling the story of how many hearings we have had on Medicare and Medicaid as opposed to Whitewater, I will not even do it.

We are not discussing the things that affect the American people and there are some of us here who desperately want to do that because we come from States where that kind of discussion, and the action that comes from it, is needed.

The Senator from Kentucky represents three States: western Kentucky, central Kentucky, and eastern Kentucky. And eastern Kentucky is just exactly like my southern West Virginia, and they need a lot of help. They have a whole lot of people in eastern Kentucky who do not have any insurance, cannot possibly afford it because they have something called a preexisting condition, or they are laid off from one job and they would like to be able to carry their insurance to another job. But they cannot do it now. Except that NANCY KASSEBAUM

changed that and made it possible for them to do it in a bill which passed this body 100 to nothing. Now we cannot get it passed. We cannot get it taken up. We cannot get it passed: MSA's.

I do not understand that. And I regret that. I regret that we have a chance to lift people out of poverty through something called welfare reform and we do not seem to be able to get to it. I resent that we have a chance to lift people out of poverty by increasing the minimum wage—which is no shocking deal. It was not in 1991, when George Bush passed it and signed it. Business people were not screaming and yelling, or if they were they stopped pretty quickly because nothing much happened except people began to get some more money. Now, actually, we are offering a smaller amount of money increase. It is exactly the same that he offered, \$4.25 to \$5.15 in 2 years—wow, that is really throwing money around—but of course that is worth much less today, what we are offering, than the same amount of change back in 1991.

People criticize us because we are not getting things done. I want to say, some of us are trying. Some of us are really trying. We care about what happens in the Persian Gulf. We care what happens in health care. We care what happens with average working families. We care what happens with pension security. We care what happens with job instability. We care what happens with minimum wage. We care what happens with welfare reform. We care what happens with neglected and abused children. We care about what happens with a whole lot of things which people pay us a very good salary to come up here and do something about—and we are not doing it. I think the principal reason we are not doing it is because the proclivity of the majority party, there is some kind of a gene or something, or computer chip stuck into that majority party, that causes them to always aim, go cutthroat for politics. The meanest politics I have heard in the 12 years I have been up here, frankly, have come from the other side.

Am I out of place with what I said? I have no idea. It is what I believe. I know I am a Democrat, but I do not really care about that so much because I know why I am here in the Senate. I am here to help average people, people I represent and the people we all represent. Nobody has to represent millionaires, they represent themselves. Our duty is to help people who need wise public policy. That is our job, and we are not doing it. It is sad, and it is shameful.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

#### CLOTURE MOTION

Mr. GRAMS. Mr. President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The assistant legislative clerk read as follows:

#### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on Calendar No. 433, S. 1745, the Department of Defense authorization bill:

Trent Lott, Don Nickles, Dirk Kempthorne, Rod Grams, Jim Jeffords, Craig Thomas, Kay Bailey Hutchison, Christopher S. Bond, John Ashcroft, Conrad Burns, Judd Gregg, Larry Pressler, Orrin G. Hatch, Mitch McConnell, Hank Brown, Sheila Frahm.

Mr. GRAMS. Mr. President, for the information of all Senators, this second cloture vote, if necessary, will occur on Thursday, June 27, 1996, and also Senators should be reminded that all first-degree amendments to the DOD authorization bill must be filed by 1 p.m. on Wednesday, June 26, in order to qualify under the provisions of rule XXII.

#### MORNING BUSINESS

Mr. GRAMS. Mr. President, I ask unanimous consent that there now be a period for the transaction of morning business, with Senators permitted to speak up to 5 minutes each.

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

#### MESSAGES FROM THE HOUSE RECEIVED DURING ADJOURNMENT

##### ENROLLED BILLS SIGNED

Under the authority of the order of the Senate of January 4, 1995, the Secretary of the Senate, on June 25, 1996, during the recess of the Senate, received a message from the House of Representatives announcing that the Speaker has signed the following enrolled bills:

H.R. 2803. An act to amend the anti-car theft provisions of title 49, United States Code, to increase the utility of motor vehicle title information to State and Federal law enforcement officials, and for other purposes.

S. 1579. An act to streamline and improve the effectiveness of chapter 75 of title 31, United States Code (commonly referred to as the "Single Audit Act").

The enrolled bills were signed subsequently by the President pro tempore [Mr. THURMOND].

#### MESSAGE FROM THE HOUSE

At 7:10 pm., a message from the House of Representatives, delivered by Ms. Goetz, one of its reading clerks, an-

nounced that the House agrees to the resolution (H. Res. 459) expressing profound sorrow of the death of the Honorable Bill Emerson, a Representative from the State of Missouri.

The message also announced that the House has passed the following bill, without amendment:

S. 1903. An act to designate the bridge, estimated to be completed in the year 2000, that replaces the bridge on Missouri highway 74 spanning from East Cape Girardeau, Illinois, to Cape Girardeau, Missouri, as the "Bill Emerson Memorial Bridge," and for other purposes.

#### MEASURES REFERRED

The following bill, previously received by the House of Representatives for the concurrence of the Senate, was read the first and second times by unanimous consent and referred as indicated:

H.R. 3415. An act to amend the Internal Revenue Code of 1986 to repeal the 4.3-cent increase in the transportation motor fuels excise tax rates enacted by the Omnibus Budget Reconciliation Act of 1993 and dedicated to the general fund of the Treasury; to the Committee on Finance.

#### MEASURES PLACED ON THE CALENDAR

The following measure was placed on the calendar:

S. 1219. A bill to reform the financing of Federal elections, and for other purposes.

#### ENROLLED BILLS PRESENTED

The Secretary of Senate reported that on June 25, 1996, he had presented to the President of the United States, the following enrolled bills:

S. 1136. An act to control and prevent commercial counterfeiting, and for other purposes.

S. 1579. An act to streamline and improve the effectiveness of chapter 75 of title 31, United States Code (commonly referred to as the "Single Audit Act").

#### EXECUTIVE AND OTHER COMMUNICATIONS

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

EC-3133. A communication from the Secretary of Transportation, transmitting, pursuant to law, an annual report concerning maritime terrorism for calendar year 1995; to the Committee on Foreign Relations.

EC-3134. A communication from the Acting Assistant Secretary of Legislative Affairs, Department of State, transmitting, pursuant to law, the report of a final rule concerning an amendment to the list of proscribed destinations, received on June 13, 1996; to the Committee on Foreign Relations.

#### PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM-627. A resolution adopted by the Legislature of the State of Colorado; to the Committee on Armed Services.

##### SENATE MEMORIAL 96-1

"Whereas, For more than 40 years, the federal government developed, produced, and tested nuclear weapons in a number of government-owned facilities throughout the country, including Rocky Flats in Colorado; and

"Whereas, Contamination from these facilities has contributed to environmental damage at the sites, including radiological had hazardous surface and subsurface soil and groundwater contamination at Rocky Flats; and

"Whereas, As a result of the end of the Cold War, the federal government has shifted its focus to environmental restoration and waste cleanup at the facilities; and

"Whereas, The Department of Energy has committed to clean up the nuclear weapons complex; and

"Whereas, If the nuclear weapons complex is not cleaned up in accordance with known health standards, citizens in Colorado and across America will be affected directly or indirectly by the dangers that will continue to exist; and

"Whereas, the cost of cleaning up the Rocky Flats site is estimated to be \$9 billion or more; and

"Whereas, To reach total cleanup, an increase in funding over the next five years is needed but no commitment to this funding has yet been made by the federal government; and

"Whereas, Commitment by the federal government to the full funding of the necessary costs associated with these cleanup activities may be sacrificed as a result of current budget discussions by Congress; now, therefore, be it

*Resolved by the Senate of the Sixtieth General Assembly of the State of Colorado, the House of Representatives concurring herein,* That we, the members of the Colorado General Assembly, urge the federal government to recognize that cleanup of Rocky Flats and other weapons facilities is a related expenditure to the \$4 trillion spent for the Cold war; be it further

*Resolved,* That we urge the federal government to:

"(1) Make a sustained commitment to completing environmental cleanup at Rocky Flats and its other facilities at a reasonable and justifiable pace that protects human health and the environment;

"(2) Strive not only to comply with environmental laws, but also to be a leader in the field of environmental cleanup, including addressing public health concerns, ecological restoration, and waste management; and

"(3) Consult with officials in Jefferson county, Colorado, and other affected county governments regarding transportation of cleanup materials; and be it further

*Resolved,* That we urge Congress and the President of the United States to approve full funding of all necessary cleanup activities at Rocky Flats and other nuclear weapons facilities."

POM-628. A resolution adopted by the Municipal Assembly of Trujillo Alto, Puerto Rico relative to Cabotage; to the Committee on Energy and Natural Resources.

POM-629. A resolution adopted by the Legislature of the State of Alaska; to the Committee on Energy and Natural Resources.

##### "LEGISLATIVE RESOLVE NO. 46

"Whereas Alaska has at least 26 trillion cubic feet of natural gas reserves in the Prudhoe Bay field and perhaps two to three times that amount of potential natural gas reserves; and