

judgment that this bill is too important to let die because perhaps 10, 20, or 30 million American families can benefit from the Workforce Development Act, and will benefit.

There are not very many pieces of legislation quite like this one where I am 100 percent certain that 2, 3, or 4 years from now someone will come up on the street and say, "My family has \$6,000 more income as a consequence of this piece of legislation. It has benefited me in that fashion."

I am quite convinced this is one of the most important pieces of legislation that this Congress has taken up. I am very, very grateful to the Senator from Kansas for saying, get all parties back together, Republicans and Democrats. There is not a lot of big money trying to push this thing one way or the other. That sometimes makes things more difficult. But on behalf of 20 or 30 million American families out there who could be tremendously benefited if we change this law in this fashion, I hope the advice of the distinguished Senator from Kansas is taken and that we are able to produce a piece of legislation that will be supported and get this law changed.

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

The Senate continued with the consideration of the bill.

Mr. SMITH addressed the Chair.

The PRESIDING OFFICER. The Senator from New Hampshire.

#### UNANIMOUS-CONSENT AGREEMENT

Mr. SMITH. Mr. President, I ask unanimous consent that notwithstanding rule XXII, at the hour of 4 p.m. today the Senate lay aside any pending amendments to the DOD authorization bill and Senator PRYOR be recognized to offer his amendment regarding GATT; and immediately following the reporting by the clerk, Senator HATCH be recognized to offer a relevant perfecting amendment limited to 30 minutes equally divided in the usual form, with an additional 10 minutes under the control of Senator SPECTER and an additional 5 minutes under the control of Senator PRYOR; and following the disposition of the second-degree amendment, if agreed to, Senator PRYOR be recognized to offer a further second-degree amendment and there be 30 minutes time for debate prior to a motion to table to be equally divided in the usual form, with an additional 10 minutes under the control of Senator SPECTER and an additional 5 minutes under the control of Senator PRYOR; that following the conclusion or yielding back of time, Senator LOTT be recognized to move to table the second-degree PRYOR amendment, and no other amendments or motions be in order prior to the motion to table.

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

Mr. SMITH. Mr. President, I further ask that if the HATCH amendment is

not agreed to, it be in order for the majority leader to make a motion to table following 30 minutes of debate to be equally divided in the usual form, with 10 additional minutes under the control of Senator SPECTER and 5 additional minutes under the control of Senator PRYOR, and no further amendments or motions be in order prior to that motion to table.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. LAUTENBERG addressed the Chair.

The PRESIDING OFFICER. The Senator from New Jersey.

#### AMENDMENT NO. 4218

(Purpose: To eliminate taxpayer subsidies for recreational shooting programs, and to prevent the transfer of federally-owned weapons, ammunition, funds, and other property to a private Corporation for the Promotion of Rifle Practice and Firearms Safety)

Mr. LAUTENBERG. Mr. President, I call up an amendment that is at the desk.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from New Jersey (Mr. LAUTENBERG), for himself, Mr. SIMON, Mrs. FEINSTEIN, Mr. BUMPERS, and Mr. KENNEDY, proposes an amendment numbered 4218.

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

Mr. SMITH. Mr. President, reserving the right to object, I want to hear at least a portion of the amendment read to get some understanding of what the amendment is. I do not choose to continue the objection. At this point, I want to object.

The PRESIDING OFFICER. The clerk will continue reading.

The bill clerk read as follows:

At the end of title X, add the following:

#### Subtitle G—Civilian Marksmanship

##### SEC. 1081. SHORT TITLE.

This subtitle may be cited as the "Self Financing Civilian Marksmanship Program Act of 1996".

##### SEC. 1082. PRIVATE SHOOTING COMPETITIONS AND FIREARM SAFETY PROGRAMS.

Nothing in this subtitle prohibits any private person from establishing a privately financed program to support shooting competitions or firearms safety programs.

Mr. SMITH. 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 as follows:

At the end of title X, add the following:

#### Subtitle G—Civilian Marksmanship

##### SEC. 1081. SHORT TITLE.

This subtitle may be cited as the "Self Financing Civilian Marksmanship Program Act of 1996".

##### SEC. 1082. PRIVATE SHOOTING COMPETITIONS AND FIREARM SAFETY PROGRAMS.

Nothing in this subtitle prohibits any private person from establishing a privately financed program to support shooting competitions or firearms safety programs.

#### SEC. 1083. REPEAL OF CHARTER LAW FOR THE CORPORATION FOR THE PROMOTION OF RIFLE PRACTICE AND SAFETY.

(a) REPEAL OF CHARTER.—The Corporation for the Promotion of Rifle Practice and Firearms Safety Act (title XVI of Public Law 104-106; 110 Stat. 515; 36 U.S.C. 5501 et seq.), except for section 1624 of such Act (110 Stat. 522), is repealed.

(b) RELATED REPEALS.—Section 1624 of such Act (110 Stat. 522) is amended—

(1) in paragraphs (1) and (2) of subsection (a), by striking out "and 4311" and inserting in lieu thereof "4311, 4312, and 4313";

(2) by striking out subsection (b); and

(3) in subsection (c), by striking out "on the earlier of—" and all that follows and inserting in lieu thereof "on October 1, 1996."

Mr. LAUTENBERG. Mr. President, this amendment would prevent the Government from providing a \$76 million Federal endowment to American gun clubs.

Senators SIMON, BUMPERS, FEINSTEIN, and KENNEDY are original cosponsors of this amendment. The amendment addresses what I view as a fatal flaw in the new version of the Civilian Marksmanship Program, which was established by the Congress in the fiscal 1996 Department of Defense authorization bill—last year's bill.

Before I explain why this amendment is necessary, I think it is important to understand the history of the old Civilian Marksmanship Program. The CMP was first begun in 1903, soon after the Spanish-American War, and at a time when civilian marksmanship training was believed to be important for military preparedness. Back then, some Federal officials were concerned that recruits often were unable literally to shoot straight. The officials believed that a trained corps of civilians with marksmanship skills would be useful to prepare for future military conflicts.

Mr. President, that may have made sense in 1903, but we are in 1996. The Spanish-American War ended more than 90 years ago, and, not to surprise people, but things have changed. So has the Civilian Marksmanship Program. Over the years, the program has been transferred from the training program for military personnel to a plain old shooting program for gun enthusiasts.

Tax dollars have been used for nothing more than promoting rifle training for civilians through over 1,100 private gun clubs and organizations. Through the program, the Federal Government has joined forces with the National Rifle Association to sponsor annual summertime shooting competitions for civilians. The program has included donations, loans, and the sale of weapons, ammunition, and other shooting supplies. It has purchased bullets for Boy Scouts, taught them how to shoot guns.

Mr. President, the Defense Department concluded long ago that the Army-run Civilian Marksmanship Program does not serve any military purpose. It concluded that there is no "discernible link" between the program and our Nation's military readiness.

Even so, until recently, the program was sustained by an annual \$2.5 million Federal subsidy.

In the face of growing criticism about the program's dubious benefit to our Nation's military readiness, concerns of links between the program and anti-Government militia groups, and the Army's interest in extricating itself from responsibility for managing the program, Congress drastically changed the program last year.

Keep in mind, this was to accommodate the problems that existed before. Once again, to repeat, there were concerns of links between the anti-Government militia groups and the Army's interest in getting out of the game, so Congress made a change. Under title I of the 1996 Department of Defense Authorization Act, Congress established a so-called "private, nonprofit" Corporation for the Promotion of Rifle Practice and Firearms Safety. In fact, the corporation is private and nonprofit in name only. According to the U.S. Department of the Army, when the corporation becomes fully operational in October of this year, October 1996, it will take control of—hear this—176,000 Army rifles worth more than \$53 million. It will receive at least \$4.4 million in cash. It will be given Federal property, vehicles, and computers worth \$8.8 million, and, even more remarkable, the U.S. Government is going to give 146 million rounds of ammunition estimated to be worth \$9.7 million, with all of these totaling \$76 million, taxpayer money, all free: Here, take it; have a good time.

Imagine, in these days of spartan budgets, inadequate programs, when need is desperate there, we are giving away \$76 million of Government assets, and worse is that we are giving them bullets and rifles, the kind of rifle I carried when I was a soldier in World War II. The total tab to the American taxpayer for this gift is over \$76 million.

Even more, this private group of citizens will be able to sell the federally purchased rifles without returning any profits to the Federal Government. The nonprofit corporation will reap 100 percent of the benefit of the profit from the Federal weapons and ammunition sales. Not one penny will be returned to the taxpayers of this country. Not a dime will be used to reduce the Federal deficit or to pay for other meritorious Federal programs.

From 1985 to 1995, the Federal Government spent roughly \$38 million on this Civilian Marksmanship Program. A healthy \$76 million Federal endowment ought to keep the so-called private corporation afloat for the next 20 years even if it never solicits one dime from private corporations.

Mr. President, the old Civilian Marksmanship Program was a bad program, an example of waste in Government. The new version of the program makes even less sense than the old, which at least maintained a measure of Defense Department control over the weapons and ammunition.

In 1994, the General Services Administration reconfirmed the longstanding Government policy when it convened a Federal weapons task force to review the Government's policy for the disposal of firearms. General Services brought together a group, a weapons task force, to try to understand the Government's policy for the disposal of firearms.

Under that policy, the Federal Government does not sell federally owned weapons to the public. Excess weapons are not sold or transferred out of Government channels. Excess weapons, those that we no longer need, are not supposed to be out there being distributed.

The Federal regulations are clear. They say that "surplus firearms and firearms ammunition shall not be donated" to the public. That is what the policy says. They say, "Surplus firearms may be sold only for scrap after total destruction by crushing, cutting, breaking or deforming to be performed in a manner to ensure that the firearms are rendered completely inoperative and to preclude their being made operative." That is what this Federal weapons task force recommended to the General Services Administration, and that was the policy.

Simply put, they say the Federal Government has made the decision that it should not be an arms merchant. I could not agree more. There are many of my colleagues who feel similarly. Those are sound regulations. There is no compelling public policy reason to exempt Army guns and ammunition in order to turn control of enough guns and ammunition to start a small war over to the private nonprofit Corporation for the Promotion of Rifle Practice and Firearms Safety.

Given the abundance of weapons readily available through the private sector, guns for which the Federal Government no longer has a use ought to be, as planned, destroyed—put it away, get rid of the requirement to guard it, keep records, et cetera. The federally subsidized corporation ought to be abolished. Our amendment would do just that. It would abolish the so-called private corporation, block the transfer of this \$76 million endowment and end the federally run Civilian Marksmanship Program once and for all. Importantly, it would bring the Army into conformity with the Government-wide policy of not transferring Federal guns and ammunition outside Government channels.

Our amendment only addresses federally owned guns and ammunition. It would not prohibit private gun clubs from existing and it would not prohibit the annual national shooting matches that are held in Camp Perry, OH, from taking place as long as the guns and the ammunition and the staff are funded through the private sector. Camp Perry is a State-owned facility. The State of Ohio can let the national matches go forward if it chooses to do so. The NRA, the National Rifle Association,

has been funding these shooting matches for years, and it can continue to do so under our amendment, but it sure should not receive Federal financial backing.

I expect some who oppose our effort will argue that shooting is an Olympic sport and that the program provides important training for future Olympians. Those attempting to make this argument should remember one thing: Ping-Pong is also an Olympic sport, but we do not provide Ping-Pong paddles or Ping-Pong balls or Ping-Pong training by the Federal Government. They should be reminded also the Government does not provide Federal subsidies for our Olympic swimming, tennis, volleyball, or other sports. Likewise, the Federal Government should not be supporting shooting.

Supporters of this \$76 million boondoggle will argue that promoting gun safety is a laudable goal. We can debate that question. But I do not think it is the role of the Federal Government to give away \$76 million worth of guns and ammunition in the name of gun safety. Frankly, when I look at the numbers, we see 140 million rounds of ammunition are going to be put out there by the Federal Government. We have seen enough of the gun influence in our society. I just think the Federal Government ought not to be a coconspirator. It is not our job to give away guns and ammunition. The private sector should promote gun safety, if it chooses to, for recreational shooters, not the Federal Government. The NRA and others already do this. If they choose to continue, they may.

When the 1996 Defense Department authorization bill was approved, the implications of the provision that established the private, nonprofit corporation were not clear, but now they are quite clear. We have a duty to act and to stop this boondoggle dead in its tracks. The giveaway of \$76 million worth of weapons and ammunition is terrible public policy. In fact, it is outrageous. The Government must not work to add to the proliferation of guns in the country. We have enough without adding to the supply with this big freebie.

Once again, I think it adds insult to injury when we think of the critical need that we have for programs in this country, whether it be breast cancer research, whether it be education, whether it be housing, whether it be nutrition, whether it be health care. How can we, in good conscience, say to the American people we are now going to give \$76 million to those who like guns and who want the Federal Government to subsidize their activity.

I think it is recognized there are gun clubs. There are people who belong to them. They are OK. But we ought not to add to the confusion about this, nor perhaps the occasional violent eruption that can come from having this excessive supply of guns and ammunition available in the public.

Mr. President our amendment would prevent the Government from providing a \$76 million Federal endowment to American gun clubs.

If this amendment is not adopted, a private, nonprofit corporation established by the Congress last year will take control of 176,218 Army rifles worth more than \$53 million. It will receive at least \$4.4 million in cash from the Army, and it will be given Federal property, such as vehicles and computers, valued at \$8.8 million. Even more remarkable, the corporation will be given control of 146 million rounds of ammunition worth \$9.7 million.

I did not make these numbers up. They came directly from the Army.

If this amendment is adopted, it will cost the Army less than \$2 million to demilitarize all of the M-1's currently slated to be turned over to the private corporation.

If the amendment is adopted, it will bring the Army in line with Government-wide policy prohibiting the public sale of Federal weapons. According to GSA regulations, reconfirmed by a Federal weapons task force in 1994, "Surplus firearms may be sold only for scrap after total destruction by crushing, cutting, breaking, or deforming to be performed in a manner to ensure that the firearms are rendered completely inoperative and to preclude their being made operative." The regulations say "surplus firearms, and firearms ammunition shall not be donated" to the public.

If the amendment is adopted, the national matches will still go forward. They just will have to be privately financed.

If the amendment is adopted, Americans will still be able to take courses in firearms safety. They just will have to be privately financed.

If the amendment is adopted, there will still be a well-trained U.S. Olympic shooting team.

Mr. President, the Department of Defense has opposed the Civilian Marksmanship Program. According to Army Under Secretary Reeder: "DOD repeatedly has conveyed to Congress that while it will continue to administer the program as directed by Congress, it will also continue to support legislation ending this program."

This giveaway of \$76 million worth of weapons is a terrible public policy. In fact it is outrageous. The Government must not add to the proliferation of guns in this country. We have enough without adding to the supply through this giveaway.

I urge my colleagues to support this amendment.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. SIMON. Mr. President, I rise in strong support of the amendment of my colleague from New Jersey, and I am pleased to be a cosponsor of this legislation.

The policy of the Federal Government up to this point has been not to sell weapons to the public. Now that

policy is going to be reversed. If we were just taking \$76 million and sending it down the drain, that would be bad enough. But, frankly, I would vote for sending it down the drain rather than doing what we are doing; 176,218 rifles are going to be handed over by the Federal Government. To whom? I do not know. But if anyone in here believes, of those 176,000 there are not going to be some people who are going to abuse those rifles, you are living in a dream world.

I just had a conversation this morning with my colleague, Senator Carol MOSELEY-BRAUN, who has been trying to get money for school construction. The GAO says we are \$15 billion in arrears on elementary and secondary school construction. She has been unable, at this point, to get one penny of Federal Government money for school construction.

We say we do not have money for school construction. But here we have \$76 million we are going to give away as a boondoggle to the National Rifle Association and the gun clubs. If we have 176,000 surplus rifles, we ought to destroy them. One of the reasons we have made progress in this country, in terms of murders in this country, is that a few years ago this Congress adopted a change so that you have to go through photos and fingerprints and some other things in order to become a gun dealer. We had a situation where we had more gun dealers than service stations in this country. And three-fourths of the gun dealers were not stores as we know them. They were in the kitchens of homes, they were in the basements, they were in trunks of cars. We had all kinds of illegal activity going on, and the ATF did not have the resources to handle it.

Now, if the Lautenberg amendment is not adopted, do you know who is going to be the No. 1 gun dealer in the United States of America, with no control on where those guns go? The No. 1 gun dealer in the country, if the Lautenberg amendment is not adopted, is Uncle Sam.

How many people are going to be killed because of what we are doing with this sending out to the public 176,000 weapons? I do not know. Illinois is 5 percent of the Nation's population. That means we are probably going to get 8,500 additional weapons. The State of Illinois has a lot of needs. We do not have any need for 8,500 more weapons scattered around the State of Illinois, given out by the National Rifle Association, or sold by them.

I heard my friend from New Jersey use the word "boondoggle." That is exactly what this is. Why, with the Federal Government short of funds, we should have a subsidy to the National Rifle Association and these gun clubs is beyond me. We are going to give them \$8,800,000 worth of property and \$4,400,000 in cash—let somebody stand up and defend that—and 176,000 rifles. I do not know what they are. When I was in the Army, M-1's were the rifle. I as-

sume we have moved beyond that stage. I see Senator GLENN, who is an expert on the Armed Services Committee. But this kind of nonsense, \$9.5 million worth of ammunition we are going to hand out. I have seen ridiculous things pass this U.S. Senate. I have never seen anything as ridiculous as this move ahead. We ought to be doing something about it.

It is interesting, who are the people who are going to take advantage of this? In the State of Michigan, the Michigan Militia took advantage of even the marksmanship program we have had at the National Guard base at Camp Grayling. These are the counterparts to the Freeman out in the West.

But this kind of a giveaway? You can argue for all kinds of subsidies in this country, but this is a subsidy that no one can defend with any logic.

I see my friend from North Dakota just walked onto the floor. He has been in the Budget Committee and has been a bulldog in trying to see our money is spent wisely. Here we have the Federal Government giving away \$76 million to the National Rifle Association, giving away 176,000 rifles.

We are going to be the No. 1 gun dealer in the Nation with this sale, and instead of destroying these weapons, we are going to be handing them out to people with no control on who gets them.

It is terrible policy, and the Lautenberg amendment ought to be adopted by voice vote. It should be unanimous, but I recognize the power that our friends in the National Rifle Association have. They have used the democratic process very effectively. But the U.S. Senate should stand up to them.

I say to staff members who may be watching this on television, I do not care what your party affiliation, what your background, look at this carefully. This is bad news for the country if the Lautenberg amendment is not adopted.

I thank my colleague for his courage and vision in offering it. I am pleased to be a cosponsor of this legislation that I hope will pass this body, I hope, overwhelmingly, but I know the power that our friends in the National Rifle Association have.

Mr. LAUTENBERG addressed the Chair.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. LAUTENBERG. Mr. President, first, I thank my colleague, Senator SIMON from Illinois for his remarks. I think he clarified the situation pretty effectively, that this is almost like a shock when you consider what could be done with the \$76 million, what ought to be done with these weapons.

The policy of the country in the past has been to destroy them. This goes back to Biblical recommendations: turn the weapons into plowshares, get rid of them. These are no longer valuable for the military, they are passe.

I said earlier that I carried one of these in World War II, and I see our distinguished colleague and friend from

Ohio on the floor, and I know that he, too, carried one of the weapons of this type in the military service of this country, which was, indeed, distinguished.

Mr. President, I want to point out a couple of things here that I think ought to be in the RECORD.

First, there are several documents, including a Washington Post article, a GSA news release going back to 1984 reporting on their view of what should happen with these weapons, which I am going to ask be printed in the RECORD.

The regulations, which I will just paraphrase, state:

Firearms no longer needed by an agency may be transferred to those Federal agencies authorized to acquire firearms for official use.

However, it also prohibits the donation, sale or exchange of firearms and states they may be sold only for scrap after destruction.

I particularly want to note, because some of the questions that are asked are: "Well, you're accusing the NRA, blaming the NRA for these things, pointing a finger at them." I am looking at an article that is issued by the NRA. They say in this article, dated May 10, 1996:

Remember a few weeks ago when the antigunners were criticizing NRA for working to repeal the misguided Clinton gun ban. You may recall they were imploring—

Again, my unanimous consent request will include the document I am reading, as well as others to be submitted for the RECORD.

However, they talk about these antigun votes. They say:

They showed their true colors this week.

This is May 10, 1996, just a few weeks ago.

The antigunners are now focusing their sights on the creation of the Corporation for the Promotion of Rifle Practice and Firearm Safety which was established to replace the DCM. This program seeks to provide surplus firearms and ammunition to law-abiding Americans to enhance firearms safety and marksmanship.

They criticize me and they say:

Even more ridiculous, Senator Lautenberg thinks that the distribution of surplus Government funds to groups amounts to aiding and abetting the rising tide of gun violence. This is just yet another example of the enemies of our firearms freedom putting aside common sense for the sake of politics.

I do not want to go through chapter and verse now of people in my State who lost loved ones to gun violence or to recall the stories that we read almost every day about guns in the schools, shots across the street in random shootings. That is not the subject.

This subject is one about whether or not the Federal Government gives \$76 million worth of guns and ammunition to organizations, the primary sponsor of which is the NRA. I think not. I hope, when we have a chance to have our vote, that this body will stand up and say, "No, we're not going to give away those weapons, we're not going to give away the Nation's assets, we're

going to destroy them just as they should be," and that we will have good support in that effort.

Mr. President, I ask unanimous consent that the several documents I mentioned be printed in the RECORD.

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

[From the GSA News Release, Jan. 6, 1994.]  
GAS ADMINISTRATOR STOPS SALES OF EXCESS  
FEDERAL FIREARMS

WASHINGTON, DC.—In an attempt to curtail the flow of handguns into American communities, the head of the General Services Administration today announced that the agency will no longer issue waivers that have allowed federal agencies to sell excess firearms to dealers in the private sector.

"After consulting with Attorney General Janet Reno and other administration officials, I have issued orders today that have revoked all previously issued waivers and determined that the General Services Administration will not in the future grant waivers from existing regulations prohibiting the donation, sale or exchange of firearms," GSA Administrator Roger W. Johnson said.

The prohibition is part of the Federal Property Management Regulation (FPMR) that control various items in the federal government's property inventory, including firearms. The regulations state, in part, that "firearms no longer needed by an agency may be transferred only to those federal agencies authorized to acquire firearms for official use." The FPMR also prohibits the donation, sale or exchange of firearms and states that they may be sold only for scrap after total destruction.

A waiver, or "deviation", from the regulations can be granted by the GSA Administrator upon request by a federal agency, which can then sell its excess firearms to federally licensed gun dealers. The money collected from these transactions has been used to purchase other firearms for federal use or to defray other agency administrative costs.

SURPLUS FIREARMS EXCHANGE POLICY FACT  
SHEET

The Federal Property Management Regulation (FPMR) Parts 101-42.1102-10(A-C) state, in part, that firearms no longer needed by an agency may be transferred to those Federal agencies authorized to acquire firearms for officials use. Firearms may not be donated and may be sold only for scrap metal after total destruction. Additionally, FPMR Part 101.46.202 states, in part, firearms are ineligible for exchange or sale.

The Administrator of the General Services Administration has the authority to grant waivers to these prohibitions upon request by an individual agency, thereby allowing an agency to sell its excess or surplus firearm inventory to private sector gun dealers. The money from these sales then go back to the agency to defray costs of upgrading future firearm inventories or other administrative costs.

Since 1982, a total of 61,901 firearms have been excessed and sold. The agencies that have excessed these firearms most frequently are the Customs Service, Internal Revenue Service, U.S. Marshal Service, Immigration and Naturalization Service and Drug Enforcement Agency. A large percentage of these firearms were acquired through confiscations during arrests.

GSA Administrator Roger W. Johnson started investigating this issue in October, when he was asked to grant a waiver. After consulting with Attorney General Janet Reno and other administration officials, Mr.

Johnson issued orders that have "revoked all previously issued waivers and determined that the General Services Administration will not in the future grant waivers from existing regulations prohibiting the donation, sale or exchange of firearms."

NRA-ILA FAX ALERT

ANTI-GUNNERS' HYPOCRISY ABOUNDS

Remember a few weeks ago when the anti-gunners were criticizing NRA for working to repeal the misguided Clinton gun ban? You may recall they were imploring NRA to get back to teaching firearms safety and promoting marksmanship. However, showing their true colors this week, the anti-gunners are now focusing their sights on the creation of the Corporation for the Promotion of Rifle Practice and Firearms Safety, which was established to replace the DCM (see Fax Alert Vol. 3, No. 5). This program seeks to provide surplus firearms and ammunition to law-abiding Americans to enhance firearms safety and marksmanship. The anti-gunners beef—since the shooting clubs involved with the program may be NRA-affiliated, they argue this program is "new funding mechanism" for the Association! Even more ridiculous, Sen. Frank Lautenberg (D-N.J.) thinks the distribution of surplus government firearms to groups like Boy Scouts and Future Farmers of America amounts to "aid[ing] and abett[ing]" the "rising tide of gun violence." This is just yet another example of the enemies of our firearms freedoms putting aside common sense for sake of politics. For more information on the Corporation for the Promotion of Rifle Practice and Safety, call 202/761-0810.

ANTI-GUN AMENDMENT DEFEATED IN U.S. HOUSE: An amendment to a Public Housing bill offered by U.S. Senate candidate Rep. Dick Durbin (D-Ill.), that would have outlawed self-defense in public housing units, was overwhelmingly rejected by a veto-proof majority on Thursday. Durbin's proposal would have criminalized public housing residents who use a firearm in self-defense, thereby federalizing state and local offenses—discriminating against people living in public housing. Our thanks to Reps. Harold Volkmer (D-Mo.), Bob Barr (R-Ga.), Bill McCollum (R-Fla.) & Denny Hastert (R-Ill.) for leading the charge against the proposal. Side Note: the anti-gun Durbin will face NRA-endorsed candidate Al Salvi (R) for U.S. Senate seat vacated by this fall.

U.S. HOUSE TO LOOK AT BAITING ISSUES: On May 15, the House Resources Committee will hold a hearing on the enforcement of baiting regulations that prohibit hunting waterfowl and other migratory game birds, such as doves, "by the aid of baiting, or on or over any baited area." Following passage of the 1918 Migratory Bird Treaty Act, hunting over bait was prohibited by regulations in 1935 to better regulate the harvest of migratory waterfowl. The Interior Department's Fish and Wildlife Service has enforcement responsibility. However, in recent years, these regulations have caused considerable confusion and disagreement over how they're enforced. We'll keep you posted!

STACK BACKS OUT: Charles "Bud" Stack, President Clinton's nominee for a seat on the 11th Circuit Court of Appeals, withdrew his name from consideration after his nomination was criticized by a number of groups, including NRA. In his writings, Mr. Stack had called for the firearms industry to be held liable when their products are misused by criminals, thereby removing responsibility from criminals and placing it instead on the manufacturers.

LEADERSHIP TRAINING SET FOR MICHIGAN: Next Sunday, May 19, NRA—in

conjunction with the Citizens Committee for the Right to Keep and Bear Arms and the Second Amendment Foundation—will host a FREE Leadership Training Conference in Romulus, Michigan. Don't miss this chance to learn how you can become a more effective citizen-lobbyist! To reserve your seat or for more information, please call (206) 454-4911.

EXCERPT FROM NBC NIGHTLY NEWS, MAY 16, 1996

TOM BROKAW. Tonight, The Fleecing of America. If it wanted to, the federal government could have the world's largest yard sale. Think about it for a moment, all that surplus furniture, used vehicles, military equipment; it goes on and on. And in these days of tight cash, why would the government give anything away? Which brings us to this FLEECING question from NBC's Andrea Mitchell.

ANDREA MITCHELL. Dawn, on the world's largest firing range, Camp Perry, Ohio, an Army base. Civilians issued rifles. The Army will soon give away 76,000 surplus M-1s just like these, free. They're also giving away office space, computers, and \$4 million in cash. Grand total: at least 67 million taxpayer dollars. The Army will turn all this over to a new private organization which will sell the firearms to finance gun tournaments around the country.

Mr. ROBERT WALKER (Handgun Control, Incorporated). It is a recreational program. It is pork, NRA pork.

MITCHELL. In fact, critics say, not only a FLEECING OF AMERICA but a big benefit to the National Rifle Association. How did Congress pass the gun giveaway? Very quietly. Gun opponents though they had killed this program. They didn't count on the powerful gun lobby, the NRA. Its friends in Congress slipped this 12-page amendment into the massive defense spending bill. Its purpose: the promotion of rifle practice and firearms safety among civilians.

Senator FRANK LAUTENBERG (Democrat, New Jersey). It irritates the devil out of me that people who work here representing the best interests of our country are so susceptible to narrow special interests like the NRA.

MITCHELL. This summer at this Army base in Ohio, the world series of gun tournaments, financed largely by this government giveaway. So, your tax dollars bought the rifles which sell for up to \$600 to pay for programs critics say help the NRA recruit.

Ms. SHANNON MCNEILY (Age 12). This is my first time shooting here.

MITCHELL. And how did it feel?

Ms. MCNEILY. It felt pretty cool.

MITCHELL. Supporters say these programs teach gun safety, important lessons that can be taught to anyone, even someone who's never handled a firearm.

Mr. CRAIG SWIHART (Volunteer Instructor). Very good. You squeezed that off real nice. Let's do it again.

MITCHELL. They say good, clean fun. But should taxpayers foot the bill, permit the Army to give the surplus guns away?

Mr. SWIHART. Good question. Is this a good use of tax dollars? These guns were paid for in the early '40s and very late '30s when we fought the Second World War.

MITCHELL. Critics say the rifles should be destroyed. The NRA calls that a real waste of tax dollars. Although they co-sponsor and run the annual tournament, they say:

Ms. TANYA METAKSA (National Rifle Association). This is not a program that benefits the NRA at all. It's one we spend millions of dollars and—to support.

MITCHELL. Gun opponents are now trying once again to kill the gun giveaway.

Senator LAUTENBERG. The people on the other side very cleverly figured out a way to give away the store, and give away the weapons, and continue the program, and pay for it. It's outrageous.

MITCHELL. But the NRA may have bigger guns in Congress to keep this FLEECING OF AMERICA alive. Andrea Mitchell, NBC News, Camp Perry, OH.

[From the Washington Post, May 7, 1996]

#### UP IN ARMS OVER RIFLE GIVEAWAY

A provision of the defense budget that went into effect earlier this year requires the Pentagon to give away 373,000 old rifles from World War II and the Korean War, spurring protests from gun-control advocates who believe the government shouldn't add to gun commerce.

The little-noticed measure was promoted by the National Rifle Association and the congressional delegation in Ohio, home to an annual marksmanship competition that will be financed by the sale of the venerable M-1 rifles and other aged guns with a resale value of about \$100 million.

The heavy, nine-pound M-1s are unlikely to be used in street crimes such as drug killings, the program's advocates say, because the main buyers have been and likely will continue to be gun collectors who must be trained in shooting rifles and pass a stringent background investigation.

But critics say the recent congressional action is in effect a subsidy to the NRA. It requires the Army to transfer control over the rifles for free to a new nonprofit corporation. The corporation will sell them to benefit marksmanship programs and the yearly target tournament in Camp Perry, Ohio, which is managed by the NRA.

The old Army-administered program also co-sponsored the annual Ohio tournament with the NRA, and over the years the NRA used its close relationship with the project to market itself, critics of the group said.

Congress's action marked the death of the Army-administered program, called the Civilian Marksmanship Program, which critics called one of the U.S. government's oddest pork-barrel projects. The Pentagon ran it for decades but has sought to disentangle itself in recent years.

The program harkens to 1903, just after the Spanish-American War. U.S. military officials were upset to learn farm boys conscripted for that conflict were not the rustics of romantic American novels who could nail a jack rabbit from 200 yards—in fact, they couldn't hit a barn. Congress established the project, supported by U.S. military guns and money, to promote sharpshooting in future wars.

"The gift of millions of dollars worth of weapons and ammunition is terrible public policy," said Sen. Frank R. Lautenberg (D-N.J.) in a column in USA Today. "In fact, it's outrageous. The government must work to stem the rising tide of gun violence in this country, not aid and abet it."

"This program historically has been a federal subsidy to the NRA's marketing," said Josh Sugarman, a gun-control activist and author of a 1992 book critical of the NRA. Congress's latest action, he added, is "a new funding mechanism" that also helps the NRA.

The great majority of the gun clubs that take part in the marksmanship program are affiliated with the NRA, he said. For decades, in fact, the guns' buyers had to prove to the Army they were NRA members—until a federal judge stopped the requirement in 1979.

Promoters of the 93-year-old program say it's no more sinister than the Boy Scouts, the Future Farmers of America and other

youth groups that have taken part in its marksmanship training. This M-1s that are sold are not used in crimes, they said, because the strict background probes of the guns' potential buyers cull out criminals. They also point out that nine of the 10 members of America's 1992 Olympic shooting team learned marksmanship in the program.

"Any link opponents try to draw between this program and urban violence is comparable to linking Olympic boxing competition with hoodlum street fighting," said Rep. Paul E. Gillmor (R-Ohio), who sponsored the new measure and whose district draws 7,000 visitors and \$10 million in revenue during the summertime rifle competition.

Gillmor added that it would cost the military \$500,000 to destroy the guns, while the cost is nothing if it gives them away.

Chip Walker, a National Rifle Association spokesman, said Lautenberg and other critics of the program "don't want to promote firearms safety and responsibility." He added that it's "ironic" that gun-control advocates for years have criticized the NRA for its harsh rhetoric, urging it to stick to its traditional mission of teaching firearms safety—and now raise questions about its efforts to pursue even that goal.

Almost all the guns the Army is to give away are M-1s, the bolt-action rifle lugged by GIs onto the beaches at D-Day and Guadalcanal. Replaced in 1958 by the M-14 as standard infantry issue, and later by today's M-16, the M-1 is prized by collectors and war buffs—especially the pristine guns sold in their original boxes by the Army.

Last year the Army charged \$310 each for the M-1s stored at its Anniston Army Depot in Alabama—an increase from its recent price of \$250. In any case, those are discounts, because M-1s usually sell for \$400 to \$500. In recent years the program sold a maximum of 6,000 guns a year.

The measure recently signed into law by President Clinton in essence privatizes the program and transfers ownership of the 373,000 rifles to the new Corporation for the Promotion of Rifle Practice and Firearms Safety, whose board is to be named by the Army. It will then sell the weapons for whatever price the market will bear, and at whatever rate it chooses. (The guns will remain at the Anniston facility until they are sold.)

The law requires the Army to transfer to the new corporation \$5 million in cash the Army program has on hand, \$8 million in computers and other equipment, about 120 million rounds of ammunition and the 373,000 guns. It's estimated that only about 60 percent of the guns—about 224,000—are usable, and they could fetch about \$100 million.

The Pentagon has sought to remove itself as administrator of the program, under which it sold 6,000 guns a year and donated \$2.5 million annually to the Ohio competition, military officials said. The main reason, they said, is that they concluded that the program years ago stopped contributing to "military readiness." Moreover, Pentagon officials were uncomfortable being involved in an issue as controversial as firearms.

Finally, last year, military officials were upset by the taint the program suffered when it was learned that members of a Michigan militia had formed a gun club that became officially affiliated with the Army program. Using that affiliation, the militia members had taken target practice at a Michigan military base until they were stopped.

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

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

Mr. GLENN. Mr. President, regrettably, I must rise today in opposition to the amendment offered by my colleague from New Jersey. I do this reluctantly. I think this whole program is being mischaracterized, to a large degree, here. I think that is unfair.

Civilian marksmanship is an old program. It has been run since way back in the early 1900's. It has been, basically, a good program. I would like to disabuse anybody of the idea that this is somehow just an NRA program. You bring up NRA and you immediately get strong feelings on both sides of whether you should support something or not just by the fact whether NRA approves it or does not approve it. But this is not an NRA program and it is not a giveaway program and it is not a gun control issue. I want to address these things.

Senator LAUTENBERG's amendment would terminate a program that represents a compromise. It was a compromise which was worked out last year as a way of changing from Army support with taxpayer money, Army support of the Civilian Marksmanship Training Program that is conducted at Camp Perry in Ohio, and has been, I do not know, for how many decades it has been run there. But it was a way of converting from Army control and taxpayer money being used over to a civilian nonprofit organization that would run a legitimate sport that is run as a gun sport, not hunting or anything like that, but target shooting, marksmanship, gun safety, and that has been the focal point of the matches that have been held at Camp Perry for a long, long time.

This way to convert over to a civilian program without just killing the whole program outright was the compromise that was worked out last year. No. This program, Mr. President, has not even had a chance to go into effect yet. So what we are doing is dumping the compromise that we thought there was agreement on last year.

This program's predecessor, the Civilian Marksmanship Program, was established by Congress in the very early 1900's. They have promoted firearms safety and marksmanship training ever since that time.

Up until this year, the Civilian Marksmanship Program was run by the Army, using appropriated funds, as I said. In addition to providing firearms safety training, the Civilian Marksmanship Program conducts a national marksmanship competition each year. Quite legitimate; great. It is like people shooting bows and arrows get to have their competition. People shooting little .22 pistols have their competition. And people who want to fire a little heavier fire caliber rifles have their competition.

Indeed, it is an Olympic sport in marksmanship. The training many of these people receive at Camp Perry, the competitions they were in in these

matches, is what leads them into a position where they can even participate in the Olympics. So it is a legitimate sport. So, in addition to providing firearms safety training, they conduct the national marksmanship competition each year.

The third element of the program has been the sale of World War II vintage M-1 rifles out of which some of the costs of the competition and the firearms training has been funded.

Now these are M-1's as my distinguished colleague from New Jersey said, M-1's that everybody who was around the military back during World War II days certainly and the Korean war are very, very familiar with. This is not a weapon of crime. I do not think there is a single time on record where an M-1 rifle has been taken in and been used to conduct a crime or rob a bank or a 7-11 or anything else.

Last year's defense authorization legislation simply took the old program run by the Army, with appropriated funds, and moved it into a federally chartered—federally chartered—not-for-profit corporation that would conduct the training, the national matches, and sell collector-type rifles to defray the costs of the operations.

This was a transition program to help them change to this nonprofit operation. That was the only purpose of it. The program has not changed in the last year, other than to move it out of the Army and stop using Army appropriated funds and put it into a self-sustaining corporation called the Corporation for the Promotion of Rifle Practice and Firearms Safety. The use of appropriated funds was the complaint of the program's detractors last year, and that complaint was addressed by last year's legislation, Mr. President.

I regret this issue is being characterized as a gun control issue because I believe that characterization is misleading, to say the least. Like Senator LAUTENBERG, I have been a strong supporter of gun control, but I do not believe the sale of these 50-year-old 9-pound rifles raises a gun control issue. As I said, as far as I know, there is not on record a single crime, not a single one, no robbery that anybody has on record as I understand it, of an M-1 rifle ever having been used.

What is the attraction of these? The attraction of these rifles is nostalgic, quite frankly, for collectors, those who literally lived with that rifle back during World War II days and who want one to hang above the fireplace or on the wall or someplace or to show their kids. It is something they literally lived with in combat and which became an important symbol to them. You do not see a picture of World War II with the troops going up without the M-1's slung over everybody's back here. That is the attraction of them to collectors.

It is not a matter of gun control at all. These rifles are being bought by collectors. They have never been recorded as involved in the commission of a single crime. They are heavy weap-

ons and difficult to conceal. In addition, before a rifle can be purchased, a background check is required. The arguments about the program have never been about gun control before. The Army has been selling rifles and ammunition to the public under the auspices of the Civilian Marksmanship Program since 1924.

Finally, I note these weapons are obsolete. They are not usable by the Army. So this is not a valuable giveaway where you can say these cost \$400 or \$500 to produce. These weapons, if they are stored by the Army—it will cost more to store them. I also add, the estimates of what it would cost to destroy these as opposed to selling them has been running—we do not have an accurate estimate, but the estimates have been between \$500,000 and \$3 million to destroy these things. I do not know what the true figure is here, but the lowest estimate we have had was \$500,000.

But in any event, these are not usable now. They will be destroyed if they are not transferred and sold into this program. So to the Government these rifles are not truly assets. Rather, they would be reflected on the books as a liability since their destruction would cost the Government money.

So I think that sort of lays out the program, puts it in a little different light. It is not a program concerned with crime prevention. It is not a gun control issue; never has been. These are not the weapons of crime at all. It is not a giveaway because, if the Army does not want them, it will cost money to destroy them.

What it is is a way of getting from the transition of the old Army-supported, taxpayer-supported matches that the Army used appropriated funds for and transferring that over to a nonprofit corporation to continue the marksmanship training, safety training, Olympic-hopeful training, and so on, that has occurred at Camp Perry for many decades now.

So I urge my colleagues to oppose the amendment offered by my colleague from New Jersey.

Mr. SMITH addressed the Chair.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mr. SMITH. Mr. President, in this amendment the Senator from New Jersey argues that the private, nonprofit, self-sustaining entity established by Congress, the CMP, the Civilian Marksmanship Program, is neither private nor self-sustaining. The amendment appears to make the program self-sustaining, but in fact it terminates the program flat out.

He says that the CMP should be self-sustaining. He states that the program is terrible; in fact, it is outrageous, he says. I think the goal here is to portray the Civilian Marksmanship Program as dangerous and wasteful, perhaps an agenda here which is to terminate the entire program.

Let me just use some phrases that the Senator from New Jersey has used



in debate here. The Senator from New Jersey says, "Located deep inside the massive 1996 Defense Authorization Act, there is a small provision that was slipped into the defense bill."

Both the House and the Senate bills contained very detailed provisions to transition this Civilian Marksmanship Program from the Federal Government. This is not something that was deep inside a massive bill that was slipped in. It is actually 14 sections in a separate title. Title 16, Corporation for the Promotion of Rifle Practice and Firearms Safety. It is almost 10 pages. So it is not a little, insignificant item that was somehow slipped into this bill. It is very clear. It is not a small provision. It certainly is not in any way hidden. It is very much a part of the bill and easy to find.

The Senator from New Jersey also says that, "The law directs the Department of Defense to turn over 176,000 guns and 150 million rounds of ammunition in buildings in Washington, DC, and Ohio worth \$8.8 million."

The law directs DOD to transition the program to the private sector—transition the program to the private sector. No transfer of an obsolete M-1 Garand rifle can occur by law unless strict criteria are met. No buildings or real property are going to be given to the corporation. One building at Port Clinton, OH, may be leased back to the corporation.

Ammunition held in this Civilian Marksmanship Program is surplus ammunition. Eighty-five percent of it was purchased with revenues generated by CMP from fees and dues. There are no U.S. forces or allies, for that matter, who have any need for this 30-caliber ammunition. So the 287,000 M-1 Garand rifles now being stored by the defense logistics agencies are obsolete. They are carried by DOD as unserviceable.

So I do not understand where all this tremendous monetary value comes from that somehow we are wasting or giving away. They are obsolete. They are not worth anything to the Federal Government. So this transition saves the Government, does not cost the Government, saves the Government millions—millions of dollars—because you have to destroy this inventory. If you did not get rid of it by giving it away, you would have to destroy ammunition, you would have to destroy these weapons. Plus, in the meantime before you destroyed them, you would have to have storage costs. The estimate of that is somewhere around \$2.5 million annually. In addition to that, you would preserve the program and avoid other significant costs.

M-1's are obsolete and have value only if they are sold. They do not have value if they sit. They have value only if they are sold. Criticism that the program is a giveaway for selling obsolete rifles that have no value unless they are sold does not make any sense. Disposals comply with all current law. All current law is complied with, and further, require a formal training program

and a waiting period of 10 to 15 months after the completion of all these requirements.

Now, the Senator from New Jersey, and I will use his language, said, "The total tab to the American taxpayer for this boondoggle is over \$76 million." That is simply not true. The value of obsolete M-1 rifles is zero. How would one put a value of \$76 million on obsolete items that no one wants to buy? They are a liability. They cost money if they are destroyed.

No real property is here being transferred to the corporation. So the \$76 million, I do not know where it came from. It has no basis, in fact. However, there are some savings. Mr. President, 28 Government employees would leave the program, \$83,000 in annual rent for a commercial building would be saved, and \$850,000 in conducting national matches would be saved, a cost avoidance by not having to store and destroy 287,000 obsolete firearms.

Another statement that was made here, Mr. President, by the Senator from New Jersey is, "Why should taxpayers be delivering cost free to American gun enthusiasts more than 176,000 rifles and enough ammunition to start a small war?" If we could try to look through that kind of inflammatory rhetoric, it is fair to ask a public policy matter, I think, as to whether the CMP should be transitioned or terminated. That is a fair question. No concern was raised while the issue was considered in markup nor on the floor nor in conference. This is not a gun control issue. That is what the other side is making this into. It is not a gun control issue. The program promotes safety and conducts matches—national matches. The disposals of these obsolete weapons, the M-1's, comply with all current law and further require a formal training program and a waiting period of 10 to 15 months after all these requirements are complete.

We have heard today that somehow this is a great benefit to the NRA and we are carrying water for the NRA. This is not even about the NRA. The NRA does not have a thing to do with this program, nothing, not one bit of a role does the NRA have in this program. The essential question is whether the program contributes sufficient value to the United States to merit its continuation. That is the issue. The program of safety education and the contribution to the U.S. Olympic teams alone would answer that question in the affirmative.

Now we have heard to the contrary, but considering the program's value as an outreach program, conducted by a large network of volunteers, its proven value in military recruitment and the savings to taxpayer, all of those items support its continuation. What we are hearing is a misrepresentation of the facts, turning this into a gun issue. The fact that there is no cost to the taxpayers to continue the program as a private entity further supports its continuation.

Now, let me answer this point about gun enthusiasts. This is a large program, a very large program. It has the direct involvement of over half a million young adults, maybe some older adults. Nine out of 10 members of the 1992 U.S. Olympic rifle team participated in this program, 9 out of 10, to include female gold and silver medalists. Congress considered the issue, recognized the value of the program, and developed the transitional aspect of this legislation in close cooperation with the Army to enhance those people to use those weapons in their training on the U.S. Olympic team.

CMP, the Civilian Marksman Program, is conducted through 1,100 formally affiliated clubs in all 50 States, whose volunteers teach young people the safe and responsible use of firearms in conjunction with competitive sport shooting, competitive sport shooting. Who belongs? Clubs in New Jersey, for example, include the Vernon Township Police Athletic League, the Queen of Peace High School, the 44th infantry Division Historical Reenactment Society, the Boy Scout Troop 46, and Kearny Police Junior Rifle Club. We forget that when we go to see these reenactments of military battles or marchers, that they do carry these weapons. Where would they get them? We are providing them to them. That is a service. These are not placed in the hands of fanatics who are going out shooting people. Yet that is the image that is being presented here.

A typical club secretary, who also is a New Jersey police officer, commented to our staff on the committee, "Our club has 21 young people in grades 6 to 8 and 40 on a standby list. We have turned away countless others because we do not have instructors. The local schools and parents fully support our club." I repeat, "The local parents and schools fully support our club. Ours is the only basic firearms safety program in the area. We believe that educating kids in safety is the best way to demystify guns and achieve responsibility, safety, and respect. We teach kids how to handle these situations where a friend may try to take out a gun in a house," for example. It is a team program.

Another secretary commented, "We have more than 400 members in our club. This is a family program, lots of fathers and daughters. Most adults are in the National Guard, the Reserves, or have had military experience. We stress the safe handling of firearms and dispel myths. We instruct the police auxiliary and active Reservists without the use of public funds. Our community has found in 15 years of club affiliation this is an excellent program for kids."

So, "The CMP," again, using the words of the Senator from New Jersey, "has sponsored summertime shooting competitions for civilians and it even purchased bullets for Boy Scouts and taught them how to shoot guns." Now, that is really an outrageous statement, Mr. President. The program conducts

annual national matches, supports programs like 4-H, Future Farmers of America, and, yes, the Boy Scouts of America, and, yes, the Boy Scouts. It does furnish .22 caliber ammunition—formerly free of charge, soon at a nominal price—for certified youth programs paid from revenues that this program generates. Without this program, there would be no national matches.

Again, the Senator from New Jersey says in reality the new corporation will be private in name only. That is not true, either. The legislation states, "The corporation shall not be considered a department, agency, or instrumentality of the Federal Government. An officer or employee of the corporation shall not be considered to be an officer or employee of the Federal Government."

The Senator from New Jersey also says, "There was also evidence of links between the program and antigovernment militia groups." Of course this is a hot button, which is why it is brought up. Again, this is simply not true. Now, facts are facts. This comment may refer to a group not affiliated with the program that tried to use a military installation range and was turned away by the installation commander because they were affiliated with the militia. The Army conducted an investigation of possible militia involvement in a program and can find absolutely no indication of militia involvement.

This M-1 is not the type of firearm that such a group or a criminal would prefer. It cannot be used as a full automatic. It is heavy and it is impossible to conceal. This is an old military weapon, Mr. President.

The legislation prohibits explicitly participation in the program by anybody who is a convicted felon, firearm violator, and any individual who would advocate the violent overthrow of the U.S. Government or any overthrow of the U.S. Government. The requirements to purchase an M-1 through the program are probably the most vigorous in the country.

An applicant must comply with all existing laws, have a background check, be fingerprinted, attend a formal training program, fire 50 rounds under supervision as part of the training, and wait 10 to 15 months after completion of all of the requirement to receive a rifle.

It is regrettable, Mr. President, that this program has come under attack and this thing is being made into an NRA issue or a gun issue.

Again, in summary, these are outmoded weapons that are used in competition, or in military reenactments, or hobbyists, or for competitive shooting, and that is all. They have no value whatsoever to anyone. So to say they are worth \$76 million is simply outrageous. They have no value.

So by providing this opportunity for people to get some use out of them, some training, I think we enhance the possibility that they would be less be-

apt to have accidents, or go to people who do not understand guns. But to say we are putting bullets and guns into the hands of Boy Scouts, that is terribly misleading, Mr. President.

At this point, I suggest the absence of a quorum.

Mrs. FEINSTEIN addressed the Chair.

The PRESIDING OFFICER. Does the Senator withhold the quorum call?

Mr. SMITH. Mr. President, let me just say, the Senator from New Hampshire would object to calling off the quorum call, unless the Senator from California would agree to be recognized for debate only while the managers are working on an agreement with respect to the Lautenberg amendment, and that I be recognized when the Senator from California yields the floor.

Mr. LAUTENBERG. I object.

Mr. SMITH. Then I object to the calling off of the quorum call.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mrs. FEINSTEIN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Ms. SNOWE). Is there objection?

Without objection, it is so ordered.

Mrs. FEINSTEIN. Madam President, I rise as a cosponsor of Senator LAUTENBERG's amendment and to both commend him and support him for this amendment.

Prior to making my remarks, I would like to address a comment made by the very distinguished Senator from New Hampshire that these guns have no value, that the \$76 million price tag on them is outrageous.

Well, we called a number of gun shops around the Nation to determine whether the M-1 and the M-1 carbine had a value. I would like to share with the Senator what I found. The M-1, which the Army puts a value of \$310 on, can be purchased at the Old Town Armory in Alexandria, VA for \$425. It can be purchased at the Old Sacramento Armory in California for \$549. It can be purchased at Segal Guns in Oakland for \$495.

Remember, the Army's value is \$310. The M-1 carbine, which the Army puts a value of \$76.90 on, can be purchased at the Old Town Armory for \$389, and the Old Sacramento Armory for \$425, at the San Francisco Gun Exchange for \$278.50 and \$325, at the National Shooting Club in Santa Clara at \$400 and \$425.

As a matter of fact, if you average these prices and say what market prices are for these weapons, the M-1 and the M-1 carbine, and the other items, actually increase the amount to about \$86.5 million rather than \$76 million.

So I respectfully submit to this body that it is not true that these guns have no value. They are, in many cases, collectors items, and they bring a substantial value.

Nonetheless, I rise in support of what Senator LAUTENBERG is doing, because to me this kind of program is not one in which the Federal Government should be involved. It is not one in which we should be providing cash and leased space and weapons to a civilian program. My view is that the groups who are interested in this are well-funded, they have a fee base, and they can handle this program on their own, and that is an appropriate thing to do.

I also have a problem in that I do not believe that military weapons should be sold by the U.S. military to civilians. Military weapons may be out-of-date weapons, but, nonetheless, they are designed with a purpose, and that purpose is combat. Heaven knows we have enough combat on our streets.

I looked at the background of this program. It was actually established, interestingly enough, in 1903 as a military program prior to the Spanish American War to take young recruits and would-be military and teach them how to shoot prior to their coming into the military.

Last year, under title XVI of the 1996 Defense Authorization Act, the non-profit, so-called private Corporation for the Promotion of Rifle Practice and Firearm Safety was put forward. In effect, this is a change in name only. It is the same program. It may have a different board of directors, but it will be the same identical program—sort of the same program with a different name on it.

So essentially, when it becomes operational in October of this year—and it has not yet become operational—it will take control of 176,218 Army rifles and 146 million rounds of ammunition worth more than \$62 million. Even more remarkable, it will receive at least \$4.4 million in cash from the Army, and it will be given leased Federal property such as vehicles and computers valued at \$8.8 million at no cost to the corporation but at a cost of \$76 million to the taxpayers. So the taxpayers are essentially giving to a totally civilian program \$76 million of their funds.

Is training people to shoot straight a worthy cause? Of course it is. But it is not the Government's responsibility.

I do not know about you, Madam President, but I have not received one phone call or letter from a constituent complaining that we are not funding enough shooting competition. I have, however, heard from constituents about the \$11 million that was cut from Healthy Start, a program to reduce infant mortality among low-income pregnant women, and I have heard about the \$384 million that was cut from student financial assistance grants, and I have heard about the \$12 million cut from the school dropout prevention program and the \$4 million cut from the National Health Service Corporation that sends doctors and nurses into underserved areas.

So what this boils down to—and I recognize there is a firewall between



defense and social programs—is really a sense of priority. Is this where we want Army weapons going? Is this how we want Federal dollars used?

My own State of California will have cut \$12 million for the Commerce Department's Tourism and Travel Administration. This is a big deal in California. It is one of our major industries. Local communities feel a very real impact from the \$35 million lost in impact aid to make up for lost tax revenue.

So this, again, is about priorities. I do not think—well, I know, because the military has said they do not need the program. They do not really want the program. \$76 million—think of what that could do put to use.

I am also very much aware of the fact that there are many guns in this Nation. We have 212 million guns in the United States of America in private circulation and another 6 million being added every single year. Do we really need to use Federal money to add over 175,000 Army guns to this street supply? This is not a question of gun control. This is not controlling guns. It is a question of adding to the supply with taxpayer dollars. I, for one, do not truly believe that the Federal Government should do this. I believe, in a sense, that it has as much social well-being and purpose as a Federal tea-tasting program.

In reports such as ABC's Prime Time Live and a Boston Globe article, it is true militia members brag that they are adding to their stockpiles of weaponry and ammunition and have received training at U.S. Army bases from the Civilian Marksmanship Program. What is to stop them from receiving training at this program as well?

As a matter of fact, this group does its own gun checks—not a Federal agency, not somebody independent, not somebody trained in it, but very pro-gun, antiregulation, antilicensing people would do the betting of who would have these weapons.

So I would say who do we really know? Where do we really think these weapons and ammunition will go? The clear answer is we do not really know because the new corporation would have the sole responsibility for determining who gets the guns and who does not. A group of private citizens will determine who gets military weapons and who does not.

That, to me, is wrong-headed. It is ill-advised. Then when you fund it with taxpayer dollars, I think Senator LAUTENBERG is absolutely right on, it becomes a major boondoggle.

I yield the floor. I thank the Chair.

Mr. CRAIG addressed the Chair.

The PRESIDING OFFICER. The Senator from Idaho.

Mr. CRAIG. Madam President, the amendment that the Senator from New Jersey has brought before us—certainly the Senator from California has just spoken in behalf of—in my opinion rests largely on a matter of opinion and not as much on fact. I say so because, if you really are antigun—and

that appears clearly to be the case of the two Senators and the votes that they have cast over the last several years, and certainly the Senator from New Jersey has made no secret about the fact that he has been opposed to the Civilian Marksmanship Program and has for many years tried to terminate it—I would not be surprised that this amendment would come at this time. What happened last year was a recognition of the concern of the Senator from New Jersey.

But as important as getting it off from the Government role, if you will, is the recognition as we have gone down through the decades that we really did find it a legitimate and a responsible position for our Government to promote firearm safety and, certainly, legitimate civilian marksmanship.

Whereas, the Senator from California stated when this program was originally organized we found our need to defend ourselves as a country but we found a civilian population who did not know how to handle firearms, and the length of time in training them was such that it was inadequate for the need for protection. Since that time we have had a department of civilian marksmanship, a program that has been participated in, yes, by the National Rifle Association, but by a lot of other civilian groups, private groups, who have been interested in responsible firearm handling and safety and accurate marksmanship.

As the Senator from Ohio so clearly spoke, this program is privatized. It is being moved out of the area of subsidy.

So if you are against a safety program, a responsibly controlled program, and you are just antigun, then my guess is you would want to vote for this amendment.

But if you recognize the need for gun safety, for a well-organized program and for our military, the Army in this instance, to be a participant in selecting the board of directors of this civilian, nonprofit group to handle the Civilian Marksmanship Program and the sale of these obsolete firearms, then I would ask you to oppose this amendment; to do responsibly what we did in 1996 in the defense appropriations bill, and that is to move it out of the Government and allow the sale of the M-1 and the ammunition that remains, which is by all definition an obsolete military weapon, to fund the program.

Some would argue that is subsidy. I would argue something different than that.

I suggest that right now the storage of these obsolete military weapons is costing us well over \$2 million a year. We are paying for that on an annualized basis. If we destroy the arms, which the Senator from New Jersey is advocating, we do not know its cost—millions of dollars to go out and destroy not only the firearms but the ammunition. That has a fixed-cost to it. Or we can do as we are suggesting here and legitimately fund this program by the controlled sale of the M-1. And I hope we would choose to do so. Certainly, I think that remains a responsible choice.

This new program and the director of civilian marksmanship that would be created by it have this responsibility: the instruction of marksmanship and the conducting of national matches and competition—and out of those national matches and competition grow our Olympic athletes who compete in this legitimate international sport, the sport of marksmanship shooting, competition shooting—the awarding of the trophies, the prizes, the badges and insignias, the sale of firearms, ammunition and equipment.

That becomes the responsibility of this civilian-based, nonprofit corporation, and I think that is what we ought to be doing. That is responsible. I think this is an amendment that ought to be tabled, and I hope that sometime this afternoon we could get to that and my colleagues would join me in such tabling action.

As the Senator from Ohio, who outspokenly said he was an advocate of gun control, has said on this floor minutes ago, the M-1 is not a weapon that we find in crime, used on the streets today. It is a collector's item in large part, and it is also used for marksmanship. Many of our veterans of World War II like to collect them as memorabilia. It is a way of raising money from an obsolete item that our Federal Government now has.

I certainly hoped that the words of the Senator from New Hampshire, the recognition that we heard the Senator from New Jersey and responded by taking this out of the Government role and making it a private corporation, would have satisfied him. Apparently, by his presence and this amendment in the Chamber this afternoon, that simply is not the case. He wants to terminate this program altogether and then withstand the expense of the destruction of these firearms and the ammunition involved. I hope that is something we would not do.

Yes, there is value to the weapon. There is no question about that. The Senator from California cited statistics from gun shops around the country, but only if it is in that shop and only if it is for sale. Right now, stored in a warehouse, it is of no value except it costs the Government annually over \$2 million, about \$2.5 million to store and to maintain these weapons.

So I certainly hope that as, once before, the Senate spoke clearly on the value of the Civilian Marksmanship Program, we would again concur as we did last year. It is time to privatize. That we are doing. We have moved in the process to create the nine-member board of directors, initially, as I said, appointed by the Secretary of the Army. The civilian director, also chosen then by that board, will continue to provide services to affiliated organizations and to follow through with those items with which I mentioned this director is charged.

I hope we could conclude this debate and move on with other issues directly affecting certainly the legislation before us, the defense authorization bill.

Mr. LAUTENBERG addressed the Chair.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. LAUTENBERG. Madam President, I listened carefully to my friends who take an opposite view to mine, who I think are accusing me at this moment of trying to foster gun control. Although that is something I do not shy away from, that happens not to be the motive of this amendment. They suggested that I may not like the Boy Scouts. I was a Boy Scout. They suggested I do not like guns. I carried a gun. I climbed telephone poles with a carbine over my shoulder in Europe during World War II, in the northern tier, Holland and Belgium, that area. I even at one point got a marksman's badge. So I fired these weapons and did what I had to do to learn how to shoot them. The Army program was pretty effective.

Now, again I said World War II. Some around here may think I was in the Spanish-American War, but the fact is that that war is what occasioned this development. We had an Army that could not shoot straight so they said, well, let's get a civilian force that can effectively be a kind of premilitia group that can help us at moments of conflict.

That was then, 90 years ago. But the program has no value now, and it has been established by the Army as having no value. The Under Secretary of the Army writes in May that the Army gets no direct benefit from the program, that there is no "discernible link," it is quoted, the Honorable FLOYD SPENCE, chairman of the House National Security Committee, and the ranking member, RON DELLUMS, reiterating, no discernible link between this and the CMP.

Madam President, I think we ought to get to the nub of the problem. Yes, I think that it would be outrageous for the Government of the United States to give away \$76 million worth of property to people who want to learn how to shoot a gun and hold a competition. If they want to do that, that is fine with me. We do not provide golf balls, tennis balls, baseballs out of the Federal Government for people who want to learn how to play baseball, basketball, or otherwise. If they happen to be in the military or some branch of Government that does that, fine. But for civilians we do not do that kind of stuff.

And since when do we now suddenly see the sanctimonious character of this being almost a moral obligation of the country? I disagree with that totally. We are talking about a giveaway of Government property contrary to policy that says that in fact we ought to be destroying weapons.

This was a GSA-inspired program. The General Services Administration

convened a Federal weapons task force to review the Government policy of disposing of firearms. It confirmed a long-standing Government policy of not transferring federally owned weapons to the public; excess weapons are not sold or transferred out of Government channels.

Federal regs are clear. They say that "surplus firearms and firearms ammunition shall not be donated" to the public. "Surplus firearms may be sold only for scrap after total destruction by crushing, cutting, breaking, or deforming to be performed in a manner to ensure that the firearms are rendered completely inoperative and to preclude their being made operative." So that they cannot be made operative again.

Simply put, they said the Federal Government has made a decision. It should not be arms. This has nothing to do with gun control or whether or not FRANK LAUTENBERG is offending the sensibilities of the 4-H Clubs—we have them in New Jersey—or the Boy Scouts. I repeat, I was a Boy Scout. I never got to be an Eagle Scout, but I was OK. Nothing could be further from the truth.

But, when it is suggested here these weapons could never be used in a crime, they are too cumbersome, et cetera, we have a transcript of a TV program in which a Mr. Mark Koernke appeared and talked about the militia program, where they had access to an American military base where they could go in and out fire weapons, et cetera. This was Mark Koernke's response to Sam Donaldson. "As a matter of fact," he said, in response to Sam Donaldson, who said:

You're telling me, sir, that you did not, in any event, ever advocate an attack on Camp Grayling [military base]—is that what you're telling me?

Mark Koernke: Absolutely. As a matter of fact, we can access Camp Grayling at our discretion any time that we wish.

Sam Donaldson: What do you mean by that?

Mark Koernke: We have access to it. . . .

This is someone who is a leader in the Michigan Militia:

We have access to it . . . for Department of Defense, D.C.M. [a civilian marksmanship basis] shooting on a regular basis. We can enter the facility or any other military facility.

So, while this may not be a weapon of choice for criminals, the fact is if it is a weapon of choice for military people to train with—militia people, I think it is a bad idea.

We are down to the nub here, frankly. Whether or not the process is exactly as it should be, yes, Senator FRANK LAUTENBERG wants to eliminate this program. That is what the Army suggested. That is what the GSA suggested. We want to stop paying for it. I want to stop paying for it altogether. I want those weapons destroyed, not given over to a civilian organization where they can sell them and use the profit for their mission. It ought not to be that way. No place else in Government do we do that kind of thing.

It was said, by our colleague and friend from Idaho, this was a board appointed by the Army Secretary. That should give it some balance. But this board has the authority to replace itself, replace members that retire or leave for whatever reason, so it can easily become a captive of a particular group.

I do not want to stop gun practice, gun safety instruction, none of those things. I do not want my Government, I do not want these taxpayers, to have to pay to give it to the group. I think it is an absolutely unjustified process. We ought to stop the program. We ought to get out of the business. If people want to pay for ammunition and guns and so forth, there is a marketplace out there, they can buy all they want.

I hope, Madam President, we will bring this debate to a conclusion and let the Senate speak for itself.

Madam President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? At this moment there is not.

The Senator from Alaska is recognized.

Mr. STEVENS. Madam President, I do know the Senator from New Jersey's military background. Apparently I know something he does not know about the Army.

The Department of Army did investigate the militias to see if there was any connection between the militias and the problems the Senator from New Jersey has mentioned. It is my understanding they found there was none.

As a matter of fact, just in the last 2 weeks when I have been back to Alaska, twice, I have seen the Alaska Militia working as volunteers at the fires that took place near Anchorage, around our lake country. We call it the Meadows Reach fire. They were in their uniforms, provided by my State. They perform voluntary service, assisting people in disasters.

They also perform the function of teaching our people, young people, how to handle weapons, weapon safety, weapons training. The unfortunate thing is, I do not think the Senator from New Jersey realizes in the President's appropriations bill, in the bill the President submitted to us—and this is the President's budget I have here—is this provision:

None of the funds available to the Department of Defense may be used to demilitarize or dispose of M-1 carbines, M-1 Garand rifles, M-14 rifles, .22 caliber rifles or M-1911 pistols.

The impact of that is to continue in the appropriations process the provision that we put in there for many years to prohibit the Department of Defense from destroying these weapons. These are weapons that are now stored by the Defense Logistics Agency. They are obsolete with regard to the activities of the Department of Defense. The Department is required by law to protect them. I think others

have already mentioned we have a series of people, 28 Government employees, we pay \$83,000 annually for rent of a commercial building to store them, there is approximately \$850,000 we currently pay from the taxpayers' money to conduct the national rifle matches.

What has happened in the last year, the Department of Defense bill, which was signed by the President, had a provision to require these rifles be turned over to them, and the ammunition, which is surplus to the Department's needs. There is no U.S. ally or entity of our U.S. Department of Defense that uses a .30 caliber ammunition now.

Contrary to this chart, there is no property being given to this corporation. I do not know where the Senator from New Jersey got those figures. This is not a giveaway. It is a creation of a foundation, in effect a corporation that is required by law to pay the costs of preparing and transporting any firearms or ammunition. It deals with the surplus of these rifles over a period of time to this creature—it is a corporation, created by law.

It was not deep inside the Defense Authorization Act, done in the dark of night, as the Senator from New Jersey would have us believe. It is legislation signed by the President, 14 separate sections. This is the act that passed last year. That is an act of our Congress last year. It was signed and there are 14 sections in here that deal with this corporation for the promotion of rifle practice and firearm safety.

We take the position it is a logical use of the power of Congress to create a corporation and assign it a function that has previously been paid for by the taxpayers. This is going to save money and continue the concept of trying to find ways to instruct our young people on rifle practice and firearm safety.

I am sad we disagree. But he is not disagreeing just with those of us who are opposing him, he is disagreeing with the President of the United States. The President signed that bill. I do not remember objection being raised at the time. The President sent up to us again the same provision that prevents the destruction of these rifles and will require us to continue to store them and hire people to watch them and to guard them.

The consequences of the amendment of the Senator will not be to prevent a giveaway, it will be to require the taxpayers to continue to pay for functions that can be supported by this corporation. And I did support the corporation when it was included in the Department of Defense authorization bill for 1996. And so did the President of the United States. I thought we had found a logical compromise to avoid the annual fight we have had over this program, to try to teach young people how to conduct themselves and how to handle rifles and firearms safely.

I still think it is a good function. I am disturbed the Senator from New Jersey apparently links all of the State

militias into the problems that have occurred with regard to two or three groups that call themselves militias. Particularly Western States have militias. My State has a militia of necessity because of the number of disasters we have. I saw them last year at the large, Kenai Peninsula flood area. They were down there volunteering. They came in and they helped everybody who was suffering because of that disastrous flood. They are helping, this year, the people involved in the fire area.

I do not know why people have to attack a legitimate function of State government in order to try to make a point there are some people who go off the deep end, as far as the use of firearms. We join with others who are trying to correct that. But this amendment is not going to correct that. This amendment will take us back to the fight, what do we do with the rifles and guns? Even the President of the United States says none of the money in the bills—we are going to appropriate funds for the Department—can be used to in any way demilitarize them or dispose of them or destroy them.

I believe the concept of this corporation is a good one. It basically gives us the ongoing funding by taking those firearms that are no longer necessary for defense purposes and makes them available for sale to gun collectors and others who want them or could use them.

Many of us who are hunters still use .30 caliber weapons. My hunting rifle is a .30 caliber. I do not see any reason why that ammunition should be destroyed when it can be used by those of us who still have those guns. We are not using them in criminal ways. We are using them for our hunting activities, and I believe that ammunition should be available.

The corporation will make it available for distribution and will use the income from that to offset the \$850,000 we have been spending annually to conduct the national rifle matches and will use the income to continue the concept of these educational processes to teach our young people how to use rifles, how to use firearms safely.

Sure, they have access to our military bases for that purpose. That is where the safe ranges are. I wonder where the Senator from New Jersey thinks in his State the safe firearms ranges are?

I have a whole list of things here—I do not know if anybody read them—that people from New Jersey have said about the Senator's amendment. I do not think it is quite fair to quote his constituents to him. He can talk to them himself.

Clearly, they have access to those military bases for the purpose of rifle practice and to teach safety classes, and I think that is a good idea. I do not think there is anyone better qualified to teach our young people how to handle firearms safely than people who are in the military. I do not think there is

any safer place to have them learn than on a military base where we have a range that is operated under all sorts of conditions that protect the safety of all concerned. I am sure the Senator did as I did; he learned to shoot on a range on a military base.

Mr. LAUTENBERG. In uniform.

Mr. STEVENS. In uniform. A lot of these kids are not going to be in uniform now, thanks to those of us who did away with the draft. They are going to have to learn how to shoot guns, and if they are going to learn, they ought to learn right from military people on military bases where safety is taught first.

The first two times I went to the range in the military, we did nothing but what we called "dry firing." We learned how to handle those guns safely. That is what goes on on those bases, and I think it is right.

I sincerely oppose the Senator's amendment. I call his attention to this provision. I assume when we get to the Defense Department appropriations bill, that the Senator will try to take this provision out. But I remind the Senate, it was sent to us by the President of the United States. It says that none of the funds that we make available to the Department of Defense can be used to demilitarize or dispose of these weapons that he now opposes we transfer to this corporation for purposes of supporting a legitimate educational program on how to handle firearms safely.

Mr. LAUTENBERG addressed the Chair.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. LAUTENBERG. Madam President, whenever one has an opportunity to engage in a debate with the distinguished Senator from Alaska, one always knows that the citizens of Alaska have justly deserved the reputation for being focused on their mission and let no holds bar them from their purpose—and with respect and admiration, by the way. I enjoy my moments of conversation, sometimes a tiff, as we might call it, with the Senator from Alaska. I will tell you, he is never at a loss for words and thoughts, and I respect him.

In this case, the Senator happens to be wrong. The situation, as the Senator describes it, I think, extends my remarks just a little bit.

Yes, I know the President signed the defense bill after having vetoed it once, and, after having another bill put in front of him, he signed it last year. I assume the President carefully studied it, his people studied it, and he signed a bill that, like all pieces of legislation, some are excellent through and through and some have problems with them, but on balance you say, "OK, this bill is good enough that I have to swallow hard and take some things."

The Senator from Alaska knows very well that there is rarely a piece of legislation that is exempt from amendment, review, rewriting or otherwise.

That is life around here. So simply because it was in the defense bill at one point does not make it right. Now that we have had a chance—one solid year—to examine the weaknesses of that bill, this is one that stands out sharply in my mind.

When I talk about access to military bases—the Senator is gone—but Fort Monmouth in my State still exists because one of the things I worked hard to do was to make sure this prime facility continued to operate. Fort Dix in my State has some marginal operations. McGuire Air Force Base. We have military bases that are important in our society and important in our culture. But access to the base does not mean you can run in any time, go anywhere you want without typically some specific purpose. If you are there for rifle practice or target practice, so be it.

What I was quoting was a person from the Michigan Militia who said, "I have access any time I want to Camp Grayling." That is the kind of access I do not think ought be available. These are places, after all, that have dangerous materials and information that ought not to be accessible to someone without the right to look at it.

Madam President, in short and in long, I think that we have examined this question thoroughly. The distinguished Senator from New Hampshire talked privately with me about coming to an agreement so we can end the discussion now and take up the vote at a later time. If the Senator from New Hampshire wants to propose it, I certainly would like to hear him and see if we can arrive at a point in this discussion where we can terminate for a moment.

Mr. SMITH addressed the Chair.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mr. SMITH. Mr. President, while the Senator from New Jersey gets a chance to review the unanimous-consent request, I want to make a couple of points in response, very briefly, to some of the points that were made in this debate.

The Senator from New Jersey and the Senator from California, when she was on the floor, argued about the value of these guns, the M-1. Both Senators advocate that these rifles be destroyed.

You want to remember that in this program, rifle sales are only a part of the program and the program is about safety, it is about competitive sport shooting, it is about instruction. But the thing that fascinates me is how can one argue that the rifle should be destroyed on the one hand and, if they are destroyed, then the value is zero; yet, on the other hand complain that they are being sold?

If I have a \$10,000 porcelain artifact that an antique dealer would buy from me for \$10,000 and I pick it up and I throw it to the floor and break it, I do not have anything of value. I think that is really what this debate is

about. The taxpayers bought these rifles at one point for our military, and now we are hearing complaints when the taxpayers have the opportunity to buy them again.

A couple more quick points. On the question about what stops the militia from participating, the law stops the militia from participating. They cannot participate, they cannot buy an M-1 if they advocate the overthrow of the U.S. Government. No group like that can get those. There is a background check on all the people. It must be a certified program. There is a waiting period of 10 to 15 months. They are fingerprinted, and no felon can purchase these. Again, this is excess inventory.

This is surplus. It is obsolete. These weapons are surplus, obsolete. They are of no use to the military. They are excess, therefore, the Government, in all types of excess materials, disposes of them. How do you advocate destroying \$76 million in taxpayer assets if they do not have value, are without value to the taxpayers?

This business about military access, militia access, and Camp Grayling, that does not have anything to do with this program. CMP is a very tightly controlled program. As a matter of fact, those people were thrown out who tried to get into Camp Grayling. U.S. citizen access to military installations is another issue.

Mr. THURMOND. Madam President, I am concerned that the amendment offered by the Senator from New Jersey is based on assertions and conclusions that do not appear to be based in fact. I am also concerned that adoption of this amendment would require the Department of Defense to divert millions of dollars from the training and maintenance of our Armed Forces.

Congress developed an approach to transition the Civilian Marksmanship Program from a semifunded Federal program that had required an annual appropriation of approximately \$2.5 million to a private, nonprofit Corporation. The transition plan was contained in the National Defense Authorization Act for Fiscal Year 1996, which the President signed into law. The plan was completed in full partnership with the Department of the Army.

According to police officers in the State of New Jersey, who are in charge of Police Athletic League clubs, the program is strongly supported by parents, the local schools, and the community. It is highly effective in teaching young people about safety, respect for firearms, competition, and teamwork. There are no incidents of crime or violence associated with club members. The firsthand experience and judgment of police officers and others who understand this program are significantly different from the opinions of the sponsor of this amendment.

The program serves as a primary feeder for the U.S. Olympic Team and international competitors. More than 1,100 organizations in all 50 States use

this program to develop responsibility, discipline, and sportsmanship in our youth. These organizations include Police Athletic Leagues, schools, and churches, and numerous youth groups such as the Future Farmers of America, 4-H, the Boy Scouts, and Law Enforcement Explorers. It is also an effective recruiting mechanism for the Armed Forces.

The Corporation is a self-financing program. It will be used by almost half a million citizens, at no cost to taxpayers. The amendment appears to require that the program be self-financing, but its language actually terminates the program. Since the program will be self-financing, the amendment is unnecessary.

The enacted legislation states that the "Corporation shall not be considered to be a department, agency, or instrumentality of the Federal Government." Rather than expend public funds, the program will save the Government millions of dollars that would have to be spent to store and demilitarize obsolete firearms.

The assertion that these firearms represent a \$76 million asset is not correct. In fact, they are a liability to the taxpayers, because they are obsolete, surplus, and have no current military value.

This program is about rifles, not handguns. A citizen who satisfies all the provisions of current law for purchasing a firearm, completes a background check, and undergoes a formal training program may purchase an obsolete M-1 rifle through the Corporation.

The requirements to purchase an M-1 rifle are the most rigid in the United States. They are set out in legislation. The waiting time for a purchaser to receive an M-1, after paying for the rifle and meeting all the program requirements, is between 10 and 15 months.

The inventory of surplus firearms is not transferred to the Corporation. No firearm will be transferred to the Corporation unless an affiliated club or individual has met the criteria for transfer.

There is no record of any crime ever having been committed with a firearm purchased through the program. The legislation explicitly prohibits both participation in the program and the sale of firearms to convicted felons and individuals who advocate the overthrow of the Government. There is no evidence of any subversive or so-called militia group ever having acquired these firearms. They are hardly state of the art; they are basically suitable for marksmanship training, competitive sport marksmanship, and as collector items.

The National Rifle Association has no role in the Corporation.

The legislation to which the Senator now objects was not slipped into the Defense authorization. Both the House and Senate bills contained provisions that transitioned the program. The provisions are clearly labeled in a separate title of the act. The Senator raised

no objection when this matter was considered last year.

The Committee on Armed Services has not had the opportunity to consider the Senator's amendment because it was submitted as a freestanding bill after the committee had completed its markup. Our initial analysis indicates that the Government would incur millions of dollars in additional costs if the amendment were adopted.

Mr. SMITH. Madam President, if there are no other Senators who wish to debate at this point, I ask unanimous consent that the Lautenberg amendment be temporarily set aside, and that at the hour of 3:25 today the Senate resume consideration of the amendment, and there be an additional 5 minutes equally divided for debate, prior to Senator CRAIG or his designee being recognized in order to make a motion to table the Lautenberg amendment and, further, that no second-degree amendments be in order prior to the vote on the tabling motion.

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

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. SMITH. Madam President, I ask unanimous consent that the quorum call be dispensed with.

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

Mr. SMITH. Madam President, I want to take this opportunity, since there is no one here offering amendments, to make a few remarks in support of this defense authorization bill as reported by the Senate Armed Services Committee.

I want to certainly commend my leader on the committee, Senator THURMOND, for his outstanding leadership in formulating this legislation. The committee conducted an abbreviated but thorough investigation of our defense requirements, examination of our defense requirements, and formulated what I believe to be an excellent blueprint for defense spending. The Senator from South Carolina deserves great credit for his leadership and invaluable contribution, and his diligence and hard work, on behalf of the defense of the United States of America and in the Armed Services.

I want to take this opportunity to pay tribute also to the distinguished ranking member, Senator NUNN. Senator NUNN has served on this committee for 23 years with great distinction. He has been seen on both the majority and the minority sides of the table—probably prefers the majority side. He served as the full committee chairman, as well, at a very critical time in our Nation's history regarding defense matters. Throughout the 6 years that I have been privileged to serve with Senator NUNN, he has always sought to promote the national

security of our Nation and the well-being of our men and women in uniform. He has always shown great consideration for me, especially when I first came to that committee. I was a very junior member, sitting down at the end of the table in the minority.

Mr. NUNN. I thank the Senator. We enjoy very much the Senator being on the committee. I thank him very kindly.

Mr. SMITH. As the Senator leaves this institution later this year to pursue other interests, I want to take this opportunity, while I have it, while he is here, to thank him for his service to our Nation and certainly for his kind attention to me as both a majority and a minority member.

Madam President, the bill before us provides a much needed increase of about \$11 billion to the President's original budget request. I want to emphasize that this is still well below this year's funding level when adjusted for inflation. Since 1985, national defense funding has declined by 41 percent in real terms. Let me say that again, particularly for those who complain we are spending too much. Since 1985, the defense spending has fallen 41 percent. That is 11 straight years of decline, real decline.

There are a variety of very important initiatives contained in this bill that I want to briefly highlight. They include, first and foremost, the 3-percent pay raise and a 4-percent increase in the basic allowance for quarters to our military men and women. We forget that every day, 24 hours a day, our Armed Forces are out there protecting us, serving our country.

We found out this week how important that is and what sacrifice that calls for. If one were to look at the pay scale of those young men and women who were involved in that incident in Saudi Arabia, it is not a lot of money to risk their lives for. But they did not do it for money, and we all know that. So I am proud to support that pay raise, that 3-percent pay raise and that 4-percent increase in the basic allowance for quarters because these people give their all; sometimes they truly give their all.

There is also \$1.2 billion of additional readiness funding for the unfunded requirements of the service chiefs. There is an increase of \$170 million for the cruise missile defense programs, including \$40 billion for the Patriot ACM Program; legislation and funding to conduct competitive evaluations of promising laser programs. Antisubmarine warfare programs are also in this bill.

There is an increase of \$134 million to buy additional night vision goggles, thermal weapons sights and aiming lights to enhance Army and Marine Corps night-fighting capabilities.

There is service funding and direction for the Navy to upgrade the effective jamming capabilities of the EA-6B also there, and a \$700 million increase in military construction to enhance

the quality of life of our troops and their families, and to improve readiness.

On that point, Madam President, it is often forgotten—we talk about the big things, the submarines and the ships, the aircraft carriers and the airplanes and the missiles and missile defense. These are the big-ticket items, so to speak, that we find in the defense budget. But we had testimony earlier this year from the Commandant of the Marine Corps saying that at times he had leaky tents, sleeping bags that were falling apart, clothing that was not enough to keep the soldiers warm.

These are the kinds of things that we overlook. When you put a soldier or sailor in a position like that, out there defending America, literally putting their lives on the line, they deserve the best we can provide them. I think we cannot overlook how important these so-called basics are. If you are out there in that tent and it is leaking and you are soaking wet, it is very basic to you.

There is no excuse for ever allowing that to happen to our Armed Forces. So any time we can provide dollars in there—that is not glamorous. It does not get a lot of attention. And sometimes it is overlooked because it is not a glamour item. I am proud to support increases in funding in that area.

Additionally, Madam President, the bill includes a number of important initiatives relating to ballistic missile defense, and it authorizes nearly \$900 million in increased spending along the following lines: National missile defense, Navy Upper Tier Program, and the Theater High Altitude Area Defense Program as well, \$134 million for a space and missile tracking system, and \$50 million for the joint Israel-United States laser program known as Nautilus.

This national missile defense program is so important, and we have had to fight, fight, fight, on the Senate floor even to get language, let alone dollars, for national missile defense. We have no defense against ballistic missiles. None. We cannot defend ourselves against an Iraqi, Iranian, North Korean, or Libyan missile. We need to be promoting this national defense program. A lot of people do not realize that. They say, "What about the Patriot missile during the Persian Gulf?" That was not designed to take out incoming missiles like the Scuds. We were able to do that. We were able to use improvisations on the Patriot and get it done, but we are not able to stop a ballistic missile.

I am troubled by the administration's failure to comply with the law on missile defense. We tried to address it here last year in language and this year in language. We had to resort to writing a separate bill.

The Congress has established very clear, firm schedules for the development and deployment of theater missile defenses in the fiscal year 1996 authorization bill. The President signed

the legislation and never once complained about the schedule. In fact, for 3 years, the Clinton administration has stated that theater defense was their No. 1 priority. We are talking theater defense, not national defense. Yet in its budget submittal, the administration ignored the law and underfunded, I believe deliberately, the most important theater missile defense programs—THAAD and the Navy upper tier.

Consequently, under the administration plan, our troops are vulnerable to hostile missile threats for as much as 4 or 5 years longer than mandated into law. This is simply unacceptable. We had a terrible tragedy this week in Saudi Arabia. It was terrible. It was a terrorist act. But that terrorist attack could very well have come from a missile, from a theater missile, as well. We have a lot of threats out there. It is not the cold war anymore, but we have a lot of threats. We have to be prepared to adapt to these threats.

The bill codifies the so-called demonstrated capability standard for theater defense as a formal U.S. compliance policy. This action specifically mirrors the criteria proposed by the Clinton administration in Geneva 2 years ago. It is a responsible and appropriate standard, Madam President, and its codification in law supports the administration's position. I am pleased to be able to support the administration on this issue.

As chairman of the Subcommittee on Acquisition and Technology, I want to speak just briefly on some initiatives included in the jurisdiction of my own subcommittee. Our review of the budget request highlighted a continuing trend within the administration of shortchanging investments in technology, development, and modernization in order to provide near-term relief for readiness. This is simply unacceptable. When you take dollars from the programs of the future to put them in some activity that you are conducting today, you are going to shortchange the troops of the future. We should be doing both. That is the truth. We should not be shortchanging the troops in the field. We should not shortchange the troops in the field of the future. That is where the technology and investment now in these technology programs is so important. Certainly today's readiness is important, but modernization is the key to long-term readiness.

If people in the 1950's and 1960's in the Pentagon had not been farsighted enough to come up with the weapons that we used in the Persian Gulf, the price of oil would be a lot higher today and the outcome of that war could very well have been different. In order to have the weapons of the future, you have to invest today.

The acquisition and technology section of the bill emphasizes three main concepts. First, it encourages more innovative thinking in the area of emerging operational concepts, and, in particular, the bill supports the Marine

Corps' Sea Dragon and the Army's Force 21 initiatives, which seek to leverage technology to change the nature of warfare. It is the futuristic things that we are looking at here. What is war going to be like 10, 15, or 20 years down the road? Will we be ready to help the soldier, sailor, marine, air man or woman in the field? What will it be like 20 years from now? You need to have your think tanks and the best minds in the services out there trying to get a handle on that, looking at what that technology may be and begin to fund it. The bill seeks to reward, not discourage—reward—more innovation, to challenge the services to question traditional doctrine. Do not just do it tomorrow because we did it yesterday. Challenge the services to question this doctrine and to develop new strategies and tactics that leverage the revolutionary capabilities that technology now provides.

I emphasize the word "revolutionize." Sometimes we get evolutionary in our approach to things rather than revolutionary. I use the example of the Hubble telescope. That was a revolutionary item because it allowed us to see out into deep space things we have never seen before. That was revolutionary. Those are the kinds of breaks with the past, breaks with the present, futuristic approaches that we need to encourage. That is what we have tried to do in this committee. We are a \$9 billion budget out of a \$262 billion budget, but we tried to make the best of what we had.

The second priority is the increased use of commercial technologies by the services. The bill provides a significant beginning for dual-use, cost-shared programs in the services, as well as a portion of the dual-use program in the budget requests. The key to integrating more commercial practices into the acquisition framework is not simply to spend more money on some stand-alone program, but rather to make commercial practices and products part of the core service acquisition so this is routine rather than an exception. There may be dual use between commercial and military.

Third, the bill focuses on an affordability initiative to lower cost and increase the purchasing power of our limited defense dollars. The bill increases funding for manufacturing technology programs of the Navy and the Air Force and funds a variety of initiatives to improve the affordability of future weapons systems.

Madam President, since he is on the floor, I take a moment—Senator COHEN, my colleague from Maine, regarding his information in the information technology area on last year's acquisition reform legislation, this is the kind of forward looking that the defense community needs, and the committee is fortunate to have benefited from Senator COHEN's foresight and acquisition reform. Although he is not chairing the subcommittee, his input has been greatly appreciated by me and

it has been a pleasure to work with him on these issues. We will certainly miss him on the committee next year.

Let me close, Madam President, with just some brief comments on a couple of other observations. We know this is an election year. We know that Members on both sides of the aisle are seeking sometimes to gain political advantage by delaying, obstructing or amending legislation that is brought up on the floor. Unfortunately, this is the case with this bill. This is not a partisan issue. The defense of America is not a partisan issue. How could one of us with these dilatory amendments and tactics look the families of those people in Saudi Arabia who lost their lives, look those families in the eye and say we ought to be out here debating something about vitamins or something on the floor of the Senate while we are trying to pass a defense authorization bill. It is wrong. It is wrong. We can do it. It is a misguided notion, Madam President, to take these kinds of things on the floor of the Senate during the Armed Forces debate, the debate on the moneys we use to fund our national defense.

Providing for the common defense is a constitutional responsibility, probably the most important one we have. It should not be a political hot potato. It should not be a time to talk about minimum wage or vitamins or something else. That is not appropriate. You can do it, and it is within the rules, but it is not appropriate.

The bill before us was reported out of the Armed Services Committee unanimously, 20-0. There was no dissent. Yet, it is being delayed here on the floor. The reason I am speaking now is because nobody is down here to offer amendments so that we can finish this bill. That should indicate to my colleagues the degree to which Senator THURMOND and members of this committee have worked to formulate a balanced, responsible, and nonpartisan defense bill. It is not easy. We lose sometimes, we give in a little bit sometimes. We all do, and we do not like it. We like to get our own way all of the time, but we understand that getting a good bill to support our men and women in the armed services, with the weapons they need, the clothing they need, O&M funds, operations and maintenance funds, they need—these are critical.

Now, we are certainly sure that there are items in this legislation that some may oppose, but that is the nature of the legislative process. We ought to do it. If they are germane, let us have the amendments. That is the nature of the constitutional separation of powers. We have research, we discuss and debate and find common ground, and, when necessary, we vote to resolve issues. That is the way the Framers intended it, and that is democracy. It is not intended to be a polarizing bill, to draw political lines in the sand. It should not be about gun control. Yet, here we are talking about gun control.



This leadership has decided to address controversial issues, such as missile defense and U.N. command and control, through separate legislation. We did it deliberately, not because we wanted to, but because we did not want to deny a 3-percent pay raise to our military and deny this bill.

So the bill before us is designed to foster consensus, to promote the national security objectives of the United States of America. Let us maintain a spirit of cooperation and avoid the temptation to engage in election year demagoguery and negativism, which everybody is sick of.

This is for the defense of the United States of America. Kids were killed this week defending our country. We owe it to them to pass this bill. We should have passed it days ago. Let us pass it today in honor of them and stop this bickering with nongermans, essential items. The national security of this Nation is too important for this kind of stuff.

I will conclude by thanking the chairman, Senator THURMOND, who is on the floor, and the ranking member, for their service. I am proud to serve with them. I am proud to be a part of this committee, and I will be proud to support and vote for this bill.

Mr. THURMOND. Mr. President, I want to thank the able Senator from New Hampshire for the kind words that he said about me as chairman of the Armed Services Committee. The Senator from New Hampshire is a member of the Armed Services Committee and renders a valuable service to our Nation. He stands for a strong defense, which is essential to the survival of this Nation. I just wish we had more citizens in this Nation that feel as he does about the importance of maintaining a strong defense.

I compliment him not only for his integrity and dedication, but his vision in realizing the importance of a strong national defense. We are very proud to have him as a member of the Armed Services Committee.

Mr. GREGG addressed the Chair.

The PRESIDING OFFICER (Mr. KEMPTHORNE). The Senator from New Hampshire [Mr. GREGG].

Mr. GREGG. Mr. President, I understand that under the rules and under the unanimous consent agreement, we have about 10 minutes here of general debate, during which amendments can be offered, and then there are 5 minutes to be debated on the amendment that is pending, with a vote at 3:30; is that correct?

The PRESIDING OFFICER. The Senator is correct.

Mr. GREGG. I note that the Senator from Maine and the Senator from Arizona are here. I have an amendment which I wish to offer. I suspect they have a colloquy they want to pursue.

I ask unanimous consent that after we return and complete the vote at 3:30, that I be allowed the floor to offer my amendment.

The PRESIDING OFFICER. To clarify for the Senator from New Hamp-

shire, the vote to be taken at 3:30 is a motion to table the Lautenberg amendment. Should the motion to table fail, then the Lautenberg amendment would be the pending business.

Mr. GREGG. I simply ask unanimous consent that I be allowed to proceed after the regular order has been completed on that vote.

The PRESIDING OFFICER. Is there objection?

Mr. NUNN. Reserving the right to object, I was off the floor.

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

The PRESIDING OFFICER. Does the Senator yield for that purpose?

Mr. GREGG. No.

Mr. NUNN. I object.

The PRESIDING OFFICER. Objection is heard.

#### AMENDMENT NO. 4364

(Purpose: To amend chapter 83 of title 5, United States Code, to provide for the forfeiture of retirement benefits in the case of any Member of Congress, congressional employee, or Federal justice or judge, who is convicted of an offense relating to the official duties of that individual, and for the forfeiture of the retirement allowance for the President for such a conviction)

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

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from New Hampshire [Mr. GREGG], for himself and Mr. REID, proposes an amendment numbered 4364.

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

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

The amendment is as follows:

In the appropriate place in S. 1745, insert the following new section:

#### SEC. \_\_\_\_ CONGRESSIONAL, PRESIDENTIAL, AND JUDICIAL PENSION FORFEITURE.

(a) SHORT TITLE.—This section may be cited as the “Congressional, Presidential, and Judicial Pension Forfeiture Act”.

(b) CONVICTION OF CERTAIN OFFENSES.—

(1) IN GENERAL.—Section 8312(a) of title 5, United States Code, is amended—

(A) by striking “or” at the end of paragraph (1);

(B) by striking the period at the end of paragraph (2) and inserting “; or”;

(C) by adding after paragraph (2) the following new paragraph:

“(3) is convicted of an offense named by subsection (d), to the extent provided by that subsection.”;

(D) by striking “and” at the end of subparagraph (A);

(E) by striking the period at the end of subparagraph (B) and inserting “; and”;

(F) by adding after subparagraph (B) the following new subparagraph:

“(C) with respect to the offenses named by subsection (d) of this section, to the period after the date of the conviction.”.

(2) IDENTIFICATION OF OFFENSES.—Section 8312 of title 5, United States Code, is amended—

(A) by redesignating subsection (d) as subsection (e); and

(B) by inserting after subsection (c) the following new subsection:

“(d)(1) The offenses under paragraph (2) are the offenses to which subsection (a) of this section applies, but only if—

“(A) the individual is convicted of such offense committed after the date of the enactment of the Congressional, Presidential, and Judicial Pension Forfeiture Act;

“(B) the individual was a Member of Congress (including the Vice President), a congressional employee, or a Federal justice or judge at the time of committing the offense; and

“(C) the offense is punishable by imprisonment for more than 1 year.

“(2) The offenses under this paragraph are as follows:

“(A) An offense within the purview of—

“(i) section 201 of title 18 (bribery of public officials and witnesses);

“(ii) section 203 of title 18 (compensation to Members of Congress, officers, and others in matters affecting the Government);

“(iii) section 204 of title 18 (practice in United States Court of Federal Claims or the United States Court of Appeals for the Federal Circuit by Members of Congress);

“(iv) section 219 of title 18 (officers and employees acting as agents of foreign principals);

“(v) section 286 of title 18 (conspiracy to defraud the Government with respect to claims);

“(vi) section 287 of title 18 (false, fictitious, or fraudulent claims);

“(vii) section 371 of title 18 (conspiracy to commit offense or to defraud the United States);

“(viii) section 597 of title 18 (expenditures to influence voting);

“(ix) section 599 of title 18 (promise of appointment by candidate);

“(x) section 602 of title 18 (solicitation of political contributions);

“(xi) section 606 of title 18 (intimidation to secure political contributions);

“(xii) section 607 of title 18 (place of solicitation);

“(xiii) section 641 of title 18 (public money, property or records); or

“(xiv) section 1001 of title 18 (statements or entries generally).

“(B) Perjury committed under the statutes of the United States in falsely denying the commission of an act which constitutes an offense within the purview of a statute named by subparagraph (A).

“(C) Subornation of perjury committed in connection with the false denial of another individual as specified by subparagraph (B).”.

(c) ABSENCE FROM THE UNITED STATES TO AVOID PROSECUTION.—

(1) IN GENERAL.—Section 8313 of title 5, United States Code, is amended—

(A) by redesignating subsection (b) as subsection (c); and

(B) by inserting after subsection (a) the following new subsection:

“(b) An individual, or his survivor or beneficiary, may not be paid annuity or retired pay on the basis of the service of the individual which is creditable toward the annuity or retired pay, subject to the exceptions in section 8311 (2) and (3) of this title, if the individual—

“(1) is under indictment, after the date of the enactment of the Congressional, Presidential, and Judicial Pension Forfeiture Act, for an offense named by section 8312(d)(2) of this title, but only if such offense satisfies section 8312(d)(1)(C) of this title;

“(2) willfully remains outside the United States, or its territories and possessions including the Commonwealth of Puerto Rico, for more than 1 year with knowledge of the indictment or charges, as the case may be; and

“(3) is an individual described in section 8312(d)(1)(B).”.

(2) CONFORMING AMENDMENT.—Subsection (c) of section 8313 of title 5, United States

Code (as redesignated under paragraph (1)(A)) is amended by inserting "or (b)" after "subsection (a)."

(d) REFUND OF CONTRIBUTIONS AND DEPOSITS.—

Section 8316(b) of title 5, United States Code, is amended—

(1) by striking "or" at the end of paragraph (1);

(2) by striking the period at the end of paragraph (2) and inserting "; or"; and

(3) by adding at the end the following new paragraph:

"(3) if the individual was convicted of an offense named by section 8312(d) of this title, for the period after the conviction of the violation."

(e) FORFEITURE OF PRESIDENTIAL ALLOWANCE.—Subsection (a) of the first section of the Act entitled "An Act to provide retirement, clerical assistance, and free mailing privileges to former Presidents of the United States, and for other purposes", approved August 25, 1958 (Public Law 85-745; 72 Stat. 838; 3 U.S.C. 102 note) is amended—

(1) by striking "Each former President" and inserting "(1) Subject to paragraph (2), each former President"; and

(2) by inserting at the end the following new paragraph:

"(2) The allowance payable to an individual under paragraph (1) shall be forfeited if—

"(A) the individual is convicted of an offense described under section 8312(d)(2) of title 5, United States Code, committed after the date of the enactment of the Congressional, Presidential, and Judicial Pension Forfeiture Act;

"(B) such individual committed such offense during the individual's term of office as President; and

"(C) the offense is punishable by imprisonment for more than 1 year."

Mr. GREGG. Mr. President, I again propound my unanimous consent request. I would be willing to proceed with this amendment after the regular order on the amendment, which is going to be voted on at 3:30, is pursued, so that the Senator from Maine and the Senator from New Mexico could proceed, with the understanding that I would bring the first amendment up at the conclusion of that regular order.

Mr. NUNN. Mr. President, I will have to object.

The PRESIDING OFFICER. Objection is heard. The Senator from New Hampshire has the floor. The Senator from New Hampshire is advised that, under the previous agreement, at 4 o'clock we are to take up the PRYOR amendment.

Mr. GREGG. At 3:25?

The PRESIDING OFFICER. At 3:25, we have the amendment by the Senator from New Jersey. At 4 o'clock, we have the amendment by the Senator from Arkansas.

Mr. GREGG. Fine. After that, we will be on my amendment.

I wish to proceed on my amendment. I understand I have 10 minutes to discuss this amendment at this time. This amendment is supported by myself and Senator REID of Nevada, and Senator BRYAN of Nevada and Senator NICKLES are also original cosponsors of this bill as introduced.

This goes to the issue and the fact that a large number of—unfortunately, 34—Members of Congress over the last

century have been convicted of felonies, which is obviously a serious act. Some of these individuals were convicted of felonies that involve a violation of the public trust.

Under the laws of this country, in certain instances when the public trust is violated, Members of Congress who are convicted felons for doing that lose their pensions—or at least the public part of their pension, that which is supported by the taxpayers. Unfortunately, it does not apply to all actions that involve violation of the public trust.

For example, somebody could be convicted of bribery, of a conflict of interest, of defrauding or conspiring to defraud the United States, of theft or embezzlement of Government property, false or fraudulent statements to the Government, perjury, insubordination in actions relative to their duties as a Member of Congress and, still, while serving time for a conviction, receive pension benefits, which is rather ironic and clearly inappropriate.

So this amendment simply expands those areas of the present law which terminates pension benefits for people who are convicted of crimes while serving in the Congress and when those crimes are directly related to their service.

It means that, for example—I will use a hypothetical—a person convicted of a crime in recent times, who is receiving a pension from the Federal Government of over \$70,000, would no longer be able to receive that part of that pension, which is basically a public tax contribution. That person would still receive the pension, to the extent that they contributed to it. They would get their money back, under the usual course of law, but they would not get the additional benefit of having the taxpayers support them—actually, in many instances, while they are still in jail with these pension benefits.

This is an issue which is timely, and it is important that we act on it in a timely manner. That is why I offered it on this bill, even though it is not directly related to defense matters, although it would obviously impact a defense individual who committed this sort of action.

I would yield at this time to the Senator from Nevada for any comments he might have.

Mr. REID. I appreciate that very much.

The PRESIDING OFFICER. Without objection, the Senator from Nevada is recognized.

Mr. REID. Mr. President, I first of all want to express my appreciation to the Senator from New Hampshire for his leadership on this issue. He and I started working on this matter in May of this year, and it is an important issue. It is something that I think is important because this is an issue where we can go forward on a bipartisan basis.

Joining us initially on this legislation was the Chairman of the Republican Policy Committee, Senator NICK-

LES. Senator NICKLES, Chairman of the Republican Policy Committee, and I have a similar job on the Democratic side. We do our partisan things in this body. But there are certain things that we have to express to the American public in a bipartisan fashion, and this is one of them.

It is simply wrong for people who are convicted of felonies—especially felonies related to their jobs; that is, being Members of Congress, and then they resign and draw these hefty pensions. They are convicted of crimes and draw these hefty pensions that are congressional pensions paid for by the taxpayers. And that is simply wrong.

So I publicly express my appreciation for the leadership of the Senator from New Hampshire on this issue and our friend, the majority whip.

I also want to extend my appreciation to my junior colleague, the Senator from Nevada, who is also extremely interested in this issue.

Mr. President, you cannot reward public officials who have engaged in wrongdoing, and, I repeat, especially wrongdoing connected with their jobs even though this legislation draws no distinction between a felony that comes about as a result of working in the Congress or a wrong where you just do something wrong generally.

You do not have to be a Democrat or a Republican to reach this conclusion. This is a problem that is seriously undermining the public's confidence in Federal officials generally. It is my understanding—I see here on the floor the senior member of the appropriations committee and the chairman of the Governmental Operations Committee. I hope that the Senator from Alaska, if I could just get his attention for a second, would be willing to hold a hearing quickly on this issue. I think it is necessary that it be done no matter what happens on this issue.

As I indicated to the body earlier, we joined forces in May, and introduced the Congressional, Judicial, and Presidential Forfeiture Act. This legislation will not apply only to the legislative branch of Government. It should apply the same to the executive branch of Government and the judicial branch of Government.

As a Member of this body, I sat on impeachment committees. I have voted for impeachment. I think it also should apply to Federal judges. We have Federal judges who are convicted of felonies. They should not be able to draw their taxpayer driven pension.

So this legislation, the Congressional, Judicial, and Presidential Forfeiture Act, should apply to all aspects of Government. Our legislation now before this body in the form of an amendment will help to restore trust in Government.

Mr. President, I express my appreciation to my friend for yielding, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

Mr. REID. I suggest the absence of a quorum.

Mr. NUNN addressed the Chair.

The PRESIDING OFFICER. There does not appear to be a sufficient second.

Mr. REID. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

Mr. REID. I object.

The PRESIDING OFFICER. Objection is heard.

The clerk will continue calling the roll.

The bill clerk continued with the call of the roll.

Mr. LAUTENBERG. Mr. President, I ask unanimous consent that the quorum call—

Mr. REID. I object.

The PRESIDING OFFICER. There is objection.

The bill clerk continued with the call of the roll.

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

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

AMENDMENT NO. 4364, WITHDRAWN

Mr. STEVENS. Mr. President, I have conferred with the sponsors of this bill—it is a bill, a separate bill—that has been referred to the Governmental Affairs Committee. It is a matter on which we are seeking the advice of many people in this country as to how it would affect the pension systems not only of our governmental employees but also of those in the private sector. As I have said to the two Senators, whatever we do in this area has generally been followed in the private sector after we have taken a new course with regard to pensions.

I have committed to the Senators, I am pleased to say, Senator GREGG, who is the principal sponsor, and Senator REID, cosponsor of the bill, that we will have a hearing and we will get the opinions of these people as quickly as possible. If we can get to the place where we can reach a conclusion in time to consider it at the time the legislative appropriations bill comes up, I will be pleased to assist in that regard. But I do think we have to have time to see how this is going to affect those people who rely on the pension systems. I am thinking of widows and spouses of those who might be incarcerated and how it is going to happen that we follow this process and what happens to the economy if they do not have the money they have earned in the past through the retirement systems.

So I commit that we will hold that hearing as quickly as possible when we come back and work with them. I do applaud what they are doing. I do not disagree. There are provisions already in Federal law that authorize the for-

feiture of benefits such as this in the event of conviction. I am not disputing the fact that there could well be additions to that. But I only ask that we be allowed to know what is the impact.

There is, I understand, a rollcall vote scheduled now I am taking time on, but I would urge the gentlemen to withdraw this, we hold the hearing and come back to the floor at a later time in this Congress.

Mr. REID. Will the Senator yield?

Mr. STEVENS. If I am able to, I will.

Mr. GREGG. Will the Senator yield for a question?

Mr. STEVENS. I just said I would yield to the Senator from Nevada.

Mr. REID. I say to the distinguished Senator from Alaska, I serve on the Appropriations Committee. The Senator is chairman of the Governmental Operations Committee. I think it is appropriate that we have some hearings or his staff does some detailed study of this before we go forward. So I take the Senator's word as his bond, as everyone does here, and on behalf of Senator JUDD GREGG I would be happy to withdraw the amendment, in fact, if the Senator from New Hampshire is willing to do so.

Mr. STEVENS. Does the Senator from New Hampshire wish me to yield?

Mr. GREGG. It is my understanding the Senator hopes to proceed with these hearings as soon as possible?

Mr. STEVENS. I will find some time in July, if we need to hold the hearing on Saturday, Mr. President.

Mr. GREGG. I thank the Senator for his courtesy and ask the amendment be withdrawn.

Mr. REID. I withdraw the request for the yeas and nays on the amendment.

The PRESIDING OFFICER. The Senator may withdraw his amendment. The yeas and nays have not been ordered.

The amendment (No. 4364) was withdrawn.

AMENDMENT NO. 4218

The PRESIDING OFFICER. Under the previous order, the Senate will now continue the consideration of the amendment offered by the Senator from New Jersey for a period of 5 minutes.

Mr. SMITH. Mr. President, I ask unanimous consent that a letter from the adjutant general of Michigan and a memorandum from the Camp Grayling Training Site Manager, Lt. Col. Gary J. McConnell, be printed in the RECORD.

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

DEPARTMENT OF MILITARY AFFAIRS,

Lansing, MI, April 25, 1995.

Hon. VIRGIL C. SMITH,  
Detroit, MI.

DEAR SENATOR SMITH: Following our conversation this morning, please be assured the Michigan National Guard has not and will not authorize members of paramilitary organizations to train at Camp Grayling, or any other military training site in Michigan. Claims made by members of any organization to the contrary are grievously misrepresenting themselves.

I have greatly appreciated the opportunity to meet with you, over the last few weeks, regarding some very important National Guard issues. You have my utmost assurance, that I will continue to provide you with the best information our department has to offer, regarding any matter confronting you. Your constituents and the people of Michigan are served by the finest men and women the National Guard has to offer.

Sincerely,

E. GORDON STUMP,

Maj Gen, MI ANG,

The Adjutant General.

DEPARTMENT OF

MILITARY AFFAIRS,

Lansing, MI, May 1, 1995.

Memorandum for MG Gordon E. Stump, The Adjutant General.

Subject: Michigan Militia.

1. On 30 March, Camp Grayling received a phone call from Mr. Andy Keller. He stated he was the unit leader of a Department of Defense, Director of Civilian Marksmanship Unit No. 56132 from Caro, Michigan. Mr. Keller indicated Camp Grayling had been designated as their home range and, as such, was responsible for providing their ammunition and targets. He also indicated they had previously used Camp Perry, Ohio. A member of the Camp Grayling staff contacted the DCM Office in Washington D.C. at DSN 285-0810 on or about 3 April 1995. It was verified that DCN Unit 56132 was a Unit sanctioned by the DCM. Based upon this verification and a written request from Mr. Keller, the Unit was scheduled for range firing on 29-30 April.

2. On Friday, 28 April at approximately 1830 hours, Mr. Keller arrived at Camp Grayling in civilian clothing and checked into Camp Grayling Range Operations. On Saturday morning at 0730 hours, the group was provided the Camp Grayling Range Safety briefing, a range flag and radio. They had been assigned Range 8, an automatic pop-up target range for high powered rifles. The group occupied this range at 1011 hours.

3. The undersigned and Captain Leask, a Camp Grayling Range Officer, visited the range at approximately 1025 hours. Eleven personnel were on the range. All personnel had military BDU uniforms on and all had military rank insignia on both collars of the uniform shirt. The ranks ranged from O-6 to O-2. Mr. Keller was wearing the rank of O-5. All members also had an Identification Card attached to their right breast pocket. This card indicated Department of Defense affiliation. A copy of both sides of this Identification Card is attached as Enclosure 1.

4. Several personnel had a tape above the left breast pocket in place of the "U.S. Army" tag that read "SMRM" for Southern Michigan Regional Militia. Several members also had an insignia on their left shoulder that read "Civilian Militia". All other personnel had velcro attached above both breast pockets and on the left shoulder, which would allow for the attachment of name tags and shoulder insignia.

5. As the undersigned and Captain Leask walked up to the firing line, Mr. Keller approached. He was advised that there were two problems and that he would not be allowed to go "hot" on the range.

a. Members of his organization had uniforms on that indicated membership in the Michigan Militia. He was advised that under no circumstances would identified members of the Michigan Militia be allowed to train at Camp Grayling.

b. The wearing of officer insignia on the military uniform. All eleven personnel wore officer insignia, and as such by doing so were giving the impression of being a Federally

recognized commissioned officer. When I asked Mr. Keller how he obtained the rank of O-5, he replied, "he was elected to this rank".

6. Mr. Keller was again advised they would not be allowed to use the range and to return the range flag and radio to Operations. Mr. Keller stated he would file a protest with the Department of Defense, Director of Civilian Marksmanship, and he was advised by me that he should go ahead and do so. All members of this DCM Unit cooperated and pleasantly left the range and turned in range equipment.

GARY J. MCCONNELL,  
LTC, EN, MI ARNG,  
Training Site Manager.

Mr. LAUTENBERG addressed the Chair.

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

Mr. LAUTENBERG. While not stipulated, I would certainly agree to dividing the 5 minutes that we have as close to evenly as possible if the Senator from Idaho wanted to say a few words, if the Chair would watch the clock.

Mr. CRAIG addressed the Chair.

The PRESIDING OFFICER. The Senator from Idaho.

Mr. CRAIG. With that agreement, I ask that I be allowed to proceed no longer than 2½ minutes on the issue of the amendment of the Senator from New Jersey.

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

Mr. CRAIG. Mr. President, the Senator from New Jersey by his amendment is attempting to block or wipe out an action that this Senate took in 1996 in the Defense authorization bill to create the Corporation for the Promotion of Rifle Practice and Firearms Safety, and in doing so to privatize the Civilian Marksmanship Program.

As a result, the Corporation for the Promotion of Rifle Practice and Firearms Safety was created. This is a private, nonprofit, self-sustaining entity. It will have a board of directors appointed by the Secretary of the Army. The corporation will be allowed to raise money, just like any other not-for-profit association.

Of course, the intent of this organization is to instruct marksmanship, conduct national matches and competition, to award trophies, prizes, badges and insignias, and to promote the sale of firearms, ammunition, and equipment.

Under this new action, in addition, the corporation would be permitted to sell an existing 373,000 rifles and use money to fund the Civilian Marksmanship Program.

The Senator from New Jersey has for a good number of years tried to discontinue this program. The Senate clearly recognized the value of it and in so doing recognized that it probably ought not subsidize it anymore and allow it to be privatized so that it could continue in that nature.

I hope that the Senate would reject the amendment of the Senator from New Jersey and vote to table this action. We are now in the midst of organizing this Civilian Marksmanship Pro-

gram as a private nonprofit. I think it ought to be allowed to move forward in that direction.

The PRESIDING OFFICER. Who yields time?

Mr. LAUTENBERG addressed the Chair.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. LAUTENBERG. Mr. President, I will try to be brief. I hear references here to the fact that this organization will be self-sustaining. That is wonderful. Just give them \$76 million worth of goods to start with and then from then on we are self-sustaining. It is taxpayers' money. That is what we are giving away.

The Army says it has this kind of value. The value has been disputed, the value being \$76 million, which is conservative because as we have heard from the Senator from California and my personal investigation. I called a gun dealer that I know in Colorado. It may surprise some around here to know that I know a gun dealer, but I do not buy guns from him. He confirmed that an M-1 can be anywhere from \$400 to \$500, and so when we multiply that by 176,000 weapons, we know pretty well what kind of value we have.

Very simply, Mr. President, this is not a gun control measure. If people choose to have target practice, learn how to use rifles, practice gun safety, that is fine with me. Let them pay for it. When we send teams to the Olympics or we encourage sports, we do not pay for ping-pong paddles or ping-pong balls or tennis rackets or tennis balls or baseball bats or mitts.

That is not the Government's responsibility. This is something that ought to be discontinued. These weapons should be destroyed. They ought not to be out in the population. I hope that we will have support for our amendment.

The PRESIDING OFFICER. The Senator from Idaho.

Mr. CRAIG. Mr. President, I move to table.

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. NUNN. Will the Senator withhold for a unanimous-consent request before we start?

Mr. President, since Senators COHEN and MCCAIN have been trying to get recognized and I had to interpose an objection before they were recognized, I ask unanimous consent that at the conclusion of this vote, the 4 o'clock order be delayed by 8 minutes, with the Senator from Maine having control of that 8 minutes for the purpose of making a statement.

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

The question is on agreeing to the motion to lay on the table the amendment.

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

The legislative clerk called the roll.

The result was announced, yeas 71, nays 29, as follows:

[Rollcall Vote No. 178 Leg.]

YEAS—71

Abraham	Frahm	Lugar
Ashcroft	Frist	Mack
Baucus	Glenn	McCain
Bennett	Gorton	McConnell
Biden	Gramm	Murkowski
Bingaman	Grams	Nickles
Bond	Grassley	Nunn
Breaux	Gregg	Pressler
Brown	Hatch	Robb
Burns	Heflin	Rockefeller
Campbell	Helms	Roth
Coats	Hollings	Santorum
Cochran	Hutchison	Shelby
Cohen	Inhofe	Simpson
Coverdell	Inouye	Smith
Craig	Jeffords	Snowe
D'Amato	Johnston	Specter
Daschle	Kassebaum	Stevens
DeWine	Kempthorne	Thomas
Domenici	Kerrey	Thompson
Dorgan	Kyl	Thurmond
Exon	Leahy	Warner
Faircloth	Lieberman	Wellstone
Ford	Lott	

NAYS—29

Akaka	Feinstein	Moseley-Braun
Boxer	Graham	Moynihan
Bradley	Harkin	Murray
Bryan	Hatfield	Pell
Bumpers	Kennedy	Pryor
Byrd	Kerry	Reid
Chafee	Kohl	Sarbanes
Conrad	Lautenberg	Simon
Dodd	Levin	Wyden
Feingold	Mikulski	

The motion to lay on the table the amendment (No. 4218) was agreed to.

Mr. COHEN. Mr. President, I move to reconsider the vote and to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER (Mr. THOMPSON). Under the previous order, the Senator from Maine, Senator COHEN, is recognized for 8 minutes.

#### BOB DOLE AND AMERICAN LEADERSHIP IN THE WORLD

Mr. COHEN. Mr. President, early this week Senator Dole delivered an important speech to the Philadelphia World Affairs Council in which he addressed the need for leadership in the 21st century.

Senator MCCAIN and I were privileged to have witnessed Senator Dole's first speech on foreign policy dealing with our relations with our Asian allies and friends. But in Philadelphia, Senator Dole called attention to our relationship with Europe, an area which, of course, by his previous service in World War II, he is infinitely familiar with. He talked about the need to call our attention back to leadership.

He said our success has not been the result of luck, but of leadership. I think he was absolutely correct in pointing out that communism and the Berlin Wall did not fall. They were demolished by a clear vision and consistent leadership.

I recall, Mr. President, that once when Mikhail Gorbachev came to the United States, he made a statement, I believe out in San Francisco, and he said: "The cold war is over. Let's not