ENVIRONMENTAL MANAGEMENT HEADQUARTERS, PROGRAM DIRECTION SUBACCOUNT

Mr. SARBANES. Mr. President, I rise today regarding the Department of Energy's Environmental Management Headquarters' Program Direction subaccount which is funded under the fiscal year 1997 DOD authorization.

The House passed version of the fiscal 1997 Defense authorization cuts the Environmental Management Headquarters' Program Direction subaccount by $71 million. This office under the EM program boasts some of DOE's most technically savvy, highly trained employees—each of whom provide critical oversight for our Nation's extensive Defense Nuclear Safety and Waste Management initiatives. It is my understanding that the House's reduction in this subaccount was made precipitously—without hearings or any other discussion of its long-term impact on the Department's ability to administer such an essential function. The Senate version of the DOD authorization retains funding for this important function and I urge my colleagues on the Armed Services Committee to work to ensure that funding for the Environmental Management Headquarters' Program Direction subaccount will be upheld at the Senate level when the fiscal year 1997 Defense authorization is taken up in conference.

Mr. LOTT addressed the Chair.

The PRESIDING OFFICER. The Senate will come to order. The majority leader is recognized.

Mr. LOTT. Mr. President, I ask unanimous consent the cloture vote scheduled to occur today now occur at 9:30 a.m. on Friday, June 28.

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

Mr. LOTT. For the information of all Senators, a third attempt to vote cloture on this DOD authorization bill will occur in the morning at 9:30 as just announced.

Immediately following that vote, regardless of outcome, it will be my intention to propound a unanimous-consent agreement limiting the remaining amendments to the bill. We will be meeting after this announcement with the distinguished Democratic leader to go over the list of amendments. Also to see if we have been able to work out an agreement on a number of other items that have been delaying final movement. We are asking once again all Senators to cooperate. Please do not come up with amendments that do not relate directly to the defense bill.

CLOTURE MOTION

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

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

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on S. 1745, the Department of Defense Authorization bill:

Trent Lott, Phil. Gramm, Larry E. Craig, Conrad Burns, Arlen Specter, Dan Coats, Connie Mack, Chuck Grassley, Craig Thomas, Bill Cohen, Jon Kyl, Strom Thurmond, Rick Santorum, C.S. Bond, Bob Smith, Judd Gregg.

Mr. LOTT. For the information of all Senators, this cloture vote, if necessary, would occur on Saturday. It is my sincere hope the Senate will have taken this bill to third reading long before Saturday, however we may not be able to get it done. But if we get this unanimous-consent agreement worked out that we are working on, and I think we are getting close, if we can get the list of amendments agreed to in the morning, then we can move them forward and I think we can get to third reading tomorrow.

But as for now, that is the last vote of tonight.

I yield the floor.

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mrs. HUTCHISON). Without objection, it is so ordered.

AMENDMENT NO. 4372

(Purpose: To require a study of ship self-defense options for the "Cyclone" class patrol craft)

Mr. MCCAIN. Madam President, on behalf of Senators WARNER and SMITH, I offer an amendment that would require a study of ship self-defense options for the "Cyclone" class patrol craft. I believe this amendment has been cleared by the other side.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Arizona (Mr. McCain), for Mr. WARNER, for himself, and Mr. SMITH, proposes an amendment numbered 4372.

The amendment is as follows:

At the end of subtitle B of title II add the following:

SEC. 223. CYCLONE CLASS CRAFT SELF-DEFENSE.

(a) STUDY REQUIRED.—Not later than March 31, 1997, the Secretary of Defense shall—

(1) carry out a study of vessel self-defense options for the Cyclone class patrol craft; and

(2) submit to the Committee on Armed Services of the Senate and the Committee on National Security of the House of Representatives a report on the results of the study.

(b) SOCOM INVOLVEMENT.—The Secretary shall carry out the study through the Commander of the Special Operations Command.

(c) SPECIFIC SYSTEM TO BE EVALUATED.—The study under subsection (a) shall include an evaluation of the BARAK ship self-defense missile system.

Mr. LEVIN. Madam President, this amendment has been cleared on this side. We have no objection to it.

Mr. MCCAIN. I urge the Senate to adopt this amendment.

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

The amendment (No. 4372) was agreed to.

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

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

The motion to lay on the table was agreed to.

PRIVILEGE OF THE FLOOR

Mr. LEVIN. Madam President, could I interrupt for just a moment to ask unanimous consent that the privileges of the floor be extended to Max H. Della Pia in the Air Force Reserve, a Fellow in my office, during the pendency of this bill.

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

AMENDMENT NO. 4373

(Purpose: To place a condition on authority of the Secretary of the Navy to dispose of certain tugboats to the Northeast Wisconsin Railroad Transportation Commission)

Mr. LEVIN. Madam President, on behalf of Senator GLENN and Senator ABRAHAM, I offer an amendment that would place a condition on the authority of the Secretary of the Navy to transfer tugboats to the Northeast Wisconsin Railroad Transportation Commission.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Michigan (Mr. LEVIN), for Mr. GLENN, for himself, Mr. ABRAHAM, and Mr. LEVIN, proposes an amendment numbered 4373.

The amendment is as follows:

In section 1022(a), strike out ". Such transfers" and insert in lieu thereof ", if the Secretary determines that the tugboats are not needed for transfer, donation, or other disposal under title II of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 481 et seq.). A transfer made under the preceding sentence".

Mr. LEVIN. Madam President, this amendment would reinstate the normal GSA review of the disposal.

I ask unanimous consent that I be added as a cosponsor.

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

Mr. MCCAIN. Madam President, the amendment has been cleared on this side.

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

The amendment (No. 4373) was agreed to.

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

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

The motion to lay on the table was agreed to.

AMENDMENT NO. 4374

(Purpose: To clarify the definition of the term "national security system" for purposes of the Information Technology Management Reform Act of 1996)

Mr. MCCAIN. Madam President, on behalf of Senator COHEN, I offer an

amendment which would clarify the definition of ''national security systems'' under the Information Technology Management Reform Act of 1996.

I believe this amendment has been cleared by the other side.

Mr. LEVIN. Madam President, this amendment has been cleared.

Mr. McCAIN. Madam President, I urge that the Senate adopt this amendment.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Arizona (Mr. MCCAIN), for Mr. COHEN, proposes an amendment numbered 4374.

The amendment is as follows:

At the end of subtitle F of title X add the following:

SEC. 1072. CLARIFICATION OF NATIONAL SECURITY SYSTEMS TO WHICH THE INFORMATION TECHNOLOGY MANAGEMENT REFORM ACT OF 1996 APPLIES.

Section 5142(b) of the Information Technology Management Reform Act of 1996 (division E of Public Law 104–106; 110 Stat. 689; 40 U.S.C. 1452(b)) is amended—

(1) by striking out ''(b) LIMITATION.—'' and inserting in lieu thereof ''(b) LIMITATIONS.—(1)''; and

(2) by adding at the end the following:

''(2) Notwithstanding any other provision of this section or any other provision of law, for the purposes of this subtitle, a system that, in function, operation, or use, involves the storage, processing, or forwarding of classified information and is protected at all times by procedures established for the handling of classified information shall be considered as a national security system under the definition in subsection (a) only if the function, operation, or use of the system—

''(A) involves activities described in paragraph (1), (2), or (3) of subsection (a);

''(B) involves equipment described in paragraph (4) of subsection (a); or

''(C) is critical to an objective described in paragraph (5) of subsection (a) and is not excluded by paragraph (1) of this subsection.''.

Mr. COHEN. Madam President, the amendment I am offering today is designed to maintain the integrity of the national security systems definition of the Information Technology Management Reform Act [ITMRA] of 1996. This act lays the foundation for real information management reform not only at the Department of Defense but at all government agencies.

The need for this amendment is to make clear that the Senate does not wish to see any significant policy changes to the ITMRA until there has been some time to assess progress in the implementation of the act. The national security systems language in the ITMRA represents a delicate compromise between Congress, DOD, and the intelligence community. But, even before the law becomes effective the House was asked to include a significant change to the ITMRA on the House-passed version of the DOD authorization bill. The House provision undermines the compromise reached last year and would have the effect of limiting oversight for a new class of information systems. The administration in its Statement of Administrative Policy opposes the House-passed provision, and I look forward to the administration's continued support for maintaining the integrity of the ITMRA in conference.

The ITMRA was based on compromise. Like most compromises, it probably will not satisfy everyone with an interest in information management issues. The ITMRA is a significant step in establishing the oversight criteria by which all information systems including national security systems will be judged. This criteria will be used by OMB, agency heads, the inspectors-general, GAO, and the Congress in holding agency officials accountable for obtaining a positive return for the taxpayers on the more than $50 billion annual Government investment in information systems. It is important to know whether we are getting our money's worth on information technology investments including, for example, the systems that process classified imagery, the software that guides a precision-guided munition to its target, the computers that control our Nation's air traffic control system, and the long distance phone bill for Federal employees in Portland, ME.

The ITMRA would accomplish meaningful reform, in part, by emphasizing up-front capital planning and the establishment of clear performance goals and investment criteria designed to improve agency operations. Once the up-front planning is complete and the performance goals are established, the procurement reforms that Congress has enacted in the last 2 years would make it simpler and faster for agencies to purchase information technology.

This management criteria applies to all systems in the Government including national security systems. Yet we have not emerged from the old Brooks Act paradigm. During the negotiations over the ITMRA, I reluctantly agreed to maintain the status quo and keep the old Brook Act national security systems definition and exemptions. But one must really ask what these systems are really exempted from? It is not from OMB oversight as OMB already has that authority in the budget process. This authority was reaffirmed in the ITMRA as Congress explicitly directed the Director of OMB to enforce accountability for sound information resources management through the budget process for all information technology including national security systems.

The Brooks Act exemptions were originally passed to exclude some DOD and intelligence systems for the procurement authority of the Administrator of the General Services Administration. It was never intended to exempt DOD and the CIA from implementing sound management practices. ITMRA frees all agencies from GSA oversight in exchange for adhering to the sound business-tested methods of capital planning, establishing investment controls, measuring performance, benchmarking, and enforcing accountability. Thus, there was never any compelling reason for keeping the Brooks Act exemption language as the ITMRA eliminated the original reason for the exemption.

The Congress did believe, however, that national security systems should be given some greater flexibility in implementing the ITMRA and agreed to keep a national security systems definition and classification. Systems classified as national security systems are exempt from select portions of the act. It perhaps can be argued that with recent problems with classified financial systems and information management at the National Reconnaissance Office, the serious cost overruns derived from poor software management in many major weapons systems, and the lack of interoperability among our command, control, communications systems that the ITMRA national security systems exemption are too broad. This is probably the case, and I considered offering an amendment to eliminate the national security systems exemption.

I have, however, decided not to pursue that amendment in order to see how the current system will work in practice. I will have to leave it to my successors to ascertain how well national security systems are conforming to the ITMRA and whether a more restricted exemption is necessary. In the coming years we will witness whether DOD is able to seize the opportunities generated from procurement and management reforms to provide cost-effective intelligence and information systems that effectively support our service men and women and maintain our technological advantage on the battlefield. I fear, however, if the culture does not change at DOD and the Pentagon continues to hide behind legalistic and metaphysical barriers to outside oversight, we will witness the continued development of shoddy systems that do not take advantage of the dynamic commercial marketplace and that will in time erode our national security in the information age.

Another of the more contentious issues in developing the ITMRA was how to treat the oversight of security standards in the Government. Recent hearings of the Permanent Subcommittee on Investigations reveal that information security is still a serious problem that needs to be addressed. In ITMRA, Congress attempted to maintain the status quo regarding the division of responsibilities over information security standards and oversight. Based on recent events, I have now come to the conclusion that the agencies responsible for information security are more concerned with turf battles and bureaucratic infighting than they are about securing vital Government information. I am convinced that Congress needs to readdress the Computer Security Act and its implementation, but I am also convinced that this bill is not the vehicle to address the issue.

In conclusion, the amendment I propose clarifies any ambiguity regarding the definition of national security systems, reaffirms the Senate's commitment to maintaining the application of the ITMRA, and directly counters the House provision. Unlike the amendment to the House bill, this amendment does not change the status quo with regard to information systems security and maintains the comprehensive applicability of ITMRA to classified systems that do not meet the national security systems definition.

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

The amendment (No. 4374) was agreed to.

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

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

The motion to lay on the table was agreed to.

AMENDMENT NO. 4375

(Purpose: To require the Secretary of the Army to type classify the Electro Optic Augmentation [EOA] system)

Mr. LEVIN. Madam President, on behalf of Senators HEFLIN and SHELBY, I offer an amendment which I believe is at the desk.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Michigan [Mr. LEVIN], for Mr. HEFLIN, for himself and Mr. SHELBY, proposes an amendment numbered 4375.

The amendment is as follows:

At the end of subtitle B of title I, add the following:

SEC. 113. TYPE CLASSIFICATION OF ELECTRO OPTIC AUGMENTATION (EOA) SYSTEM.

(a) REQUIREMENT.—The Secretary of the Army shall type classify the Electro Optic Augmentation (EOA) system.

(b) FUNDING.—Of the amounts authorized to be appropriated for the Army by this division, $100,000 shall be made available to the Armored Systems Modernization Program manager for the type classification required by subsection (a).

Mr. HEFLIN. Madam President, I rise to offer an amendment that would allow the Army to type classify the electro optic augmentation system. The Army spent millions of dollars to develop this hardware but, for the lack of less than $100,000, was unable to certify the final product.

I have been informed that elements of the Army wish to purchase this equipment, but cannot due to the lack of this final certification. As the use of the EOA will save the Army millions of maintenance dollars annually, I hope my colleagues will join me in supporting this legislation.

Mr. LEVIN. Madam President, this amendment would direct the Army to conduct the necessary administrative actions to allow the Army to buy a system to test some of its electro-optic devices on its tanks and other armored vehicles.

Mr. MCCAIN. Madam President, the amendment has been cleared on this side.

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

The amendment (No. 4375) was agreed to.

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

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

The motion to lay on the table was agreed to.

AMENDMENT NO. 4376

(Purpose: To amend section 218 to require that the report on F–22 aircraft program costs include a comparison with an earlier estimate of costs)

Mr. MCCAIN. Madam President, on behalf of Senator GRASSLEY, I offer an amendment which requires a report on the F–22 aircraft program cost, including a comparison with an earlier estimate of costs.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Arizona [Mr. MCCAIN], for Mr. GRASSLEY, proposes an amendment numbered 4376.

The amendment is as follows:

At the end of section 218(a) add the following: ''The report shall include—

''(1) a comparison of—

''(A) the results of the review, with

''(B) the results of the last independent estimate of production costs of the program that was prepared by the Cost Analysis Improvement Group in July 1991; and

''(2) a description of any major changes in programmatic assumptions that have occurred since the estimate referred to in paragraph (1)(B) was made, including any major change in assumptions regarding the program schedule, the quantity of aircraft to be developed and acquired, and the annual rates of production, together with an assessment of the effects of such changes on the program.''.

INDEPENDENT COST ESTIMATE FOR F–22 AIRCRAFT

Mr. GRASSLEY. Madam President, I would like to express strong support for section 219 of the bill. This is an excellent provision. It just needs some fine tuning.

Section 218 calls for an independent cost estimate of the Air Force F–22 Fighter Program by March 30, 1997. The independent estimate is to be prepared by the Cost Analysis Improvement Group [CAIG]. The last CAIG report on the F–22 was done in 1991—5 years ago.

The CAIG has two missions: first, be a cost watchdog at the Pentagon; and second, develop independent cost estimates for major weapons systems. The CAIG's charter is embodied in a small piece of legislation—section 2434 of title 10 of the U.S. Code—developed, in part, by Senator NUNN.

Having honest and accurate cost estimates is the key to making smart decisions. Unfortunately, the CAIG's track record is dismal. Historically, it has underestimated actual costs by 25, 50, 75 or even 100 percent or more.

In a nutshell, this is the problem: The CAIG uses the notorious ''pass-through'' method of cost estimating. The CAIG relies on the estimates prepared by the contractors and the program offices. The CAIG massages their numbers. The CAIG adds 5 or 10 percent to the price tag—for safe measure. That's the CAIG's cover your fanny maneuver. Then the CAIG ''Chair,'' Mr. David McNicol, wages his magic wand and declares his estimates ''independent.''

The CAIG's highly educated staff acts like a high-priced conveyer belt for shoddy estimates. Keep in mind that the program offices and contractors like to low ball it. They want to get their program started—get the camel's nose under the tent, so to speak. Once they get the program rolling, then they gradually ratchet up the cost. That's dishonest.

This is one reason why we have the $150 billion plans/reality mismatch at the Pentagon.

This is not the kind of cost-estimating process envisioned in section 2434 of the law. The CAIG should develop its own estimate from the bottom up.

The original F–22 cost estimate is an excellent case in point. When the Defense Acquisition Board or DAB met in June and July 1991 to consider whether to move the F–22 into full-scale development, the CAIG presented a cost estimate. But it wasn't independent.

The CAIG presented a report to the DAB citing two estimates: the Program Office estimate of $110.2 billion; and the Air force estimate of $114 billion. This was for 750 aircraft in FY 1990 dollars. There was no independent CAIG estimate.

The CAIG's sole input consisted of a bunch of gross generalizations and lame caveats. For example, it warned of a ''high probability'' that development or EMD costs would exceed the $12.7 billion cited in the Air Force estimate because there was no allowance for ''unknown unknowns.''

How would the CAIG quantify an unknown unknown if it had one? And what about ''known knowns''?

I ask unanimous consent to have printed in the RECORD the June 1991 CAIG report on the F–22 report.

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

OFFICE OF THE
SECRETARY OF DEFENSE,
Washington, DC. June 21, 1991.

MEMORANDUM TO THE CHAIRMAN,
CONVENTIONAL SYSTEMS COMMITTEE

Subject: Initial CAIG Report on the Advanced Tactical Fighter (ATF).

This memorandum provides a preliminary statement of the main conclusions of our review of the Air Force program office and independent estimates of the costs of the ATF program.

Top lines of the program office estimate (POE) and the Air Force's Independent Cost Analysis (ICA) are shown below.

ATF COST ESTIMATES—MILESTONE II [750 Aircraft; fiscal year 1990; dollars in millions]

	Program Office estimate	Air Force ICA estimate	Delta (in percent)
DEM/VAL	3,808	3,847	+1.0

ATF COST ESTIMATES—MILESTONE II [750 Aircraft; fiscal year 1990; dollars in millions]—Continued

	Program Office estimate	Air Force ICA estimate	Delta (in percent)
EMD	11,620	12,730	+9.6
Production	[1] 48,845	49,621	+1.6
O&S	45,900	47,800	+4.1

[1] The POE production cost estimate for 648 F–22s is $43.5B (FY90$).

There are two major issues concerning the EMD estimate which we believe need to be addressed.

First, the program is not fully funded in the President's Budget. Our assessment of EMD costs is close to the ICA, and we recommend that the EMD program be funded to that level. The ICA is about $2.7B higher than the ATF EMD funding in the FY 1992 Amended President's Budget (APB). The following adjustments to ATF RDT&E in the APB are needed through FY97 to fund the Air Force ICA estimate: +62M FY91; −$179M FY92; +$22M FY93; +159M FY94; +430M FY93; +$892M FY96; and +$978M FY97.

Second, we believe that there is a high probability that the EMD program will require more than the $12.7B ICA estimate before EMD is completed. We do not say this out of any belief that the costing methods used by the Air Force are inappropriate, or that the Air Force estimate omits major elements of content that can be specifically identified at this time, neither of which is the case. Our point is simply that the EMD cost estimate for this tremendously complex and challenging airframe, engine, and avionics development program contains no specific provisions for ''unknown unknowns.''

In discussions of this topic with us, Air Force representatives have described their extensive risk reduction program which has:

Proved key aspects of the technology;

Achieved an exceptionally well established set of regulations;

Provided management tools giving unparalled insight into the evolution of the development program.

The force of these points, which we grant, is that the risks are not so large as they seem looking only at the scope of the program.

The Air Force also has argued that the engineering change order (ECO), award fee, and avionics software cost estimates constitute or, in the case of the software, include allowances for ''unknown unknowns.'' It is also relevant that the Air Force EMD estimate is above the contractor BAFO numbers. Some of the award fee funds surely will be used to reward the contractor, however, and a fair portion of the ECO allowance is likely to be consumed fixing normal developmental problems. Thus, the potential amount available for ''unknown unknowns'' is far smaller than the Air Force claims. Moreover, even if the full amount of the ECO and award fee lines, and the relevant part of the avionics software line could be counted, judged by historical experience that would not be a large enough allowance for ''unknown unknowns'' to provide reasonable confidence that the budget would not be exceeded before the end of the ATF EMD program.

Our view, in short, is that the ATF is an extremely complex and challenging, and in those respects risky, program, while the Air Force cost estimate contains at most very modest allowances for that risk.

The scale of the ATF program is suggested by the attached table. It appears to be by the largest tactical aircraft program the Department has ever undertaken.

Neither we nor the Air Force would claim that it is possible to identify perfectly the entire content of an EMD effort so large and complex as that of the ATF. Providing an allowance for the risk of the EMO program, then, would require funding for program content that has not been specifically identified. We recognize that some would argue that funding reserves for risk is bad practice, particularly for cost plus contracts. (And the ATF is the first large development program in nearly a decade for which a cost-plus contract will be used.) It seems clear, however, that the Department must either accept the Air Force estimate and be prepared to add funding later, or add funds now for yet-to-be-identified content changes.

The CAIG's crosscheck of the production estimate is about 10% higher than the POE and the ICA estimate, due to differences on composite manufacturing hours and on ratios of ancillary costs to manufacturing hours for composites.

We will provide a full CAIG report later.

DAVID L. MCNICOL,
Chairman, Cost Analysis Improvement Group.

Mr. GRASSLEY. Madam President, because of persistent complaints about its shoddy work on the F–22, the CAIG was forced back to the drawing board. In late July 1991—after the second DAB review, the CAIG produced an independent cost estimate of the F–22. This was an 80-page report with detailed supporting documentation. Very few people have actually seen it. It never went to the DAB.

Madam President, I don't have a copy of it, but I'm told its buried in a file someplace in the Pentagon. The Committee should see it.

The author of the 1991 CAIG reports on the F–22, Mr. David J. Gallagher, is still a member of the CAIG. He knows where the 80-page report is hidden. He knows where the F–22's skeletons are buried.

I would like to urge the Committee to give the CAIG strict guidance about using the July 1991 report as a reference or starting point for the new study. Otherwise, the Pentagon bureaucrats will invent some kind of rubber baseline. A rubber baseline would be a neat device for shielding the CAIG from accountability.

We need to make sure that the CAIG uses the proper and logical point of comparison for the F–22 cost estimate ordered by the Committee in section 218. If we don't insist on it, DOD will establish a phony baseline estimate. They will create a rubber baseline to hide F–22 cost growth.

I am sure DOD has already changed the F–22 baseline, so we can't follow the audit trail back to the 1991 estimate. The F–22 audit trail is probably already covered up.

The CAIG should be held accountable for the July 1991 F–22 cost estimate. How good was that estimate? Where are we today relative to that estimate? Have the major programmatic assumptions used in the July 1991 report changed? If so, how do these changes affect the total cost of the program?

I have developed a very minor, noncontroversial amendment. My amendment merely directs the CAIG to use the July 1991 report as the point of comparison for F–22 cost estimate ordered by the Committee. In addition, actual manufacturing cost data from the first development aircraft is becoming available. To the maximum extent possible, the CAIG should use that data in preparing its estimate of F–22 production costs.

The intent of my amendment is simple: Get the CAIG to do a good job this time. The F–22 is one of DOD's biggest programs, and it needs scrutiny and disciplined analysis. The last time around the CAIG hid in the weeds. I don't want to see that happen again.

The Committee staff has reviewed my amendment and indicated that it is acceptable.

Madam President, I would like to thank the Committee Chairman, Senator THURMOND, and the ranking minority member, Senator NUNN, for their leadership and support on this issue. I would also like to thank the responsible staff person, Mr. Steve Madey, for his advice and assistance.

Mr. MCCAIN. Madam President, I believe this amendment has been cleared by the other side.

Mr. LEVIN. It has been cleared.

Mr. MCCAIN. I urge the Senate to adopt this amendment.

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

The amendment (No. 4376) was agreed to.

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

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

The motion to lay on the table was agreed to.

AMENDMENT NO. 4377

(Purpose: To provide funding for research and development relating to desalting technologies)

Mr. LEVIN. Madam President, I send an amendment to the desk on behalf of Senators SIMON, CONRAD, and myself.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Michigan (Mr. LEVIN), Mr. SIMON, for himself, Mr. CONRAD, and Mr. LEVIN, proposes an amendment numbered 4377.

The amendment is as follows:

At the end of subtitle D of title II, add the following:

SEC. 243. DESALTING TECHNOLOGIES.

(a) FINDINGS.—CONGRESS MAKES THE FOLLOWING FINDINGS:

(1) Access to scarce fresh water is likely to be a cause of future military conflicts in the Middle East and has a direct impact on stability and security in the region.

(2) The Middle East is an area of vital and strategic importance to the United States.

(3) The United States has played a military role in the Middle East, most recently in the Persian Gulf War, and may likely be called upon again to deter aggression in the region.

(4) United States troops have used desalting technologies to guarantee the availability of fresh water in past deployments in the Middle East.

(5) Adequate, efficient, and cheap access to high-quality fresh water will be vital to maintaining their readiness and sustainability of United States troops, and those of our allies.

(b) SENSE OF SENATE.—It is the sense of the Senate that, as improved access to fresh water will be an important factor in helping prevent future conflicts in the Middle East, the United States should, in cooperation with its allies, promote and invest in technologies to reduce the costs of converting saline water into fresh water.

(c) FUNDING FOR RESEARCH AND DEVELOPMENT.—Of the amounts authorized to be appropriated by this title, the Secretary shall place greater emphasis on making funds available for research and development into efficient and economical processes and methods for converting saline water into fresh water.

Mr. LEVIN. This amendment would encourage the Secretary of the Army to place greater emphasis on making funds available for research and development and to have efficient and economical processes and methods for converting saline water into fresh water.

Mr. CONRAD. Madam President, I rise today to express my support for an amendment to be offered by Senator SIMON to S. 1745, the Department of Defense fiscal year 1997 authorization bill. This amendment directs the Secretary to place greater emphasis on making funds available for research and development into efficient and economical processes and methods for converting saline water into fresh water.

Madam President, access to scarce fresh water is important both nationally and internationally. As my colleague from Illinois has often pointed out, improved access to fresh water could be an important factor in the prevention of future conflicts in the Middle East. Further, the benefits derived from research into economical methods of desalination have applications in the United States and throughout the world. Converting the brackish water found in many watersheds into water that could be utilized for potable, agricultural, or industrial purposes would enhance our world's beleaguered water supply and would assist in the development of long-term water management plans.

It is my hope the Secretary will direct the funding authorized for research and development by this amendment toward several desalination technologies in an attempt to find a versatile, economical, and effective method for converting saline water to fresh water. For example, the Energy and Environmental Research Center [EERC], located at the University of North Dakota, has been conducting research into the freeze-thaw evaporation method of separating salts and other contaminants from water. In fact, EERC successfully demonstrated this technology on oil production water in New Mexico and is attempting to demonstrate the effectiveness of this technology on a larger scale in a brackish watershed in North Dakota.

Technologies that appear to hold much promise for converting brackish water into water that can be utilized for potable and other purposes, such as freeze/thaw evaporation, merit further research and development. I urge my colleagues to support this amendment.

Mr. SIMON. Madam President, the Department of Defense currently conducts desalting research at the U.S. Army Tank-Automotive RD&E Center in Warren, MI. I have introduced an amendment to authorize additional funding for this research.

Desalting technology is critical to our military. Naval troops, of course, depend on desalting facilities to produce fresh water on ships. In addition, ground troops have relied on desalting technologies to guarantee the availability of potable water in the Middle East and around the world. Adequate, efficient, and cheap access to high-duality fresh water will be vital to maintaining the readiness and sustainability of those troops, and those of our allies.

My amendment is very simple. It expresses the sense of the Senate that improved access to fresh water will be an important factor in helping prevent future conflicts in the Middle East, and that the United States and its allies should promote and invest in technologies to reduce the costs of desalination. In addition, my amendment stipulates that the Secretary shall place greater emphasis on making funds available for research and development in this area.

Madam President, this may not seem like an issue that would be a priority for a Senator from Illinois. But it affects all of us, and it affects the future stability of the world. With the end of the cold war and the fear of nuclear annihilation significantly reduced, the next military conflict will not likely be over territory or hatred, but rather over water rights.

This month, United Nations officials have expressed fear that wars over water could erupt in the next decade. And within the past few years, both King Hussein of Jordan and former Prime Minister Rabin of Israel have declared that if there is another war in the Middle East, it will not be about land, it will be about water. If we can find lower cost technologies to convert salt water to fresh water, we can really make a difference.

The world population now stands at approximately 5.5 billion and it is rising. In numbers, the world's population grows each year by an amount equal to half of the current U.S. population. By the year 2050, population experts project a world with ten billion people. And yet, while population is rising, water resources are not.

You do not need to be an Einstein to recognize that we are headed for problems.

Madam President, let me give you some examples of the global water crises we currently face. The Aral Sea was once the fourth-largest body of fresh water in the world. Soviet experts had assured Khrushchev that he could divert water going into the Aral Sea for irrigation purposes and that runoff and other sources would eventually replenish the temporary water loss. Shipowners were told not to worry. Now, however, ships are stranded on dry land, literally 50 miles from the new shores of the shrunken Aral Sea.

The list of affected countries is long. Mauritania is a desperately poor country right on the ocean—and yet it can grow only 8 percent of its food because of water shortages. Spain is facing the worst drought in 100 years. Since 1992, rainfall in the south has been less than 30 percent of average. And Algeria, Morocco, Tunishia, and Ethiopia will all soon face critical problems.

UNICEF has warned that 35,000 children worldwide—a majority of them on the African continent—are dying daily from hunger or disease caused by lack of water or contaminated water.

Madam President, less than 1 percent of the Earth's water can be used directly for human consumption, or agricultural uses. As we have to deal with diminishing water resources, the only place we can get additional water is from the ocean. Desalination can help us address this problem.

U.N. Secretary General Boutros Boutros-Ghali, responding to a letter I wrote him, said: ''I am particularly pleased to hear of your interest in water issues and the legislation you are sponsoring on research on less costly desalination methods. As you rightly point out, such concerns are uppermost in the minds of people in regions where fresh water is scarce, not least in my own part of the world. During my tenure as Secretary-General, I will do my utmost to promote international cooperation regarding this most crucial resource.''

Clearly, this is an area where we can work together to affect the future of humanity. I commend the managers of this bill for recognizing the importance of desalination research and I thank them for their support of my amendment.

Mr. MCCAIN. Madam President, this amendment has been cleared on this side.

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

The amendment (No. 4377) was agreed to.

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

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

The motion to lay on the table was agreed to.

AMENDMENT NO. 4378

(Purpose: To propose an alternative to section 366, relating to Department of Defense support for sporting events)

Mr. MCCAIN. Madam President, on behalf of myself and Senators HATCH, BENNETT, and NUNN, I offer an amendment which would clarify the authority of the Department of Defense to provide essential security and safety assistance to agencies responsible for law enforcement and safety services. This amendment would also require reimbursement for nonsecurity and safety assistance provided by the Department of Defense to civilian sporting events.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Arizona (Mr. McCain), for himself, Mr. Hatch, Mr. Bennett, and Mr. Nunn, proposes an amendment numbered 4378.

The amendment is as follows:

Strike out section 366 and insert in lieu thereof the following new section:

SEC. 366. DEPARTMENT OF DEFENSE SUPPORT FOR SPORTING EVENTS.

(a) Security and Safety Assistance.—At the request of a Federal, State, or local government agency responsible for providing law enforcement services, security services, or safety services, the Secretary of Defense may authorize the commander of a military installation or other facility of the Department of Defense or the commander of a specified or unified combatant command to provide assistance for the World Cup Soccer Games, the Goodwill Games, the Olympics, and any other civilian sporting event in support of essential security and safety at such event, but only if the Attorney General certifies that such assistance is necessary to meet essential security and safety needs.

(b) Other Assistance.—The Secretary may authorize a commander referred to in subsection (a) to provide assistance for a sporting event referred to in that subsection in support of other needs relating to such event, but only—

(1) to the extent that such needs cannot reasonably be met by a source other than the Department;

(2) to the extent that the provision of such assistance does not adversely affect the military preparedness of the Armed Forces; and

(3) if the organization requesting such assistance agrees to reimburse the Department for amounts expended by the Department in providing the assistance in accordance with the provisions of section 377 of title 10, United States Code, and other applicable provisions of law.

(c) Inapplicability to Certain Events.—Subsections (a) and (b) do not apply to the following sporting events:

(1) Sporting events for which funds have been appropriated before the date of the enactment of this Act.

(2) The Special Olympics.

(3) The Paralympics.

(d) Terms and Conditions.—The Secretary may require such terms and conditions in connection with the provision of assistance under this section as the Secretary considers necessary and appropriate to protect the interests of the United States.

(e) Report on Assistance.—Not later than January 30 of each year following a year in which the Secretary provides assistance under this section, the Secretary shall submit to the congressional defense committees a report on the assistance provided. The report shall set forth—

(1) a description of the assistance provided;

(2) the amount expended by the Department in providing the assistance;

(3) if the assistance was provided under subsection (a), the certification of the Attorney General with respect to the assistance under that subsection; and

(4) if the assistance was provided under subsection (b)—

(A) an explanation why the assistance could not reasonably be met by a source other than the Department; and

(B) the amount the Department was reimbursed under that subsection.

(f) Relationship to Other Laws.—Assistance provided under this section shall be subject to the provisions of sections 375 and 376 of title 10, United States Code.

Mr. McCAIN. Madam President, I offer an amendment to S. 1745, the National Defense Authorization Act for fiscal year 1997, which will clarify a current provision in the bill regarding military support to civilian sporting events. As you know, I have taken a particular interest in military support for civilian sporting events for a number of years. I want to ensure that any such assistance does not degrade military readiness, demean our men and women in uniform, and burden the American taxpayer when the costs of supporting such events should appropriately fall to the sponsoring organization which will receive the revenues.

The recommendation of the Senate Armed Services Committee for the fiscal year 1997 Defense Authorization Act, already includes a provision that would grant the Department of Defense the authority to provide security and safety assistance to civilian sporting events such as the Olympics. This provision also requires that any assistance provided to the sponsoring organization be reimbursed if the event results in a profit. However, there have been a number of concerns raised regarding this provision.

Madam President, the principal objection which I have heard raised to the current provision is it prevents the Department of Defense from supporting civilian law enforcement agencies in providing essential security services. As long as we are discussing what is misleading or inaccurate information, I would like to inform my fellow Senators that the allegations that this provision will prevent such service from being provided to law enforcement agencies definitely falls into this category. One only has to read chapter 18 of title 10, U.S.C. to realize that the DOD is already authorized to provide such assistance in permanent law. The current provision does nothing to change this. In fact, the American Law Division of the Congressional Research Service was asked to review this provision to see if there was any conflict between it and title 10, U.S.C. In response to this question, the American Law Division stated ''in contrast to other statutory schemes in which conflicts may be found, little indication of conflict may be discerned between section 366 and the provisions already in title 10.'' In light of the truth on this matter, I believe that it is irresponsible for individuals to object to the provision on these grounds. I ask that the letter from the CRS be included in the record.

I fully understand the need to provide adequate security at these types of events and do not advocate the prevention of such assistance. We do not want to risk another tragedy like the one that occurred at the Munich Olympics. We cannot assume that we are safe from such incidents simply because we live in the United States. Our own vulnerability to terrorists was demonstrated by the bombings of the World Trade Center in New York and the Federal building in Oklahoma City.

However, I have become increasingly concerned that the Department of Defense is being forced to provide assistance to major sporting events which does little to enhance security or safety. In fact, I find much of the support which the Department of Defense has decided to provide for the Atlanta Olympics to be disturbing. By the time the Olympic games in Atlanta are completed, the military will have dedicated over 13,000 military personnel and $50 million to support these activities. Although this support is being portrayed as necessary to ensure the security and safety of the international athletes and Olympic visitors, much of the assistance appears to be little more than a subsidy to the Atlanta Committee on the Olympic games. After all, section 1385 of title 18, United States Code, prohibits the use of the military as a posse comitatus. This means that the 13,000 military personnel who will be providing security are prohibited from acting as domestic law enforcement agents. In other words, they cannot enforce the laws; they have no authority to arrest or even detain individuals who engage in criminal activities.

Furthermore, I would like to point out that some of the services which will be provided by military personnel may in fact result in increased risk to the international athletes and Olympic visitors. One example is the military personnel who will be acting as bus drivers for the international athletes. While these individuals will receive some training prior to the Olympic games, they are not professional bus drivers. In fact, they will be less qualified than the professional civilian bus drivers they will displace.

In addition to increasing the danger to the Olympic athletes, the provision of bus drivers will negatively impact upon the small businesses which were under contract to provide these services. Last week, I received a letter from Robert Pounders of Motorcoach Charters outlining how the military personnel are displacing his company and other small businesses who had contracts to provide transportation services to the Olympic athletes. Last month, after the congressional defense committees voted to provide the Atlanta Olympics with an additional $12.2 million, he received a call canceling his contract because these duties will be performed by the military. According to Mr. Pounders, his company will now suffer an estimated $160,000 loss. In his letter he asked a very important question: ''Why is our tax money being used to take away the small business jobs that are the backbone of this nation's economy?'' This is a valid and important question that we should all ask ourselves whenever we are considering using military people for what are essentially commercial activities.

Madam President, I ask that Mr. Pounders' letter be printed in the Record.

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

MOTORCOACH CHARTERS
AND WINNING TOURS,
Richmond, VA, May 17, 1996.

Hon. JOHN MCCAIN,
U.S. Senate,
Washington, DC.

DEAR SENATOR MCCAIN: Eleven months ago we contracted all of our motorcoaches for use at the Olympic games in Atlanta, to a professional motorcoach broker working closely with the Atlanta Committee on the Olympic Games (ACOG). We agreed that we would commit our entire fleet of 14 motorcoaches for this event and the broker sent us a small good faith deposit.

We just received a telephone call from the broker canceling all of our equipment since ACOG has decided to use school buses with military drivers supplied by the Department of Defense.

For 11 months we have turned down business since our fleet was committed to the Atlanta event. We promised our employees work and got them to commit to the Atlanta games and now we have nothing for them. Not only do we have an irate work force, but we have a severe financial loss just 60 days before our fleet was to be in Atlanta. At this point it appears our employees and our expensive motorcoach equipment will be sitting home while the government plays its own games with our tax money and livelihood.

I want answers to the following:

1. How does the government justify the use of military drivers, donated by the Department of Defense, to drive school buses in lieu of all the coaches that were contracted from private enterprises 11 months ago?

2. Why is our tax money being used to take away the small business jobs that are the backbone of this nation's economy?

3. What is the Department of Defense "defending" with the use of 1000 soldier drivers at the Olympic games—ACOGs bottom line?

4. Most importantly, how do you think all this will sit with the voters when we release this story to the TV networks "20/20", "Dateline", and "Primetime"? This is exactly what they are looking for in their pursuit to expose what is really going on in Washington.

The government takes away our jobs, takes away our business, gives $50 million to a sporting event and then expects us to pay the bill with the money they took away from us.

Your response to each of the above questions by the numbers would be most appreciated. My colleagues and I anxiously await your reply.

Sincerely,

ROBERT R. POUNDERS,
President.

WINN,
Richmond, VA, June 10, 1996.

Senator JOHN MCCAIN,
U.S. Senate,
Washington, DC.

DEAR SENATOR: The following information is a follow up to my letter to you on May 17, 1996, regarding the use of the military to drive buses at the Atlanta Olympics.

On or about June 5, 1996, I received a telephone call from a Lieutenant Commander Rusty White in Norfolk, Virginia (804–322–5169). He was asking us to quote on a training program for sailors under the U.S. Atlantic Command. The program entailed training 50 military men to drive buses for the Olympics. They wanted the men fully trained and pass their Commercial Drivers License test by June 30, 1996.

To add insult to injury, the government first gives the Olympic Committee military drivers and I lose my contract to perform this service. Then the government has the audacity to ask us to train their men to drive in less than thirty days.

We are now seeking to institute a lawsuit in order to recover the hundreds of thousands of dollars we will loose since we are unable to re-book our equipment at this late date and our drivers are without work.

It is no wonder that we can't have a balanced budget when Congress keeps killing all the geese that lay the golden eggs.

Sincerely,

ROBERT R. POUNDERS,
President.

Mr. MCCAIN. Madam President, some people have alleged that the assistance which the military personnel will provide will enhance their capabilities and training. In the case of the bus drivers, I would argue that the opposite is true. The individuals who will have to be trained in order to perform this mission are not military bus drivers. Therefore, I believe that we would be hard pressed to demonstrate that driving busses will improve the skills necessary for the true military mission of these personnel. In fact, I believe that it would be far easier to demonstrate that such assistance degrades military capabilities because valuable and scarce training time is being wasted performing menial tasks.

In my opinion, this one example highlights how military assistance to these sporting events, if taken too far, can result in decreased safety, negatively impacts upon small businesses, and potentially degrades military readiness. How many accidents will we see as a result of this decision? How many small businesses are we intending to displace? How many military units will suffer a degradation in their readiness in order to provide services which have nothing to do with security or safety?

These questions may only be answered after the Olympic games in Atlanta have concluded. I believe that it is the responsibility of the Department of Defense and the Congress of the United States to review any negative affects of this assistance, and to take whatever corrective action is necessary to ensure that there is not a repetition of such negative affects in the future.

Madam President, the bus drivers are only one example of the support we are asking the military to provide in the name of "security and safety." I believe that we can only consider assistance such as this to be security and safety if we use the broadest definitions of those words. In fact, we may have to actually redefine those words in order to make some of this assistance fit within the definition.

In addition to the bus drivers, we have heard about the watering of artificial turf on the hockey field which is now being portrayed as fire safety; the purchase of the Olympic dining facility; and the provision of the barges for the Olympic yachting events. Furthermore, some military personnel will be used to perform what one military officer has referred to as menial labor. I am gratified that the supporters of this assistance are not claiming that all of this is security and safety. However, I am disappointed these supporters claim that it is appropriate for the Department to provide such assistance. I believe it is an outrage that fine young Americans, who dedicate their lives to the protection of this Nation, should be forced to perform tasks such as chauffeuring international athletes and watering artificial turf on field-hockey fields. I also believe that it is inappropriate to dedicate scarce defense resources on these activities unless such support cannot be obtained from another source.

Although there is supposed to be a reimbursement for some of the assistance being provided in Atlanta, there is no guarantee. We have already seen ACOG renege on $2.8 million worth of support they had originally agreed to provide to the military. In one case, ACOG had originally agreed to feed the military personnel who are providing the assistance. However, while ACOG is continuing to provide food for the other Olympic volunteers, they are now charging the Department of Defense for the meals that will be served to the military personnel. In addition, although it has been reported that ACOG has reimbursed the Department of Defense for the provision of barges at the yachting events, this only includes $39,750 for the repair of the barges. There is another cost of $9,247 for the towing of the barges to the event location which was absorbed by the Department of Defense.

Madam President, this is another example of the misleading information which is being spread about the assistance which the Department of Defense is providing to the Atlanta Olympics. Earlier, we heard one member state that DOD would be reimbursed for all nonsecurity and safety assistance. However, here is a clear example of nonsecurity, nonsafety assistance, which will not be reimbursed. I believe that when we talk about the $39,750 that will be reimbursed, we should also discuss the $9,247 that will not be reimbursed; just to ensure that we are not providing misleading information.

Madam President, I believe that it is also important to discuss the fact that Federal tax dollars, including funds provided to the DOD, were used to send 9 State and local officials to the 1993 Presidential Inauguration. Although, this has been portrayed as "a unique opportunity to study and synthesize the security planning and preparation of the Secret Service," I am personally skeptical and asked the Department of Defense to provide more detail regarding the activities of these individuals during this time, including the cost of each of these activities. Unfortunately, the response I received was that the Army is "unable to explain decisions made before the Secretary of the Army was designated Executive Agent." I guess they were unable to pick up the phone and call other entities in the Department of Defense.

Madam President, an issue which further aggravates me is the way in which

the Atlanta Committee on the Olympic Games is treating the very military from which it asks so much. Recently I received a letter from Mr. Tom Roskelly of Annapolis, MD. According to Mr. Roskelly, last year he met with a Mr. Charles Snow who is the advance manager for the Atlanta Committee for the Olympic Games in region 5. The purpose of this meeting was to discuss preliminary plans for the Olympic Torch Run through Annapolis. At this meeting, Mr. Roskelly suggested that the Olympic Torch be carried through the grounds of the Naval Academy because it would serve to honor Academy graduates who have participated in past Olympic Games; it would provide a very scenic route through which to carry the torch; and it would reduce the amount of city streets which must be closed down to accommodate the torch run. Although these are all very good arguments for carrying the torch through the Naval Academy, Mr. Snow curtly informed Mr. Roskelly that the Olympic Torch would not be allowed to travel through any active military installations. I guess they are afraid of militarizing the Olympics.

Madam President, I ask that Mr. Roskelly's letter be printed in the RECORD.

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

CITY OF ANNAPOLIS,
Annapolis, MD, June 4, 1996.

Hon. JOHN S. MCCAIN,
U.S. Senate,
Washington, DC.

DEAR SENATOR MCCAIN: Mr. Charles Snow, Advance Manager, Region V, Atlanta Committee for the Olympic Games (ACOG) met with me and several members of the United Way of Central Maryland on July 20, 1995 to discuss preliminary plans for the Olympic Torch Run through Maryland's Capital City on June 20, 1996.

At that meeting, I made several suggestions to Mr. Snow including a routing through the United States Naval Academy for what I considered several very cogent reasons:

1. It would serve as a salute to the USNA alumni who have participated in past Olympic Games.
2. It would provide a very photogenic route through a registered National Historic Landmark.
3. It would reduce the amount of City streets which must be closed down to accommodate the torch run (in a City where traffic and parking are always considered to be problems).

I was curtly informed by Mr. Snow that the Olympic Torch would not be allowed to travel through any active military installation> Although I reminded Mr. Snow that the Naval Academy is an ''open base'' and considered to be one of the foremost visitor attractions in Maryland, he insisted that the prohibition would not allow a change in the routing of the torch run.

As a corollary matter, I also suggested yet another photographic opportunity involving the Governor of the State of Maryland and the venue of the Maryland Statehouse (the oldest statehouse in continuous legislative use in the United States). Mr. Snow informed me that the torch cannot be touched by any elected official.

After being rebuffed with my suggestions, I decided to sit back and let Mr. Snow tell me what he wanted from the City—no more, no less. I did not ask for any written confirmation of Mr. Snow's comments. As a matter of fact, the meeting resulted in a letter which was requested by Mr. Snow to be written by Mayor Alfred A. Hopkins.

If I can be of any further assistance in this matter, please do not hesitate to call on me. My Annapolis telephone is (410) 263–1183; FAX (410) 263–8120; E-mail: roskelly@annapolis.gov

Sincerely,

THOMAS W. ROSKELLY,
Public Information Officer.

Mr. MCCAIN. Madam President, another objection which has been raised to the current provision is the requirement that the sponsoring organization reimburse the Department of Defense for its support if, I repeat if, the event results in a profit for that organization. Although it is certainly possible that some events may not realize a profit, this is certainly not the rule as was demonstrated by the $222 million made at the Los Angeles Olympics.

Some argue that the accounting procedures necessary for determining if a profit is made would be a nightmare. I personally cannot imagine any major event, such as the Olympics, where the officials responsible for the management of the event would not already keep track of the revenues and expenditures. Perhaps it is simply that some members of the sponsoring organizations, such as the International Olympic Committee, would object to returning some of the profits of the American taxpayers. However, I believe that it is far more appropriate to return these funds to the citizens of the United States rather than using them to support the luxurious lifestyles of Olympic officials. One only has to read a recent article in the Washington Post to see how these funds are currently expended.

Furthermore, I would like to point to chapter 18 of title 10, United States Code, which currently outlines the authority for the Department of Defense to support domestic law enforcement agencies. This chapter contains a number of provisions which already provide the Department of Defense with the authority to support law enforcement agencies if such assistance is requested I would like to draw everyone's attention to section 377 of that chapter which requires the civilian law enforcement agencies to reimburse the Department of Defense for the assistance which the DOD provides.

Should we not also require private organizations to reimburse the Department? This was not the belief of the Congress and the President when Public Law 94–427 was passed. This law included a provision which required ''all revenues generated by the Olympic winter games in excess of actual costs shall revert to the Treasury of the United States in an amount not to exceed the total amount of funds appropriated under the authority of section 9 of this Act.''

Madam President, I would like to address some of the other issues which have been raised regarding misleading or inaccurate information. One of these issues was the State of Georgia waiving the fees for military personnel to obtain a commercial drivers license. It was stated that Georgia has agreed to waive all of the fees associated with the cost of obtaining such a license, if the license is going to a military individual residing in the State of Georgia. As the member is aware, this was not always the case, and it was only after members of the Senate raised the issue that such an agreement was obtained. In addition, while I am gratified that DOD will incur no cost for the 358 individuals to whom this waiver will apply, I am disappointed that the DOD will incur such costs for the other 700 individuals.

I would also like to address the issue of the military personnel who are contributing to the watering of artificial turf on the field hockey fields. This is true and everyone is fully aware of the facts. The fact that these 25 military personnel will only operate the equipment that provides the water to the distribution system in no way diminishes the fact that they are being used to provide the water for this artificial turf. Calling this assistance fire safety is only an example of the broad definition which has been applied to the words security and safety in order to justify the provision of such assistance.

Another issue which was raised was that allegations have been raised that military personnel will wash ACOG vehicles. I personally have raised that issue based on the information which was provided to me and my staff by the General Accounting Office which was looking into the issue of what assistance the military was providing to the Atlanta Olympics. Subsequent information was provided retracting this information and neither I, nor anyone else that I am aware of, has used it since.

Madam President, I would like to thank the members of the Armed Services Committee for supporting the current provision in the committee's recommendation of this bill. I believe that this provision would go a long way toward protecting the interests of the American taxpayers.

However, in order to satisfy the concerns of those individuals who believe that the current provision would restrict the Department of Defense from providing essential security and safety. I am sponsoring this amendment which would clarify the DOD's authority to provide such assistance. Before such assistance could be provided, it would have to be requested by a civilian official responsible for security or safety, and the Attorney General of the United States would have to certify that it is necessary to meet essential security and safety needs.

Madam President, this amendment would also allow the Department to provide other assistance to sporting events so long as such assistance cannot be reasonably provided by a source

other than the Department of Defense. In addition, the organization requesting this assistance must agree to reimburse the Department of Defense for the full costs to the Department of providing this assistance, including the personnel costs of any military individuals involved in providing the assistance.

Furthermore, no assistance can be provided if that assistance would result in a degradation of military readiness or capability. This means that scarce training time could not be used providing assistance which does little to enhance the military capabilities of our men and women in uniform. Reservists who spend only a few short weeks each year preparing for combat, could not forgo this training in order to observe pedestrians crossing the streets or driving buses. This requirement will help to ensure that whatever level of assistance is provided, it is not provided at the cost of military readiness.

The amendment would also require the Department of Defense to provide the congressional defense committees with a report each year after such assistance is provided. This report would set forth a description of the assistance provided; the amount expended by the Department in providing the assistance; and other important information. This would allow the Congress to closely monitor the assistance provided pursuant to this provision to ensure that such assistance is being provided in an appropriate manner.

Madam President, I ask that the Members of the Senate vote to support this provision which clarifies the Department's authority to assist civilian law enforcement agencies, protects the interests of the American taxpayers, and preserves military readiness.

OLYMPIC SECURITY

Mr. HATCH. Madam President, the amendment rationalizes section 366, which provides for Defense Department support for major sporting events hosted in the United States.

Since the DOD authorization bill for fiscal year 1997 was reported from the Armed Services Committee last month, there has been much attention given to the need to create a strong terrorism deterrent at the forthcoming Olympic games in Atlanta.

I appreciate the concerns expressed and raised by my good friend, Senator MCCAIN, and deeply respected his views throughout this process, although we disagreed on the language that was incorporated into the committee reported version of this bill. But, because we shared the same goal, it was only a matter of agreeing upon the means to that end, which this amendment represents.

I, especially, want to thank Senators NUNN, BREAUX, CRAIG, COVERDELL, and MOSELEY-BRAUN; they were leaders among the nearly 65 Senators who joined in the effort to make certain that the Atlanta Olympic games—and all other future sporting events held in this country—would be events that all spectators, American citizens as well as foreign visitors, could attend with an optimal sense of security. We are not just talking about high-visibility Olympic events, but other mass sporting activities which draw international attention—and, therefore, terrorist interest—like super bowls, goodwill and Pan-American games, special and paralympics, and world cups, among others.

I, particularly, want to thank my friend and colleague from Utah, Senator BENNETT. His input and initiative on this issue were key.

The amendment we are adopting to this bill today reinforces the message sent by my good friend and ranking minority member of the Judiciary Committee, Senator BIDEN, who, in a June 11 hearing on Olympic security, warned prospective purveyors of harm to the Atlanta games, not even to think about it.

In fact, as we have learned from the Judiciary Committee hearing, as well as a recent CNN series on Olympic security, unprecedented security and safety capabilities are being put in place. In a few words, Madam President, we have taken every imaginable precaution to ensure the security and safety of the 2 million visitors, 40,000 other members of the Olympic family, visiting dignitaries from more than 190 countries, and the Atlanta community.

As the Olympic torch winds its way across country, and having just seen it pass through the streets of Washington to the White House lawn, we have seen an outpouring of public support for the summer games that is both refreshing and exciting. The Olympic flame encourages all of us to focus on teamwork and competition instead of conflict and strife.

I urge you to listen to composer and Maestro John Williams' rendition of the Atlanta Olympic games' musical theme: Summon the Heroes. It is a rousing, patriotic musical restatement of our national pride. It's already a hit with the summer Boston Pops' Esplanade Concert series. Nothing, Madam President, I repeat nothing, should derail what could be the greatest Olympic event in modern history. In fact, I believe that our country should give nothing less to the world.

The Atlanta games are also America's games, said Vice President GORE on May 14, 1996. He added that the Federal Government must run the only leg that it can: Assuring security.

Madam President, of course, the Olympic spirit could be extinguished in a second should an individual or group decide to turn international attention to a radical cause. It is incumbent on us to take steps to prevent such a calamity. And, it is a possibility that is all too real given the tragic incident at the 1972 Olympic games.

This amendment will contribute constructively to this colossal security and safety effort. I will deal categorically with the two important topics of this amendment: Security and financial considerations.

There are four points this amendment makes regarding essential security and safety:

First, the United States is setting a new American security standard which, I believe, is necessary.

This standard is rooted in the Antiterrorism and Effective Death Penalty Act, which passed this body by a 91 to 8 vote, and was signed into law by President Clinton last month. The spirit of that law is embodied in this amendment: That our commitment to security has no partisan fences.

All future major sporting events will enjoy the best security arrangements this country can bring forward. In Judiciary Committee hearings on June 11, Israeli antiterrorism expert, Prof. Ariel Mercari of Tel Aviv University, warned that terrorists seek out mass events to convey an ugly political message.

This amendment facilitates cooperation between law enforcement officials and DOD, and creates a strong security deterrent for such games as the Atlanta and Salt Lake Olympics, the World Masters games in Portland, and the Goodwill games in New York City, both in 1998, and the Special Olympics to be held in Raleigh, in 1999, as well as the 1999 Women's World Cup, for which such cities as Boston, Orlando, Miami, Birmingham, Washington, and Pasadena are likely to compete this year.

Second, the amendment fosters the type of systematic, coordinated and comprehensive effort needed across the entire law enforcement, security, and safety community to control all forms of terrorism, whether they originate from domestic or international sources.

By inserting a requirement for the Attorney General to validate all essential security requests from Federal, State, and local officials, DOD support will be entirely consistent with current law regarding the use of military personnel and equipment.

Third, the amendment provides an unprecedented capability to deal with modern security threats.

The memory of the Munich massacre was a common thread in the drafting of this amendment. The United States commitments to several international conventions and treaties, calling for the protection of athletes and other foreign visitors, have been codified into law at title 18, United States Code, sections 112(f), 1116(d) and 1201(f). These statutes have been strengthened, the net effect of which is the creation of a deterrent to terrorism and other criminal behavior so potent that only the most reckless persons would risk wrongdoing—but it is this type of activity that we are nonetheless prepared to prevent.

The changing nature of terrorism compels this amendment. As the Justice Department and FBI witnesses warned us at our June 11 Judiciary hearing: it is a changing world, security arrangements made for Los Angeles are simply insufficient for Atlanta. Atlanta is unique. The needs cannot be

met by the total law enforcement community in the State of Georgia.

The fourth security need addressed by the amendment clarifies the collection of Federal statutes that embody the legal basis for DOD support.

Public safety remains a governmental responsibility. The amendment avoids the risk of abdicating security to a private organization which could be obligated to pay for essential security and safety support. In such an event, the temptation to cut corners is too great. This was a fear expressed by the Justice Department.

Limitations on the use of military personnel and equipment for sporting event support are brought into conformance with existing laws. Most notably, the posse comitatus statutes, found at sections 375 to 377 of title 10, United States Code, are applied with full force. Military preparedness will not be sacrificed, and the restrictions on military personnel performing such law enforcement activities as search, seizure and arrest are explicitly applied.

Madam President, let me now turn to the parallel concern of many members of Congress and citizens: the appropriate use of military personnel. We all honor the service of our military people. They should not be conscripted into service as servants, chauffeurs, launderers, waiters and waitresses, and other demeaning uses—and they assuredly will not. This type of misuse of our armed forces has been averted by a rigorous requirement that services, other than essential security and safety, be agreed to by the Secretary of Defense, and where agreed upon, be subject to reimbursement in accordance with section 377 of title 10.

Lastly, Madam President, the amendment avoids last-minute rule changes that could have totally disrupted Olympic host entity planning by creating financial obligations that were unforeseen, such as the reimbursement for essential security and safety, and that could have spelled financial ruin and organizational chaos for an event.

Madam President, I encourage the members of this Chamber to provide the same hearty endorsement of this amendment that they gave to the recent antiterrorism bill. An overwhelming vote of support will convey a message to the entire world that the United States intends to honor, fulfill and vigorously prosecute its responsibilities as a global leader in the crusade against threats.

Again, my thanks to my colleagues for their assistance and support of this amendment.

Mr. BENNETT. Madam President, I rise to support the amendment that modifies section 366 dealing with DOD assistance to civilian sporting events. I thank Senator MCCAIN for his willingness to work with both Senator HATCH and me in crafting language that clarifies the manner in which the Department of Defense can provide security to civilian sporting events in the future. I found that we all had an interest in safety and ensuring that government resources are spent wisely.

Because Salt Lake City, UT, has been chosen to host the 2002 winter Olympic games, I have more than a passing interest in ensuring that everyone attending the Olympics can do so feeling confident of their safety. I believe visitors can have that confidence in Atlanta, and I want that to be the case in Salt Lake City. Federal expertise and assistance is invaluable to ensuring public safety in such circumstances. The Department of Defense also has unique capabilities that have proven very useful in supporting an event of this size.

Senator MCCAIN is known for his vigilance in ensuring tax dollars are spent wisely, especially in the Department of Defense. As the chairman of the Readiness Subcommittee, and as one whose family has a long history of military service to this country, I understand his concern. I share his belief that DOD resources must be used very carefully, whether it is for a new weapon system or providing Olympic security.

This amendment will continue to permit the Department of Defense to assist government entities responsible for safety and security with essential security needs. This assistance is absolutely necessary to adequately address the threats to any large international sporting event in today's environment. In addition, it will make DOD's non-security capabilities available, as they have been in the past, if the DOD costs of providing that assistance is reimbursed. This would permit the current practice of making available surplus or unused equipment that is sitting in a warehouse on loan. The Department of Defense will also be required to report to Congress, outlining the assistance that has been provided.

It is my hope that this amendment strikes an appropriate balance between accountability and flexibility when Federal assistance is needed. Again, I thank Senator MCCAIN for his willingness to work with us. I would also like to thank my colleague Senator HATCH for his work on this amendment. He is very aware of the terrorist threat, and is committed to providing a secure environment for our citizens, athletes, and international guests.

We are on the eve of another Olympics coming to the United States. I reiterate my support for Atlanta. I know this has been a long road and I wish to thank my colleagues from Georgia, Senator NUNN and Senator COVERDELL. They have provided a valuable perspective and given me a glimpse of the magnitude of this event, and the efforts that have been made to bring the Olympics to the United States.

As the world gathers to watch the best of the best compete in the spirit of good will, I extend my best wishes to Atlanta. May the games enjoy every success. It is an honor to have the games here.

Mr. MCCAIN. Madam President, I believe this amendment has been cleared by the other side.

Mr. LEVIN. The amendment has, indeed, been cleared on this side.

Mr. MCCAIN. Madam President, I urge the Senate adopt this amendment.

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

The amendment (No. 4378) was agreed to.

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

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

The motion to lay on the table was agreed to.

AMENDMENT NO. 4379

(Purpose: To provide for the payment by the Department of Energy of costs of operating and maintaining the infrastructure of the Nevada Test Side, Nevada, with respect to activities of the Department of Defense at the site)

Mr. LEVIN. Madam President, I send an amendment to the desk on behalf of Senator REID and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Michigan [Mr. LEVIN], for Mr. REID, proposes an amendment numbered 4379.

The amendment is as follows:

At the end of subtitle C of title XXXI, add the following:

SEC. 3138. PAYMENT OF COSTS OF OPERATION AND MAINTENANCE OF INFRASTRUCTURE AT NEVADA TEST SITE.

Notwithstanding any other provision of law and effective as of September 30, 1996, the costs associated with operating and maintaining the infrastructure at the Nevada Test Site, Nevada, with respect to any activities initiated at the site that date by the Department of Defense pursuant to a work for others agreement may be paid for from funds authorized to be appropriated to the Department of Energy for activities at the Nevada Test Site.

Mr. REID. Madam President, the Department of Energy, as of September 30, 1997, is authorized to apply stockpile stewardship funds to infrastructure costs of the Nevada Test Site associated with new Department of Defense programs at the site.

Presently, there are significant Department of Defense programs at the Nevada Test Site because of its unique capabilities to meet these programs' objectives. The Department of Defense chooses to operate at the Nevada Test Site because of its unique, one-of-a-kind capabilities and because the Test Site offers a more cost-effective option for program execution. These benefits are wholly appropriate reasons for a Department of Defense program to choose to operate at a Department of Energy site.

The Nevada Test Site has a continuing and overriding mission to assure the safety and reliability of the U.S. stockpile that requires meeting most of the facility infrastructure expenses.

This authorization expands the opportunities for cost-effective execution

of Department of Defense programs at the Nevada Test Site by providing a facility charge policy similar to that implemented at Defense Department facilities.

In addition to cost savings opportunities, this authorization benefits the mandated Test Readiness Program. Test Readiness requires trained teams of technicians, drillers, riggers, geologists, meteorologists, operations safety specialists, and so forth. These experts must exercise their skills to assure a high level of proficiency at all times. A healthy and diverse set of operational requirements such as derives from many Department of Defense programs would assure productive activity that increases the proficiency and readiness of these teams.

Mr. LEVIN. Madam President, this amendment authorizes but does not require the DOE to pay for infrastructure costs at the Nevada test site beginning in FY 1997 from stockpile stewardship funds.

Mr. MCCAIN. Madam President, the amendment has been cleared on this side.

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

The amendment (No. 4379) was agreed to.

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

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

The motion to lay on the table was agreed to.

AMENDMENT NO. 4380

(Purpose: To express the sense of the Senate concerning export controls)

Mr. MCCAIN. Madam President, on behalf Senator KYL, I offer an amendment that would express the sense of the Senate.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Arizona [Mr. MCCAIN], for Mr. KYL, for himself and Mr. BINGAMAN, proposes an amendment numbered 4380.

The amendment is as follows:

At the end of subtitle D of title X add the following:

SEC. 1044. SENSE OF THE SENATE CONCERNING EXPORT CONTROLS.

(a) FINDINGS.—The Senate makes the following findings:

(1) Export controls are a part of a comprehensive response to national security threats. United States exports should be restricted where those threats exist to national security, nonproliferation, and foreign policy interests of the United States.

(2) The export of certain commodities and technology may adversely affect the national security and foreign policy of the United States by making a significant contribution to the military potential of individual countries or by disseminating the capability to design, develop, test, produce, stockpile, or use weapons of mass destruction, missile delivery systems, and other significant military capabilities. Therefore, the administration of export controls should emphasize the control of these exports.

(3) The acquisition of sensitive commodities and technologies by those countries and end users whose actions or policies run counter to United States national security or foreign policy interests may enhance the military capabilities of those countries, particularly their ability to design, develop, test, produce, stockpile, use, and deliver nuclear, chemical, and biological weapons, missile delivery systems, and other significant military capabilities. This enhancement threatens the security of the United States and its allies. The availability to countries and end users of items that contribute to military capabilities or the proliferation of weapons of mass destruction is a fundamental concern of the United States and should be eliminated through deterrence, negotiations, and other appropriate means whenever possible.

(4) The national security of the United States depends not only on wise foreign policies and a strong defense, but also a vibrant national economy. To be truly effective, export controls should be applied uniformly by all suppliers.

(5) On November 5, 1995, President William J. Clinton extended Executive Order No. 12938 regarding ''Weapons of Mass Destruction'', and ''declared a national emergency with respect to the unusual and extraordinary threat to the national security, foreign policy, and economy of the United States posed by the proliferation of nuclear, biological, and chemical weapons and the means of delivering such weapons''.

(6) A successor regime to COCOM (the Coordinating Commission on Multilateral Controls) has not been established. Currently, each nation is determining independently which dual-use military items, if any, will be controlled for export.

(7) The United States should play a leading role in promoting transparency and responsibility with regard to the transfers of sensitive dual-use goods and technologies.

(b) SENSE OF SENATE.—It is the sense of the Senate that—

(1) establishing an international export control regime, empowered to control exports of dual-use technology, is critically important and should become a top priority for the United States; and

(2) the United States should strongly encourage its allies and friends to—

(A) adopt a commodity control list which governs the same or similar items as are controlled by the United States Commodity Control list;

(B) strengthen enforcement activities; and

(C) explore the use of unilateral export controls where the possibility exists that an export could contribute to proliferation.

Mr. MCCAIN. This amendment would express the sense of the Senate that it is critically important, and should be a top priority, for the United States to establish an international export control regime empowered to control exports of dual-use technologies; encourage our allies and friends to adopt a commodity control list which is similar to the U.S. commodity control List; strengthen enforcement activities; and, use unilateral export controls in the case of exports which could contribute to the proliferation of weapons of mass destruction.

Madam President, I believe this amendment has been cleared by the other side.

Mr. LEVIN. The amendment has, indeed, been cleared.

Mr. MCCAIN. I urge the Senate adopt this amendment.

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

The amendment (No. 4380) was agreed to.

Mr. MCCAIN. I move to reconsider the vote.

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

The motion to lay on the table was agreed to.

AMENDMENT NO. 4381

(Purpose: To attach conditions and limitations to the provision of support for Mexico for counter-drug activities)

Mr. MCCAIN. Madam President, on behalf of Senator HELMS, I offer an amendment.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Arizona [Mr. MCCAIN], for Mr. HELMS, proposes an amendment numbered 4381.

The amendment is as follows:

In section 1031(a), strike out ''The Secretary of Defense'' and insert in lieu thereof ''Subject to subsections (e) and (f), the Secretary of Defense''.

At the end of section 1031, add the following:

(e) LIMITATIONS.—(1) The Secretary may not obligate or expend funds to provide support under this section until 15 days after the date on which the Secretary submits to the committees referred to in paragraph (3) the certification described in paragraph (2).

(2) The certification referred to in paragraph (1) is a written certification of the following:

(A) That the provision of support under this section will not adversely affect the military preparedness of the United States Armed Forces.

(B) That the equipment and materiel provided as support will be used only by officials and employees of the Government of Mexico who have undergone a background check by that government.

(C) That the Government of Mexico has certified to the Secretary that—

(i) the equipment and materiel provided as support will be used only by the officials and employees referred to in subparagraph (B);

(ii) none of the equipment or materiel will be transferred (by sale, gift, or otherwise) to any person or entity not authorized by the United States to receive the equipment or materiel; and

(iii) the equipment and materiel will be used only for the purposes intended by the United States Government.

(D) That the Government of Mexico has implemented, to the satisfaction of the Secretary, a system that will provide an accounting and inventory of the equipment and materiel provided as support.

(E) That the departments, agencies, and instrumentalities of the Government of Mexico will grant United States Government personnel unrestricted access to any of the equipment or materiel provided as support, or to any of the records relating to such equipment or materiel, under terms and conditions similar to the terms and conditions imposed with respect to such access under section 505(a)(3) of the Foreign Assistance Act of 1961 (22 U.S.C. 2314(a)(3)).

(F) That the Government of Mexico will provide security with respect to the equipment and materiel provided as support that is equivalent to the security that the United States Government would provide with respect to such equipment and materiel.

(G) That the Government of Mexico will permit continuous observation and review by United States Government personnel of the use of the equipment and materiel provided

as support under terms and conditions similar to the terms and conditions imposed with respect to such observation and review under section 505(a)(3) of the Foreign Assistance Act of 1961 (22 U.S.C. 2314(a)(3)).

(3) The committees referred to in this paragraph are the following:

(A) The Committees on Armed Services and Foreign Relations of the Senate.

(B) The Committees on National Security and International Relations of the House of Representatives.

(f) PROHIBITION ON PROVISION OF CERTAIN MILITARY EQUIPMENT.—The Secretary may not provide as support under this section—

(1) any article of military equipment for which special export controls are warranted because of the substantial military utility or capability of such equipment;

(2) any military equipment identified on the United States Munitions List; or

(3) any of the following military equipment (whether or not the equipment has been equipped, re-equipped, or modified for military operations):

(A) Cargo aircraft bearing ''C'' designations, including aircraft with designations C–45 through C–125, C–131 aircraft, and aircraft bearing ''C'' designations that use reciprocating engines.

(B) Trainer aircraft bearing ''T'' designations, including aircraft bearing such designations that use reciprocating engines or turboprop engines delivering less than 600 horsepower.

(C) Utility aircraft bearing ''U'' designations, including UH–1 aircraft and UH/EH–60 aircraft and aircraft bearing such designations that use reciprocating engines.

(D) Liaison aircraft bearing ''L'' designations.

(E) Observation aircraft bearing ''O'' designations, including OH–58 aircraft and aircraft bearing such designations that use reciprocating engines.

(F) Truck, tractors, trailers, and vans, including all vehicles bearing ''M'' designations.

Mr. MCCAIN. This amendment would attach conditions and limitations to the provision of support for Mexico for counter drug activities.

Madam President, I believe this amendment has been cleared by the other side.

Mr. LEVIN. The amendment has been cleared.

Mr. MCCAIN. I urge the Senate adopt this amendment.

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

The amendment (No. 4381) was agreed to.

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

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

The motion to lay on the table was agreed to.

AMENDMENT NO. 4382

(Purpose: To control the sale of chemicals used to manufacture controlled substances)

Mr. LEVIN. Madam President, on behalf of Senator FEINSTEIN, I offer an amendment which would prohibit Federal agencies from selling chemicals that could be used to manufacture illegal drugs unless the Drug Enforcement Agency certifies that there is no reasonable cause to believe that the sale will result in the illegal production of controlled substances.

I believe the amendment has been cleared by the other side.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Michigan [Mr. LEVIN], for Mrs. FEINSTEIN, for herself, Mr. Kyl, and Mr. GRASSLEY, proposes an amendment numbered 4382.

The amendment is as follows:

At the end of subtitle F of title X, add the following:

SEC. 1072. SALE OF CHEMICALS USED TO MANUFACTURE CONTROLLED SUBSTANCES BY FEDERAL DEPARTMENTS OR AGENCIES.

A Federal department or agency may not sell from the stocks of the department or agency any chemical which, as determined by the Administrator of the Drug Enforcement Agency, could be used in the manufacture of a controlled substance as defined in section 102 of the Controlled Substances Act (21 U.S.C. 802) unless the Administrator certifies in writing to the head of the department or agency that there is no reasonable cause to believe that the sale of the chemical would result in the illegal manufacture of a controlled substance.

Mrs. FEINSTEIN. Madam President, I am, along with Senators KYL and GRASSLEY, proposing an amendment to the DOD authorization bill that will stop the Government from inadvertently contributing to the manufacture of controlled substances. Our amendment requires that no Federal department or agency may sell stockpiled chemicals until the Drug Enforcement Agency certifies that the sale of the chemical would not result in the illegal manufacture of a controlled substance.

This problem was brought to my attention through a routine solicitation to sell iodine by the Defense National Stockpile Center. Earlier this year, Defense National Stockpile offered for sale, to the highest bidder, 450,000 pounds of crude iodine. Iodine is one of the main ingredients in methamphetamine. Defense National Stockpile had no idea that iodine was used in making meth, and therefore did not consult with the Drug Enforcement Agency regarding the practices of the companies that might purchase this iodine at rock-bottom prices. After consulting with DEA, at my request, the Defense National Stockpile chose to cancel the iodine sale.

Had my staff not noticed this proposed sale, hundreds of thousands of pounds of iodine could be on its way to methamphetamine labs across the country—the lion's share probably in my State.

I have been extremely concerned with the proliferation of methamphetamine due to the meteoric rise in hospitalizations and arrests from abuse. Earlier this year, Senators KYL, REID, GRASSLEY, and I introduced the Methamphetamine Control Act of 1996. This legislation, drafted with the input of the Drug Enforcement Agency, the California Attorney General's Bureau of Narcotic Enforcement, the California Narcotics Officers Association, and local, State, and Federal and law enforcement, is a carefully crafted, targeted piece of legislation aimed at the supply side of the problem. The bill increases criminal penalties that can be applied to large-scale methamphetamine manufacturers in our Nation; restricts access to the precursor chemicals used in mass quantities to produce methamphetamine; and, increases the penalties for possession of controlled chemicals or specialized equipment used to make methamphetamine

This legislation also adds the chemicals used to make methamphetamine—iodine, red phosphorous, and hydrochloric gas—to the Chemical Diversion and Trafficking Act.

You can, therefore, see how an unchecked sale of 450,000 pounds of iodine could add to the huge problem we already have.

I have a particular interest in this issue because of the ravaging effects it is having on my State and on other States in the Southwest.

Let me explain how serious this problem is today:

Methamphetamine has been around for a long time. But what was once a relatively small-scale drug operation run by American motorcycle gangs, has now been taken over by the Mexican drug cartels and, according to DEA, is now a multibillion dollar industry.

California—particularly Sacramento, the Central Valley, and the Inland Empire—has become the front line in this new and dangerous drug war.

DEA has designated California as the source country for methamphetamine—much like Colombia is the source country for cocaine, and identified 93 percent of the methamphetamine seized nationwide as having its point of origin in California.

The explosion of this drug is being documented in jails and hospital emergency rooms around California, and this epidemic is spreading eastward:

California hospitals—366 percent increase—from 1,466 admissions in 1984 to 6,834 in 1993.

Central California hospitals saw a 1,742 percent increase. Sacramento hospitals—1,385 percent increase—from 46 cases in 1984 to 637 in 1993.

In San Diego, admissions to drug-treatment programs for methamphetamine abuse surged 551 percent from 1988 to 1995. In 1994, for the first time, methamphetamine admissions outnumbered those for alcohol.

At Sutter Memorial Hospital in Sacramento, babies born with methamphetamine in their blood system now outnumber crack babies by as much as 7 to 1.

More than 1,800 deaths were caused by methamphetamine abuse from 1992 to 1994—a 145-percent increase in just 2 years. The majority of these cases occurred in the four western cities of Los Angeles, San Francisco, San Diego, and Phoenix.

The problem is still growing:

Large-scale labs are now commonplace. Last year, in the central valley, law enforcement convicted a man who manufactured in excess of 900 pounds of methamphetamine, with a street value of $5 million.

Literally hundreds of illicit laboratories are located throughout the State. San Bernardino and Riverside law enforcement officials say there were 589 methamphetamine labs discovered in 1995—in just those two counties alone.

And since the first of this year—just 9 weeks—another 127 labs were found in these two counties.

Part of the problem for law enforcement is that the labs are so highly mobile.

Labs can be set up in apartments, mobile homes, and even moving vehicles, and can be dismantled in a matter of hours, making it very difficult for police to track and close these labs.

Law enforcement is now finding labs in hotel rooms. Drug dealers come in, set up, produce their drugs, and leave. Hotel staff then find the materials left in the rooms.

California Environmental Protection Agency expects that 1,150 sites will require cleanup by the end of this year in California.

This trend is overwhelming local resources because these labs are also very dangerous.

Most of the chemicals used in these laboratories, such as iodine, refrigerants, hydrochloric gas, and sodium hydroxide, are toxic and, in the case of red phosphorous, highly flammable or even explosive.

Two months ago, a mobile home in Riverside County being used as a meth lab exploded killing three small children.

Incredibly, the mother of these children pleaded with neighbors that they not call for help. Before firefighters could find the children's burnt bodies, the woman walked away from the scene.

This is a horrifying example of the effects of this drug. But the violence associated with methamphetamine is even more alarming. Prolonged use of the drug produces paranoid and violent behavior.

And, because the methamphetamine trade is so lucrative with its low production costs and high-profit margin, police are seeing a tremendous surge in violence, particularly among rival gangs associated with distribution.

Police in Phoenix say methamphetamine is mainly responsible for the 40-percent jump in homicides the city is experiencing.

In Contra Costa County, law enforcement leaders report that methamphetamine is involved in 89 percent of domestic disputes.

Last year in San Diego, rival methamphetamine smuggling rings were responsible for 26 homicides.

In 1994, among all the adults arrested in the San Diego area, 42 percent of men and 53 percent of women tested positive for amphetamines.

In San Luis Obispo, CA last year, local authorities requested assistance from DEA in dealing with spiraling violence that involved 13 drug-related homicides—in 1 month—committed by gangs in the production and distribution of methamphetamine.

Fighting the spread of methamphetamine should be the responsibility of every Federal department and agency. My amendment helps to ensure that the Federal Government does not contribute to this crisis.

Mr. McCAIN. Madam President, the amendment has been cleared on this side.

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

The amendment (No. 4382) was agreed to.

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

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

The motion to lay on the table was agreed to.

AMENDMENT NO. 4383

(Purpose: To continue funding for computer-assisted education and training)

Mr. McCAIN. Madam President, on behalf of Senators MOSELEY-BRAUN, COCHRAN and LOTT, I offer an amendment to continue funding for computer system education and training.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

Senator from Arizona [Mr. McCAIN], for Ms. MOSELEY-BRAUN, for herself, Mr. LOTT and Mr. COCHRAN, proposes an amendment numbered 4383.

The amendment is as follows:

At the end of subtitle B of title II, add the following:

SEC. 223. COMPUTER-ASSISTED EDUCATION AND TRAINING.

Of the amount authorized to be appropriated under section 201(4), $10,000,000 shall be available under program element 0601103D for computer-assisted education and training at the Defense Advanced Research Projects Agency.

Ms. MOSELEY-BRAUN. Madam President, my amendment to the National Defense Authorization Act for Fiscal Year 1997 would continue funding for the Computer Aided Education and Training Initiative [CAETI]. This program has been authorized for each of the preceding 3 years, and the research and development it has funded has advanced the state of educational software, and the level of training software available to all of the branches of our Armed Forces.

My amendment would authorize $10 million in fiscal year 1997 University Research Initiative funds—where the program has historically been funded—to continue the successful research currently being funded. Because my amendment sets aside funds from an existing account, it does not require an offset.

The CAETI program supports high-level academic research and development of computer and networking tools. Projects funded under the CAETI program have been specifically chosen for their dual benefit to the Department of Defense Dependent School system, and to the Armed Forces for military training.

The Department of Defense estimates that the tools developed under the CAETI program will markedly improve student performance in the DOD schools, as well as teacher performance. Because of greater efficiency, DOD estimates that the development of software and networking technology under the CAETI program will result in a net savings of 65 percent in the cost of education and training.

As military downsizing continues, there is a continual need to provide training to our troops whenever needed and where ever they are stationed. This is especially relevant for the reserve forces who often have civilian occupations very different from their military jobs. Only through the application of high technology distance learning will both the active and reserve forces be able to meet their readiness requirements. The CAETI program is designed to help meet this challenge.

I would like to talk for a minute about one of the projects being funded by CAETI in my home State of Illinois. The Institute for the Learning Sciences at Northwestern University [ILS] has a contract to develop educational software for use in the Department of Defense Dependent Schools.

The ILS research is based on high-level, academic research. The ILS develops models of how we learn most efficiently and most effectively based on empirical evidence and the latest research in cognitive science and educational theory. They then create software programs around these models. The result is education and training software that helps people learn what they need to know more quickly and more effectively.

Training software developed by the ILS is already in use by large corporations like Andersen Consulting and Ameritech. The Army uses their software to train its intelligence officers.

The ILS is currently developing a software program for use in the school system, that will help students learn how to analyze complex information and recommend alternatives, as well as improve their writing skills.

The armed services has a long history of pioneering the development of advanced technology—technology that can later be applied to other facets of our lives. The CAETI program is no exception. The technology being developed under CAETI contracts will translate directly into our civilian schools and to various industries.

I urge all of my colleagues to support this amendment, and support the development of advanced computer and networking technology.

Mr. McCAIN. I believe this amendment has been cleared by the other side.

Mr. LEVIN. The amendment has, indeed, been cleared.

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

The amendment (No. 4383) was agreed to.

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

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

The motion to lay on the table was agreed to.

AMENDMENT NO. 4384

(Purpose: To require that operational support airlift aircraft excess to the requirements of the Department of Defense be placed in an inactive status and stored at Davis-Monthan Air Force Base pending any study or analysis of the costs and benefits of operating or disposing of such aircraft)

Mr. LEVIN. I send an amendment to the desk in my own behalf and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Michigan [Mr. LEVIN] proposes an amendment numbered 4384.

The amendment is as follows:

At the end of subtitle F of title X add the following:

SEC. 1072. OPERATIONAL SUPPORT AIRLIFT AIRCRAFT.

(a) STATUS OF EXCESS AIRCRAFT.—Operational support airlift aircraft excess to the requirements of the Department of Defense shall be placed in an inactive status and stored at Davis-Monthan Air Force Base, Arizona, pending the completion of any study or analysis of the costs and benefits of disposing of or operating such aircraft that precedes a decision to dispose of or continue to operate such aircraft.

(b) OPERATIONAL SUPPORT AIRLIFT AIRCRAFT DEFINED.—In this section, the term ''operational support airlift aircraft'' has the meaning given such term in section 1086(f) of the National Defense Authorization Act for Fiscal Year 1996 (Public Law 104–106; 110 Stat. 458).

Mr. LEVIN. Madam President, this amendment will require the Department of Defense to retire certain operational support airlift aircraft while it studies the ultimate disposition of that aircraft that is excess to the needs of the Department of Defense.

Mr. MCCAIN. Madam President, the amendment has been cleared by this side.

Mr. MCCAIN. Madam President, has the amendment been adopted?

The PRESIDING OFFICER. It has not.

Without objection, the amendment is agreed to.

The amendment (No. 4384) was agreed to.

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

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

The motion to lay on the table was agreed to.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER. Is there objection?

Mr. LAUTENBERG. I object.

The PRESIDING OFFICER. Objection is heard.

The legislative clerk continued with the call of the roll.

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

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

MORNING BUSINESS

Mr. MCCAIN. I ask unanimous consent that there now be a period for the transaction of routine morning business.

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

TRAGEDY IN SAUDI ARABIA

Mr. CAMPBELL. Madam President, as the bodies of the servicemembers killed in Tuesday's terrorist attack in Saudi Arabia arrive today at Dover Air Force Base, I join my colleagues in expressing my deepest condolences to those families who must now endure the pains of this senseless tragedy. Words cannot adequately express the sorrow our Nation feels for the loss of these soldiers who have made this ultimate sacrifice in service to our country. Fortunately, none of the nearly 40 service people from Colorado who were caught in this terrorist bombing were killed, although some sustained serious injuries.

It is my sincere hope that the cowardly extremists responsible for this horrendous act are soon caught and swiftly brought to justice. I trust my colleagues in this Chamber will work closely with the administration and the Saudi Government to ensure their apprehension. I am also hopeful that the necessary actions will be taken to prevent any future assaults on the service men and women who guard and protect the peace not only in this region but throughout the world.

MEMORIAL TO RANDY BELLINGHAM

Mr. BAUCUS. Mr. President, I want to talk today about a friend, Randy Bellingham, who lived life to the fullest—in his work, in his play, in his personal relationships. And because of the way he lived, the sense of loss for those who knew him, is that much greater.

He was a decorated combat veteran of Vietnam. He was an avid outdoorsman. He was a superb lawyer. He was a cancer survivor. And he was a dedicated father. But to simply look at these achievements and call Randy a great man would not be doing him justice.

Randy will best be remembered for what he gave to those around him. His honesty, strength, courage, and understanding are qualities that brightened the days and lives of those he worked with and loved. Though he was a busy man, he took the time to counsel those who suffered from cancer. Randy used his own experiences combatting the disease to help ease the pain of others. He changed the lives of everyone he knew. And now we are living monuments to his life. We will carry the memory of this great man with us in our hearts and in our minds always.

There is no remedy for the pain we feel when we lose a friend in the prime of his life. We search for meaning in such events, and pray that God has some higher purpose. I do not claim to know the answer to such questions. But I do know that Randy made the very most of every day of his life. And to me, that is the greatest achievement one can claim.

Sadly, Randy leaves behind a young family, his wife Mary Ann and his daughter Brynn. They should be very proud of the life Randy lived. He will be sorely missed. Thank you.

SENSELESS VIOLENCE IN SAUDI ARABIA

Mr. BAUCUS. Madam President, like so many Americans, I have watched with horror and anger the news accounts of the senseless act of violence in Dhahran, Saudi Arabia which has claimed the lives of 19 of our Nation's best and brightest young men and women and shattered the lives of so many others.

Across the Nation and in my own State of Montana we all feel the impact of this tragedy. Great Falls, MT, is the home of Malmstrom Air Force Base and the 341st Missile Wing. Twenty-three dedicated members of the 341st Missile Wing were deployed at King Abdul Aziz Air Force Base the night of the bombing and 5 soldiers were injured in the blast. Fortunately, we have now learned that their injuries are not serious.

I know all Montanans join me in offering our best wishes for a full recovery to Capt. Stephen Goff, A1c Daniel D. Hazell, AB Christopher T. Wagar, A1c Dennis A. Kuritz, and A1c Roger K. Kaalekahi IV. T.Sgt. James Rangitsch, originally of Billings, MT, was also injured in the blast and our best wishes go out to him and his family as well as his mother Dorothy Rangitsch, also of Billings.

We have all felt the pain of this horrible tragedy. The thoughts and prayers of all Montanans and all Americans are with the families of those who have lost their lives and those who are now burdened by injury. For those young men and women who have been taken from us too soon, we must resolve that these senseless acts of terror will not go unpunished and the perpetrators of the bombing in Dhahran will be brought to justice.

YANKTON DAILY PRESS & DAKOTAN CELEBRATES 135 YEARS

Mr. DASCHLE. Madam President, today I offer my congratulations to the Yankton Daily Press & Dakotan, the oldest daily newspaper in South Dakota.