



United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 104th CONGRESS, SECOND SESSION

Vol. 142

WASHINGTON, FRIDAY, JUNE 28, 1996

No. 98

House of Representatives

The House was not in session today. Its next meeting will be held on Monday, July 8, 1996, at 12 noon.

Senate

FRIDAY, JUNE 28, 1996

The Senate met at 8:30 a.m., and was called to order by the Honorable CRAIG THOMAS, a Senator from the State of Wyoming.

PRAYER

The Chaplain, Dr. Lloyd John Ogilvie, offered the following prayer:

Gracious Father, we live in a land of freedom and yet, on so many days we don't feel free. So often we are tied down by feelings of guilt; bound up by frustrating anxieties; uptight over problems; incarcerated by people's criticisms or negative opinions; and pressured by fears of the future. We all feel it at times. This longing to be free. Truly free. Free to be and express our real selves. Free to enjoy life, ourselves, and others. Free to give and receive love, forgiveness, acceptance. Free to pull out all the stops and live with boldness and courage. You have shown us that a new burst of personal freedom comes from knowing You, trusting You and committing to Your care the burdens we carry. Untie us when we get tied up in knots, unbind us when we are bound up in ourselves, unleash us to serve You by serving others. Free us from self-concern and help us give ourselves away to our loved ones, friends and those with whom we work. In Your holy name. Amen.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore [Mr. THURMOND].

The assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, June 28, 1996.

To the Senate:

Under the provisions of rule I, section 3, of the Standing Rules of the Senate, I hereby appoint the Honorable CRAIG THOMAS, a Senator from the State of Wyoming, to perform the duties of the Chair.

STROM THURMOND,
President pro tempore.

Mr. THOMAS thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE ACTING MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The acting majority leader.

SCHEDULE

Mr. McCAIN. Mr. President, this morning the Senate will immediately begin consideration of the Department of Defense authorization bill.

At 9:30 this morning, there will be a rollcall vote on the motion to invoke cloture on the DOD bill.

It is hoped that Senators will cooperate today in allowing us to reach an agreement on the defense bill. I would anticipate rollcall votes throughout the day on or in relation to amendments to the bill.

As a reminder, a third cloture motion was filed last night. The vote could occur as early as Saturday. That vote could occur as early as Saturday if it becomes necessary.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, leader time is reserved.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 1997

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will now resume consideration of the DOD bill, which the clerk will report.

The legislative clerk read as follows:

A bill (S. 1745) to authorize appropriations for fiscal year 1997 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes.

The Senate resumed consideration of the bill.

Pending:

Nunn amendment No. 4367, to require the President to submit a report to Congress on NATO enlargement.

The ACTING PRESIDENT pro tempore. The Senator from Arizona.

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

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



Printed on recycled paper.

S7221

AMENDMENT NO. 4387

(Purpose: To ensure fair and equitable pricing of equipment to be provided to Bosnia and Herzegovina under current drawdown authorities)

Mr. MCCAIN. Mr. President, I offer an amendment which would express the sense of the Senate that the price of defense articles transferred to Bosnia be priced at the lowest fair price in order to maximize the amount of equipment provided under the Bosnia drawdown authority.

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

The ACTING PRESIDENT pro tempore. The clerk will report.

The legislative clerk read as follows:

The Senator from Arizona [Mr. MCCAIN] proposes an amendment numbered 4387.

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

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The amendment is as follows:

At the appropriate place in the bill, insert the following new section:

SEC. . It is the sense of the Senate that, notwithstanding any other provision of law, in order to maximize the amount of equipment provided to the Government of Bosnia and Herzegovina under the authority contained in Section 540 of the Foreign Operations Act of 1996 (P.L. 104-107), the price of the transferred equipment shall not exceed the lowest level at which the same or similar equipment has been transferred to any other country under any other U.S. government program.

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

Mr. NUNN. Mr. President, this amendment has been agreed to. I urge its passage.

Mr. LAUTENBERG. Objection. I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

The ACTING PRESIDENT pro tempore. Is there objection?

Mr. LAUTENBERG. Objection.

The ACTING PRESIDENT pro tempore. Objection is heard.

The legislative clerk continued with the call of the roll.

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

The ACTING PRESIDENT pro tempore. Is there objection? Without objection, it is so ordered.

AMENDMENT NO. 4177, AS FURTHER MODIFIED

(Purpose: To provide for defense burdensharing)

Mr. NUNN. Mr. President, on behalf of Senator HARKIN, I ask unanimous consent amendment No. 4177 offered by Senator HARKIN, as modified, and previously adopted, be further modified by the language in the amendment I am sending to the desk.

The ACTING PRESIDENT pro tempore. Is there objection? Without objection, it is so ordered.

The amendment (No. 4177), as further modified, is as follows:

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

SEC. 1044. DEFENSE BURDENSARING.

(a) FINDINGS.—Congress makes the following findings:

(1) The United States continues to spend billions of dollars to promote regional security and to make preparations for regional contingencies.

(2) United States defense expenditures promote United States national security interests; however, they also significantly contribute to the defense of our allies.

(3) In 1993, the gross domestic product of the United States equaled \$6,300,000,000,000, while the gross domestic product of other NATO member countries totaled \$7,200,000,000,000.

(4) Over the course of 1993, the United States spent 4.7 percent of its gross domestic product on defense, while other NATO members collectively spent 2.5 percent of their gross domestic product on defense.

(5) In addition to military spending, foreign assistance plays a vital role in the establishment and maintenance of stability in other nations and in implementing the United States national security strategy.

(6) This assistance has often prevented the outbreak of conflicts which otherwise would have required costly military interventions by the United States and our allies.

(7) From 1990-1993, the United States spent \$59,000,000,000 in foreign assistance, a sum which represents an amount greater than any other nation in the world.

(8) In 1995, the United States spent over \$10,000,000,000 to promote European security, while European NATO nations only contributed \$2,000,000,000 toward this effort.

(9) With a smaller gross domestic product and a larger defense budget than its European NATO allies, the United States shoulders an unfair share of the burden of the common defense.

(11) Japan now pays over 75 percent of the nonpersonnel costs incurred by United States military forces permanently assigned there, while our European allies pay for less than 25 percent of these same costs. Japan signed a new Special Measures Agreement this year which will increase Japan's contribution toward the cost of stationing United States troops in Japan by approximately \$30,000,000 a year over the next five years.

(12) These increased contributions help to rectify the imbalance in the burden shouldered by the United States for the common defense.

(13) The relative share of the burden of the common defense still falls too heavily on the United States, and our allies should dedicate more of their own resources to defending themselves.

(b) EFFORTS TO INCREASE ALLIED BURDENSARING.—The President shall seek to have each nation that has cooperative military relations with the United States (including security agreements, basing arrangements, or mutual participation in multinational military organizations or operations) take one or more of the following actions:

(1) Increase its financial contributions to the payment of the nonpersonnel costs incurred by the United States Government for stationing United States military personnel in that nation, with a goal of achieving the following percentages of such costs:

(A) By September 30, 1997, 37.5 percent.

(B) By September 30, 1998, 50 percent.

(C) By September 30, 1999, 62.5 percent.

(D) By September 30, 2000, 75 percent.

An increase in financial contributions by any nation under this paragraph may include

the elimination of taxes, fees, or other charges levied on United States military personnel, equipment, or facilities stationed in that nation.

(2) Increase its annual budgetary outlays for national defense as a percentage of its gross domestic product by 10 percent or at least to a level commensurate to that of the United States by September 30, 1997.

(3) Increase its annual budgetary outlays for foreign assistance (to promote democratization, economic stabilization, transparency arrangements, defense economic conversion, respect for the rule of law, and internationally recognized human rights) by 10 percent or at least to a level commensurate to that of the United States by September 30, 1997.

(4) Increase the amount of military assets (including personnel, equipment, logistics, support and other resources) that it contributes, or would be prepared to contribute, to multinational military activities worldwide.

(c) AUTHORITIES TO ENCOURAGE ACTIONS BY UNITED STATES ALLIES.—In seeking the actions described in subsection (b) with respect to any nation, or in response to a failure by any nation to undertake one or more of such actions, the President may take any of the following measures:

(1) Reduce the end strength level of members of the Armed Forces assigned to permanent duty ashore in that nation.

(2) Impose on that nation taxes, fees, or other charges similar to those that such nation imposes on United States forces stationed in that nation.

(3) Reduce (through rescission, impoundment, or other appropriate procedures as authorized by law) the amount the United States contributes to the NATO Civil Budget, Military Budget, or Security Investment Program.

(4) Suspend, modify, or terminate any bilateral security agreement the United States has with that nation.

(5) Reduce (through rescission, impoundment or other appropriate procedures as authorized by law) any United States bilateral assistance appropriated for that nation.

(6) Take any other action the President determines to be appropriate as authorized by law.

(d) REPORT ON PROGRESS IN INCREASING ALLIED BURDENSARING.—Not later than March 1, 1997, the Secretary of Defense shall submit to Congress a report on—

(1) steps taken by other nations to complete the actions described in subsection (b);

(2) all measures taken by the President, including those authorized in subsection (c), to achieve the actions described in subsection (b); and

(3) the budgetary savings to the United States that are expected to accrue as a result of the steps described under paragraph (1).

(e) REPORT ON NATIONAL SECURITY BASES FOR FORWARD DEPLOYMENT AND BURDENSARING RELATIONSHIPS.—(1) In order to ensure the best allocation of budgetary resources, the President shall undertake a review of the status of elements of the United States Armed Forces that are permanently stationed outside the United States. The review shall include an assessment of the following:

(A) The alliance requirements that are to be found in agreements between the United States and other countries.

(B) The national security interests that support permanently stationing elements of the United States Armed Forces outside the United States.

(C) The stationing costs associated with the forward deployment of elements of the United States Armed Forces.

(D) The alternatives available to forward deployment (such as material prepositioning, enhanced airlift and sealift, or joint training operations) to meet such alliance requirements or national security interests, with such alternatives identified and described in detail.

(E) The costs and force structure configurations associated with such alternatives to forward deployment.

(F) The financial contributions that allies of the United States make to common defense efforts (to promote democratization, economic stabilization, transparency arrangements, defense economic conversion, respect for the rule of law, and internationally recognized human rights).

(G) The contributions that allies of the United States make to meeting the stationing costs associated with the forward deployment of elements of the United States Armed Forces.

(H) The annual expenditures of the United States and its allies on national defense, and the relative percentages of each nation's gross domestic product constituted by those expenditures.

(2) The President shall submit to Congress a report on the review under paragraph (1). The report shall be submitted not later than March 1, 1997, in classified and unclassified form.

The ACTING PRESIDENT pro tempore. The Senator from Arizona.

Mr. McCAIN. I support the amendment. I would like to point out that after this amendment technical correction is made, the Senator from New Jersey has made it clear that he will block further progress on the Department of Defense authorization bill. The Senator from New Jersey can speak to it for himself, as to why he chooses to block a bill concerning the defense and security of the Nation on Friday of the beginning date of recess.

As I say, I do not pretend to describe it. I think it is irresponsible. I think it is unnecessary. We worked very, very hard on this bill for months of hearings, of markup. We have been on this bill now for many, many days. We are nearing the end. And the Senator from New Jersey has decided that he will prevent this body from moving forward.

I hope whatever problems that he has can be resolved, but I believe, if I might say, from a personal standpoint, this is sort of an indicator of a very unpleasant kind of environment that has begun to permeate this body. The Senator from New Jersey has the right, as a Senator, to block this legislation and suggest the absence of a quorum. He has that right. I do not deny him that right.

But I, frankly, am befuddled as to why he would want to block legislation that concerns the welfare of hundreds of thousands of young men and women in the military. It has enormous impact for the security of this Nation. Frankly, I think the American people might deserve an explanation from the Senator from New Jersey as to why he chooses to block a bill that has to do with the defense and security of this Nation. I regret it. I hope he will reconsider his blockage of further progress on this bill, as it is important to the

lives of hundreds of thousands of young Americans who are members of the military as well as the security of the country.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from New Jersey.

Mr. LAUTENBERG. Mr. President, lest it be misunderstood, the insinuation that I have just heard that I want to prevent the armed services from doing their job, prevent the authorizing legislation from going through, is hardly the appropriate characterization of the condition we are in.

The Senator from New Jersey reserves his right, as a U.S. Senator, to take an action to respond to an action that was begun on the Republican side. Last week we had a resolution developed, enthusiastically supported by both sides of the aisle, to caution the Arab countries surrounding Israel not to gang up on Israel, not to start with bellicose statements, making demands that were unrealistic before the Government could even be formed. But someone on the Republican side chose at the last minute, Friday last, within 10 minutes of the time we were ready to recess for the weekend—chose to put a hold on it. The suggestion was the resolution that I wrote—that my name be dropped and others' substituted. Silly, petty stuff.

So, when there is an accusation here—and I think I have served this body well—coming from a distinguished Senator like the Senator from Arizona, no one challenges his right to say what he chooses and to stand up proudly as someone who served his country well. By the same token, in fairness, no one has a right to assail my motives. This is very clear. You have never, never seen Senator LAUTENBERG on this floor stopping action in the 14 years that I have been here. So it has to be an unusual condition that would occasion this.

Mr. President, I want to move this bill along, I want to get it out of the way, but I want someone on the Republican side of the aisle to come up and tell me why there is a problem just because it has a New Jersey attachment. That is hardly the way we do business here. It is a vendetta against the State; it is a vendetta against the Senator. I am not going to put up with it.

Unfortunately, we have to call attention to things sometimes. I have seen the Senator from Arizona and others on that side of the aisle take advantage of the process to make sure that their voices and their concerns were heard. And so it is. Thank you, Mr. President.

The PRESIDING OFFICER (Mr. COVERDELL). The Senator from Arizona.

Mr. McCAIN. Mr. President, as the Senator from New Jersey knows, when I prefaced my remarks, I fully acknowledged the right of the Senator from New Jersey to exercise his rights as a Senator. I respect those rights.

The Senator from New Jersey has explained his reasons for not allowing the

Senate to proceed with the Department of Defense bill. That is his right to do that.

I state again that there is a great deal at stake here. There are issues that are important to the security of the country that we are considering. I am sure that the Senator from New Jersey would agree with that. I simply urge him to allow us to move forward and proceed with the orderly disposition of a bill that we have been on now since last Friday.

Mr. President, what is the pending business?

AMENDMENT NO. 4387

The PRESIDING OFFICER. The Chair advises the Senator from Arizona that amendment No. 4387 is pending.

Mr. McCAIN. I urge adoption of the amendment.

Mr. NUNN. I urge the adoption of the amendment.

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

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. NUNN. Mr. President, this is the seventh day of debate on S. 1745. We have been on and off this bill. There have been interruptions. But for the last 2 or 3 days, we have been on it most of the time.

I would like to acquaint our colleagues, as everybody I know is prepared to try to leave town today, as to where we are on this bill.

We have had 6 days of debate, with total time of debate 55 hours 10 minutes. We have disposed of 111 amendments as follows: 91 were adopted by voice vote; 5 were adopted by rollcall vote; 1 was defeated by voice vote; 3 were defeated by rollcall vote; 5 were tabled by rollcall votes; 6 were withdrawn; 2 failed to be tabled by rollcall vote.

There have been a total of 15 rollcall votes, including the cloture vote on June 26.

Of the amendments, 63 were offered by people who were not on the Armed Services Committee; I believe 32 Democratic amendments, 31 Republican amendments. Armed Services Committee members: 20 Democratic amendments, 28 Republican amendments.

We really have had a balanced kind of approach to this, including balanced amendments and bipartisan amendments that were relevant to this bill. That is about balanced, too.

I have not tried to keep score, but when we have amendments that have nothing to do with the jurisdiction of this bill or when we have things poured over on this bill that have no bearing, as we do right now at the moment, we

get delayed and it is very hard to finish this bill.

Starting about 10 o'clock, everybody will be walking in demanding to know when we are going to finish this bill and when they can catch a plane. If they are really interested in doing that, then what they should do is—right now on our side, we have an amendment by Senator CONRAD, an amendment by Senator DASCHLE, an amendment by Senator FEINGOLD, an amendment by Senator FEINSTEIN, two amendments by Senator FORD. Senator HARKIN has one; Senator JOHNSTON has two; Senator LAUTENBERG has one; Senator LEVIN has three; Senator CONRAD has one.

These are all amendments that are not worked out and appear to either have to be substantially altered or they will require rollcall votes and debate.

We have two unanimous-consent requests which we are going to be posing in a little while. If those two consent agreements go through, then we have a chance of finishing this bill at a reasonable hour today. If they do not go through, no chance—no chance.

In addition, though, if those two unanimous-consent agreements go through, we are going to have to have time agreements on these amendments. I believe there are probably three or four amendments on the Republican side of the aisle. We are going to have to have time agreements on them. The time agreements are going to have to be short, and by short, I mean 20 minutes each equally divided. If we do not, then there is not going to be any way to go home this afternoon. The majority leader will make that determination, not me. The floor managers will have recommendations to the majority leader and the minority leader, but they will make the decision.

The majority leader has said over and over and over again he intends to finish this bill. I believe it, and I think that is the appropriate course. If we come back here with this bill hanging out there for the next 10 days, based on my experience, we will have an average of 40 new amendments a day that staff will be dreaming up, unless we send all the staff on vacation, which might be a good idea, because 40 amendments a day times 7 or 8 days, we will have somewhere around 300 more amendments to this bill. It will just grow and grow and grow. It is easy.

We can easily spend the rest of this session on this bill. It would not be difficult at all. We can just say we will have all the amendments come on the armed services bill. We will take them all to conference. The Speaker will appoint the whole House of Representatives to the conference. We cannot get 435 people in the room, but here we go, because so many amendments do not have anything to do with this bill.

When we get to conference, our conferees on the House side and Senate side cannot make decisions that relate to the Judiciary Committee or others.

When people continue to put amendments that are not relevant on this bill, that is what happens, and we simply will not be able to get it done.

If we do not get this bill passed, we will have a hard time passing the appropriations bill on Defense, and everybody knows we must pass these two bills.

It is my hope, No. 1, that we can clear this immediate problem we have with the Senator from New Jersey and that we can move forward to get all these cleared amendments done by 9:30; otherwise, we are going to eat into time on the other side of the cloture vote.

I have to tell everyone that, if we do not clear these amendments by 9:30, any of them that are not only not relevant, but not germane—and that is a very technical term; a lot of them are not germane to this bill—they will be ruled out if cloture is invoked. So if cloture is invoked, we will have a lot of people who thought they had amendments worked out or who are getting them worked out, who will not be able to get them passed. That is another consideration.

It is my hope, No. 1, that the Senator from New Jersey and the Senator from Texas will have a conversation and we can get that matter ironed out and moved forward and clear these amendments in the next 20 minutes; No. 2, that we can get these two unanimous-consent agreements entered into as soon as the leadership is prepared to propose them; and, No. 3, that we can get this list of amendments and get a time agreement on every one of them. The time agreements are going to have to be anywhere from 10 minutes to 20 minutes; otherwise, I hope no one will walk in at around 11 o'clock and say, "Can I catch my 11:30 plane?" because it will be beyond the ability of the managers of this bill to make that happen.

Mr. President, I thank the Senator from New Jersey for permitting me to make those remarks.

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

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

Mr. NUNN. Mr. President, I am not calling an amendment up here, for the information of my friend from New Jersey. I just want to make it clear, Mr. President, we are voting on a cloture motion at 9:30. There is nothing I would rather do than invoke cloture, but I do not think we can do it at this stage, in fairness to our colleagues on both sides of the aisle. I will vote against cloture for that reason.

No. 1, we do not have unanimous-consent agreements, that are very important, that relate to things beyond this

bill, that relate to the whole ballistic missile debate, which we hope to have. We hope to lay down three different proposals on ballistic missile defense, including the Dole-Gingrich proposal, the Clinton administration proposal, and the proposal I will have. We think we are on the verge of working that out.

We have also a couple provisions in this bill that, unless they are changed, this bill is very likely to be a veto candidate. All of us who want to see this enacted into law would like to see those changes so we do not go into the House conference with two provisions that are identical to the House provisions, which means that they would not have the flexibility of changing them, which means the administration is likely to veto any bill coming out. So changing those two amendments relating to missile defense and the ABM Treaty is also important. So without those unanimous consents we cannot do that. If we vote cloture, we are not likely to get the unanimous consents.

In addition, we have 27 amendments that have been cleared on both sides. We had hoped to have all these done this morning, but they are not done because we have not been able to get them done.

So everyone should know and be warned that if cloture were to be invoked, these amendments, I am informed, would not be germane, would not be in order, and could not be agreed to.

We have an amendment by Senator MCCAIN on Bosnia that we do not believe is germane; we have an amendment by Senator EXON on the Lincoln Airport we do not believe is germane; Senator ROBB has an amendment on budget request displays we do not think is germane; Senator SARBANES has an amendment that is on the Forest Glen Annex we do not believe is germane; Senator BINGAMAN has an amendment on the White Sands land exchange which is not germane.

All of them are relevant to the defense bill, relate to defense, but they do not meet the technical definition of germaneness, which is very narrow, as Bob Dove, the Parliamentarian, knows, and the occupant of the chair from Georgia knows.

We have an amendment by Mr. SMITH which is not germane; we have an amendment by Mr. JOHNSTON which is not germane; worked out, we can accept it, but it cannot be done if cloture is invoked. We have one by Mr. DOMENICI which is not germane, another one by Mr. DOMENICI not germane. Mr. HEFLIN has an amendment that is not germane; Mr. LOTT, Mr. EXON, Mr. GLENN, Mr. THURMOND, Mr. COHEN, Mr. LEVIN, Mr. STEVENS, Mr. DOMENICI another one, Mr. CHAFEE, Mr. SMITH, Mr. ROBB, Mr. LEVIN, Mr. SMITH, Mr. GLENN, Mr. CHAFEE, and Mr. THURMOND. We do not believe these are germane. There may be one or two of them we have on this list that are. But 95 percent of them are not.

I want to inform our colleagues on both sides, if the cloture vote is passed, none of these amendments will be able to go on this bill. I do not have a problem myself, but I do think a lot of our colleagues will have a problem.

I hope that cloture is not invoked. It is also my hope, though, that we are going to be able to get this list down and people are going to drop amendments and that we are going to break this impasse between the Senator from New Jersey and the Senator from Texas. I hope that can be done and that we can move this bill forward.

It is also my view that a lot of these amendments, even those that look like they are going to take rollcall votes, are likely to disappear as the planes start flying out this afternoon. But if we do not get these unanimous consent requests, we are going to be here a long time, according to the majority leader, and we are going to be here tonight. So everyone should be on notice of that.

Mr. President, I yield the floor.

Mr. LAUTENBERG addressed the Chair.

The PRESIDING OFFICER. The Chair recognizes the Senator from New Jersey.

Mr. LAUTENBERG. Mr. President, I, too, want to see this bill moved. There has been a lot of hard and very thoughtful work that has gone into it. We are at a time when passage, or at least an attempt at passage, would be the best order of business.

Mr. President, this is the defense authorization bill. The effects of this bill begin on October 1 of this year. The results of the authorization that might pass here today will be put into place starting October 1, 1996, 4 months from now. So there is an urgency because of the amount of work that has gone into it.

My friend and colleague, the Senator from Georgia, and the floor manager, Senator McCAIN, have worked very hard to get us to a point in time when action can be taken to resolve some differences. I would like that done. I feel badly that we are in this momentary state of suspension. When I hear from our friends on the other side that they want to work cooperatively, then I am prepared to move things along expeditiously.

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

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

EXECUTIVE SESSION

NOMINATION OF ALFRED C. DECOTIIS, OF NEW JERSEY, TO BE A REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE FIFTIETH SESSION OF THE GENERAL ASSEMBLY OF THE UNITED NATIONS

Mr. McCAIN. Mr. President, I ask unanimous consent that the Senate immediately proceed to executive session to consider the following nomination: Calendar No. 529, Alfred C. DeCotiis, of New Jersey, to be a representative of the United States of America to the 50th session of the General Assembly of the United Nations.

I ask for immediate consideration of his nomination.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read the nomination of Alfred C. DeCotiis, of New Jersey, to be a representative of the United States of America to the 50th session of the General Assembly of the United Nations.

Mr. McCAIN. Mr. President, I ask unanimous consent the nomination be confirmed, the motion to reconsider be laid upon the table, the President be immediately notified of the Senate's action, and the Senate then immediately return to legislative session.

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

The nomination considered and confirmed is as follows:

DEPARTMENT OF STATE

Alfred C. DeCotiis, of New Jersey, to be a Representative of the United States of America to the Fiftieth Session of the General Assembly of the United Nations.

Mr. NUNN. I thank the Senator from Arizona for working this out. That was a big roadblock. I appreciate his diligence in doing that.

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will resume legislative session.

Mr. McCAIN. Mr. President, I ask unanimous consent that we return to consideration of the bill.

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

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 1997

The Senate continued with consideration of the bill.

CLOTURE MOTION

The PRESIDING OFFICER. Under the previous order, pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the

Standing Rules of the Senate, do hereby move to bring to a close debate on Calendar No. 433, S. 1745, the Department of Defense authorization bill:

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

VOTE

The PRESIDING OFFICER. The mandatory quorum call has been waived. The question is, Is it the sense of the Senate that debate on S. 1745, the Department of Defense authorization bill, shall be brought to a close? The yeas and nays are required.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. NICKLES. I announce that the Senator from Oregon [Mr. HATFIELD] and the Senator from Oklahoma [Mr. INHOFE] are necessarily absent.

Mr. FORD. I announce that the Senator from Montana [Mr. BAUCUS] and the Senator from Arkansas [Mr. BUMPERS] are necessarily absent.

The yeas and nays resulted—yeas 53, nays 43, as follows:

[Rollcall Vote No. 181 Leg.]

YEAS—53

Abraham	Frist	McConnell
Ashcroft	Gorton	Murkowski
Bennett	Gramm	Nickles
Bond	Grams	Pell
Brown	Grassley	Pressler
Burns	Gregg	Roth
Campbell	Hatch	Santorum
Chafee	Helms	Shelby
Coats	Hollings	Simpson
Cochran	Hutchison	Smith
Cohen	Jeffords	Snowe
Coverdell	Kassebaum	Specter
Craig	Kempthorne	Stevens
D'Amato	Kyl	Thomas
DeWine	Lott	Thompson
Domenici	Lugar	Thurmond
Faircloth	Mack	Warner
Frahm	McCain	

NAYS—43

Akaka	Ford	Mikulski
Biden	Glenn	Moseley-Braun
Bingaman	Graham	Moynihan
Boxer	Harkin	Murray
Bradley	Heflin	Nunn
Breaux	Inouye	Pryor
Bryan	Johnston	Reid
Byrd	Kennedy	Robb
Conrad	Kerrey	Rockefeller
Daschle	Kerry	Rockefeller
Dodd	Kohl	Sarbanes
Dorgan	Lautenberg	Simon
Exon	Leahy	Wellstone
Feingold	Levin	Wyden
Feinstein	Lieberman	

NOT VOTING—4

Baucus	Hatfield
Bumpers	Inhofe

The PRESIDING OFFICER. On this vote the yeas are 53, the nays are 43. Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is not agreed to.

Mr. FEINGOLD addressed the Chair.

The PRESIDING OFFICER. The Chair recognizes the Senator from Wisconsin.

Mr. FEINGOLD. I thank the Chair. I ask unanimous consent that the pending amendments be set aside.

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