

to discover whether it would be cost effective to consolidate those.

The PRESIDING OFFICER. The Senator from Hawaii.

Mr. INOUE. Mr. President, this amendment has been cleared and approved by both managers.

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

The PRESIDING OFFICER. If there is no objection, amendment No. 4534 is agreed to.

The amendment (No. 4534) was agreed to.

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

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

The motion to lay on the table was agreed to.

Mr. STEVENS. Mr. President, we have just completed a series of amendments that would have taken about—well, about 12 hours under cloture. So I am grateful to the Senate for an opportunity to proceed with our bill.

I would now like to announce to the Senate we would like Members who have amendments that they wish to present that have not been cleared to come to the floor. We will be pleased to consider any amendment and see if we can handle it as expeditiously as we have these that we have presented to the Senate. I might add, many of those amendments were modified substantially before we agreed to them.

So we look forward to that opportunity with regard to the rest of these amendments that have been filed before cloture. The leaders, I am informed, will look at this situation somewhere around 1 o'clock to determine whether we should proceed with our cloture vote.

At present, I think we could announce to the Senate, from the way we look at the amendments that have been submitted to us for review and were submitted to the Senate under the cloture procedure, if we work cooperatively we should be able to finish this bill by 7 or 8 o'clock tonight. We can do that by limiting the amount of time a Member might seek for the debate of an amendment or by assuring Members we will be more than pleased to attempt to work with them to alter the form of the amendments so we could agree to an amendment and take it to conference.

I am sure my friend from Hawaii joins me in urging Members now to come to the floor to present controversial amendments.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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 President, I ask unanimous consent that the order for the quorum call be rescinded.

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

COMMENDING DR. LEROY T. WALKER

Mr. STEVENS. Mr. President, this has been cleared on both sides. I ask unanimous consent that the Senate proceed to the immediate consideration of a Senate resolution that I submitted earlier today, Senate Resolution 279.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

A resolution (S. Res. 279) to commend Dr. LeRoy T. Walker for his service as President of the U.S. Olympic Committee and his lifelong dedication to the improvement of amateur athletic opportunities in the United States.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the resolution?

There being no objection, the Senate proceeded to consider the resolution.

Mr. STEVENS. I have submitted this Senate resolution to commend and thank Dr. LeRoy T. Walker, the current president of the U.S. Olympic Committee, for his contribution to amateur sports in the United States.

Dr. Walker has been the USOC president since 1992, and has been involved with the USOC since 1977. He is the first African-American to be the USOC President in the 100-year history of the U.S. Olympic Committee.

Dr. Walker started working for the U.S. Olympic Committee the year before the Congress enacted the Amateur Sports Act of 1978. That was a bill I introduced in the Senate, Mr. President.

That act marked the beginning of the modern Olympics in the United States.

Dr. Walker has been the leader in carrying out Congress' vision for the modern Olympic movement through the Amateur Sports Act.

He has brought the U.S. Olympic Committee from an era where its budget was in the tens of millions to its most recent budget in the hundreds of millions.

Athletes in the late 1970's were a different kind of amateur than today's Olympians who are able to earn millions of dollars in endorsements, and whose fame is far greater due to the substantial television coverage that we now enjoy.

The Olympics have gone from being held once every 4 years to once every 2 years, with the staggered Summer and Winter Olympics schedule.

Dr. Walker has guided the Olympic movement in the United States and in the world through these significant changes and growth.

The resolution that I have submitted mentions many of Dr. Walker's accomplishments with the U.S. Olympics and with other amateur sports organizations over the years.

Let me speak briefly on some of the remarkable things Senators may not know about my friend, Dr. Walker.

Dr. Walker was the youngest of 13 children raised in Harlem during the Great Depression. He was the first person in his family to earn a college degree in 1940.

Not only did he earn the degree, but he graduated magna cum laude from Benedict College in just 3½ years. During that time, he earned 12 varsity letters in football, basketball, and track and field during that same time.

Dr. Walker was selected as an All-American quarterback in 1938, but kept the fact that he even played football a secret from his mother until his commencement because she was worried he would get hurt.

He earned a masters degree from Columbia in 1941. Columbia did not allow African Americans to earn doctoral degrees at that time, so Dr. Walker went to New York University to earn his Ph.D.

He was only the second African American to earn a Ph.D. at New York University.

Before Dr. Walker became involved with the U.S. Olympic Committee, he had one of the most remarkable coaching careers in the history of sports in the United States.

In all, he has coached football, basketball, and track teams that produced over 80 All-Americans, 40 national champions and 10 Olympians.

He coached or consulted the Olympic track teams of Israel in 1960, Ethiopia in 1960, Trinidad-Tobago in 1964, Jamaica in 1968, Kenya in 1972, and served as the head men's coach of the U.S. Olympic track and field team in Montreal in 1976.

Any one of Dr. Walker's achievements—whether his own athletic successes, his coaching accomplishments and his academic endeavors—not to mention his service with the U.S. Olympic Committee—would be a great achievement for most of us.

Dr. Walker has made those achievements look routine.

We commend him today for his leadership in preparing the United States for the 1996 Olympics and for preparing the U.S. Olympic Committee for the challenges of the 21st Century.

Dr. Walker is the 23d president of the U.S. Olympic Committee, and truly is one of the founding fathers of amateur sports in the United States.

His tenure as U.S. Olympic Committee President, and his long and distinguished career in amateur sports, will be capped off with the 1996 Summer Olympics in Atlanta, GA, which begin shortly.

It will be my pleasure to go to Atlanta on Wednesday to deliver to Dr. Walker the resolution I am presenting to the Senate today.

I hope the Senate will join me in support of this resolution commending and thanking Dr. Walker for all that he has done for amateur sports in the United States.

Mr. President, I urge the adoption of the resolution.

The PRESIDING OFFICER. The question is on agreeing to the resolution S. Res. 279.

The resolution (S. Res. 279) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, is as follows:

S. RES. 279

Whereas, Dr. LeRoy T. Walker, as President of the U.S. Olympic Committee from 1992 to 1996, and through a life long commitment to amateur athletics, has significantly improved amateur athletic opportunities in the United States;

Whereas, Dr. Walker has contributed in numerous capacities with the U.S. Olympic Committee since 1977;

Whereas, Dr. Walker is the first African-American to serve as President of the U.S. Olympic Committee in its one hundred year history;

Whereas, Dr. Walker has furthered amateur athletics in the United States through service in numerous other amateur athletic organizations, including the Atlanta Committee for the Olympic Games, the North Carolina Sports Development Commission, the Pan American Sports Organization, the Special Olympics, USA Track and Field, the Athletics Congress, and Amateur Athletic Union, the Army Specialized Training Program, the American Alliance of Health, Physical Education, Recreation and Dance, the National Association of Intercollegiate Athletics, North Carolina Central University, Duke University, Prairie View State College, Bishop College, Benedict College, and many others;

Whereas, Dr. Walker was an accomplished athlete himself in collegiate football, basketball and track at Benedict College, and an All-American in football in 1940;

Whereas, as a track and field coach, Dr. Walker helped 77 All-Americans, 40 national champions, eight Olympians, and hundreds of others, reach their potential as amateur athletes;

Whereas, Dr. Walker epitomizes the spirit of the Amateur Sports Act of 1978, the nation's law governing amateur sports;

Whereas, Dr. Walker was inducted into the U.S. Olympic Hall of Fame in 1987;

Whereas, Dr. Walker is recognized as a worldwide leader in the furtherance of amateur athletics;

Whereas, Dr. Walker will be leaving his post as the 23rd President of the U.S. Olympic Committee in 1996; Now, therefore, be it

Resolved, That the Senate commends and thanks Dr. LeRoy T. Walker for his service with the U.S. Olympic Committee, his lifelong dedication to the improvement of amateur athletics, and for the enrichment he has brought to so many Americans through these activities.

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

Mr. INOUE. I move to lay that motion on the table, Mr. President.

The motion to lay on the table was agreed to.

Mr. STEVENS. I thank the Senator from Illinois for deferring.

Mr. SIMON addressed the Chair.

The PRESIDING OFFICER. The Senator from Illinois.

DEPARTMENT OF DEFENSE APPROPRIATIONS FOR FISCAL YEAR 1997

The Senate continued with the consideration of the bill.

AMENDMENT NO. 4591

(Purpose: To ensure that work under Department of Defense contracts is performed in the United States)

Mr. SIMON. Mr. President, I send an amendment to the desk on behalf of

myself, Senator SPECTER, and Senator HARKIN.

The PRESIDING OFFICER. The clerk will report the amendment.

The assistant legislative clerk read as follows:

The Senator from Illinois [Mr. SIMON], for himself, Mr. SPECTER, and Mr. HARKIN, proposes an amendment numbered 4591.

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

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

The amendment is as follows:

On page 88, between lines 7 and 8, insert the following:

SEC. 8099. (a) CONSIDERATION OF PERCENTAGE OF WORK PERFORMED IN THE UNITED STATES.—None of the funds appropriated to the Department of Defense under this Act may be obligated or expended to evaluate competitive proposals submitted in response to solicitations for a contracts for the procurement of property or services except when it is made known to the Federal official having authority to obligate or expend such funds that—

(1) a factor in such evaluation, as stated in the solicitation, is the percentage of work under the contract that the offeror plans to perform in the United States; and

(2) a high importance is assigned to such factor.

(b) BREACH OF CONTRACT FOR TRANSFERRING WORK OUTSIDE THE UNITED STATES.—None of the funds appropriated to the Department of Defense under this Act may be obligated or expended to procure property or services except when it is made known to the Federal official having authority to obligate or expend such funds that each contract for the procurement of property or services includes a clause providing that the contractor is deemed to have breached the contract if the contractor performs significantly less work in the United States than the contractor stated, in its response to the solicitation for the contract, that it planned to perform in the United States.

(c) EFFECT OF BREACH ON CONTRACT AWARDS AND THE EXERCISE OF OPTIONS UNDER COVERED CONTRACTS.—None of the funds appropriated to the Department of Defense under this Act may be obligated or expended to award a contract or exercise an option under a contract, except when it is made known to the Federal official having authority to obligate or expend such funds that the compliance of the contractor with its commitment to perform a specific percentage of work under such a contract inside the United States is a factor of high importance in any evaluation of the contractor's past performance for the purposes of the contract award or the exercise of the option.

(d) REQUIREMENT FOR OFFERORS TO PERFORM ESTIMATE.—None of the funds appropriated to the Department of Defense under this Act may be obligated or expended to award a contract for the procurement of property or services unless the solicitation for the contract contains a clause requiring each offeror to provide an estimate of the percentage of work that the offeror will perform in the United States.

(e) WAIVERS.—

(1) Subsections (a), (b), and (c) shall not apply with respect to funds appropriated to the Department of Defense under this Act when it is made known to the Federal official having authority to obligate or expend such funds that an emergency situation or the national security interests of the United

States requires the obligation or expenditure of such funds.

(2) Subsections (a), (b) and (c) may be waived on a subsection-by-subsection basis for all contracts described in subsection (f) if the Secretary of Defense or the Deputy Secretary of Defense—

(A) makes a written determination, on a nondelegable basis, that—

(1) the subsection cannot be implemented in a manner that is consistent with the obligations of the United States under existing Reciprocal Procurement Agreements with defense allies; and

(2) the implementation of the subsection in a manner that is inconsistent with existing Reciprocal Procurement Agreements would result in a net loss of work performed in the United States; and

(B) reports to the Congress, within 60 days after the date of enactment of this Act, on the reasons for such determinations.

(f) SCOPE OF COVERAGE.—This section applies—

(1) to any contract for any amount greater than the simplified acquisition threshold (as specified in section 2302(7) of title 10, United States Code), other than a contract for a commercial item as defined in section 2302(3)(I); and

(2) to any contract for items described in section 2534(a)(5) of such title.

(g) CONSTRUCTION.—Subsections (a), (b), and (c) may not be construed to diminish the primary importance of considerations of quality in the procurement of defense-related property or services.

(h) EFFECTIVE DATE.—This section shall apply with respect to contracts entered into on or after 60 days after the date of the enactment of this Act.

Mr. SIMON. Mr. President, this is an amendment that tries to make our present Buy American Act effective on defense contracts. What it says is that when a defense contractor submits a bill, the defense contractor should indicate what percentage of that contract is going to be manufactured here in the United States, and then that should be a high factor in the determination by the Defense Department in consideration for that contract. And we also make clear that this is not to violate any agreement, any treaty we have with any other country and any memorandum of understanding we have with any other country.

The reality is that the Buy American Act just has not worked. I had the experience of being on an American base and seeing a truck made in another country, a U.S. military truck there, and I thought, you know, we really ought to be buying trucks made in the United States of America. That is just one small illustration.

I ask, Mr. President, unanimous consent to have printed in the RECORD letters from the Maritime Trades Department, from the International Association of Machinists and Aerospace Workers, from the International Union of Electronic, Electrical, Salaried, Machine and Furniture Workers, from the AFL-CIO, and a letter from the Timken Co.

There being no objection, the letters were ordered to be printed in the RECORD, as follows: