computers every year. Over the past 3 years, nearly 5,000 computers have been let go. For the most part, these are IBM-compatible, 386, 16-megahertz machines. They are a generation old, but they could be very useful to schools, especially in rural areas, that may not have a big budget to buy fancy new computers.

I am fortunate to represent Washington State, which is very aggressive in trying to put computers in the classroom. Our companies have been generous in donating software and hardware, and people are excited about giving kids skills that will help them get an edge in life.

But not every school district is moving aggressively on computers. Many don't even know how to go about it, and cannot afford it. I am certain that every Senator is aware of how fast technology is evolving in our economy. I really believe that, in the future, a child's ability to compete in the work force will be measured in part by his or her familiarity with computers. In my view, the earlier they start, the better.

The Senate will debate the broad role of Government in education technology, and I look forward to having that debate. For now there is a small, and I think constructive, role for the Senate to play. We can use the bully pulpit. We can lead by example. We can help children by giving our computers to schools that want or need them. By doing this, we can help some kids, and we can show the country we think bringing technology to the classroom is a high priority.

Here is how it will work: the Sergeant at Arms will make sure that any excess or surplus computers are in good working order. Then he will make them available to interested schools at the lowest possible cost to both the Senate and the schools. Most likely, he will transfer these computers to the General Services Administration. GSA, in turn, will provide information to schools through its regional offices about available inventory. The equipment eligible for transfer will include computers, keyboards, monitors, printers, modems, and other peripheral hardware as described in the bill.

I envision schools being able to obtain this equipment on a first-come, first-served basis, for the cost of shipping and handling from GSA regional offices. The language provides the Sergeant at Arms with flexibility to determine the best way to complete the transfers.

Earlier this year, President Clinton issued an executive order stating that the GSA should document surplus computers in Federal agencies. And in May, I offered a sense-of-the-Senate resolution expressing the view that the Senate should also inventory its computers and create a process of getting Government computers into schools and other educational organizations. The language in the bill before us sets out a specific process so the Senate can play a role in this important effort.

Mr. President, I think this is a useful change in policy. I am grateful the committee has acted today in a manner consistent with my amendment as adopted last May. And, I welcome the support of Senator LEAHY, who has taken an active and enthusiastic interest in this issue. He has been a big help. Again, I appreciate the help of Chairman MACK on this, and I look forward to working with him and the Sergeant at Arms to make this work.●

● Mr. LEAHY. I rise in strong support of Senator MURRAY's language in the legislative appropriations bill. This language would require the Senate to streamline the transfer of excess and surplus computer equipment to our Nation's classrooms. It would require the Senate to follow the same guidelines that the Federal agencies must follow in accordance with the President's Federal Executive Order.

President Clinton has set forth an ambitious goal to bring computers to every school in America. Congress should lead the way. Thanks to Senator MURRAY's efforts, the Senate will be participating in this initiative.

Recently, I wrote several letters to the Sergeant at Arms to find out what our official Senate policy is concerning disposal of excess surplus computer equipment. I was surprised to hear that the Senate does not have an official policy. In the past the Senate has sold excess computer equipment or transferred it over to GSA for later sale. Since 1993, the Senate disposed of 4,400 pieces of computer equipment. Of that total 2,600 have been sold, 1,400 have been transferred to GSA, and 400 have been retained for parts. These computers would have been a wonderful resource to our Nation's schools.

I encourage my colleagues to join our efforts in creating a partnership with our nation's schools and bring computers to every classroom in America so that all students may have the benefits of our new educational technology.●

CBO ESTIMATE ON S. 1730, THE OIL SPILL PREVENTION AND RESPONSE IMPROVEMENT ACT

● Mr. CHAFEE. Mr. President, I ask to have printed in the RECORD supplemental budgetary estimates on Calendar Number 466, S. 1730, the Oil Spill Prevention and Response Improvement Act of 1996. Section 403 of the Congressional Budget and Impoundment Act requires that a statement of the cost of a reported bill be included in the report. When the Committee on Environment and Public Works filed the report to S. 1730 on June 26, 1996, we included only a portion of the estimated impact of the bill. CBO had not completed the estimated impact at the time of filing. I am pleased to report that the cost statements to be included in today's RECORD complete the CBO estimate for S. 1730.

The estimates follow:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, July 17, 1996.

Hon. JOHN H. CHAFEE,
Chairman, Committee on Environment and Public Works, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed mandate cost statements for S. 1730, the Oil Spill Prevention and Response Improvement Act, as reported by the Senate Committee on Environment and Public Works on June 26, 1996. CBO transmitted its estimate of the impact of S. 1730 on the federal budget on June 26, 1996.

Enactment of S. 1730 would impose both intergovernmental and private-sector mandates as defined by the Unfunded Mandates Reform Act of 1995 (Public Law 104–4). The costs of the mandates would not exceed the respective $50 million and $100 million annual thresholds.

If you wish further details on these estimates, we will be pleased to provide them.

Sincerely,

JAMES L. BLUM
(For June E. O'Neill).

CONGRESSIONAL BUDGET OFFICE ESTIMATED COST OF INTERGOVERNMENTAL MANDATES, JULY 17, 1996

1. Bill number: S. 1730.

2. Bill title: The Oil Spill Prevention and Response Improvement Act.

3. Bill status: As reported by the Senate Committee on Environment and Public Works on June 26, 1996.

4. Bill purpose: The bill would amend federal law dealing with oil pollution by: imposing new operational, structural, and safety requirements on tanker and towing vessels; allowing more funds to be spent out of the emergency fund of the Oil Spill Liability Trust Fund; and limiting the liability of certain tanker vessels that have double hulls and are responsible for oil spills.

5. Intergovernmental mandates contained in bill:

Vessel Requirements. The bill would require the Secretary of Transportation to incorporate additional measures in three sets of rules being proposed by the Coast Guard. The rules deal with navigational equipment for towing vessels and operational and structural requirements for tanker vessels that have a single hull and weigh more than 5,000 gross tons. These requirements are intergovernmental mandates because a small fraction of these vessels, less than 2 percent, are owned by state, local, and tribal governments.

Under-Keel Clearance. S.1730 would preempt the authority of captains of ports to establish minimum under-keel clearances in their ports by requiring the Secretary of Transportation to establish minimum under-keel clearances for each port. This preemption constitutes an intergovernmental mandate because ports are owned by state and local governments or their subsidiaries. However, this preemption might occur under current law. The Coast Guard is about to issue a final rule regarding structural and operational measures for tanker vessels that have a single hull and weigh more than 5,000 gross tons. The Coast Guard's proposed rule would prohibit vessels with an under-keel clearance of less than 0.5 meters from entering or exiting a port without the approval of the captain of the port.

6. Estimated direct costs of mandates to State, local, and tribal governments:

(a) Is the $50 Million Threshold Exceeded? No.

(b) Total Direct Costs of Mandates: The new requirements on tanker and towing vessels owned by state, local, or tribal governments would have a negligible effect on their

budgets. Preempting the authority of port captains to establish a minimum under-keel clearance for their ports would have no direct impact on the budgets of ports.

(c) Estimate of Necessary Budget Authority: Not applicable.

7. Basis of estimate:

Vessel Requirements. S. 1730 would modify three rulemakings that the Coast Guard is currently carrying out. If the final rules are not in place by the dates specified in the bill (all of which are in the next six months), S. 1730 would require that the proposed rules be in effect until the final rules are put in place.

Based on information provided by the Coast Guard, CBO expects that all the final rules will be in place by the deadlines specified in the bill or by October 1, 1996, the assumed enactment date of the bill. Enactment of S. 1730 should therefore not result in the rules being imposed earlier than they would otherwise be imposed under current law. If the Coast Guard does not meet the deadlines, however, the shipping industry would face about $15 million per month in additional costs because it would have to comply with the proposed rules at an earlier date than would occur under current law. Vessels owned by state, local, and tribal governments would bear a small fraction of these costs.

The bill would also require the Coast Guard to add additional requirements to its final rules, such as fire suppression equipment on towing vessels and safety measures for single-hull barges. CBO estimates that the up-front costs for the shipping industry as a whole would be no more than $18 million and annual operational costs would be minimal. Because less than 2 percent of these vessels are owned by state, local, and tribal governments, the cost of these intergovernmental mandates would be negligible.

Under-Keel Clearance. Preempting the authority of port captains to establish a minimum under-keel clearance for their ports would have no direct impact on the budgets of ports. Ports could experience indirect costs, however; these costs are discussed below in the section titled ''Other Impacts On State, Local, and Tribal Governments.''

8. Appropriation or other federal financial assistance provided in bill to cover mandate costs: None.

9. Other impacts on State, local, and tribal governments:

Under-Keel Clearance. The current proposed rule for tanker vessels includes a minimum under-keel clearance that would apply uniformly to all ports. Because the shipping industry and port authorities have objected to a national standard, it is unclear whether the final rule will set a minimum under-keel clearance. The bill would settle the dispute by requiring the Secretary of Transportation to establish a separate minimum clearance for each port. CBO has no basis for predicting whether these standards would be more or less stringent than the standards that would be established under current law.

If the clearance requirements are less stringent than the requirement under current law, ports would not incur additional costs. If the clearance requirements are more stringent, ports could choose to increase their under-keel clearance and could face additional costs for activities such as dredging in order to avoid losing business to deeper ports. Because the enforceable duty would be imposed on operators of vessels, not on ports, such costs would be considered an indirect effect of a mandate.

Spending from the Oil Spill Liability Trust Fund (OSLTF). CBO estimates that federal direct spending from the emergency fund of the Oil Spill Liability Trust Fund (OSLTF) would increase by $40 million (from $20 million to $60 million) in fiscal year 1997 and by $45 million (from $15 million to $60 million) annually thereafter.

These increases would result from broadening how the funds can be used and by increasing the overall cap on direct spending from $50 million to $60 million. (Even though the current annual cap is $50 million, we expect that spending from the emergency fund will be between $15 million and $20 million annually under current law.) CBO expects that some of these additional funds would go to the states.

States currently have the legal and operational responsibility to cap idle oil wells. This bill would allow emergency funds from the OSLTF to pay for some of these costs, but the states would have to pay at least half. In addition, some of the costs associated with oil spills that are often paid for by states, including the full cost of assessing damages to natural resources and mitigating ecological injuries, would now be an eligible use of OSLTF emergency funds.

Limit on Oil Spill Liability. Current law caps the liability of parties who are responsible for oil spills. However, the cap does not apply to cases where federal safety, construction, or operating regulations are violated. S. 1730 would extend the liability cap to these cases if the tanker involved has a double hull. State, local, and tribal governments are often the recipients of awards from liability claims. Because the bill would expand the cases to which the liability cap applies, state, local, and tribal governments may receive smaller awards in future liability cases.

10. Previous CBO estimate: None.

11. Estimate prepared by: John Patterson.

12. Estimate approved by: Robert A. Sunshine, for Paul N. Van de Water, Assistant Director for Budget Analysis.

CONGRESSIONAL BUDGET OFFICE ESTIMATE OF COSTS OF PRIVATE SECTOR MANDATES, JULY 17, 1996

1. Bill number: S. 1730.

2. Bill title: The Oil Spill Prevention and Response Improvement Act.

3. Bill status: As reported by the Senate Committee on Environment and Public Works on June 26, 1996.

4. Bill purpose: The bill would amend provisions of the Oil Pollution Act of 1990 (OPA) that address oil spill prevention and safety measures.

5. Private sector mandates contained in bill:

S. 1730 would require the Secretary of Transportation to incorporate additional mandates in the operational, structural, and navigational rules currently proposed by the U.S. Coast Guard. In addition, the bill would put into effect the Coast Guard's current proposed rules by specified dates (all of which occur within the next six months) if the Coast Guard's final rules are not effective by deadlines specified under current law. The rules address navigational and safety equipment for towing vessels and operational and structural requirements for tanker vessels that have a single hull and weight more than 5,000 gross tons.

Based on information provided by the U.S. Coast Guard, CBO assumes that the final rules will be effective by the specified deadlines or by October 1, 1996, the assumed enactment date of the bill. CBO also assumes that the Coast Guard's final operational, structural, and navigational rules will reflect the respective currently proposed rules. If the Coast Guard does not meet the specified deadlines, the shipping industry would incur additional costs because the industry would have to comply with interim rules sooner than under current law. In addition, S. 1730 would require the final operational rule to include specific safety requirements to prevent the grounding of single-hull barges and the establishment of a minimum under-keel clearance for those vessels. The final navigational rule would have to include a requirement that towing vessels have fire-suppression systems. Further, advertisements that currently indicate the designation and procedures by which claims may be presented would also have to announce that claimants may present interim claims for short-term damages.

6. Estimated direct cost to the private sector:

S. 1730 would impose private-sector mandates that would most likely fall below the annual threshold as defined in Public Law 104–4. In the unlikely event that the Coast Guard's operational rule is delayed seven months after S. 1730 is enacted, costs could exceed the $100 million threshold in the first year.

Interim Rules. If S. 1730 were to be enacted before the Coast Guard's final operational rule is effective, the bill would impose interim private-sector mandates for operational activities. The interim operational rule would be identical to the proposed operational rule published by the Coast Guard in the Supplemental Notice of proposed Rulemaking (60 Fed. Reg. 55,904 (1995)), and would be in effect until the Coast Guard's final rule is effective. Based on information contained in the proposed rule, CBO estimates that the mandates imposed by the interim rule would cost the private sector approximately $15 million per month during the first year the interim rule is in effect. After the first year, the annual costs would decline. The costs imposed by the interim operational rule would not exceed the $100 million threshold unless the Coast Guard's final operational rule is still not effective seven months after S. 1730 is enacted.

S. 1730 also would impose an interim rule on vessel structure that would be identical to the proposed rule published by the Coast Guard in the Notice of Proposed Rulemaking (58 Fed. Reg. 54,870 (1993)) if the final structural rule is not effective by December 18, 1996. In the event that the final structural rule is not effective before the deadline, compliance with the proposed structural rule would not be required for three years. Therefore, the private sector would not likely make structural changes during the interim.

Similarly, the bill would impose an interim navigational rule if the Coast Guard's final rule on safety equipment for towing vessel does not become effective by September 30, 1996. The interim navigational rule would be identical to the proposed rule published by the Coast Guard in the Notice Proposed Rulemaking (58 Fed. Reg. 54,870 (1993)). In the event that the final navigational rule is not effective before the deadline, the private sector would not likely make any significant changes during the interim since compliance with some of the provisions would not be required for one to five years.

New Rulemaking Requirements. Under section 101 of the bill, the final rule on operational requirements must include a provision requiring all single-hull barges over 5,000 gross tons operating in open ocean or coastal waters to have at least one of the following: (1) a crew member on board and an operable anchor, (2) an emergency system on board the vessel towing the barge, or (3) any other measure that provides similar protection. Based on discussions with industry representatives, CBO estimates that the incremental cost of complying with this provision would be less than $1 million over five years.

Section 101 of the bill would require that the final operation rule include a provision requiring the establishment of a minimum

under-keel clearance for each port in which a single-hull vessel operates. It is unclear if this provision would result in more or less stringent requirements than the 0.5 meter uniform under-keel clearance in the Coast Guard's proposed rule. The effect of this requirement would be to impose operational restrictions on such vessels not meeting the port's established under-keel clearance when entering or departing from the port and when operating in an inland or coastal waterway. If the effect of the under-keel clearance provision in the bill is to provide greater flexibility than the 0.5 meter uniform under-keel clearance in the proposed rule, then this provision of the bill would result in lower private-sector costs compared to the costs associated with the current proposed operational rule. However, if the bill leads to more stringent under-keel clearance requirements relative to current practice, this provision would result in increased costs to the private sector since vessels would have to lighter cargo or use alternative ports.

Section 103 would require that the final navigational rule include a provision requiring a towing vessel to have a fire-suppression system or other equipment to suppress an onboard fire. Based on information provided by the Coast Guard and the private sector, CBO estimates that this provision would result in costs to the private sector between $6 million and $18 million during the first year for installation and a minimal amount for operating costs thereafter.

Advertising Requirements. S. 1730 would impose an additional mandate concerning the advertising requirements in the Oil Pollution Act of 1990. Currently, the responsible party or guarantor of an incident must advertise the designation and the procedures by which claims may be presented. Section 201 would require that such advertisements must also announce that claimants may present interim claims for short-term damages. CBO estimates that the additional advertising requirement would impose minimal costs on the private sector.

7. Previous CBO estimate: None.

8. Estimate prepared by: Amy Downs (226–2940)

9. Estimate approved by: Jan Acton, Assistant Director for Natural Resources and Commerce.●

''CAN DOLE ESCAPE SENATE LEADERS' POOR PRESIDENTIAL RECORD?

Mr. LEAHY. Mr. President, Prof. Garrison Nelson is one of our country's foremost experts on Congress and the Presidency, and Vermont has been lucky to call him our own during his tenure at the University of Vermont. He recently wrote an interesting column for Roll Call about the historical record of Senate leaders who run for president. It is an entertaining and informative analysis that I hope other Senators will have a chance to read.

I ask that an article entitled ''Can Dole Escape Senate Leaders' Poor Presidential Record?'' be printed in the RECORD.

The article follows:

CAN DOLE ESCAPE SENATE LEADERS' POOR PRESIDENTIAL RECORD?

Senate Majority Leader Bob Dole's (R-Kan) decision to resign from office in the midst of his presidential campaign isn't so surprising when you take into account the history of Republican Senate leaders in presidential contests.

That's because, almost without exception, a Congressional leadership post has been the kiss of death for White House aspirants.

Dole is the latest of several Congressional leaders throughout the nation's history who have sought the presidency. Whether he, by abandoning his post, will have more success than others did remains to be seen.

In a recent assessment, I found some 112 broadly defined ''blips'' made by Congressional leaders on the presidential radar screen from 1856 through 1966. These ''blips'' represent instances of Congressional leaders who appeared anywhere on the presidential (or vice presidential) charts—whether in delegate votes at the nominating conventions, or popular votes during the presidential primaries, or in discernible mentions in public opinion speculations about candidacies.

Some of these ''blips'' were trivial: ''favorite son'' votes at the convention or passing mentions in the opinion polls. But others had real meaning.

Prior to the passage in 1912 of the 17th Amendment, which instituted direct election of Senators, House leaders had a clear edge over Senate counterparts in the presidential calculus of the party kingmakers who put tickets together. This was particularly true to Republican conventions, which gave House leaders 20 considerations to only six for Senate leaders during the selections made in some 15 conventions.

While the Democratic conventions in the 1856–1912 era may have divided their presidential and vice presidential considerations for Congressional leaders between the two chambers equally—11 to 11—the point was relatively moot because Republican nominees won 11 of the 15 presidential contests.

Not until 1964 was a Democratic Congressional leader nominated for president: Lyndon Johnson (Texas), who had begun his executive service as vice president and was already seated as president at the time of the convention.

Republican Congressional leaders have been more successful at gaining the presidential brass ring. The first Republican Congressional leader to be nominated for the top executive post was House Speaker Schuyler Colfax (Ind), who was nominated and elected as Ulysses S. Grant's first vice president in 1868.

Four times in the 20 years between 1880 and 1900, past and present House floor leaders were nominated for president by Republican conventions.

Since then, almost a century has passed, and only one House Republican leader has been nominated for either post and that was Gerald Ford's 1976 selection as president. But Ford was already president at the time, albeit unelected, and had not made it onto the presidential screen at any time during his nine-year stint as House Republican floor leader.

Senate leaders have been slow to develop as nominees. While two sitting Senators were nominated and elected—Ohio's Warren Harding in 1920 and Massachusetts's John Kennedy in 1960—it is important to remember that neither held a leadership post.

It was not until 1928 that the nominating conventions took serious note of sitting Senate floor leaders. That year, both parties chose their respective Senate floor leaders as vice presidential candidates. Republican Charles Curtis of Kansas ran with Commerce Secretary Herbert Hoover while Democrat Joseph Robinson of Arkansas ran with New York Gov. Al Smith.

House Democrats were the least likely to be nominated, with their 18 considerations generating only two vice presidential nominations—both for Speaker ''Cactus'' Jack Garner of Texas in 1932 and 1936. But both nominations were successful. Running with FDR made the cantankerous former Speaker electable.

House Republicans picked off six nominations for their 26 considerations—double the rate of the House Democrats. But only one occurred in the past 90 years.

Senate Democratic leaders garnered the most considerations (41), as well as the most presidential and vice presidential nominations (seven). All four of their victories came after World War II. Among them were: Majority Leader Alben Barkley (Ky.) for vice president in 1948; Majority Leader Johnson for vice president in 1960 and president in 1964; and Whip Hubert Humphrey for vice president in 1964.

But it is Senate Republican leaders who seem to have encountered the most difficulty. They received 27 considerations, but only five nominations—only one of which was for president (Dole, this year, which has yet to be officially confirmed).

Their four vice presidential nominations produced only one victory—Curtis in 1928. So the 26 considerations which the Senate Republican leaders received prior to 1996 produced one vice presidential victory—a success rate of 4 percent, the lowest for any of the four Congressional leadership categories.

Even though it was a fellow Kansan who earned the lone victory by a Senate Republican leader, clearly Dole made the right move in getting out of the Senate. He has escaped the Temple of Presidential Doom.

Now if he can just convince voters that he never held a leadership post there, he might be able to move up in the polls and avoid the kiss of death that those posts seem to be in presidential politics.●

TRIBUTE TO TIMOTHY MARQUIS, JOANNE MILLETTE, SYMA MIRZA, AND KENNETH JOHNSON ON BEING SELECTED AS PRESIDENTIAL SCHOLARS FROM NEW HAMPSHIRE

● Mr. SMITH. Mr. President, I rise today to pay tribute to Timothy Marquis, Joanne Millette, Syma Myrza, and Kenneth Johnson and congratulate them on being named White House Presidential Scholars. These students were among the 141 students chosen for this prestigious award from more than 2,600 high school seniors. Last month, these New Hampshire students were in Washington to participate in special events highlighting Presidential Scholars National Recognition Week.

The Presidential Scholars Program was created by President Lyndon B. Johnson in 1964 to honor our Nation's most outstanding students. In 1979, the program was expanded to include accomplished students from the visual, creative, and performing arts. This year, the General Motors and Saturn companies sponsored the Presidential Scholars Program and the events in Washington.

Timothy, Joanne, Syma, and Kenneth are four outstanding New Hampshire students who have worked very hard to achieve academic excellence. Their dedication deserves this special recognition. They were selected as Presidential scholars on the basis of academic success, essays, school recommendations, leadership, character, and commitment to high ideals. One of the primary goals of this program is to