

AMENDMENT NO. 1393

On page 389, line 4, insert "the national laboratories," after "universities,".

AMENDMENT NO. 1394

On page 122, line 6, strike "of the" and insert the following: "of—

(1) the";

On page 122, line 11, strike the period and insert "; and";

On page 122, between lines 11 and 12, insert the following:

(2)(A) Interstate Business Loop 35 in Santa Rosa, New Mexico, connecting United States Route 84 and United States Route 54 to Interstate Route 40;

(B) New Mexico Route 14 in Sante Fe, New Mexico, connecting Interstate Route 25 and United States Route 84; and

(C) United States Route 550 from Farmington, New Mexico, to Aztec, New Mexico.

BROWNBACK AMENDMENT NO. 1395

(Ordered to lie on the table.)

Mr. BROWNBACK submitted an amendment intended to be proposed by him to the bill, S. 1173, supra; as follows:

On page 156, strike lines 19 and 20 and insert the following:

(A) in paragraph (2)—

(i) by striking "ACTIVITIES.—10" and inserting the following: "ACTIVITIES.—

"(A) IN GENERAL.—Subject to subparagraph (B), 8"; and

(ii) by adding at the end the following:

"(B) WAIVER BY THE SECRETARY.—The Secretary may waive the application of subparagraph (A) with respect to a State upon receipt of a petition from the State requesting the waiver."; and

DOMENICI AMENDMENT NO. 1396

(Ordered to lie on the table.)

Mr. DOMENICI submitted an amendment intended to be proposed by him to the bill, S. 1173, supra; as follows:

On page 345, strike line 14 and insert the following: report required under section 5221(d) of title 49.

"(d) REVISED NATIONAL LABORATORY OVERHEAD RATES.—In connection with activities conducted under this section through a national laboratory, the Secretary of Energy shall establish a revised overhead rate that—

"(1) is commensurate with services of the national laboratory actually used by the Secretary of Transportation; and

"(2) does not reflect overhead charges associated with legacy wastes and security for nuclear operations or any other additional charges.".

BYRD (AND OTHERS) AMENDMENT NO. 1397

(Ordered to lie on the table.)

Mr. BYRD (for himself, Mr. GRAMM, Mr. BAUCUS, Mr. WARNER, Mr. AKAKA, Mr. ASHCROFT, Mr. BREAUX, Mr. BRYAN, Mr. BUMPERS, Mr. BURNS, Mr. CLELAND, Mr. COATS, Mr. COVERDELL, Mr. DEWINE, Mr. DORGAN, Mr. FAIRCLOTH, Mrs. FEINSTEIN, Mr. FORD, Mr. GRAMS, Mr. HARKIN, Mr. HOLLINGS, Mr. HUTCHINSON, Mr. INHOFE, Mr. INOUE, Mr. JOHNSON, Mr. KENNEDY, Mr. KERREY, Mr. KERRY, Ms. LANDRIEU, Mr. LEAHY, Mr. LIEBERMAN, Mr. MCCAIN, Mr. MCCONNELL, Ms. MIKULSKI, Mr. REID, Mr. ROCKEFELLER, Mr. SANTORUM, Mr. SESSIONS, Mr. SHELBY, and Mr. SPEC-

TER) submitted an amendment intended to be proposed by them to the bill, S. 1173, supra; as follows:

Strike the last word and insert the following:

SEC. 1128. GAS TAX HONESTY PROGRAM.

(a) IN GENERAL.—

(1) APPORTIONMENT.—On October 1 of each fiscal year, the Secretary shall apportion the funds authorized for the gas tax honesty program under this subsection among the States in the ratio that—

(A) the total of the apportionments to each State under section 104 of title 23, United States Code, and allocations to each State under section 105(a) of that title; bears to

(B) the total of all apportionments to all States under section 104 of that title and allocations to all States under section 105(a) of that title.

(2) ELIGIBLE PROJECTS.—A State may obligate funds authorized for the gas tax honesty program under this subsection for any project eligible for funding under section 133(b) of title 23, United States Code.

(3) AUTHORIZATION OF CONTRACT AUTHORITY.—

(A) IN GENERAL.—There shall be available from the Highway Trust Fund (other than the Mass Transit Account) to carry out this subsection \$5,370,000,000 for fiscal year 1999, \$5,471,000,000 for fiscal year 2000, \$5,573,000,000 for fiscal year 2001, \$5,676,000,000 for fiscal year 2002, and \$5,781,000,000 for fiscal year 2003.

(B) CONTRACT AUTHORITY.—Funds authorized under this paragraph shall be available for obligation in the same manner as if the funds were apportioned under chapter 1 of title 23, United States Code.

(4) TREATMENT OF APPORTIONMENTS.—Fifty percent of the amounts apportioned under paragraph (1) shall be subject to section 133(d) of title 23, United States Code.

(5) SPENDING ADJUSTMENT FOR HIGHWAY PROGRAMS.—

(1) IN GENERAL.—If—

(A) the baseline projections for the fiscal year 1999 budget resolution contain the savings in budget outlays for fiscal years 1998 through 2002 (as compared to budget outlay levels projected in the Balanced Budget Agreement) that are contained in the President's fiscal year 1998 midsession review; and

(B) the assumptions for the fiscal year 1999 budget resolution allow these outlay savings to be spent;

that resolution should ensure that any additional spending of these savings be used to fully fund the highway spending resulting from this Act, as modified by this section.

(2) MAXIMUM AMOUNT.—The amount of additional spending provided in the resolution shall not exceed the savings identified in paragraph (1)(A) for the applicable fiscal year.

(c) OTHER ADJUSTMENTS.—

(1) IN GENERAL.—Notwithstanding sections 1116, 1117, and 1118, and the amendments made by those sections—

(A) in lieu of the amounts authorized to be appropriated under section 1116(d)(5)—

(i) there shall be available from the Highway Trust Fund (other than the Mass Transit Account) to carry out section 1116(d) \$50,000,000 for fiscal year 1999 and \$100,000,000 for each of fiscal years 2000 through 2003; and

(ii) there are authorized to be appropriated to carry out section 1116(d) \$125,000,000 for fiscal year 1998 and \$25,000,000 for each of fiscal years 1999 through 2003;

(B) in addition to the funds made available under the amendment made by section 1117(d), there shall be available from the Highway Trust Fund (other than the Mass Transit Account) in the manner described in, and to carry out the purposes specified in,

that amendment \$415,000,000 for fiscal year 1999, \$415,000,000 for fiscal year 2000, \$450,000,000 for fiscal year 2001, \$440,000,000 for fiscal year 2002, and \$480,000,000 for fiscal year 2003, except that the funds made available under this subparagraph—

(i) shall be subject to the obligation limitations established under section 1103 or any other provision of law; and

(ii) notwithstanding section 118(g)(1)(C)(v) of title 23, United States Code, shall be subject to subparagraphs (A) and (B) of section 118(g)(1) of that title; and

(C) in addition to the sums made available under section 1101(1), there shall be available from the Highway Trust Fund (other than the Mass Transit Account) for the Interstate and National Highway System program \$90,000,000 for each of fiscal years 1999 through 2003, which funds shall be allocated by the Secretary for projects described in subparagraphs (A), (B), and (C) of section 104(k)(1) of title 23, United States Code, to any State for which—

(i) the ratio that—

(I) the State's percentage of total Federal-aid highway program apportionments and Federal lands highways program allocations under the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 1914), and allocations under sections 1103 through 1108 of that Act (105 Stat. 2027), for the period of fiscal years 1992 through 1997; bears to

(II) the percentage of estimated total tax receipts attributable to highway users in the State paid into the Highway Trust Fund (other than the Mass Transit Account) for the period of fiscal years 1992 through 1997;

is less than or equal to 1.00;

(ii) the ratio that—

(I) the State's estimated percentage of total Federal-aid highway program apportionments for the period of fiscal years 1998 through 2003 under this Act; bears to

(II) the percentage of estimated total tax receipts attributable to highway users in the State paid into the Highway Trust Fund (other than the Mass Transit Account) for the period of fiscal years 1998 through 2003;

is less than or equal to 1.00, as of the date of enactment of this Act; and

(iii) the State's estimated percentage of total Federal-aid highway program apportionments for the period of fiscal years 1998 through 2003 under this Act, as of the date of enactment of this Act, is less than the State's percentage of total Federal-aid highway program apportionments and Federal lands highways program allocations under the Intermodal Surface Transportation Efficiency Act of 1991, and allocations under sections 1103 through 1108 of that Act, for the period of fiscal years 1992 through 1997.

(2) CONTRACT AUTHORITY.—Funds authorized under subparagraphs (A)(i) and (C) of paragraph (1) shall be available for obligation in the same manner as if the funds were apportioned under chapter 1 of title 23, United States Code, except that funds made available under paragraph (1)(C) shall remain available until expended.

(3) LIMITATION.—No obligation authority shall be made available for any amounts authorized under this subsection in any fiscal year for which any obligation limitation established for Federal-aid highways is equal to or less than the obligation limitation established for fiscal year 1998.

NOTICES OF HEARINGS

COMMITTEE ON INDIAN AFFAIRS

Mr. CAMPBELL. Mr. President, I would like to announce that the Senate Committee on Indian Affairs will meet on Thursday, October 23, 1997, at 9 a.m.

in room 485 of the Russell Senate Office Building to conduct a markup on S. 109, to provide Federal housing assistance to native Hawaiians; S. 156, the Lower Brule Sioux Tribe Infrastructure Trust Fund Act; S. 1079, to permit the leasing of mineral rights within the boundaries of the Ft. Berthold Reservation; and H.R. 79, the Hoopa Valley Reservation South Boundary Adjustment Act.

Those wishing additional information should contact the Committee on Indian Affairs at 224-2251.

COMMITTEE ON INDIAN AFFAIRS

Mr. CAMPBELL. Mr. President, I would like to announce that the Senate Committee on Indian Affairs will meet on Wednesday, October 29, 1997, at 9:30 a.m. in room 106 of the Dirksen Senate Office Building to conduct a hearing on S. 1077, a bill to amend the Indian Gaming Regulatory Act.

Those wishing additional information should contact the Committee on Indian Affairs at 224-2251.

COMMITTEE ON INDIAN AFFAIRS

Mr. CAMPBELL. Mr. President, I would like to announce that the Senate Committee on Indian Affairs will meet on Thursday, October 30, 1997, at 9:30 a.m. in room 485 of the Russell Senate Office Building to conduct a hearing on the nomination of B. Kevin Gover to be Assistant Secretary for Indian Affairs, Department of the Interior.

Those wishing additional information should contact the Committee on Indian Affairs at 224-2251.

ADDITIONAL STATEMENTS

BOSNIA AND AMERICAN FOREIGN POLICY: FINISHING THE JOB

• Mr. DODD. Mr. President, on October 16, our colleague, Senator JOE BIDEN gave a very important and insightful assessment of United States foreign policy with respect to Bosnia. The occasion for those remarks was that Senator BIDEN was being honored by Fairleigh Dickinson University by being chosen as the first individual to hold a newly established chair at the university—the Fatemi University Chair in International Studies.

In accepting this honor, Senator BIDEN focused his remarks on a current and some what daunting foreign policy challenge that looms before us in the coming months—Bosnia. As is always the case, JOE gave his candid and unvarnished assessment of the current situation in Bosnia—what's gone right and what's gone wrong. He also sets forth how he believes U.S. policy should evolve over the coming months, if the United States is to enhance the prospects for fostering peace and stability in that war-torn country and in maintaining its leadership in shaping the course of world events. His comments were very thoughtful and very much on target from my point of view.

Mr. President, I urge all of my colleagues to take a moment to read Sen-

ator BIDEN's remarks. It would be time well spent.

I ask that the text of Senator BIDEN's remarks be printed in the RECORD.

The remarks follow:

BOSNIA AND AMERICAN FOREIGN POLICY:

FINISHING THE JOB

(By Joseph R. BIDEN, Jr.)

I. INTRODUCTION

It would be a very high honor under any circumstances to be called to the fatemi university chair in international studies here at Fairleigh Dickinson University.

Although I'm not sure I deserve the distinction, I feel honored to be the first to hold that chair.

This is for me, as I know it is for many of you, an extra-special occasion, and an extra-special honor.

Not only because of the very high standing in the foreign policy community the graduate institute of international studies has earned for Fairleigh Dickinson.

Not just because of the pre-eminent position Dr. Fatemi occupied in the field of international studies.

But also because I have had the very great privilege of knowing Dr. Fatemi and his family personally, through the friendship of his son Fariborz. So besides an opportunity to discuss foreign policy with you, this is a kind of homecoming for me.

That's the way Dr. Fatemi and his family made even a stranger feel upon entering their household, and that kind of hospitality was a direct reflection of the kind of man he was.

I knew beforehand of his record as a diplomat, as a writer and teacher, and as an exemplar of the richness and integrity of an ancient but still vital culture.

What I discovered when I met him was that the man was even more impressive than his credentials. Despite his many achievements, he always put his newest acquaintance instantly at ease.

If you were his guest, he became your friend, and when he was your friend, you became, eagerly and irresistibly, his student. That was not just because of his learning and the experience he gained over a long and productive life.

He became a valued friend and mentor primarily because it was his nature to do so. He was undeniably bright and intellectually challenging. But he was also gentle, unassuming and encouraging.

He taught by example rather than precept; he radiated wisdom and good will in equal measure.

It was impossible not to leave his presence wiser than you arrived.

The breadth of his scholarship was astonishing, and simply being exposed to it was an invigorating experience.

But it was the clarity of his insights into the maelstrom of the Middle East and the passions of the Islamic fundamentalists that were most valuable to me.

The views I am about to express on Bosnia, are, of course, mine alone. But if I manage to shed any light on that bloody confrontation, much of the credit must go to Nasrollah Fatemi, who opened his hearth, his heart and his mind to me in a way I shall never forget.

Bosnia, of course, has significance far beyond the borders of the former Yugoslavia.

It has turned out to be one of the most serious challenges for America's foreign policy in the post-cold-war era. It has produced 5 years of debate in congress. It is the centerpiece of any discussion about American military intervention around the world. In short, it has become a critical test of our foreign policy.

Rightly or wrongly, whether United States foreign policy in this era is viewed as a suc-

cess or failure will depend in large part on the success or failure of our policy in Bosnia. So we better get it right.

II. FROM "LIFT AND STRIKE" TO DAYTON

At the outset, let me state the obvious: I have cared deeply about Bosnia for a long time, since the beginning of the war. Some would say I bring "historical baggage" to the issue. I care not just because of the strategic implications—as Bosnia goes, so goes NATO—but for humanitarian reasons.

Appalled by the naked Serbian aggression and genocidal attacks on Bosnian civilians, in September 1992 I called for a "lift and strike" policy. That was shorthand for lifting the illegal and immoral arms embargo against the Bosnian Government, which was the victim of aggression, and launching air strikes against the Bosnian Serb aggressors.

My views were not widely shared at that time. As the war escalated—with massacres, "ethnic cleansing," and rapes—a few other senators, including Bob Dole and JOE LIEBERMAN, joined my call for action. But it took more than two years of failed diplomacy—and a quarter-million killed and two million homeless—before we finally came around to the much-derided "lift and strike" policy in the fall of 1995.

Guess what? The policy worked! The Serbian bullies sued for peace, and under the leadership of Ambassador Dick Holbrooke we were able to hammer out the Dayton accords in November 1995. I'm leaving out the details—all the peace plans that didn't work—but in a nutshell that's what happened.

Honest people may disagree about the compromises that were made at Dayton. I think the accords accomplished as much as we could have hoped for, given the obvious reluctance of our Government, and of our European allies, to get more deeply involved militarily.

And I wish I could say that even the modest results envisioned in Dayton had been achieved. But they have not. It's true that conditions today are far better than the bloody mayhem that existed during the war. The killing has stopped.

But we are only halfway to the full peace envisioned in the Dayton accords. The question is: "How do we get the rest of the way? How do we finish the job?"

III. BOSNIA TODAY

Having returned 6 weeks ago from my third trip to Bosnia, I am certainly aware of the contradictions, the ambiguities, the ironies, and the uncertainties of Bosnia today. Bosnia and Herzegovina might be labeled the classical land of "yes, but."

Yes, there has been ongoing conflict among the various religious groups in Bosnia—the Orthodox Serbs, the Catholic Croats, and the Muslim South Slavs—for centuries.

But, for most of the time, these conflicts were kept under control, usually by an outside hegemon: first the Ottoman Turks, then the Austrian Habsburgs, and more recently the Communists under President Tito.

When violence broke out in the spring of 1992, a cosmopolitan society existed in much of Bosnia. Sarajevo, for example, had one of the highest rates of inter-marriage in all of Europe. What killed the "live and let live" character of Sarajevo were unscrupulous, ultra-nationalist politicians, many of whom were searching for a new "ism" to replace communism, an ideology that had been discredited.

Yes, there were elements of civil war in Bosnia, but there was also blatant aggression from Serbia across an internationally recognized border. In fact, it was through the overwhelming advantage of the weaponry, the salaries, and the support services furnished by Slobodan Milosevic that the Bosnian Serbs perpetrated their systematic slaughter.