

called upon to support other active duty and reserve units.

Funding for the aerial port training facility is not included in the legislation before us today. It is my hope that the Department of Defense will recognize the importance of this project and will move it up 1 year to include it in the fiscal year 1999 budget, and I am working to that end.

Mr. President, it is our job to make difficult choices. I am not willing to support a bill that restores all of the projects which were line-item vetoed. Some of these projects were not 35 percent designed. Some of these projects did not meet the President's criteria. Some of these projects did not need to be built this year.

If this legislation included just the project which met the President's criteria that would be a different story, but that is not the bill before us today. Thus, Mr. President, I cannot support this legislation and I urge my colleagues to uphold the President's line-item veto.

Mr. FORD. Mr. President, just a few weeks ago President Clinton vetoed 38 projects in the military construction appropriations bill. Two of those projects were in Kentucky, one at Fort Knox and one at Fort Campbell. These projects were included despite the fact that neither one fell within the administration's criteria for a veto.

That criteria included projects not requested in the budget, that would not substantially improve the quality of life of military service members and their families, and that would not begin construction in 1998 because the Department of Defense reported that no architectural and engineering design work had been done.

Both the qualification range at Fort Knox and the tactical equipment shop at Fort Campbell were requested in the Army's 5-year plan, both have well over the necessary amount of design work completed, and both could begin construction in 1998.

Over 50 percent of the design work is completed at Fort Knox and with funding, construction would begin in 1998. This project replaces 10 1940 vintage multipurpose small arms training ranges which generate high costs for maintenance and use—into one modern multipurpose range. This project was the number two construction priority for Fort Knox.

The Fort Campbell tactical equipment shop project is in the second phase of an effort to replace World War II era buildings. With 90 percent of the design work completed, construction can also begin as soon as the money is made available.

Mr. President, the projects at Fort Campbell and Fort Knox were included in the appropriations bill because the Army considered them priorities. And while I am for getting rid of government waste as much as anyone else, these two projects clearly do not meet that criterion.

Mr. REED. Mr. President, I rise in support of S. 1292, the Military Con-

struction Appropriations Line Item Veto Disapproval bill.

I have long questioned the line-item veto in general terms. I am not convinced of its merit and I am particularly concerned with the manner in which it was applied to the Military Construction Appropriations bill for fiscal year 1998.

Like my colleagues I believe that wasteful spending must be cut. However, since the line item veto was exercised for the first time on the Military Construction Appropriations bill for fiscal year 1998, we have learned that even the White House now recognizes that its own data and process for identifying "wasteful" items to be subjected to the line item veto were seriously flawed. Indeed, OMB Director Franklin Raines wrote in the official Statement of Administration Policy, "...we are committed to working with Congress to restore funding for those projects that were canceled as a result of the data provided by the Department of Defense that was out of date." Indeed, it is my understanding that the Administration is seeking ways to right these wrongs through other avenues. Moreover, I am perplexed by the theory that only the Administration knows what deserves to be in the budget. Instead, I believe there is plenty of wisdom here in Congress as well as the White House to establish budget priorities based on rational compromise and debate. Lastly, I would suggest to supporters of the line item veto that the real task of balancing the budget requires votes like the one I cast in 1993 for deficit reduction, not line item vetoes.

There are also some who believe the line item veto is an innocuous device that could never be used for purely political purposes. However, the people of Rhode Island know full well what giving the President the authority to pick and choose specific budget items means. Rhode Island has already experienced a Presidential effort to eliminate an essential program. In 1992, President Bush tried to rescind funding for the Seawolf submarine program which is vital to our nation's defense and the livelihood of thousands of working Rhode Islanders. Fortunately, Democrats were able to beat back the attempt to rescind funding for the Seawolf, but this experience led me to believe that a line item veto would make future battles even more of a lopsided battle than a fair fight. In addition, a President, of any political party, could use the line item veto to eliminate other programs that are important to Rhode Island without fear because a small state like mine only has four votes in Congress.

Mr. President, The line item veto is of untested constitutionality. Without a Constitutional amendment, the line item veto act transferred significant power from the Legislative Branch to the Executive. I would hope that the Supreme Court rules on the constitutionality of the line item veto in the

near future so the Congress can act accordingly. In the interim, I believe the two principle tests on the use of the line item veto should be: One, is a particular line item veto politically motivated? Two, is a particular line item veto the outcome of a rational and coherent analysis based on sound policy?

The PRESIDING OFFICER. The majority leader is recognized.

#### UNANIMOUS-CONSENT REQUEST— CAMPAIGN FINANCE REFORM

Mr. LOTT. Mr. President, after a great deal of communication and discussion working back and forth, I think we have come up with a fair agreement on how to handle the campaign finance reform issue that would allow us to go forward with other bills this year, and have a time certain in which to proceed next year, and one that would allow for a full discussion and votes.

So I ask unanimous consent that the majority leader, after notification of the Democratic leader, shall turn to the consideration of a bill regarding campaign finance reform to be offered by Senator LOTT, or his designee, on or before the close of business on Friday, March 6, 1998.

I further ask that Senator McCain be recognized to offer the first amendment, in the nature of a substitute, that inserts the text of S. 25, the McCain-Feingold bill, as modified by Senator McCain on September 29, 1997. No further amendments would be in order to the McCain amendment prior to a motion to table.

I further ask that if the amendment is not tabled the amendment and the underlying bill will be open to further amendments, debates, and motions.

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

Mr. LOTT. I yield the floor.

Mr. DASCHLE addressed the Chair.

The PRESIDING OFFICER. The minority leader.

Mr. DASCHLE. Mr. President, I thank the distinguished majority leader for his efforts and for the leadership he has shown in keeping everybody at the table as long as he has in order for this to be accomplished.

Let me also thank Senators McCain and Feingold for their diligence in working as long as they have to get us to this point.

Finally, let me thank Senator McConnell for his involvement and his participation in allowing us to reach this agreement.

As Democratic leader I can say with great enthusiasm that we are pleased that we have now reached this point. I also feel the need to express my public gratitude to Senators in the Democratic caucus for their willingness to be united in demonstrating the importance of this issue.

This is not better necessarily for Democrats or Republicans. But in our view, this is a very big victory for the

country. This will give us an opportunity to have a good debate as we have discussed, and I look forward to that opportunity sometime prior to the first week in March.

Let me say, Mr. President, as a result of this agreement, I personally will oppose any other effort to bring this issue up prior to the time agreed to, because I believe we have necessary work to be done, and I believe that it is in the interest in keeping with this agreement that we now turn to those other matters.

I expect a full-fledged debate with plenty of opportunity to offer amendments. Given this agreement, now I have every assurance and confidence that will happen.

So, again, Mr. President, let me reiterate my public gratitude to all those involved for the successful agreement that we have announced this afternoon.

I yield the floor.

Mr. MCCAIN addressed the Chair.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. Mr. President, I want to thank the majority leader especially in all of this. I consider myself a close and dear friend of the majority leader. The majority leader has seen a lot more of me than he wants to ever see me with such frequency ever again. I want to assure the majority leader that I am deeply appreciative of the time he has spent with me, and the time he has spent with the entire Republican conference.

I don't think there has been a more difficult issue that the majority leader has had to handle, nor do I believe that he will face one as difficult as this in the future.

I thank Senator DASCHLE, the Democrat leader, who I think has approached this issue in a fair fashion.

I think it is also only a entirely appropriate that I thank Senator MCCONNELL. The Senator has strongly held honest views on this issue. He has again shown a willingness to debate and discuss this issue. Our differences have been passionate but they have not been personal, and I know that he and I intend to maintain that relationship. I can assure my colleagues that Senator MCCONNELL will make strong arguments for his position. And I certainly respect and in some ways admire his willingness to stand forth on an issue which is somewhat difficult to address.

Mr. President, I also believe the following: That we can and should and will sit down together on both sides of the aisle, proponents and opponents, with the recognition that this system needs to be fixed. On how it needs to be fixed there are strong differences of opinion, but I think almost every American now understands that we need to fix this system because we need to restore the confidence of the American people in the way that we select our elected officials.

I am convinced that the real answer, the real solution, will probably not

come in the form of debate or any closure motions and all of that on the floor of the Senate. I believe it is going to come when we all sit down as dedicated Americans and come up with a bipartisan solution to this problem. I still believe that is possible. I will do everything in my power working with both Senator DASCHLE and Senator LOTT, Senator MCCONNELL, and my dear friend, Senator FEINGOLD, who has done a wonderful job here, as I have said many times, so that we can get this agreement.

So I believe this is not an end. There isn't a midpoint. This is just a beginning of a dialog that has to begin in all seriousness, and discussion and compromise which may be called for on both sides of this issue so we can do the will of the American people. I believe the will of the American people has been expressed convincingly that we need to fix the system.

I want to reiterate my openness to any suggestion or idea or proposal that would lead us to that.

Again, thanks to the majority leader.

I yield the floor.

Several Senators addressed the Chair.

The PRESIDING OFFICER. The Senator from Wisconsin is recognized.

Mr. FEINGOLD. Thank you, Mr. President.

I am, of course, very pleased that this agreement has been reached.

I want to join in the gratitude toward the majority leader. Any majority leader has a hard job on almost any issue. But this is about as tough as it gets. And I know this has been a very, very difficult period of negotiation.

I thank my leader, Senator DASCHLE. Without his persistence and willingness to take on a tough job in our conference I don't think this would have been possible either.

I want to join with Senator MCCAIN in expressing my admiration for the Senator from Kentucky as well, an extremely worthy adversary. I can honestly say it is enjoyable to debate this issue with him. It will be especially enjoyable to be debating specific amendments as we get into this next year.

But overall, what this represents is what Senator MCCAIN of Arizona and I have said from the beginning—that this can't possibly be done in the end on a partisan basis. The answers have to be bipartisan. This agreement reflects that realization.

I want to join with Senator MCCAIN in his statement about the desire to negotiate, the desire to put together something that the American people feel would make a real difference in this area.

My last comment, Mr. President, it certainly would have been my preference to have a bill pass this year. I said, many times it is very difficult to get this done in an election year, and that would be the conventional wisdom if we are in the middle of campaigns to try to legislate on that. But I think maybe this next year might be an ex-

ception. With this system continuing to display itself, perhaps next March will be the ideal time to take a look at this system as it is unfolding in another election and ask ourselves if this is really the best we could do in this country in terms of electing our officials.

So, again I thank all of the Senators involved in these difficult negotiations. This appears to be a fair outcome, and we will have a continuation of this important debate next year.

Mr. President, I yield the floor.

Mr. MCCONNELL addressed the Chair.

The PRESIDING OFFICER. The Senator from Kentucky is recognized.

Mr. MCCONNELL. Mr. President, my special thanks to Senator MCCAIN and Senator FEINGOLD, and Senator DASCHLE for allowing this debate to go forward in an orderly fashion.

As we all know here in the Senate, any Senator at any moment can kick off a debate on any subject. That, of course, gives each Senator a good deal of power in determining what we debate. But what we have essentially agreed to here today is an orderly process by which the Senate can go on and engage in other business and have another debate on another day on this very important issue which we have debated almost yearly for the last decade. Let me say that I think this is a very sensible way to do it.

Finally, I want to commend the distinguished majority leader. He has stood fast on principle over a difficult several-week period. The principle was that the majority leader should set the agenda for the Senate. I want to just say to my friend, the majority leader, that I have never seen a better example of leadership than he has exhibited over the last few weeks.

Senator MCCAIN said the majority leader saw a lot of Senator MCCAIN. He saw an equal amount of Senator MCCONNELL over this period. And I think he is probably ready to see less of both of us for a few weeks.

But in any event, in his position as leader, Senator LOTT obviously would like to see things go forward. On the other hand, there are from time to time matters of great principle where it is important to stand up and take a position. I say to my friend, Senator LOTT, that I can't think of a better example in the 13 years I have been here of standing steadfast for principle when it counted than the performance of the distinguished majority leader over the last 3 weeks.

I thank him on behalf of all the members of our conference, the vast majority of whom agree with the Senator from Kentucky and the Senator from Mississippi.

I yield the floor.

Mr. LOTT. Mr. President, I believe we are ready to return to the debate that was underway, so I will yield the floor at this time.

## DISAPPROVAL ACT

The Senate continued with the consideration of the bill.

Mr. BURNS. Mr. President, we still have two more Senators who have indicated to us they wished to make statements on this particular issue, and we will give them a chance to get here. I warn Senators they should come to the floor and make their statements now because we want to get to a vote on this issue. We have other business pending in the Senate that we would like to get to. But if those Senators can get to the floor and make those statements, we will wait a few minutes on them. If not, then I would choose, with the permission of the leadership, to move to third reading on this bill.

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

The PRESIDING OFFICER. Without objection, it is so ordered. The Senator from Idaho is recognized.

Mr. KEMPTHORNE. I rise today in support of S. 1292, a bill to disapprove of President's Clinton decision to veto over 30 military construction projects.

I will add, Mr. President, I am a proponent of the line-item veto. I believe the line-item veto can be an effective tool to eliminate wasteful spending but I believe the fact that the White House now admits it used faulty data when it decided to veto a number of military construction projects demonstrates that this important authority must be used wisely and carefully.

I would like to speak for a moment about the two military construction projects the President vetoed in the State of Idaho. Both projects were intended to support the combat requirements of the 366th Composite Wing based at Mountain Home Air Force Base.

A recent letter to me from Secretary of Defense Cohen described the critical role played by the 366th Composite Wing: "As one of the first units to deploy to a problem area, it has the responsibility to neutralize enemy forces. It must maintain peak readiness to respond rapidly and effectively to diverse situations and conflicts."

In an ironic twist of fate, the 366th was doing its mission on deployment in the Persian Gulf when the President took inaccurate information, provided by the Air Force, and vetoed two projects intended to support the combat effectiveness of this unit.

President Clinton used his line-item veto pen to delete \$9.2 million for an avionics facility for the B-1 bombers and \$3.7 million for a squadron operations facility for an F-15 squadron.

In his veto statement, the President claimed the vetoed construction projects could not be started in fiscal year 1998 because there was no design

work on the proposed projects. This assertion has now been proven false by a letter from the Deputy Secretary of Defense, John Hamre, which now acknowledges that the DOD provided inaccurate data about the status of design work.

With respect to the two projects at Mountain Home Air Force Base, the outdated Air Force data provided to the White House listed both projects at zero percent design when in fact, as now verified by Air Force, both projects are in fact over 35 percent designed. Moreover, before any of these projects could be included in the fiscal year 1998 Defense authorization bill, the services were required to certify that each of the projects could be initiated in fiscal year 1998 and that is what they did, without exception.

As my colleagues know, the Department of Defense puts together a future years defense plan which projects the DOD budget 6 years into the future. Regarding the two projects at Mountain Home, I note that the avionics facility is contained in the Air Force's 1999 budget and the F-15 squadron operations facility is contained in the service's 2000 budget.

As the President ponders the use of the line-item veto, I think there needs to be dialog with the legislative branch. If there had been dialog, we might have been able to point out the faulty data being used by the White House that was provided by the U.S. Air Force.

Early this year Congress and the President reached an historic agreement to balance the budget and increase defense spending above the President's request. Congress went through its normal deliberative process and we used the additional defense dollars to move forward funding for projects on the service's unfunded requirements lists. Indeed, the B-1 avionics facility was one of the top 10 unfunded military construction projects identified by the Air Force. In addition, the funds were within the budget caps agreed to by the Congress and the President.

Let me read a document, prepared by the 366th Wing, which explains why we need the B-1 avionics facility. This was written by the civil engineer at the base avionics facility:

Current facility is inefficient, aging, wooden building misconfigured for avionics functions. Numerous false alarms in the fire suppression systems cause excessive avionics support equipment down-time and often cause damage to test equipment. This facility supports over \$1 billion of avionics equipment for the wing's fighter aircraft with \$115 million in testing equipment. Current avionics facility is approximately one-half the size required for all the wing's aircraft and has severe operational problems supporting fighter aircraft of this wing. About 33,000 sq. ft. of the existing 54,000 sq. ft. facility is condemned for personnel usage. B-1 avionics is currently being maintained at Ellsworth AFB, South Dakota due to inadequate facilities at this base. Engineering estimates by the Army Corps of Engineers found the current facility is uneconomical to renovate.

Construction of a new facility collocating avionics for the B-1 and fighter aircraft is the most economical solution and finalizes the B-1 beddown program.

The Office of Management and Budget and the Deputy Secretary of Defense acknowledge the President used outdated and inaccurate data to make his decisions. The Senate should give the President another opportunity to do the right thing and pass the pending disapproval legislation.

Let me thank the chairman of the Senate Appropriations Committee, Senator STEVENS, and the ranking member, Senator BYRD for their quick and decisive action to bring this important legislation to the Senate floor. I urge my colleagues to support the pending legislation.

I yield the floor.

Mr. BURNS addressed the Chair.

The PRESIDING OFFICER. The Senator from Montana is recognized.

Mr. BURNS. I think the Senator from Idaho has brought up a good point making the case for his facility because I think we found this throughout this whole message from the administration, that, again, they don't give us the criteria before we finally pass the conference report and send it down there. All at once, then the criteria change. I guess that should not surprise me. We ought to get used to dealing with folks who have goalposts on wheels; they sort of change every now and again.

I hope we could make it through this thing and the Members realize that every project has been through the screens, two or three of them. The ranking member on this subcommittee, the chairman, and the ranking member of the full committee have set their satchel down, set certain standards, and we tried to meet those standards.

I thank the Senator from Idaho for his comments.

Mr. KEMPTHORNE. Mr. President, will the Senator yield?

Mr. BURNS. I will yield.

Mr. KEMPTHORNE. It is just for a question.

Would the Senator from Montana agree with me that as we are provided the data, although the idea was that these projects were not necessary, were not needed, yet we find they are in the President's own budget for the very next year or the year following that? And, since we have all of this data and we have established, through written information from the Air Force, the inaccuracy of the data that they provided the White House, the President and the White House should not find themselves in a situation where they feel they have drawn a line in the sand and there is no way they can back away from this; that it is best for the Nation and our national defense for the White House to acknowledge that, based on inaccurate data, we all should review this and come to a different conclusion, and that is to allow these projects to go forward?

Mr. BURNS. One advantage of the line-item veto right now is it demands