

not enforce the terms of the Gore-McCain Act on the grounds that the missiles are not "destabilizing."

I am not quite sure what the word "destabilizing" means in this kind of a circumstance, but that is where the administration has chosen to come down.

I believe that a nondestabilizing missile can be just as deadly to a ship as a destabilizing missile. Once a missile is fired, it knows no semantic definition, as it goes on its course for a kill. Ask the sailors on the *Stark* whether the presence of the Exocet missiles were destabilizing in the circumstance in the Middle East or not. Thirty-seven of them are dead.

Given our obligation to those that we would place in harm's way in the name of this country, I believe the time has come to put this issue on the front burner. I have asked the administration about it. I have used the congressional oversight circumstance to bring it to their attention. Now, Mr. President, today, I submit a resolution outlining the sense of the Senate that the administration either enforce the Gore-McCain Act in this circumstance or take some other appropriate action.

Mr. President, I ask unanimous consent that the letter which I sent to Madeleine Albright on the 17th of April and a fact sheet relating to the C-802 missile be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

U.S. SENATE,
Washington, DC, April 17, 1997.

Hon. MADELEINE K. ALBRIGHT,
Secretary of State,
Washington, DC.

DEAR SECRETARY ALBRIGHT: During 1996 Chinese defense companies delivered a number of missile boats to the Iranian Revolutionary Guard Navy. Each missile boat was armed with four C-802 cruise missiles. Recently, Deputy Assistant Secretary of State Robert Einhorn told the Senate, "These cruise missiles pose new, direct threats to deployed U.S. forces."

It is now my understanding that China is about to deliver the land variant of the C-802 to Iran. When the Iranian Revolutionary Guard acquires C-802s in quantity, it will have a weapon with greater range, reliability, accuracy, and mobility than anything currently in its inventory.

The delivery of advanced cruise missiles to Iran is a violation of the Gore-McCain Act. However, in answer to my query on this issue in January, you answered, "The Administration has concluded at present that the known transfers (of C-802s) are not of a destabilizing number and type."

However, I believe that the arrival of additional C-802s in Iran is a matter of grave concern to the United States, and the Administration has an obligation either to sanction the perpetrators or put in motion an alternative policy of equivalent strength.

Sincerely,

ROBERT F. BENNETT,
U.S. Senator.

C-802 FACT SHEET

U.S.S. *Stark*: American Navy escort vessel struck by two Exocet type cruise missiles in May 1987 killing 37 sailors and disabling the ship for sixteen months.

C-802: Chinese cruise missile similar to the Exocet and marketed for use against naval

escort vessels. According to its manufacturer, the China National Precision Instrument Import-Export Corporation, the C-802 is characterized by "mighty attack capability, great firepower." It has a range of 120 km [75 miles] and a high explosive warhead of 165 kg [363 lbs.].

Iranian Revolutionary Guard Navy: Iran is believed to possess sixty C-802 missiles aboard 15 Chinese and French missile boats.

Land-based Variant: Iran is believed to be acquiring an undetermined number of C-802 missiles which will be mounted on Transporter-Erector-Launchers [TELs]. For over a year Iran has been constructing tunnels and other fortifications along its Persian Gulf and Gulf of Oman coastlines which could accommodate these TELs.

Threat to U.S. forces: 15,000 U.S. servicemen and women are potentially within range of these missiles. On April 11, Deputy Assistant Secretary of State Robert Einhorn told the Senate Governmental Affairs Committee, "These cruise missiles pose new and direct threats to deployed U.S. Forces." During 1996 Admiral Scott Redd, Commander-in-Chief of the U.S. Fifth Fleet declared the missiles to be a "360 degree threat which can come at you from basically anywhere at sea in the gulf or out in the Gulf of Oman."

U.S. Law: The Iran-Iraq Arms Non-Proliferation Act of 1992 (50 U.S.C. 1701 note) prohibits foreign persons from delivering advanced conventional weapons, including cruise missiles, to Iran.

Administration Position: The Administration "has concluded at present that the known types [of C-802 missiles] are not of a destabilizing number and type."

[Sources: New York Times, various Jane's publications]

AMENDMENTS SUBMITTED

SUPPLEMENTAL APPROPRIATIONS ACT

GRAMS (AND OTHERS) AMENDMENT NO. 54

Mr. GRAMS (for himself, Mr. JOHNSON, and Mr. DASCHLE) proposed an amendment to the bill (S. 672) making supplemental appropriations and rescissions for the fiscal year ending September 30, 1997, and for other purposes; from the Committee on Appropriations; as follows:

At the appropriate place, insert the following new title:

TITLE —DEPOSITORY INSTITUTION DISASTER RELIEF

SEC. —01. SHORT TITLE.

This title may be cited as the "Depository Institution Disaster Relief Act of 1997".

SEC. —02. TRUTH IN LENDING ACT; EXPEDITED FUNDS AVAILABILITY ACT.

(a) TRUTH IN LENDING ACT.—During the 180-day period beginning on the date of enactment of this Act, the Board may make exceptions to the Truth in Lending Act (15 U.S.C. 1601 et seq.) for transactions within an area in which the President, pursuant to section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.), has determined that a major disaster exists, or within an area determined to be eligible for disaster relief under other Federal law by reason of damage related to the 1997 flooding of the Red River of the North and its tributaries, if the Board determines that the exception can reason-

ably be expected to alleviate hardships to the public resulting from such disaster that outweigh possible adverse effects.

(b) EXPEDITED FUNDS AVAILABILITY ACT.—During the 180-day period beginning on the date of enactment of this Act, the Board may make exceptions to the Expedited Funds Availability Act (12 U.S.C. 4001 et seq.) for depository institution offices located within any area referred to in subsection (a) if the Board determines that the exception can reasonably be expected to alleviate hardships to the public resulting from such disaster that outweigh possible adverse effects.

(c) TIME LIMIT ON EXCEPTIONS.—Any exception made under this section shall expire not later than the earlier of—

(1) 1 year after the date of enactment of this Act; or

(2) 1 year after the date of any determination referred to in subsection (a).

(d) PUBLICATION REQUIRED.—Not later than 60 days after the date of a determination under subsection (a), the Board shall publish in the Federal Register a statement that—

(1) describes the exception made under this section; and

(2) explains how the exception can reasonably be expected to produce benefits to the public that outweigh possible adverse effects.

SEC. —03. DEPOSIT OF INSURANCE PROCEEDS.

The appropriate Federal banking agency may, by order, permit an insured depository institution, during the 18-month period beginning on the date of enactment of this Act, to subtract from the institution's total assets, in calculating compliance with the leverage limit prescribed under section 38 of the Federal Deposit Insurance Act (12 U.S.C. 1831o), an amount not exceeding the qualifying amount attributable to insurance proceeds, if the agency determines that—

(1) the institution—

(A) had its principal place of business within an area in which the President, pursuant to section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, has determined that a major disaster exists, or within an area determined to be eligible for disaster relief under other Federal law by reason of damage related to the 1997 flooding of the Red River of the North and its tributaries, on the day before the date of any such determination;

(B) derives more than 60 percent of its total deposits from persons who normally reside within, or whose principal place of business is normally within, areas of intense devastation caused by the major disaster;

(C) was adequately capitalized (as defined in section 38 of the Federal Deposit Insurance Act (12 U.S.C. 1831o)) before the major disaster; and

(D) has an acceptable plan for managing the increase in its total assets and total deposits; and

(2) the subtraction is consistent with the purpose of section 38 of the Federal Deposit Insurance Act (12 U.S.C. 1831o).

SEC. —04. BANKING AGENCY PUBLICATION REQUIREMENTS.

(a) IN GENERAL.—During the 180-day period beginning on the date of enactment of this Act, a qualifying regulatory agency may take any of the following actions with respect to depository institutions or other regulated entities whose principal place of business is within, or with respect to transactions or activities within, an area in which the President, pursuant to section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, has determined that a major disaster exists, or within an area determined to be eligible for disaster relief under other Federal law by reason of damage

related to the 1997 flooding of the Red River of the North and its tributaries, if the agency determines that the action would facilitate recovery from the major disaster:

(1) PROCEDURE.—Exercise the agency's authority under provisions of law other than this section without complying with—

(A) any requirement of section 553 of title 5, United States Code; or

(B) any provision of law that requires notice or opportunity for hearing or sets maximum or minimum time limits with respect to agency action.

(2) PUBLICATION REQUIREMENTS.—Make exceptions, with respect to institutions or other entities for which the agency is the primary Federal regulator, to—

(A) any publication requirement with respect to establishing branches or other deposit-taking facilities; or

(B) any similar publication requirement.

(b) PUBLICATION REQUIRED.—Not later than 90 days after the date of an action under this section, a qualifying regulatory agency shall publish in the Federal Register a statement that—

(1) describes the action taken under this section; and

(2) explains the need for the action.

(c) QUALIFYING REGULATORY AGENCY DEFINED.—For purposes of this section, the term "qualifying regulatory agency" means—

(1) the Board;

(2) the Office of the Comptroller of the Currency;

(3) the Office of Thrift Supervision;

(4) the Federal Deposit Insurance Corporation;

(5) the Federal Financial Institutions Examination Council;

(6) the National Credit Union Administration; and

(7) with respect to chapter 53 of title 31, United States Code, the Secretary of the Treasury.

SEC. 55. SENSE OF THE CONGRESS.

It is the sense of the Congress that each Federal financial institutions regulatory agency should, by regulation or order, make exceptions to the appraisal standards prescribed by title XI of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989 (12 U.S.C. 3331 et seq.) for transactions involving institutions for which the agency is the primary Federal regulator with respect to real property located within a disaster area pursuant to section 1123 of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989 (12 U.S.C. 3352), if the agency determines that the exceptions can reasonably be expected to alleviate hardships to the public resulting from such disaster that outweigh possible adverse effects.

SEC. 56. OTHER AUTHORITY NOT AFFECTED.

Nothing in this title limits the authority of any department or agency under any other provision of law.

SEC. 57. DEFINITIONS.

For purposes of this title, the following definitions shall apply:

(1) APPROPRIATE FEDERAL BANKING AGENCY.—The term "appropriate Federal banking agency" has the same meaning as in section 3 of the Federal Deposit Insurance Act (12 U.S.C. 1813).

(2) BOARD.—The term "Board" means the Board of Governors of the Federal Reserve System.

(3) FEDERAL FINANCIAL INSTITUTIONS REGULATORY AGENCY.—The term "Federal financial institutions regulatory agency" has the same meaning as in section 1121 of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989 (12 U.S.C. 3350).

(4) INSURED DEPOSITORY INSTITUTION.—The term "insured depository institution" has

the same meaning as in section 3 of the Federal Deposit Insurance Act (12 U.S.C. 1813).

(5) LEVERAGE LIMIT.—The term "leverage limit" has the same meaning as in section 38 of the Federal Deposit Insurance Act (12 U.S.C. 1831o).

(6) QUALIFYING AMOUNT ATTRIBUTABLE TO INSURANCE PROCEEDS.—The term "qualifying amount attributable to insurance proceeds" means the amount (if any) by which the institution's total assets exceed the institution's average total assets during the calendar quarter ending before the date of any determination referred to in section 503(l)(A), because of the deposit of insurance payments or governmental assistance made with respect to damage caused by, or other costs resulting from, the major disaster.

STEVENS AMENDMENT NO. 55

Mr. STEVENS proposed an amendment to the bill S. 672, supra; as follows:

On page 65, line 5, strike the amount "\$41,090,000" and insert the amount "\$81,090,000" and

On page 65, line 7, strike the amount "\$135,090,000" and insert the amount "\$95,000,000".

FORD AMENDMENT NO. 56

Mr. STEVENS (for Mr. FORD for himself and Mr. MCCONNELL) proposed an amendment to the bill, S. 672, supra; as follows:

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

SEC. 5. AUTHORITY OF SECRETARY OF DEFENSE TO ENTER INTO LEASE OF BUILDING NO. 1, LEXINGTON BLUE GRASS STATION, LEXINGTON, KENTUCKY.

(a) AUTHORITY TO ENTER INTO LEASE.—Notwithstanding any other provision of law, the Secretary of Defense may enter into an agreement for the lease of Building No. 1, Lexington Blue Grass Station, Lexington, Kentucky, and any real property associated with the building, for purposes of the use of the building by the Defense Finance and Accounting Service. The agreement shall meet the requirements of this section.

(b) TERM.—(1) The agreement under this section shall provide for a lease term of not to exceed 50 years, but may provide for one or more options to renew or extend the term of the lease.

(2) The agreement shall include a provision specifying that, if the Secretary ceases to require the leased building for purpose of the use of the building by the Defense Finance and Accounting Service before the expiration of the term of the lease (including any extension or renewal of the term under an option provided for in paragraph (1)), the remainder of the lease term may, upon the approval of the entity leasing the building, be satisfied by the Secretary or another department or agency of the Federal Government (including a military department) for another purpose similar to such purpose.

(c) CONSIDERATION.—(1) The agreement under this section may not require rental payments by the United States under the lease under the agreement.

(2) The Secretary or other lease, if any, under subsection (b)(2) shall be responsible under the agreement for payment of any utilities associated with the lease of the building covered by the agreement and for maintenance and repair of the building.

(d) IMPROVEMENT.—The agreement under this section may provide for the improvement of the building covered by the agreement by the Secretary or other lessee, if any, under subsection (b)(2).

NOTICES OF HEARINGS

SUBCOMMITTEE ON PUBLIC HEALTH AND SAFETY

Mr. JEFFORDS. Mr. President, I would like to announce for information of the Senate and the Public that a hearing of the Subcommittee on Public Health and Safety, Senate Committee on Labor and Human Resources will be held on Tuesday, May 5, 1997, 9:30 a.m., in SD-430 of the Senate Dirksen Building. The subject of the hearing is "Protecting Public Health: CDC Project Grants for Preventable Health Services." For further information, please call the committee, 202/224-5375.

COMMITTEE ON LABOR AND HUMAN RESOURCES

Mr. JEFFORDS. Mr. President, I would like to announce for information of the Senate and the public that a executive session of the Senate Committee on Labor and Human Resources will be held on Wednesday, May 6, 1997, 9:30 a.m., in SD-430 of the Senate Dirksen Building. The following are on the agenda to be considered.

1. S. : Individuals with Disabilities Education Act Amendments of 1997.

2. Presidential nominations.

For further information, please call the committee, 202/224-5375.

AUTHORITY FOR COMMITTEE TO MEET

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. STEVENS. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be granted permission to meet during the session of the Senate on Monday, May 5, for purposes of conducting a hearing before the full committee which is scheduled to begin at 10:30 a.m. The purpose of this hearing is to consider S. 430, the New Mexico Statehood and Enabling Act Amendments of 1997.

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

ADDITIONAL STATEMENTS

OUTLOOK SCHOOL MCI/NASA PROJECT

● Mr. GORTON. Mr. President, I would like to pay tribute to the efforts of those individuals involved with the Outlook Elementary School project in Outlook, WA. Their tremendous generosity will provide the technology our students need to succeed in school and in life.

The importance of keeping our children abreast of technology is hard to exaggerate. The National Science Foundation reports that over 700,000 new technicians, scientists, mathematicians, and engineers must be found by the year 2010 simply to keep up with technological demands.

Business and political leaders from around the country have called for increased emphasis on technology in education. Some fear, however, that rural