

conflicts or MRC's simultaneously. If we fail to protect readiness and force structure, Mr. COHEN's two MRC's will be nothing but a pipe dream.

Mr. President, I hope my colleagues on the defense committees will find a way to strike a better balance between readiness and modernization.

We must put well-trained, combat-ready troops ahead of obsolete programs.

That is the real choice. It is the only choice.

Mr. President, when I look at this budget agreement, I find myself playing Hamlet. I go back and forth, between all the good things, and all the bad things. And then I agonize over which way to go. To agree or not to agree. That is the question.

Usually when the leaders of the two parties get together on a budget agreement, it ends up being bad news. It means spending goes up for programs favored by each side. It is like a rising tide lifting all boats. And then the deficit is made to look OK. A little fairy dust produces a sudden windfall of revenues. This time it happens to be 225 billion dollars' worth.

I think back to the Rose Garden Budget in 1984 under President Reagan. And, the Andrews Air Force Base agreement in 1990. They were similar.

"Rising Tide" agreements do two things. First, all the sacred cows get more money than they should. Second, accountability for those programs goes out the window. Desperately needed reforms do not take place.

In 1984, we should have frozen the defense budget and demanded reforms. Instead we looked the other way. The freeze did not occur until the next year—with my amendment—and the reforms did not take place until 3 years later—with Nunn-Goldwater and the Packard Commission. By that time, we had already poured lots of money down a rathole.

In addition, with rising tide agreements, the budget enforcements we put in place are then violated. We saw that in 1990, when we gave Gramm-Rudman a fix. The only thing we fixed in that budget was the ability to overtax and overspend. Now, we're seeing another enforcement violated to accommodate the rising tide—and that's Exon-Grassley. If we violated budget enforcement before, why should we believe it won't happen again?

Meanwhile, in this budget, the absence of Medicare reform is deafening. A colossal structural nightmare is facing us just 15 years down the road. Especially in Medicare. Long-term reform is needed. Does this budget address that? No.

And the sacred cows? Two examples. One supported by my side of the aisle, another by the other side.

The cold war is over. But we need to spend an extra \$2.6 billion this year for a defense budget that's still geared toward fighting the cold war. The same cold war that disappeared 10 years ago.

What the Pentagon should not do—but will do with this money—is buy a

bunch of cold war relics, like the F-22 fighter. That money should be going into the readiness and training accounts. But it won't be. Because politics is more powerful than common-sense.

The Quadrennial Defense Review is simply a repeat of the Bottom-Up Review. It's a smokescreen to maintain the status quo, to plan for an obsolete war. Meanwhile, this is the same defense budget with 50 billion dollars' worth of unmatched disbursements, which cannot pass an audit, and whose financial records are in absolute chaos. We do not know what anything costs. It is hard to make rational decisions on bad information. It is a budget crying out for reform.

But that is OK. Because the other side of the aisle also has a few sacred cows crying out for reform. But we'll pump those up, too. Take AmeriCorps. Cannot pass an audit. Cannot even be audited. No accountability. In bad need of reform. We were shelling out \$27,000 per volunteer. That is crazy.

So, last year we froze AmeriCorps and pushed for reforms. They have been promised, but not yet delivered. But this agreement would jeopardize reform and accountability at AmeriCorps. Instead of a freeze, plus reforms, this program will get an extra three-quarters of a billion dollars, plus no incentive to implement the promised reforms. And that hurts the efforts of many of us who have tried to save this program, but make sure the taxpayers are getting their money's worth.

Finally, there is the matter of the deficits. Under this agreement, they go up, and then they fall off the table. In other words, the only progress on deficit reduction comes in the last 2 years. This reflects that phenomenon I call the narcotic of optimism. We're still addicted to it. It is simply not realistic. But it sure feels good.

So that is a mountain of reasons why this agreement is bad. The reasons on the good side are not as impressive-sounding. But there are a couple of reasons.

First, even though the tide is rising, it does not mean we cannot push even harder for reforms, to make sure they take hold. We desperately need long-term Medicare reform. We have a responsibility to provide it. We cannot duck it. If it takes a bipartisan commission instead of a budget agreement, so be it.

But the most powerful reason, in my mind, in favor of this agreement, is that it is a bipartisan agreement of the leaders. When's the last time we saw that in this town? This is a first step, and only a first step. But it represents clearing a major, major hurdle—which was a lack of bipartisan cooperation. The importance of that accomplishment cannot be underestimated. And the desire of the American people to have us working together instead of fighting all the time also cannot be underestimated.

And so that means, even though I have a mountain of reasons to oppose this agreement, and even though the reasons for supporting it are the size of a mouse by comparison, it is a mouse that roars for us to take the first step.

And if we take that step, it means we are all the more obliged to pursue reforms in the meantime, and make sure we stick to the enforcement measures.

And so, Mr. President, I think ultimately the chairman of the Budget Committee, Senator DOMENICI, and the other leaders on both sides of the aisle are to be commended for taking a positive, yet very difficult first step toward addressing our fiscal problems. Even though I might disagree with much of this agreement, I look forward to supporting it, and then appealing to my colleagues over the next 5 years to keep us on track for two things: a balanced budget, and much needed program reforms.

#### THE CERTIFICATION PROCESS II

Mr. GRASSLEY. Mr. President, recently I spoke about the annual certification process on drug cooperation. I wanted to follow up on those remarks. As I noted then, I believe it is important to address some of the myths that have grown up around certification. I also believe that it is important to put on record why we need to keep this process.

One of the reasons often advanced for doing away with the certification process is that it just makes administrations lie.

Now, in the first place, I don't believe that this is true. But even if it were, I do not see changing a valid oversight requirement by Congress on the premise that compliance makes liars out of the administration. It seems to me that if there is a law and the administration isn't being honest, then you take steps to hold it responsible. You don't shrug your shoulders and throw away the law. Where would we be if we did that routinely? We might as well forget about oversight. We might as well legalize lying.

Like many of my colleagues, I have had problems with the executive branch. I am aware of misconduct, misfeasance, and downright lying by executive branch agencies and agents.

But I do not believe that simple differences of opinion or interpretation necessarily constitute lying. It is even possible to disagree over policy without calling someone a liar for disagreeing. Misguided perhaps.

It is possible, then, that the administration and Congress might disagree over a particular certification decision without jumping to conclusions about motive. It is also possible to have such differences without concluding that the only proper recourse is to scrap oversight efforts. Accountability is essential to our political process. This holds true even when there are serious disagreements about outcomes and procedures.

The recent certification decisions on Mexico and Colombia are cases in point. This last March 1, the President decided to again decertify Colombia. At the same time, he decided to fully certify Mexico. Both decisions caused concern in Congress. It is important to understand that there were lots of different concerns. Additionally, many of these concerns arose from contradictory opinions.

Some felt that if Colombia was decertified Mexico should have been. Others believed that if Mexico was certified then Colombia should have been. Still others believed that both should have gotten national interest waivers. Because none of these views were vindicated in the actual decision, many have drawn the conclusion that certification didn't work. Or they have concluded the administration lied. The answer in either case seems to be, "dump certification."

As I have already said, I don't think this is the right course. I believe the view is wrong on both substance and process.

In the first place, when we in Congress created the certification process, we did not create a pass/fail system. Nor did we create a system of shared outcomes. That is, we created a process that evaluated each country on its own merits in fighting drugs. Just like we don't give everyone in school the same grade if they performed differently, we don't base certification decisions on group behavior. We designed the process to permit nuanced decisions. We recognized the need to draw conclusions based not on single issues or purely momentary situations.

At the same time, we realized that without the push of law the administration, any administration, would likely not have made drugs a major foreign policy concern. In that sense, Congress had a healthy incredulity of administration motives. I remind my colleagues that it was a Democratic-controlled House and a Republican-controlled Senate that first passed certification during the tenure of a Republican President. We had a bipartisan wariness of the executive branch. It is, after all, the business of Congress to give administrations heck from time to time.

Initially, the administration resisted certification. It chose not to apply the standards in the law with any vigor. Indeed, the first countries to get decertified were all soft targets. Countries like Burma, Iran, and Syria.

These were countries we already disliked and with whom we had only limited dealings. Initially, no serious countries got decertified. Because of this history, a certain cynicism grew up around certification. There is also today an evident impatience with what is and must be a complex decision-making process.

That process has been around for 10 years. As with other cases, the longer the requirement has been on the books and the more Congress has insisted it

be taken seriously, the more used and useful it has become. The process has gathered momentum. Last year, in fact, I asked the Congressional Research Service to review the merits of the certification process. That review, which is still available, makes clear how the certification process has matured and proved effective.

In the past several years, in fact, the list of countries decertified or given a national interest waiver has grown to include some real countries. Such countries as Nigeria, Colombia, Peru, Bolivia, and Pakistan. Countries with which we have a wide variety of interests apart from drugs. Just a few years ago, no one in Congress believed that any administration would ever decertify Colombia. Certainly there was a lot of sentiment in Congress that believed the evidence justified decertification. But the conviction was that it wouldn't happen. It did.

Not only has the standard been applied with more rigor, it has also encouraged greater cooperation from certified countries. All in all, more countries now take as a given that drug control must be an important element in their thinking.

That list includes the United States. To voluntarily choose to abandon such a tool out of a passing frustration is not very sound policy.

But, as the list of affected countries has grown to include more significant U.S. partners, the more controversial certification has become. This was to be expected. When Burma squawked, few in this country cared. Few people cared internationally. The military rulers of Burma had few friends. With Colombia affected and Mexico implicated, however, the noise level has gone up considerably. Both here and abroad.

To me, this indicates that certification is working. As I noted in an earlier statement, the fact that countries such as Colombia are complaining about our process is no sufficient reason to change it, much less throw it overboard.

Conversely, the fact that there was a difference of opinion on whether to certify Mexico or not, is also no sufficient reason to scuttle the boat.

#### ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

The PRESIDING OFFICER. Under the previous order, the Senate stands in adjournment until 9:30 a.m., Wednesday, May 21, 1997.

Thereupon, the Senate, at 9:10 p.m., adjourned until Wednesday, May 21, 1997, at 9:30 a.m.

#### NOMINATIONS

Executive nominations received by the Senate May 20, 1997:

##### DEPARTMENT OF STATE

A. PETER BURLING, OF CALIFORNIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE THE DEPUTY REPRESENTA-

TIVE OF THE UNITED STATES OF AMERICA TO THE UNITED NATIONS, WITH THE RANK AND STATUS OF AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY, VICE EDWARD WILLIAM GNEHM, JR.

JAMES W. PARDEW, JR., OF VIRGINIA, FOR THE BANK OF AMBASSADOR DURING HIS TENURE OF SERVICE AS U.S. SPECIAL REPRESENTATIVE FOR MILITARY STABILIZATION IN THE BALKANS.

#### CONFIRMATIONS

Executive nominations confirmed by the Senate May 20, 1997:

THE FOLLOWING-NAMED OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, UNITED STATES CODE, SECTION 12203:

##### To be major general

BRIG. GEN. JOHN J. BATBIE, JR., 0000  
BRIG. GEN. WINFRED N. CARROLL, 0000  
BRIG. GEN. DENNIS M. GRAY, 0000  
BRIG. GEN. GRANT R. MULDER, 0000  
BRIG. GEN. VIRGIL J. TONEY, JR., 0000

##### To be brigadier general

COL. WILLIAM E. ALBERTSON, 0000  
COL. PAUL R. COOPER, 0000  
COL. GERALD P. FITZGERALD, 0000  
COL. PATRICK J. GALLAGHER, 0000  
COL. EDWARD J. MECHENBIE, 0000  
COL. JEFFREY M. MUSFELDT, 0000  
COL. ALLAN R. POULIN, 0000  
COL. GIUSEPPE P. SANTANIELLO, 0000  
COL. ROBERT B. SIEGFRIED, 0000  
COL. ROBERT C. STUMPF, 0000  
COL. WILLIAM E. THOMLINSON, 0000

##### IN THE ARMY

THE FOLLOWING-NAMED OFFICER FOR APPOINTMENT IN THE U.S. ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, UNITED STATES CODE, SECTION 601:

##### To be lieutenant general

MAJ. GEN. CLAUDIA J. KENNEDY, 0000

THE FOLLOWING-NAMED OFFICER FOR APPOINTMENT IN THE U.S. ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, UNITED STATES CODE, SECTION 601:

##### To be lieutenant general

MAJ. GEN. TOMMY R. FRANKS, 0000

##### IN THE MARINE CORPS

THE FOLLOWING-NAMED OFFICER FOR APPOINTMENT IN THE U.S. ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, UNITED STATES CODE, SECTION 601:

##### To be major general

BRIG. GEN. KEVIN B. KUKLOK, 0000

THE FOLLOWING-NAMED OFFICERS FOR APPOINTMENT IN THE U.S. MARINE CORPS TO THE GRADE INDICATED UNDER TITLE 10, UNITED STATES CODE, SECTION 624:

##### To be major general

BRIG. GEN. TERRENCE P. MURRAY, 0000

THE FOLLOWING-NAMED OFFICER FOR APPOINTMENT IN THE U.S. MARINE CORPS TO THE GRADE INDICATED UNDER TITLE 10, UNITED STATES CODE, SECTION 624:

##### To be brigadier general

COL. JAMES R. BATTAGLINI, 0000  
COL. JAMES E. CARTWRIGHT, 0000  
COL. STEPHEN A. CHENEY, 0000  
COL. CHRISTOPHER CORTEZ, 0000  
COL. ROBERT M. FLANAGAN, 0000  
COL. JOHN F. GOODMAN, 0000  
COL. GARY H. HUGHEY, 0000  
COL. THOMAS S. JONES, 0000  
COL. RICHARD L. KELLY, 0000  
COL. RALPH E. PARKER, JR., 0000  
COL. JOHN F. SATTTLER, 0000  
COL. WILLIAM A. WHITLOW, 0000  
COL. FRANCES C. WILSON, 0000

##### IN THE NAVY

THE FOLLOWING-NAMED OFFICER FOR APPOINTMENT IN THE RESERVE OF THE NAVY TO THE GRADE INDICATED UNDER TITLE 10, UNITED STATES CODE, SECTION 12203:

##### To be rear admiral (lower half)

CAPT. KAREN A. HARMMEYER, 0000

THE FOLLOWING-NAMED OFFICER FOR APPOINTMENT AS JUDGE ADVOCATE GENERAL OF THE U.S. NAVY AND FOR APPOINTMENT TO THE GRADE INDICATED UNDER TITLE 10, UNITED STATES CODE, SECTION 5148:

##### To be rear admiral

CAPT. JOHN D. HUTSON, 0000