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## Senate

The Senate met at 12 noon, and was called to order by the Honorable PAT ROBERTS, a Senator from the State of Kansas.

The PRESIDING OFFICER. The guest Chaplain, the Rev. Paul E. Lavin, pastor, St. Joseph's Catholic Church, Washington, DC, will deliver the opening prayer.

### PRAYER

The guest Chaplain, the Rev. Paul E. Lavin, offered the following prayer:

Let us join with native Americans and others as they honor Blessed Kateri Tekakwitha, and let us listen to the Word of the Lord from the Book of Sirach:

*To the poor man extend your hand,  
that your blessing may be complete;  
Be generous to all the living,  
and withhold not your kindness from  
the dead.*

*Avoid not those who weep,  
but mourn with those who mourn;  
Neglect not to visit the sick—  
for those things you will be loved.—  
Sirach 7:32-35.*

Let us pray.

We praise You Lord for the light of creation; we praise You for the light You give us in Your law, in the prophets, and the wisdom of the Scriptures.

Lord send Your blessing on these servants of Yours, the Senate and their staffs. Help them work together in this time of need, help them be faithful to the light You have given them, and let them faithfully serve You in their neighbor.

Glory and praise to You forever and ever. Amen.

### APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore [Mr. THURMOND].

The legislative clerk read the following letter:

U.S. SENATE,  
PRESIDENT PRO TEMPORE,  
Washington, DC, July 14, 1997.

To the Senate:

Under the provisions of rule I, section 3, of the Standing Rules of the Senate, I hereby appoint the Honorable PAT ROBERTS, a Senator from the State of Kansas, to perform the duties of the Chair.

STROM THURMOND,  
President pro tempore.

Mr. ROBERTS thereupon assumed the chair as Acting President pro tempore.

### RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, leadership time is reserved.

### RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The distinguished majority leader is recognized.

Mr. LOTT. Thank you, Mr. President. I thought since it is going to be 100 degrees outside today I should wear my all-cotton outfit so it would be a little bit more comfortable inside the Chamber.

### SCHEDULE

Mr. LOTT. Mr. President, today the Senate will begin consideration of the DOD appropriations bill. I urge all Senators who have amendments to notify the chairman and the ranking member. They are here, and they are ready to proceed with this very important legislation. So we need to know what amendments will be offered in order to make substantial progress today.

Under the previous order, at 6 o'clock this afternoon the Senate will proceed to executive session to conduct a cloture vote on the nomination of Joel Klein to be an Assistant Attorney General at the Justice Department. In accordance with the consent agreement,

if cloture is invoked, there will be an additional 3 hours for debate on the nomination before the Senate votes on the nomination of Mr. Klein. That vote may occur tomorrow; therefore, following the cloture vote at 6 p.m., the Senate will resume the Department of Defense appropriations bill.

As previously announced, it is the hope that the Senate will complete action on three or possibly four major appropriations bills this week. Therefore, late sessions can be expected and votes should be anticipated throughout each day of the Senate this week. We hope to conclude the Department of Defense appropriations bill on Tuesday. We would like to then move to the energy and water appropriations bill. I believe next we would try to go to the foreign ops appropriations bill, and then perhaps Friday we would be ready to go to legislative appropriations.

In the interim, we also have a couple of bills that we may want to call up for consideration. One of them is a wildlife refuge bill reported overwhelmingly from the House of Representatives and held at the desk; and another one is having to do with dolphin legislation which has been reported from the Commerce Committee. We may look at an opportunity to begin consideration of that legislation on Friday of this week.

I thank my colleagues for their cooperation.

I yield the floor.

### DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 1998

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will now proceed to the consideration of S. 1005, which the clerk will report.

The legislative clerk read as follows:

A bill (S. 1005) making appropriations for the Department of Defense for the fiscal year ending September 30, 1998, and for other purposes.

The Senate proceeded to consider the bill.

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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The ACTING PRESIDENT pro tempore. Who seeks time?

Mr. STEVENS addressed the Chair.

The ACTING PRESIDENT pro tempore. The Senator from Alaska is recognized.

#### PRIVILEGE OF THE FLOOR

Mr. STEVENS. Mr. President, I ask unanimous consent that the following Appropriations Committee staff be granted floor privileges during the consideration of this bill, S. 1005, and also for a legislative fellow on detail to our committee: Steve Cortese, Dona Pate, Jay Kimmitt, Justin Weddle, Michelle Randolph, Mazie Mattson, Mary Marshall, Gary Reese, Susan Hogan, John Young, Sid Ashworth, Kelly Hartline, Charlie Houy, Emelie East, and Mike Morris.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. STEVENS. It includes the request for the minority.

Mr. President, we are now considering the Defense Appropriations Act for the fiscal year 1998. This is the first of the 1998 appropriations bills that will come before the Senate. I am pleased that we can commence this year's work with the focus on national security.

To date, the Appropriations Committee has reported three bills to the Senate; defense, foreign operations, and energy and water.

Tomorrow, our committee will report three additional bills; we believe the legislative branch; Treasury, general Government; and Commerce, State, Justice.

On Thursday, the committee will report the Transportation, Agriculture, military construction, and HUD-VA and NASA bills. That is our hope.

In all, if we can do that, the committee will have reported 12 of the 13 bills prior to the August recess. The District of Columbia bill will await action by the Governmental Affairs Committee on the administration's plan to change the Federal payment program for the District of Columbia.

I state at the outset that this schedule is possible because of the bipartisan approach that Senator ROBERT BYRD and I have developed as we have worked together not only now but over the years and the cooperation between our staffs on all these bills.

I urge the Senate to maintain that bipartisan approach to this appropriations process. We have sought and the leader has pledged to assist in obtaining floor time to move these bills to conference this month.

We will not be able to meet our October 1 deadline to complete action on these spending bills unless we move them expeditiously here on the floor and get them to a conference committee prior to the time we leave in August so that all of our and the staff work related to the conferences may be completed during that period and our staffs also have time to take some needed leave then, too.

This bill was reported by the Appropriations Committee to the Senate by

a unanimous vote of 28 to 0. That again reflects the bipartisan approach that my colleague and friend, Senator INOUE of Hawaii, and I have tried to maintain with regard to this subcommittee.

This bill is within the 602(b) allocation for the Defense Subcommittee. It provides \$247 billion in spending authority for 1998. That is an increase of \$3.25 billion over the President's request and \$3.1 billion over the 1997 appropriations, but it is consistent with the allocation under the budget agreement which was reached with the President.

The 602(b) allocation for the Defense Subcommittee is \$1.1 billion below that provided to the House subcommittee. Consistent with the budget agreement, our Appropriations Committee allocated a larger share of the defense 050 function for defense nuclear energy programs. That is under the energy and water bill chaired by the Senator from New Mexico [Mr. DOMENICI]. Those items are funded in the energy and water development bill that the Senate will consider immediately after this bill.

At the request of Senator INOUE and myself, the Subcommittee on Defense Appropriations recommended a balanced bill to the full committee, and we believe that it addresses key funding needs for personnel, readiness, and modernization at the Department of Defense.

This bill and our report have been available to all Senators since Friday morning of last week. I will not describe the bill in detail but will touch on a few of the key items.

Our bill fully funds the authorized end strength for the military personnel for 1998, including the 2.8-percent pay raise. We have added \$380 million for real property maintenance, with \$100 million set aside for refurbishing Army barracks.

We have increased funding for the request for environmental restoration, particularly at formerly used defense sites. And \$1.9 billion is provided for overseas contingency operations in Southwest Asia and Bosnia, and \$261 million is added to correct a second consecutive failure by the Department of Defense to adequately fund military health care programs. We have adequately funded it to the extent that we have money to do so.

We have added \$437 million to the budget request to meet the minimum spending needs of the Army National Guard. I want to take just a moment, Mr. President, to thank all of my colleagues who joined with Senator BOND, Senator FORD, Senator INOUE, and myself to sponsor legislation last week to elevate the rank and status of the Chief of the National Guard.

The adoption of that legislation as an amendment to S. 936, the National Defense Authorization Act for fiscal year 1998, will help ensure that the National Guard's needs will be met during the formulation of the Department's bud-

et and not solely by the intervention of Congress.

I am going to repeat that. It has taken the intervention of Congress each year to try to get the Guard the money it needs to perform its job. I believe this amendment will go a long way toward changing that status. I ask unanimous consent that the list of cosponsors for the National Guard amendment be printed in the RECORD.

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

#### COSPONSORS FOR THE NATIONAL GUARD LEGISLATION

Senators Stevens, Inouye, Bond, Ford, Cochran, Domenici, McConnell, Burns, Shelby, and Gregg.

Senators Bennett, Campbell, Craig, Faircloth, Hutchinson, Byrd, Hollings, Leahy, Bumpers, and Lautenberg.

Senators Mikulski, Reid, Murray, Dorgan, Boxer, Wyden, Torricelli, Smith of Oregon, Sarbanes, and Murkowski.

Senators Landrieu, Johnson, Jeffords, Feinstein, Enzi, DeWine, D'Amato, Conrad, Bryan, and Breaux.

Senators Bingaman, Akaka, Frist, Roberts, Baucus, Daschle, Sessions, Roth, and Mack.

Mr. STEVENS. Senator INOUE and I have listened closely to the priorities identified by the service chiefs in reviewing the modernization accounts. And \$3.8 billion has been provided over the budget request to address aviation, shipbuilding, munitions, and support equipment needs in the procurement accounts.

Our bill includes an additional \$616 million for research and development and includes an increase of \$474 million for national missile defense and \$175 million for additional breast cancer research.

The bill includes nearly \$700 million for counterdrug missions, and includes funds for the Gulf States initiative, and authority for the National Guard to spend an additional \$50 million for counterdrug missions during fiscal year 1998.

Consistent with the President's request, the bill provides \$300 million for support of the defense missions undertaken by the Coast Guard.

The bill before the Senate reflects 11 hearings undertaken by this subcommittee since February, reviewing all aspects of our defense program. Additionally, many priorities identified in this bill reflect visits by Members to defense bases here at home and abroad.

This year we have taken three committee delegations overseas to evaluate how this money should be spent. In January we visited Israel, Egypt, Jordan, the Gaza, Kuwait, Morocco, Saudi Arabia, Hungary, Italy, and Bosnia.

In March, we met with senior Russian military leaders in Khabarovsk, Sakalin, and Vladivostok and held talks with senior officials of the North Korean Government in Pyongyang. We also visited South Korea prior to that visit.

Last month, we went to Brussels and met with the Secretary-General of

NATO and senior United States commanders to better understand the situation in Bosnia and the potential costs to the United States taxpayer of NATO expansion.

Through these experiences, many of us have drawn a strong impression that we are spending too much overseas, Mr. President, with too little oversight by Congress of commitments made by our regional U.S. commanders whom we call the CINC's.

Senator INOUE and I have discussed these concerns at length with the Secretary of Defense, Bill Cohen. In response to our efforts, DOD is taking steps to reduce forces in Southwest Asia and in the vicinity of Bosnia. Secretary Cohen informed us just prior to the markup of this bill in the full committee that the Department will reduce overseas Joint Chiefs of Staff exercises in 1998 and will reduce the size of joint and unified headquarters overseas.

As a result of these consultations, the committee adopted modest reductions to the budget for programs in these areas. We are indebted to Secretary Cohen for his cooperation with us. I will say I think this bill reflects the relationship he has developed not only with Senator INOUE and myself but with all members of the Defense Subcommittee.

Beyond these operations, the committee has also pressed for greater financial oversight of the regional CINC operation. The Vice Chairman of the Joint Chiefs, Gen. Joe Ralston, has led this effort to increase financial limits and visibility on the deployment decisions that are made by the CINC's.

Mr. President, it is my judgment that no military officer has the unilateral right to commit U.S. forces and taxpayer dollars overseas without the approval of the Secretary of Defense, the President of the United States, and the concurrence of Congress, and, specifically, to spend money, it is required there be express appropriations of funds for that purpose. I am talking about increasing deployment overseas of U.S. forces and increasing and expending from taxpayer dollars by CINC operations.

This committee will not hesitate to reduce the funding available to the Department and severely limit the Department's spending and flexibility unless further progress is made in this area. I want to make certain we have no desire to interfere with the President's role as Commander in Chief, nor do we have difficulty with the role played by the Joint Chiefs of Staff.

But military officers in command in the field cannot obligate our Nation to long-term overseas expenditures or deployments—they have been doing so, Mr. President, and that must come to an end. That is what is increasing the defense budget. Decisions made in the field without proper knowledge being transmitted to Congress on the commitments that are being made abroad, long-term commitments—in one in-

stance, we were told it was a 20- to 50-year deployment that construction was being planned on, and not one word had been said to Congress about a deployment of that length.

Mr. President, there are many other issues in the bill that I could speak about at this time. It is time for me to yield to my distinguished comanager of this bill, my good friend, the senior Senator from Hawaii, Senator INOUE.

Mr. INOUE. Mr. President, may I first thank my distinguished friend from Alaska for his very generous remarks.

Mr. President, I rise this day to offer my complete support for the fiscal year 1998 DOD appropriations bill. As noted by the chairman of this committee, this bill is well within the budget agreement. It is about \$1.2 billion below the amount authorized last week by the Senate for these programs. I should point out to all of my colleagues that the chairman and I are hopeful we will not have to reconsider items that were debated and voted upon last week.

Let me assure my colleagues that we intend to modify this bill to conform to many of the changes that were approved by the Senate last week. We look forward to working with Members and their staffs over the next 24 hours to ensure that their views are heard.

Mr. President, I am pleased to report to my colleagues that this is a good bill. It is a product of a truly bipartisan process. As the chairman pointed out, this bill received unanimous support from members of the Appropriations Committee. For those of us who have had the privilege and great honor of serving in this body for many years, you will know that it is almost impossible to get unanimous support from the members of the Appropriations Committee.

Therefore, I wish to commend Chairman STEVENS and his capable staff in putting this bill together. It is a tough bill, but, Mr. President, it is a fair bill. It protects both the interests of the Nation and those of the individual Members of this body.

It is very clear that the top priority of this bill is supporting our troops, the men and women who are willing to stand in harm's way to safeguard the Nation. Our chairman, Chairman STEVENS, has pointed out in great detail the items that are found in this measure, and included in these items we find the procurement of many necessary weapons systems. Each of these recommendations, I believe, will help improve the capability of the Defense Department to protect and defend our Nation, and, most importantly, it will help to deter aggression against the United States and its interests.

Many of my colleagues have commented, why are we spending all this money? Mr. President, one may think that we are in the business of making war. But essentially and fundamentally, we are in the business of preventing war, and we have learned from ex-

perience, bloody experience, that the most effective way to prevent war is to be prepared for war, and to be prepared for war, we taxpayers will be called upon to spend some money. If given a choice of our citizens dying on the field or spending more money so that this can be prevented, I am certain all of us would go for the latter.

This bill also provides for programs which may not be directly defense in nature, but I think it somehow gives a fuller picture of the Congress of the United States. We have in this measure \$175 million for breast cancer. I am certain most people realize that the women in the military, like women outside the service, may have to face this tragedy with breast cancer.

Though we are not directly responsible for the Coast Guard, as the chairman pointed out, we have \$300 million included in this measure to support the Coast Guard. Mr. President, the Coast Guard is one of the great institutions and services that we do not hear enough about. They are out there 24 hours a day, saving lives. They are out there monitoring the seas in our behalf. But importantly, in times of war and peace, they carry out military missions. They carried out great missions in the gulf war, though you very seldom hear about them. We also have, Mr. President, in this measure, a sum of \$48 million to maintain a program that our National Guard has been carrying on for troubled young people. It has been one of the most successful programs we have had in dealing with troubled teenagers.

We also have added nearly \$40 million above the budget request for drug interdiction. We are in the business of using DOD assets for fighting drugs. We have \$1.3 billion to restore the environment. The Department of Defense is a responsible citizen, a responsible neighbor. Let it not be forgotten, they, like all of us, are concerned about the environment.

So, Mr. President, may I once again advise my colleagues that this is a good bill. It is a tough bill, but it is a fair bill. The Defense Appropriations Subcommittee faced several challenges in fashioning this bill, including reducing funding by \$1.2 billion below the amounts authorized. We wanted to spend the whole amount authorized, but the committee felt at this time in our history that expenditure was not necessary, and other defense-related needs were a higher priority. As a result, this is a tight bill. However, it satisfies the highest priority needs of the Defense Department while living within the constraints of the subcommittee's present allocation.

So, Mr. President, I urge all the Members of this Senate to support this measure. Once again, I thank my chairman, the great Senator from Alaska, for his generous words.

AMENDMENT NO. 837

(Purpose: To provide an additional \$60 million for "Former Soviet Threat Reduction" activities for fiscal year 1998)

Mr. STEVENS. Mr. President, I have an amendment that I send to the desk. The ACTING PRESIDENT pro tempore. The clerk will report.

The legislative clerk read as follows:

The Senator from Alaska [Mr. STEVENS] proposes an amendment numbered 837.

Mr. STEVENS. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The amendment is as follows:

On page 30, line 5, strike the number "\$2,431,741,000" and insert in lieu thereof "\$2,411,741,000";

On page 28, line number 9, strike the number "\$2,865,800,000" and insert in lieu thereof "\$2,832,800,000";

On page 20, line number 12, strike the number "\$322,200,000" and insert in lieu thereof "\$382,200,000".

Mr. STEVENS. Mr. President, this will restore \$60 million to the Former Soviet Union Threat Reduction Program. We call it the Nunn-Lugar Program. It will fully fund the program. We had reduced \$60 million in accordance with the Senate Armed Services Committee's original reduction. During debate on the floor last week of the Armed Services bill, this item was increased. Since it is the only one that was really a substantial increase, we seek to have this adopted.

We have no jurisdiction over Department of Energy funds, and we have used different offsets to restore this \$60 million, but we seek to have this amendment adopted because it is a major difference between the Armed Services bill and this bill represented by our committee.

Mr. INOUE. Mr. President, I am pleased to say this matter has the concurrence on the minority.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the amendment.

The amendment (No. 837) was agreed to.

Mr. STEVENS. I move to reconsider the vote.

Mr. INOUE. I move to lay it on the table.

The motion to lay on the table was agreed to.

Mr. STEVENS. Mr. President, I want to state to the Senate that while we have been told there are some possible amendments, I have not been informed of any Senator's intent, for sure, to offer an amendment. I do want to tell the Senate I intend to move to go to third reading if there are not amendments brought to us and offered for debate.

We have a very long program for appropriations this week and we hope to finish three, maybe four, maybe even five of the bills this week. If this bill is not going to be the subject of amendments today, we should know that soon. We are obligated to go to debate

on the cloture motion at 6 o'clock, but we could, if the Senators would bring their amendments over here prior to that time, finish the debate on significant amendments and vote on them after the consideration of the cloture motion or as soon as the vote on cloture is over, and enable us to move to another appropriation tomorrow.

It is our hope that Senators will present their amendments now. It is hard to get people to listen, but I hope they will listen because I am going to move to go to third reading if we do not have substantive amendments presented here before that time comes.

Mr. INOUE. If I may, Mr. President, I wish to most vigorously associate myself with the remarks of my chairman. He means what he says. If my colleagues do not have amendments ready, we are ready to go to third reading. This is an important measure and therefore it should not be held up. I hope our colleagues will respond to our chairman's request that amendments be brought up.

Mr. STEVENS. Mr. President, the two of us wish to emphasize to the Senate that this bill came out of our committee by unanimous vote. It has been a long time since that happened. But we have personally reviewed the requests from every Member of the Senate presented to our committee and we have done our best to allocate the monies that were available. Not all of those requests were satisfied, I am sad to state. But under the circumstances, I do not expect substantial disagreement with this bill. But if there is any disagreement, we would like to know it now because we do intend to move forward to other bills, if we can. The energy and water bill is ready to come before the Senate as soon as this one is over.

Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

#### ORDER FOR RECESS

Mr. STEVENS. Madam President, I understand the distinguished Senator from West Virginia will have a statement to make. Following that statement I ask unanimous consent that the Senate stand in recess until 2 p.m.

The PRESIDING OFFICER (Ms. COLLINS). Without objection, it is so ordered.

The Senator from West Virginia is recognized.

#### JOE CAMEL'S DEMISE

Mr. BYRD. Madam President, on Friday, July 11, I read of the retirement of

the giant advertising mogul, the macho, motorcycle-riding, man-beast, popularly known as Joe Camel.

Apparently old Joe is throwing in the towel and forever taking off his black, wrap-around shades to pack his hump and slip quietly off to the anthropomorphic rest home for flashy marketing tools. It is rumored that his bunk mates will be that patch-wearing, black-and-white spotted seller of Budweiser, Spuds McKenzie and Alex, the Golden Retriever who finally wore himself out retrieving bottles of Strohs beer from the refrigerator for his ever-demanding master.

I, for one, will not lament Joe's departure from the American advertising scene. Maybe R.J. Reynolds' decision to retire him from the murky business of luring impressionable young people to "light up" will influence other corporate giants like Budweiser to "kick the habit" and ask their famous monosyllable frogs to croak their last croak. Budweiser might even finally be moved to blow the whistle on the "Bud Bowl."

Our kids are faced with enough temptations through peer pressure, and because of the influence of a fast-paced, morally anemic society without the influence of cute and clever cartoon seducers such as Joe the Camel; the Budweiser frogs; football-helmeted, dancing beer bottles; or pomp and circumstance parading dogs, holding bourbon bottles instead of diplomas in their mouths.

All of these Madison Avenue devices, designed to project harmless or hip images to young impressionable minds, only serve to reenforce the lure of a sterile, pleasure-seeking existence which suggests no goals, but a good time on Saturday night.

I, for one, am delighted with the news of Joe Camel's departure and heartened by the fact that at least some in our attention-fractured, apathetic society have been outraged by the not-so-subliminal attempts to use children to fill up corporate coffers. There is a lesson here for those whose allegiance to profits outweighs any sense of moral obligation. It is, to paraphrase a famous quote, that those who ride the back of the tiger, or the camel for that matter, might just end up inside.

Madam President, I yield the floor.

#### RECESS

Mr. INOUE. Madam President, I ask that the Senate stand in recess until 2 o'clock.

The PRESIDING OFFICER. Under the previous order, the Senate will stand in recess until 2 p.m. today.

Thereupon, the Senate, at 12:59 p.m., recessed until 2:03 p.m.; whereupon, the Senate reassembled when called to order by the Presiding Officer [Mrs. HUTCHISON].

#### DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 1998

The Senate continued with the consideration of the bill.