

I supported Senator LEVIN's amendment which would allow vocational education training to count toward meeting the work requirement under the welfare reform law. The current welfare law limits the amount of time an individual can be on vocational education to 12 months. This amendment will increase that limit to 24 months. I believe this change will allow individuals the time necessary to engage in training programs to provide real work opportunities once they leave the welfare system.

I opposed an amendment offered by Senator SPECTER which would have provided \$1.5 billion over 5 years to pay the Medicare premium for low-income seniors. I voted against this amendment because the budget reconciliation package provides \$1.5 billion in new funds to assist Medicare beneficiaries between 120 and 150 percent of the poverty line with their Medicare premium. I believe the legislation already addresses this important need.

Finally, I voted in favor of waiving the Budget Act to include the Medicare Choice program as part of the budget reconciliation bill. I believe that this is one of the most important provisions of the Medicare bill. Our legislation will allow seniors a wide array of choices in care. Seniors will be able to choose from a variety of insurance plans including medical savings accounts [MSA] and private fee-for-service plans. It is critical to keep these provisions in the legislation to allow seniors a real choice in care and to protect seniors from rationing services in the future.●

#### REAUTHORIZING AMTRAK APPROPRIATIONS

● Mr. HOLLINGS. Mr. President, I support S. 961, the administration's bill to reauthorize appropriations for the National Rail Passenger Corporation, better known as Amtrak. Amtrak is a necessary part of a national transportation system. It has demonstrated its popularity with the traveling public and, more importantly, its ability to provide safe, efficient transportation at reasonable prices.

My South Carolina constituents have made it quite clear that they want Amtrak to prosper, and wish it expanded, not terminated or forced to operate under unreasonable restrictions or reduced to the status of a regional railroad. The citizens of South Carolina and the Nation demand a first class rail passenger transportation service. This is Amtrak's mission, and its promise.

S. 961 puts Amtrak on the path to fulfilling that promise. The bill concentrates on what is important, the operational and financial viability of Amtrak, and is not diverted from its goal by including provisions that are divisive and will not save Amtrak significant money or allow it to maximize its revenues.

Specifically, S. 961 does not include a provision which would impose so-called

caps on the punitive damages available to passengers involved in accidents while aboard Amtrak trains. Other bills which purport to aid Amtrak would cap punitive damages to twice compensatory damages or \$250,000, whichever is greater. While I understand the necessity of any business to reduce costs, placing liability caps against passengers will not significantly improve Amtrak's bottom line. The General Accounting Office's (GAO) highest estimate of savings from such caps is less than one percent of Amtrak's capital funding needs.

Moreover, the provision ignores the value of punitive damages to the public. With punitive damages a possibility, Amtrak has the incentive to properly train its personnel, invest in safe equipment, and reward safe operations. Finally, such a provision is unnecessary. Punitive damages have never been awarded against Amtrak.

S. 961 puts the emphasis where it should be, on authorizing appropriations of \$5 billion for Amtrak over the next six years. It is this money that is needed to fund Amtrak operations, equipment purchases, much needed capital improvements, and expanded services, not the small amount any liability cap will provide the rail carrier. We would all like to avoid paying Government subsidies for this service, but we cannot ignore that the provision of transportation infrastructure is a necessary function of Government, whether involving highways, bridges, airports, mass transit, or rail. It should be noted that a 1994 study of central government subsidies of rail transportation showed that U.S. subsidy levels are 35th in the world, well below those of Europe.

S. 961 also avoids the unnecessary controversy brought about by an effort to provide indemnification for freight railroads over whose tracks Amtrak largely operates. Some argue that freight railroads need protection from accidents between their trains and Amtrak trains. Whatever the merits of indemnifying particular freight railroads in particular cases, what has been proposed in several bills is the complete indemnification of any freight railroad for any accident, regardless of cause or fault. In other words, if a freight railroad employee acts intentionally or with gross negligence and causes an accident, Amtrak would pay for that accident, most likely with tax dollars paid by the American people. The American people would be forced to pay for the mistakes of a multi-million dollar private corporation. This is indefensible.

In 1987, a Conrail engineer, after smoking marijuana, drinking beer, and disabling safety equipment, ran his Conrail locomotives into the rear of an Amtrak train near Chase, MD. The disaster cost 16 lives and 175 injuries. In the resulting litigation, a court found the conduct of the engineer to involve gross negligence. The accident cost \$130 million. If the full indemnification pro-

vision had been in effect at that time, Amtrak, which was completely blameless, would have been required to pay all of the damages associated with that accident. Amtrak would have had to pay the cost of an accident beyond its control and that it was powerless to prevent. There is no more potent example of the unfairness of such a provision.

One other unacceptable provision that was wisely omitted from S. 961 is a so-called sunset trigger provision. Unfortunately, such a provision is contained in S. 738, the Amtrak bill recently ordered reported by the Commerce Committee. The provision establishes a new Amtrak Reform Council [ARC] to investigate Amtrak's financial condition, make a determination of Amtrak's ability to meet its financial goals, and present a report on Amtrak's condition to the Congress. If the ARC determination is negative, Amtrak is required to prepare a liquidation plan and the ARC is required to prepare a plan for restructuring Amtrak. Both plans are sent to Congress and if, within 90 days, the Congress does not enact the restructuring plan, the liquidation plan must be implemented. Thus, to kill Amtrak, any action to save it need only be delayed by its congressional opponents for 3 months.

Under this provision, Amtrak could be liquidated without either House of Congress taking any responsibility by voting for or against the liquidation plan. There would not have to be any debate in Congress on Amtrak or the liquidation plan. No questions of Amtrak's worth or importance and no indication of the consequences of eliminating Amtrak would have to be addressed. A transportation program of vital importance to millions of Americans would be eliminated without another word. This is nothing more than Congress evading its responsibilities and should not be allowed.

S. 961 is the right approach. We should insist that Amtrak run its operations in a business-like, efficient manner. And we should conduct vigorous oversight. However, we should not complicate its authorization legislation with extraneous provisions, and any decision to discontinue passenger rail service in this country must be made in full view and with complete information on the economic and social costs of doing so.●

#### CHEMICAL AND BIOLOGICAL DEFENSE RESEARCH

● Ms. SNOWE. Mr. President, on Monday, July 14, 1997, I offered an amendment to the fiscal year 1998 Department of Defense appropriations bill which specifically appropriated funds for a program of basic research in the area of chemical and biological defenses. I want to thank the distinguished chairman of the Defense Appropriations Subcommittee, Senator STEVENS, and the ranking minority

member, Senator INOUE, for accepting this very important amendment.

This chemical and biological sensor research program was specifically authorized in the Defense authorization bill which was overwhelmingly passed by the Senate last week. The Senate Armed Services Committee recommended, and the Senate approved, an increase of \$2 million in research and development funding for a joint service program to develop a prototype hybrid integrated sensor array for chemical and biological point detection.

The Senate Armed Services Committee's intent was to accelerate the development of small sensors which would detect, in real time, the presence of chemical or biological agents. These sensors would be based on metal oxide and biochemical film technologies. In its report, the Senate Armed Services Committee emphasized its support for this program and for expanding the knowledge in military relevant fields of chemical and biological research. Our soldiers in the field need this technology to protect them from the possible threat presented by chemical and biological agents.

Mr. President, I have reviewed the fiscal year 1998 Department of Defense appropriations bill which we are considering here in the Senate, and it is unclear as to whether the funding for this program, which was included in the Defense authorization bill, has sufficient appropriations. My intent, with this amendment, is to make clear that this bill appropriates funds for this very important program.

Mr. President, the threat from chemical and biological weapons that faces our Nation's troops is very real and very dangerous. During the Persian Gulf war, we witnessed just how dangerous the threat of chemical and biological weapons was during that crisis and how this threat continues today.

We must also consider the fact that chemical and biological weapons may also be a potential weapon of choice for use by terrorists. Continued research and development in the area of sensor development must continue in this field to counter these very real threats.

There is an urgent need to have effective chemical and biological weapon sensors that can detect the presence of these weapons in real-time or near-real-time. The Department of Defense needs to rapidly develop these kinds of sensors, and that is the intent of this amendment.

This amendment does not seek to go beyond the authorized funding amount. It seeks merely to insure that the program which the Senate has voted to authorize is fully funded in this bill. I thank my colleagues for their support of this amendment.●

#### EXECUTIVE BRANCH POLITICAL APPOINTEES

● Mr. FEINGOLD. Mr. President, as many in this body know, I have been

concerned that while the total number of Federal employees has been reduced in recent years, the same cannot be said of executive branch political appointees.

Indeed, between 1980 and 1992 the number of political appointees grew 17 percent, three times as fast as the total number of executive branch employees.

Mr. President, let me emphasize that political appointees play a vital role in implementing those very policies for which an administration is elected in the first place. Political appointees often also bring backgrounds rich in experience as well as a fresh perspective that can strengthen our Government.

But as many distinguished observers have noted, too many political appointees may actually interfere with the efficient and effective implementation of administration policies. Author Paul Light has documented this problem in his book "Thickening Government: Federal Government and the Diffusion of Accountability."

Various public commissions and Government watchdog groups have also voiced concerns from the 1989 National Commission on Public Service, chaired by Paul Volcker, to the Congressional Budget Office, and most recently the Twentieth Century Fund Task Force on the Presidential Appointment Process, chaired by two former Members of this body, former Senators John Culver and Charles Mathias.

Mr. President, I have introduced legislation to cap the number of political appointees at 2,000, a level which represents a reduction of about 30 percent from current levels. That proposal is identical to the recommendation of both the Volcker Commission and the Twentieth Century Fund Task Force, and also mirrors a proposal by the Congressional Budget Office which is included in their publication of spending and revenue options to reduce the deficit. My bill would save taxpayers over \$330 million during the next 5 years. Just as important, bringing the number of political appointees to a more manageable level will enhance flexibility and increase the ability of the President to implement administration policies.

Mr. President, this administration has a commendable record in bringing the overall growth of the Federal employees under control, and, in fact, beginning to reduce the number by several hundred thousand.

And recently, I was encouraged to see that work also began with respect to political appointees in the Commerce Department, an agency where the growing number of appointees has been a particular concern.

Mr. President, while I believe we have a long way to go in this area, there has been some progress made by the administration and I will not offer my legislation as an amendment to this particular bill as I have in the past.

I firmly believe further work is needed in this area, however, and I will be

following the progress made by the administration in reducing the number of political appointees with great interest.●

#### IN REMEMBRANCE OF THE VICTIMS OF FLIGHT 800

● Mr. SANTORUM. Mr. President, I rise in remembrance of the 228 victims of the TWA airline crash off the Long Island coast which occurred just 1 year ago today. In that accident, the community of Montoursville, PA, lost 16 of its young citizens—students from the local high school who were traveling abroad as members of the school's french club—and 5 adult chaperones.

While its cause remains unknown, I believe it is critical that our remembrance of the accident not be defined by this uncertainty, difficult as it is for those who mourn the death of family and friends. Because we do know, with certainty, what we lost: sons, daughters, classmates, as well as mothers, fathers, and neighbors. We know of their contributions to their communities, schools, and professions. We know, especially in the cases of the youngest victims, of their promise and of their vitality. We know of their importance in the lives of their families. It is with this sure knowledge of who the victims were and of what they did in their lives that we should remember them.

The loss of the young Pennsylvania students—and all the members of that flight—to unexplained tragedy is terrible to bear. I know that the Montoursville students were the pride of their community. Responsible and accomplished students, cherished sons and daughters, they undertook the much-anticipated trip to France with gratitude, excitement and hope. By remembering them in this way perhaps we will always somehow know their presence in our lives.●

#### ONE YEAR AGO TODAY—TWA FLIGHT 800

● Mr. HOLLINGS. Mr. President, one year ago today, I spent the morning in a hearing on aviation safety arguing with the head of the Federal Aviation Administration that we needed higher safety standards and better safety inspections. We finished with the hearing at about the same time 230 people began to prepare for a flight to Paris.

As with most flights, I am sure that some people were a little nervous, while others were delighted to be on board and away from the heat and congestion in New York. Shortly after 8:30 p.m., the lives of the 230 people and their families changed forever.

Terrorism was the first focus of the National Transportation Safety Board, FBI, and others. It was, and remains, incredible that a perfectly able aircraft, with an experienced crew, would just explode. Yet it happened.

To the family of Matt Alexander, July 17 will always remain a tragic