

and not invite confrontation by consideration or passage of legislation that could ultimately disable the implementation of American support for Mexico.

In closing, let me assure you that the Treasury has been complying with all Congressional requests for documents. I am using my full authority to ensure that the Treasury continues to supply timely, appropriate information to the Congress. I look forward to continuing my work with you and your colleagues in our shared commitment to support Mexico's recovery and thus to protect American jobs and interests.

Sincerely,

ROBERT E. RUBIN,  
*Secretary.*

Mr. DODD. Mr. President, last, I want to address an issue I heard raised repeatedly all afternoon. It has to do with the so-called corruption in Mexico.

President Zedillo and his administration, but for the fact that they have conducted significant investigations, we would not know what we know already. I think it is unfair to this new

administration which was saddled with a lot of problems not of their own choosing that is making very difficult decisions, asking his constituency to make very difficult decisions in order to get out of this crisis and, in fact, have pointed to a lot of the problems that existed in the past is an overstatement, to put it mildly.

Second, again, there have been a lot of criticisms raised about President Salinas. I got to know President Salinas fairly well during his tenure in office. Obviously, the jury is still out on some other matters unrelated to him personally, but I want to say that had he not taken the steps beginning 5 or 6 years ago to inject strong market economy principles and to deal with those issues, we would not be in the position at least of offering real opportunity for Mexico in these coming years. And so while it has become popular to indict President Salinas in many quarters, I happen to feel he did a great deal of good. I also believe that his successor

is doing even better in many ways. I would like to see us give him that opportunity to succeed.

What we are doing here is in our interest. It makes sense to be supportive of it. It is not just a largess. These programs, through the economic exchange stabilization fund, have been very successful. In years past, Mr. President, I will submit for the RECORD a series of countries to whom we have provided assistance under the ESF Program. Six times Mexico has been the recipient of ESF funds. On all occasions they have paid the money back. There have been suggestions on the floor today that we are never going to get the money back. In almost every instance, the money has been returned as a result of this program.

I ask unanimous consent that this list be printed in the RECORD.

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

TABLE 1.—EXCHANGE STABILIZATION FUND FINANCING AGREEMENTS, 1980 TO JUNE 1994

Country	Year	Amount agreed (dollars in mil- lions)	Drew		Repaid in full by
			Amount (dollars in millions)	Date(s)	
Mexico	1982	1,000.0	825.0	8-14-82	8-24-82
Do	1982	600.0	600.0	9-82-2-83	8-23-83
Do	1986	273.0	273.0	8-86-12-86	2-13-87
Do	1988	300.0	300.0	8-1-88	9-15-88
Do	1989	425.0	384.1	9-25-89	2-15-90
Do	1990	600.0	600.0	3-28-90	7-90
Brazil	1982	500.0	500.0	10-82-11-82	12-28-82
Do	1982	280.0	280.0	11-82	2-1-83
Do	1982	450.0	450.0	11-82	3-3-83
Do	1982	250.0	250.0	12-82	1-83
Do	1983	200.0	200.0	2-28-83	3-11-83
Do	1983	200.0	200.0	3-3-83	3-11-83
Do	1988	250.0	232.5	7-29-88	8-26-88
Argentina	1984	300.0	0.0		
Do	1984	500.0	500.0	12-28-84	1-15-85
Do	1985	150.0	143.0	6-85	9-30-85
Do	1987	225.0	225.0	3-9-87	7-15-87
Do	1987	200.0	190.0	11-12-87	12-30-87
Do	1988	550.0	550.0	2-88-3-88	5-31-88
Do	1988	265.0	79.5	11-22-88	2-28-89
Jamaica	1984	50.0	10.0	12-29-84	3-2-85
Philippines	1984	45.0	45.0	11-7-84	12-28-84
Ecuador	1986	150.0	75.0	5-16-86	8-14-86
Do	1987	31.0	31.0	12-4-87	1-26-88
Nigeria	1986	37.0	22.2	10-31-86	12-10-86
Yugoslavia	1988	50.0	50.0	6-15-88	9-30-88
Do	1989	450.0	450.0	3-15-89	4-3-89
Do	1990	104.0	25.0	3-30-90	4-30-90
Bolivia	1986	100.0	0.0		
Do	1989	100.0	100.0	7-89	9-15-89
Do	1989	100.0	75.0	9-22-89	12-29-89
Do	1989	75.0	75.0	12-29-89	1-2-90
Poland	1989	200.0	86.0	12-28-89	2-9-90
Guyana	1990	31.8	31.8	6-20-90	9-90
Honduras	1990	82.3	82.3	6-28-90	11-20-90
Hungary	1990	20.0	20.0	6-90-7-90	9-5-90
Costa Rica	1990	27.5	27.5	5-21-90	5-21-90
Romania	1991	40.0	40.0	3-7-91	3-21-91
Panama	1992	143.0	143.0	1-31-92	3-92
Peru	1993	470.0	470.0	3-18-93	3-18-93

Mr. DODD. I know my colleague from Oregon would like to engage in a unanimous-consent request to consider another amendment. I am prepared to yield for that purpose.

Mr. HATFIELD. Rather than to ask for just a half-hour, I would like to expand that to an hour to take care of two amendments, one on the Democratic side and one on the Republican side, Mr. Kyl's amendment, each for a half-hour equally divided.

Mr. DODD. I am happy to accommodate. If there are going to be recorded votes, can they be done en bloc?

Mr. HATFIELD. It will be two one-half hours making 1 hour.

Mr. DODD. I am told that my colleague from California would like to be included for a half-hour on an amendment. So that would make it an hour and a half. Can we provide that at the conclusion of the consideration of the amendment offered by the Senator from California that we would vote on all three amendments, so our colleagues might have a window, if that is appropriate?

Mr. HATFIELD. I know the Senator from California has a number of them. What amendment would this be?

Mrs. BOXER. The Senator from California only has one amendment—the transfer amendment. That is the only

amendment I have. I am happy to agree to 30 minutes equally divided.

#### UNANIMOUS-CONSENT AGREEMENT

Mr. HATFIELD. I thank the Senator.

Mr. President, I ask unanimous consent that three amendments in succession, one from the Senator from Nebraska [Mr. KERREY], one from the Senator from Arizona [Mr. KYL], one from the Senator from California [Mrs. BOXER], each of these amendments—by the way, let me mention that the one for Mr. KERREY is on the subject of Federal courthouses that are included

in the appropriations bill; Mr. KYL's relates to the low-income energy assistance; the one for Senator BOXER is a transfer of funds from military to school education programs. I ask that there be a half-hour for each amendment, equally divided in the usual form, and that no second-degree amendments be in order prior to a motion to table, if a motion to table is made.

Mr. DODD. Reserving the right to object. I am informed that we cannot have a unanimous-consent agreement on the time for the low-income energy assistance amendment of the Senator from Arizona. There is objection to that half-hour time agreement.

Mr. HATFIELD. An hour?

Mr. DODD. I am not prepared to say.

Mr. HATFIELD. I amend the request to delete the request on behalf of the Senator from Arizona.

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

Mr. DODD. Will my colleague yield?

Mr. HATFIELD. Yes.

Mr. DODD. Mr. President, at the conclusion of the two other amendments offered by the Senator from Nebraska and the Senator from California, may we vote on both of those at the expiration of the hour, after both have been debated?

Mr. HATFIELD. That is satisfactory.

Mr. DODD. Will the Senator propound that request?

Mr. HATFIELD. I ask unanimous consent that at the end of the hour for the two amendments, the votes take place.

Mrs. BOXER. Reserving the right to object, I want to move along. Maybe a vote is not necessary on this Senator's amendment.

Mr. HATFIELD. If votes are required, I ask unanimous consent that they be stacked at the end of the hour.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. HATFIELD. I ask unanimous consent that the D'AMATO amendment be temporarily set aside.

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

AMENDMENT NO. 435 TO AMENDMENT NO. 420

(Purpose: Rescinding certain funds for GSA Federal buildings and courthouses)

Mr. KERREY. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Nebraska [Mr. KERREY], for himself and Mr. COHEN, proposes an amendment numbered 435 to amendment No. 420.

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

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

The amendment is as follows:

Beginning on page 51 of the bill, line 12, strike everything through page 54, line 6, and insert in lieu thereof, the following:

GENERAL SERVICES ADMINISTRATION  
FEDERAL BUILDINGS FUND  
LIMITATIONS ON THE AVAILABILITY OF REVENUE  
(RESCISSION)

Of the funds made available under this heading in Public Laws 101-136, 101-509, 102-27, 102-141, 103-123, 102-393, 103-329, \$565,580,000 are rescinded from the following projects in the following amounts:

- Arizona:
  - Lukeville, Border Station, commercial lot expansion, \$1,219,000
  - Phoenix, Federal building and U.S. Courthouse, \$121,890,000
  - San Luis, Border Station, primary lane expansion and administrative office space, \$3,496,000
  - Sierra Vista, Arizona, U.S. Magistrates office, \$1,000,000
  - Tucson, Federal building-U.S. Courthouse, \$70,000,000
- California:
  - Menlo Park, United States Geological Survey, office laboratory buildings, \$980,000
  - San Francisco, California, U.S. Court of Appeals annex, \$9,003,000
- District of Columbia:
  - Army Corps of Engineers, headquarters, \$25,000,000
  - Central and West heating plants, \$5,000,000
  - General Service Administration, Southeast Federal Center, headquarters, \$25,000,000
  - Southeast Federal Center, infrastructure, \$58,000,000
  - U.S. Secret Service, headquarters, \$18,910,000
- Georgia:
  - Atlanta, Centers for Disease Control, site acquisition and improvement \$25,890,000
  - Atlanta, Centers for Disease Control, \$14,110,000
- Florida:
  - Tampa, U.S. Courthouse, \$5,994,000
- Illinois:
  - Chicago, Federal Center, \$7,000,000
- Indiana:
  - Hammond, U.S. Courthouse, \$52,272,000
- Maryland:
  - Avondale, DeLaSalle building, \$16,671,000
- Massachusetts:
  - Boston, U.S. Courthouse, \$4,076,000
- Nebraska:
  - Omaha, U.S. Courthouse, \$5,000,000
- Nevada:
  - Reno, Federal building-U.S. Courthouse, \$1,465,000
- New Hampshire:
  - Concord, Federal building-U.S. Courthouse, \$3,519,000
- New Mexico:
  - Santa Teresa, Border station, \$4,004,000
- New York:
  - Holtsville, New York, IRS Center, \$19,183,000
- North Dakota:
  - Fargo, U.S. Courthouse, \$1,371,000
- Ohio:
  - Youngstown, Federal building and U.S. Courthouse, site acquisition and design, \$4,574,000
- Steubenville, U.S. Courthouse, \$2,280,000
- Oregon:
  - Portland, U.S. Courthouse, \$5,000,000
- Pennsylvania:
  - Philadelphia, Veterans Administration, \$1,276,000
- Rhode Island:
  - Providence, Kennedy Plaza Federal Courthouse, \$7,740,000
- Tennessee:
  - Greenville, U.S. Courthouse, \$2,936,000
- Texas:
  - Corpus Christi, U.S. Courthouse, \$6,446,000
  - Ysleta, site acquisition and construction, \$1,727,000
- U.S. Virgin Islands:
  - St. Thomas, Charlotte Amalie, U.S. Courthouse Annex, \$2,184,000

Washington:

- Seattle, U.S. Courthouse, \$3,764,000
- Nationwide chlorofluorocarbons program, \$12,300,000
- Nationwide energy program, \$15,300,000"

Mr. KERREY. Mr. President, this is a very straightforward amendment. I offered it in the full committee. It has been altered somewhat to add additional items. For my colleagues, what I am doing with this amendment is to rescind an additional \$324.579 million from the courthouse projects.

Mr. President, I offered this amendment on behalf of myself and the Senator from Maine [Mr. COHEN], who has also been very actively involved for the past several years in trying to get the GSA to do some reviews of the courthouses that have been both authorized and appropriated.

The GSA did what they call a "time-out" review and came back with \$1.3 billion worth of savings. We have taken some but not all. To be clear, the distinguished chairman of our subcommittee, the Senator from Alabama, Senator SHELBY, points out quite accurately that we use the GSA's recommendations as a guideline. These are not hard and fast recommendations. These are not things that we always watch. Indeed, we have some things on our list in the rescission package that were not recommended by GSA already.

Nonetheless, my colleagues who are considering this amendment really should ask themselves one question, and that is: What happens if this amendment passes? Will there be damage done to the Nation? Will there be children that get less food? Is day care involved? Is education involved? Is national defense involved? I mean, the argument really has to center on what happens if this amendment passes.

Well, Mr. President, I am going to respectfully say that what happens is a number of projects are not going to be built. The list that I have includes a Phoenix, AZ, courthouse, \$128.890 million; Tucson, AZ, \$70 million; Southeast Federal Center in the District of Columbia, \$58 million; an additional \$26.272 million in Hammond, IN; in Holtsville, NY, an IRS Service Center for \$19.183 million; in Corpus Christi, TX, \$6.446 million; in Santa Teresa, NM, a border station, \$4.004 million; Seattle, WA, \$3.764 million; and in the spirit of fairness, \$5 million from an Omaha, NE, courthouse; a Secret Service headquarters in DC, for \$10 million. The total, Mr. President, is \$324.579 million.

Again, the simple question really has to be: What happens if this amendment passes? What happens is that these projects are not going to be built, or they will be scaled back.

Mr. President, I hardly think those of us who are trying to find ways to cut spending, those of us who recognize

that we have to take tough action to get deficit reduction done, to get to a balanced budget, are explaining to various interest groups, educators, health care people, interest groups that come constantly into our offices saying, "Why, why, why,"

It seems to me that this is a relatively easy step for us to take and a relatively painless step, I must say, Mr. President. There will be no interest groups that will object. There will be no people that will say, gee, this is going to hurt us in some measurable or appreciable fashion. These are merely projects, Mr. President. I appreciate that they do have value. I am not arguing that they are without value. I merely argue that in this time when we are trying, in an unprecedented fashion, to achieve a bipartisan consensus to reduce this Nation's deficit to zero, this kind of action, this little list of additional cuts, is not only appropriate but quite reasonable.

Mr. SHELBY. Mr. President, the House rescinded \$136,593,000 from buildings for which funds have been appropriated in the fund.

A number of projects they included were inserted by the Senate, most, but not all have been authorized by the Senate Environment and Public Works Committee, but not the House Public Works Committee.

The committee chose to rescind \$241,011,000 from new construction and repair and alterations projects.

Some of the projects the committee included have not been authorized by the Senate.

Some are included because GSA has indicated savings as a result of last year's time out and review.

Some have been canceled or delayed. We did not take all of the funds in some cases, nor did we take all of the projects GSA indicated where savings might be attained as a result of time out and review.

We attempted to take Members concerns into account in making our decision.

Our total cuts are significantly over the House and there will plenty of room to negotiate in conference.

We might not agree, but this is a significant adjustment.

I say to the Senate do not make it a political bidding war regarding projects.

I have tried to be fair in this process as the Senator from Nebraska is aware. Should we follow the Senator from Nebraska and his process, in all fairness, should we not put all projects on the table. I have a list here which includes all of the new construction projects, repair and alteration projects, as well as, the time out and review savings the GSA has indicated can be saved.

The project list is inclusive of projects where no construction has begun.

I hope we will not get into this on the Senate floor.

I believe a majority of my colleagues agrees with me as they did in the appropriations committee, so at the appropriate time I will move to table the Kerrey amendment.

Mr. BAUCUS. Mr. President, I want to thank the Senator from Nebraska for offering this amendment. I also ask unanimous consent that I be added as a cosponsor.

The amendment before us will make additional rescissions to a number of projects proposed to be funded from GSA's Federal buildings fund. These rescissions represent projects that have not gone through the GSA review process, are congressional Member requests, or represent savings identified through the GSA timeout and review process.

Many of these projects are courthouse construction projects. And to be truthful, the savings identified in this amendment are probably only the tip of the iceberg. In fact, last year, when I chaired the Environment and Public Works Committee, we made substantial reductions in the authorizations of GSA projects. We cut \$137 million from these projects. Unfortunately, there are some people who believe that this money is still available. I disagree with that view. But to make certain that the money cannot be spent we need this amendment. The Kerrey amendment will formally rescind that money.

Mr. President, we have to get a handle on the courthouse construction program. I have talked to Federal judges in Montana about the need for restraint in building new courthouses. They agree that things have gotten out of control. The current process is a failure. There is far too much waste in this program. There is no prioritization of courthouse projects. In fact, the courts refuse to prioritize their projects. So we must prioritize. We must make the tough decisions. The amendment from the Senator from Nebraska makes such decisions.

I would also note that the bill before us makes drastic cuts in important programs, such as child nutrition and education. So it makes sense that we also look at the federal courthouse construction program. We need to target projects that are unnecessary or lavish, or can be delayed. This amendment will do just that and I urge my colleagues to support it.

Mr. KERREY. Mr. President, the distinguished Senator from Alabama quite correctly said that he has tried to be fair. He has been fair. We are with our subcommittee offering cuts in excess of what the House of Representatives had in their piece of legislation.

Again, for those Members who try to figure out how to vote on this amendment, the question really still fails to answer what happens if this amendment passes. All that happens, Mr. President, is some projects that are proposed to be built will not be built, or they will be scaled back.

I have had—as I am sure all have had to do—to justify spending in a variety of ways. One of the tests that I used with various groups and individuals who come forward and ask me to support one expenditure or another, is to try to calculate what a median family income pays in the way of tax.

In my State, a median family income is about \$35,000 a year. They have to work about 3 months to pay the Federal income taxes of roughly \$7,500. That means that 43,740 Nebraska families have to work 3 months to generate the money I am requesting to take out.

I do not offer that observation in some sort of grand fashion. I merely say this is a lot of money. I do not believe the Nation is going to suffer.

Indeed, I say the Nation will not suffer at all with this additional rescission. I hope that my colleagues, rather than being concerned about whether or not a project in their home State is going to be cut, I hope that they will, in fact, vote based upon the observation that this Nation can afford to lay these projects aside.

Mr. President, I am prepared to yield back the balance of my time.

Mr. SHELBY. I will agree to yielding back my time. I believe we will vote later on this.

The PRESIDING OFFICER (Mr. KYL). All time is yielded back.

Mr. KERREY. Mr. President, I request the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 436 TO AMENDMENT NO. 420

(Purpose: To delete the rescission of the funds appropriated for the Department of Education for the Technology For Education of All Students Program in the amount of \$5,000,000 and for the Star Schools Program in the amount of \$5,000,000; and to rescind \$11,000,000 of the funds available under the Department of Defense Appropriations Act, 1995, for acquisition of two executive aircraft)

Mrs. BOXER. Mr. President, I have an amendment at the desk and I ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from California [Mrs. BOXER], proposes an amendment numbered 436 to amendment No. 420.

Mrs. BOXER. Mr. President, I ask unanimous consent further reading be dispensed with.

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

The amendment is as follows:

On page 35, beginning on line 21, strike out "\$15,200,000" and all that follows through "title III-B, \$5,000,000, and", and inserting in lieu thereof "\$5,200,000 are rescinded as follows: from the Elementary and Secondary Education Act of 1965,"

On page 68, between lines 6 and 7, insert the following:

## CHAPTER XII

DEPARTMENT OF DEFENSE—MILITARY  
PROCUREMENTAIRCRAFT PROCUREMENT, ARMY  
(RESCISSION)

Of the funds available under this heading in title III of Public Law 103-335, \$11,000,000 are rescinded.

Mrs. BOXER. Mr. President, if I were to give you \$11 million to spend in a way to benefit the public interest, I think that you would give it a lot of thought, and I would hope one of the areas that would be considered would be education.

Particularly if I said the choice is between spending that money to put computers in the classrooms across the country, to give 5,000 students high-technology education, I think everyone would be interested, particularly if I said the only sacrifice that would have to be made is not to spend \$11 million for executive airplanes designed primarily to transport high-ranking military officials from place to place. Aircraft that the military never even asked for.

That is the transfer amendment that I have. We are talking about pork versus pupils here.

I think that most people who had that choice would come down on the side of the children. That is the choice I have given to my colleagues. I hope that this amendment will be accepted and that we will not have a fight over it because I really think for anyone who listens to these arguments, it is clear that these airplanes are not needed and are not warranted. This money can be put to much better use.

I also want to point out this chart that I have that shows where we are. It shows that the rescission bills considered by the Senate have slashed domestic spending, and only nicked military spending.

We see here that, of the discretionary budget, military makes up 49 percent; international, or foreign aid, 4 percent; and domestic spending, 47 percent.

And look at this chart, which shows what we have cut in these rescissions bills. We have slashed domestic spending; 84 percent of all the rescissions have come from domestic spending. The military took a hit of 14 percent. And international took 2 percent.

My amendment is not going to cure all of that. It is just a small, little, symbolic amendment, but I think it is very, very important.

What my amendment does is restore the rescissions from the Star Schools Program and the Education Technology Program—\$5 million each. Again, it would cut out those two aircraft—not requested by the military, I underscore—but approved by the Congress as an unrequested add-on last year.

I think it is important to note that if you go around to the schools in your States you will find in many of the classrooms a reliance on chalk and the blackboard. Of course we will always have that. But we need to see more

computers in those classrooms. We need to get those young people ready for the 21st century.

The ratio of students to computers in the classroom is about 13 to 1. Almost two-thirds of the Nation's public schools do not have access to the internet.

We here know. I am beginning to get a tremendous amount of information through the Internet. It is very exciting. I can have a dialog with my constituency. I

It seems to me that anyone would agree that technology is the way of the future. Our children deserve those computers in the classroom. We have a chance to restore that money today. Instead of propelling our schools into the 21st century, what we do in this rescissions bill is steer them off the information superhighway. My amendment would completely restore funding for these important programs, and it does it in a very painless way.

I am going to talk a little more about the success of these two programs, but before I do, I really want to talk about the aircraft in question which, again I repeat, were not requested for purchase by the Pentagon. What do the aircraft do? According to the House Appropriations Committee report the purpose of these aircraft is to "provide efficient transportation of key command and staff personnel."

I want to point out that in today's Washington Post, on the Federal page, is an article about what a mess the military transport situation is in. Thankfully, Senator COHEN is on top of the situation. We can save a lot of money in military transportation. We do not need to spend this money on these two aircraft. The Army can do without private planes for the top brass. These aircraft are not essential to any military mission.

But computers are essential for the educational mission that we should be supporting. Again, Washington Post, Tuesday:

Congress Protects Pork in Pentagon Spending. Budget Cutters Spare '95 Defense Plan.

These aircraft are specifically listed in this article as an example of defense pork.

I ask unanimous consent the entire article be printed in the RECORD.

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

CONGRESS PROTECTS PORK IN PENTAGON  
SPENDING—BUDGET CUTTERS SPARE 1995  
DEFENSE PLAN

(By Walter Pincus and Dan Morgan)

Before Congress adjourned last year it passed a \$243 billion defense appropriations bill containing dozens of "pork barrel" projects for members' home states, as well as numerous non-defense programs that could not get funded in other spending bills.

Among them were \$5.4 million for Hawaii's Small Business Development Center; \$3.5 million for a Cook County, Ill., military-style boot camp for youthful drug offenders; \$10 million for a National Guard outreach program to help Los Angeles youth; and \$1.5

million to round up wild horses wandering onto the White Sands Missile Range in New Mexico—a job once handled by the Bureau of Land Management.

There was \$15 million for developing an electric car, a project that found a home in the defense bill in the late 1980s when money for energy appropriations grew tight.

Now Congress, in its first round of serious budget cutting, is slashing billions of dollars of previously approved spending, for purposes ranging from public broadcasting to housing AIDS patients.

But the Republican leadership on Capitol Hill has left untouched the projects listed above. The spending is part of billions of dollars never sought by the Pentagon, but added to the defense bill last fall at the behest of senators and representatives from both parties.

"The insertion of these items has become an incredible art form," said Sen. John McCain (R-Ariz.), a member of the Senate Armed Services Committee. He has compiled a list of more than \$6 billion in defense projects that he says represent "wasteful, earmarked, non-defense, or otherwise low-priority programs."

Despite the GOP's seizure of control of Congress in the 1994 midterm elections, McCain said, refusal to cut these programs suggests "business as usual" is continuing in Congress.

Republican leaders have given defense a comparatively protected position as they go about the initial round of budget cutting. A House-passed bill cuts \$17.1 billion from domestic programs, but nothing from the 1995 defense budget. A toned-down Senate version, which trims \$13.3 billion, also exempts defense.

In separate, supplemental legislation, the House and Senate did propose defense cuts of \$1.4 billion and \$1.9 billion, respectively, in allocating emergency funds to replenish Pentagon coffers. The House cut \$502 million from the administration's technology reinvestment program, which helps defense companies convert to civilian production.

But almost all of the projects added by members last fall to the 1995 defense budget have so far survived. A House-Senate conference on the rescissions bill, scheduled to begin Wednesday, will be the last chance to kill these "add-ons" for fiscal 1995.

Hawaii, the home state of Sen. Daniel K. Inouye (D), then chairman of the Senate Appropriations defense subcommittee, got more than the Small Business Center among the earmarked projects. There was \$56.4 million earmarked for the Pacific Missile Range; \$13 million for a high-performance computer facility on Maui; \$10 million to home port two transport vessels in Pearl Harbor; and additional funds for Hawaii-based military medical facilities.

A House-Senate report specifically stipulated that the Maui facility be exempted from reductions that were being applied to other such computer facilities.

The \$3.5 million for a drug offender's boot camp in Cook County originated with a request by the sheriff to then-House Ways and Means Committee Chairman Dan Rostenkowski (D-Ill.), according to a congressional source.

Rostenkowski arranged for language to be inserted in the defense bill while it was before House-Senate conferees—after the measure had already been before the House and Senate for a vote.

The conferees directed "that the Department of Defense provide assistance to the county sheriff's office in the planning of a military-style regime and curriculum at the facility."

In a similar, if more traditional vein, then-Senate Minority Leader Robert J. Dole (R-

Kan.) arranged to earmark \$11 million in the same defense bill for the Army to purchase additional executive jet aircraft from a Kansas corporation that produces Lear jets.

"It's like a disease," said McCain. "It's never static. It gets worse or you kill it."

McCain complained during a Senate floor debate March 16 that the current round of budget cuts "does not rescind Defense Department support [\$15.4 million] for the Olympics and other sporting events \* \* \* does not touch congressional add-ons for excess [National] Guard and Reserve equipment, and does not rescind any of the nearly \$1 billion in congressionally added military construction projects, much less funding for projects on bases slated for closure."

As budget rules have clamped ceilings on small, non-defense appropriations bills, the annual defense appropriation bill increasingly has been viewed as a bank of last resort for programs and projects once handled in those smaller measures.

For example, the Bureau of Land Management used to handle the roundup of wild horses on the White Sands proving grounds. The animals would be turned over to New Mexico prisoners to be broken and sold. BLM discontinued the program last year because it was too expensive, according to a spokesman for Sen. Pete V. Domenici (R-N.M.).

Domenici, who chairs the Senate Budget Committee, and New Mexico Rep. Joe Skeen (R), a member of the House Appropriations Committee, collaborated to get the \$1.5 million put into last year's defense bill to pick up the slack, the spokesman said.

Domenici arranged to have \$20 million added to the same defense bill for an additional neutron accelerator project at the Los Alamos Laboratory in his state, after money appropriated in the energy spending bill ran out last year.

"There was no other place to go," said a congressional aide.

Mrs. BOXER. Mr. President, last year I received a letter as did all of my colleagues, from two senior members of the Armed Services Committee, Senator McCain and Senator Warner. In that letter these distinguished Senators eloquently argued for a strong national defense and offered an action program for congressional action this year.

Predictably, I agreed with some of their arguments and disagreed with others. But one of their arguments struck me as particularly poignant. Let me read from their letter. They wrote that Congress must:

... attack pork and wasteful programs. We need to eliminate wasteful pork-barrel spending. This effort should include legislative action to terminate the following programs.

Among the programs listed are these executive transport aircraft. These two Senators, my Republican friends, Senator Warner and Senator McCain wrote:

Fiscal year 1995 savings of \$11 million, rescind fiscal year 1995 appropriation for executive jets.

If that is not enough, let me read the words of Gen. Colin Powell, the highly respected former Chairman of the Joint Chiefs. In his 1993 report on the roles and missions of the Armed Forces, General Powell wrote:

The current inventory of operational aircraft built to support a global war exceeds

what is required for our regionally oriented strategy. The current excess is compounded by the fact that Congress continues to require the services to purchase OSA aircraft, neither requested nor needed.

General Powell concludes his report with this recommendation:

OSA aircraft are in excess of wartime needs and should be reduced.

Yet, despite General Powell's recommendation, Congress voted to acquire two more of these aircraft. Our country does not need these planes. Colin Powell says we do not need these planes. Senator Warner says we do not need these plans. Senator McCain says we do not need these planes.

We see articles where the transportation in the military is costing too much money. Yet we are taking away computers from the classroom, we are stopping the Star Schools Program. I cannot imagine why we would want to do this.

I want to tell my colleagues in my time remaining about the Star Schools Program and the computers in the classroom. Since the Star Schools program began in 1988, more than 200,000 students and 30,000 teachers have participated in projects in 48 States. The projects are designed to improve classroom instruction through distance education technologies. The \$5 million rescission proposed in this bill would eliminate these high-technology education services from 5,000 students. And why? So that we can fly military top brass in brand new executive jets? I hope not.

In my own State of California, the Los Angeles County Office of Education has provided live interactive math and science instruction via satellite to students in grades 4 through 7. This course is beamed into 766 classrooms in large school districts throughout the State of California and in 18 other States. It reaches an amazing 125,000 students.

Why do we want to hurt this program? We do not have to. Cut the planes for the military brass. They can find another way to travel and we can save this program. We can save computers in the classroom. Did you ever go into these classrooms where the kids have these computers? They are so interested in school, suddenly. I urge my colleagues to do that. Yet we are cutting computers out of the classroom, and we can restore those funds.

In closing let me say this. This is a transfer amendment I hope everyone in the Senate will support. We are simply cutting two military aircraft to provide for luxury travel for the top military brass in exchange for putting computers into the schools and funding the Star Schools Program. I hope the chairman of the Appropriations Committee and I can work this out. I hope we can be together on this.

I reserve the remainder of my time.

Mr. HATFIELD. Mr. President, I suggest the absence of a quorum, time to be charged equally.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mrs. BOXER. Mr. President, I ask unanimous consent to add as cosponsors to my amendment Mr. BINGAMAN, Mr. KERREY of Nebraska, Mr. WELLSTONE, Mr. DODD, and Mr. BUMPERS.

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

Mrs. BOXER. I reserve the remainder of my time.

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

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

Mr. HATFIELD. Mr. President, I do not want to get into a long dissertation about a detailed problem of procedure. Once you start having to explain the process of procedure, you have one hand tied behind you. But I want to say to the Senator from California that what she is attempting to do certainly represents her perspective, her point of view and, I think, her priorities. I am not going to argue that point because we probably have a set of priorities.

But let me tell you where we are at this moment in this, the defense supplemental, that has just been passed by the House and the Senate, which we were hoping to have resolved as of today.

We are running into difficulties on this because we are insisting on the Senate side, where we came to the floor with a supplemental and we had every dollar of that supplemental increase for the defense offset so as not to create any additional deficit from the military accounts, from the defense accounts. We have been going through a historic argument about firewalls, transferring discretionary defense to nondefense discretionary programs, and vice versa.

So we are holding tough right now with the House of Representatives that have offset their larger military supplemental with both military accounts and nondefense accounts in the discretionary programs.

From that standpoint we right now are at a stalemate because the House wants to offset some of the defense increases with nondefense programs.

So, consequently, from the standpoint of where we are in that particular problem, we cannot accept this amendment—I am now speaking as an appropriator—we cannot accept this

because we are, in a sense, contradicting our position that we have taken in the conference process.

Mrs. BOXER. Mr. President, will the Senator be willing to yield for just a moment? Because I know the Senator is going to move to table, I would like to make a minute's worth of comments before that motion is made.

Mr. HATFIELD. Mr. President, the statement I have made just now, whether it is \$10 million or \$5 million or \$20 million, is still the same basic issue; that is, we are taking military accounts and we are moving parts of those military accounts into non-military programs.

Mrs. BOXER. I understand. I ask, would the Senator yield? I was wondering if I could make a minute's worth of comments before the Senator moves to table my amendment.

Mr. HATFIELD. I would be very happy to yield, and if the Senator needs time, I am happy to yield time for her closing comments.

Mrs. BOXER. I thank the Senator very much. I will close in just a minute.

I understand exactly what the Senator is telling me. But I have to say to my friend that the average American watching this debate is not persuaded by procedural arguments. The American people pay taxes and work awfully hard to pay them. They will be very disappointed to learn that there are two military aircraft to transport top brass that have been ordered by this Congress even though the Pentagon did not want them. Aircraft that have been called pork by Senator WARNER, Senator MCCAIN, the Washington Post, and others. Even Colin Powell has stated we have no need for these planes. Yet because of this procurement, we are taking computers out of the classrooms, we are hurting our children, I just think, regardless of the procedural arguments that I know my friend has made because he in his role must make that argument, I still believe that we should not table this amendment. I think the bottom line is whether you want pupils or you want pork. I hope that my colleagues will stand on the substance of the issue and not vote on the process.

I thank my friend for being so generous with his time in helping me with my amendment.

Mr. HATFIELD. Mr. President, how much time remains?

The PRESIDING OFFICER. The Senator from Oregon has 4½ minutes.

Mr. HATFIELD. Mr. President, I would like to comment on another part of the problem. Again, we are not in a position to solve some of these problems immediately, but I hope as far as the future is concerned, that we could get some very careful consideration by the administration. The problem is, we are dealing with a supplemental appropriations for the military, for the Defense Department, for matters relating to Bosnia, to Haiti, to North Korea, and to other such areas of the world.

Some of our colleagues are saying to us but that is not truly a defense expenditure. It is being charged against the military in the way we budget our expenditures. But that is not truly a defense item. And why should the military bear the brunt of these more political foreign policy actions.

And, of course, they have been conducted oftentimes with little or no consultation with the Congress. So what happens is those commitments are made. Those policies are executed. And all of a sudden we get the bill. No authorization. No action by the Congress.

This has not happened just in this administration. It has happened over the years. But I do think that at one point in time we better start charging to the Defense Department those things that are exclusively national defense and take peacekeeping and humanitarian and all these other types of things that we are involved in and call them something else and charge them maybe to a broader base of accounts than in the Defense Department.

I am not saying how it should be handled, but we are really in a hybrid situation of trying to pay in the military appropriation for those actions that are not strictly defense, a mission of our Defense Department. So I only add to the complexity of trying to separate these funds between military and non-military discretionary.

If the Senator has no further comments to make, I would now move to table the Boxer amendment, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

Mr. HATFIELD. Now, Mr. President, let me ask the parliamentary situation. Unanimous consent was made on the basis of the two votes, one relating to the Kerrey amendment and now to the Boxer amendment, to be stacked and those rollcalls should occur in sequence?

The PRESIDING OFFICER. The question first will occur on amendment No. 435, the amendment of the Senator from Nebraska, and then on amendment No. 436, the amendment of the Senator from California.

Mr. HATFIELD. Has the motion to table the Kerrey amendment been made?

The PRESIDING OFFICER. That motion has not yet been made.

Mr. HATFIELD. Mr. President, I now move to table the Kerrey amendment, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

It appears that there is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the motion to table the amendment No. 435. The yeas and nays have been ordered. The clerk will call the roll.

The legislative clerk called the roll.

Mr. LOTT. I announce that the Senator from North Carolina [Mr. FAIRCLOTH] is necessarily absent.

I also announce that the Senator from Kansas [Mrs. KASSEBAUM] and the Senator from Minnesota [Mr. GRAMS] are absent due to a death in the family.

Mr. FORD. I announce that the Senator from Montana [Mr. BAUCUS], the Senator from North Dakota [Mr. CONRAD], and the Senator from North Dakota [Mr. DORGAN] are necessarily absent.

The PRESIDING OFFICER (Mr. ASHCROFT). Are there any other Senators in the Chamber who desire to vote?

The result was announced—yeas 45, nays 49, as follows:

[Rollcall Vote No. 122 Leg.]

YEAS—45

Akaka	Feinstein	Mack
Bennett	Frist	McConnell
Bingaman	Gorton	Mikulski
Bond	Grassley	Moynihan
Boxer	Gregg	Murkowski
Burns	Hatch	Murray
Byrd	Hatfield	Packwood
Campbell	Heflin	Pressler
Coats	Hutchison	Santorum
Cochran	Inouye	Sarbanes
Coverdell	Johnston	Shelby
Craig	Kempthorne	Specter
D'Amato	Kyl	Stevens
Dole	Lott	Thompson
Domenici	Lugar	Thurmond

NAYS—49

Abraham	Graham	Nickles
Ashcroft	Gramm	Nunn
Biden	Harkin	Pell
Bradley	Helms	Pryor
Breaux	Hollings	Reid
Brown	Inhofe	Robb
Bryan	Jeffords	Rockefeller
Bumpers	Kennedy	Roth
Chafee	Kerrey	Simon
Cohen	Kerry	Simpson
Daschle	Kohl	Smith
DeWine	Lautenberg	Snowe
Dodd	Leahy	Thomas
Exon	Levin	Warner
Feingold	Lieberman	Wellstone
Ford	McCain	
Glenn	Moseley-Braun	

NOT VOTING—6

Baucus	Dorgan	Grams
Conrad	Faircloth	Kassebaum

So the motion to table the amendment (No. 435) was rejected.

Mr. KERREY. Mr. President, I move to reconsider the vote.

Mr. GLENN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

VOTE ON AMENDMENT NO. 436

The PRESIDING OFFICER. Under the previous order, the vote will now occur on the motion to table the Boxer amendment. The yeas and nays have been ordered.

The clerk will call the roll.

The bill clerk called the roll.

Mr. LOTT. I announce that the Senator from North Carolina [Mr. FAIRCLOTH] is necessarily absent.

I also announce that the Senator from Minnesota [Mr. GRAMS] and the Senator from Kansas [Mrs. KASSEBAUM] are absent due to a death in the family.

Mr. FORD. I announce that the Senator from Montana [Mr. BAUCUS], the Senator from North Dakota [Mr.

CONRAD] and the Senator from North Dakota [Mr. DORGAN] are necessarily absent.

The PRESIDING OFFICER (Mr. FRIST). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 48, nays 46, as follows:

[Rollcall Vote No. 123 Leg.]

YEAS—48

Ashcroft	Grassley	Murkowski
Bennett	Gregg	Nickles
Bond	Hatch	Nunn
Brown	Hatfield	Packwood
Burns	Heflin	Pressler
Byrd	Helms	Roth
Chafee	Hutchison	Santorum
Coats	Inhofe	Shelby
Cochran	Inouye	Simpson
Coverdell	Jeffords	Smith
Craig	Kempthorne	Specter
D'Amato	Lieberman	Stevens
Dole	Lott	Thomas
Domenici	Lugar	Thompson
Frist	Mack	Thurmond
Gramm	McConnell	Warner

NAYS—46

Abraham	Feinstein	McCain
Akaka	Ford	Mikulski
Biden	Glenn	Moseley-Braun
Bingaman	Gorton	Moynihan
Boxer	Graham	Murray
Bradley	Harkin	Pell
Breaux	Hollings	Pryor
Bryan	Johnston	Reid
Bumpers	Kennedy	Robb
Campbell	Kerrey	Rockefeller
Cohen	Kerry	Sarbanes
Daschle	Kohl	Simon
DeWine	Kyl	Snowe
Dodd	Lautenberg	Wellstone
Exon	Leahy	
Feingold	Levin	

NOT VOTING—6

Baucus	Dorgan	Grams
Conrad	Faircloth	Kassebaum

So the motion to lay on the table the amendment (No. 436) was agreed to.

Mr. DOLE. Mr. President, I move to reconsider the vote.

Mr. NICKLES. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 435 TO AMENDMENT NO. 420

The PRESIDING OFFICER. The question occurs on the Kerrey amendment.

The Senator from Oregon.

AMENDMENT NO. 437 TO AMENDMENT NO. 435

Mr. HATFIELD. Mr. President, I believe there is a second-degree amendment of Senator SHELBY. I ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Alabama [Mr. SHELBY] proposes an amendment numbered 437 to amendment No. 435.

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

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

The amendment is as follows:

In lieu of the language proposed to be inserted, insert the following:

Of the funds made available under this heading in Public Laws 101-136, 101-509, 102-27, 102-141, 103-123, 102-393, 103-329, \$1,842,885,000 are rescinded from the following projects in the following amounts:

Alabama:  
Montgomery, U.S. Courthouse annex, \$46,320,000

Arkansas:  
Little Rock, Courthouse, \$13,816,000

Arizona:  
Bullhead City, FAA grant, \$2,200,000  
Lukeville, commercial lot expansion, \$1,219,000  
Nogales, Border Patrol, headquarters, \$2,998,000  
Phoenix, U.S. Federal Building, Courthouse, \$121,890,000  
San Luis, primary lane expansion and administrative office space, \$3,496,000  
Sierra Vista, U.S. Magistrates office, \$1,000,000  
Tucson, Federal Building, U.S. Courthouse, \$121,890,000

California:  
Menlo Park, United State Geological Survey office laboratory building, \$6,868,000  
Sacramento, Federal Building-U.S. Courthouse, \$142,902,000  
San Diego, Federal building-Courthouse, \$3,379,000  
San Francisco, Lease purchase, \$9,702,000  
San Francisco, U.S. Courthouse, \$4,378,000  
San Francisco, U.S. Court of Appeals annex, \$9,003,000  
San Pedro, Customhouse, \$4,887,000

Colorado:  
Denver, Federal building-Courthouse, \$8,006,000  
District of Columbia:  
Central and West heating plants, \$5,000,000  
Corps of Engineers, headquarters, \$37,618,000  
General Services Administration, Southeast Federal Center, headquarters, \$25,000,000  
U.S. Secret Service, headquarters, \$113,084,000

Florida:  
Ft. Myers, U.S. Courthouse, \$24,851,000  
Jacksonville, U.S. Courthouse, \$10,633,000  
Tampa, U.S. Courthouse, \$14,998,000

Georgia:  
Albany, U.S. Courthouse, \$12,101,000  
Atlanta, Centers for Disease Control, site acquisition and improvement, \$25,890,000  
Atlanta, Centers for Disease Control, \$14,110,000  
Atlanta, Centers for Disease Control, Roybal Laboratory, \$47,000,000  
Savannah, U.S. Courthouse annex, \$3,000,000

Hawaii:  
Hilo, federal facilities consolidation, \$12,000,000

Illinois:  
Chicago, SSA DO, \$2,167,000  
Chicago, Federal Center, \$47,682,000  
Chicago, Dirksen building, \$1,200,000  
Chicago, J.C. Kluczynski building, \$13,414,000

Indiana:  
Hammond, Federal Building, U.S. Courthouse, \$52,272,000  
Jeffersonville, Federal Center, \$13,522,000

Kentucky:  
Covington, U.S. Courthouse, \$2,914,000  
London, U.S. Courthouse, \$1,523,000

Louisiana:  
Lafayette, U.S. Courthouse, \$3,295,000

Maryland:  
Avondale, DeLaSalle building, \$16,671,000  
Bowie, Bureau of Census, \$27,877,000  
Prince Georges/Montgomery Counties, FDA consolidation, \$284,650,000  
Woodlawn, SSA building, \$17,292,000

Massachusetts:  
Boston, U.S. Courthouse, \$4,076,000

Missouri:  
Cape Girardeau, U.S. Courthouse, \$3,688,000  
Kansas City, U.S. Courthouse, \$100,721,000

Nebraska:  
Omaha, Federal Building, U.S. Courthouse, \$9,291,000

Nevada:  
Las Vegas, U.S. Courthouse, \$4,230,000  
Reno, Federal building—U.S. Courthouse, \$1,465,000

New Hampshire:  
Concord, Federal building—U.S. Courthouse, \$3,519,000

New Jersey:  
Newark, parking facility, \$9,000,000  
Trenton, Clarkson Courthouse, \$14,107,000

New Mexico:  
Albuquerque, U.S. Courthouse, \$47,459,000  
Santa Teresa, Border Station, \$4,004,000

New York:  
Brooklyn, U.S. Courthouse, \$43,717,000  
Holtsville, IRS Center, \$19,183,000  
Long Island, U.S. Courthouse, \$27,198,000

North Dakota:  
Fargo, Federal building-U.S. Courthouse, \$20,105,000  
Pembina, Border Station, \$93,000

Ohio:  
Cleveland, Celebreeze Federal building, \$10,972,000  
Cleveland, U.S. Courthouse, \$28,246,000  
Steubenville, U.S. Courthouse, \$2,820,000  
Youngstown, Federal Building-U.S. Courthouse, \$4,574,000

Oklahoma:  
Oklahoma City, Murrah Federal building, \$5,290,000

Oregon:  
Portland, U.S. Courthouse, \$5,000,000

Pennsylvania:  
Philadelphia, Byrne-Green Federal building-Courthouse, \$30,628,000  
Philadelphia, Nix Federal building-Courthouse, \$13,814,000  
Philadelphia, Veterans Administration, \$1,276,000  
Scranton, Federal Building-U.S. Courthouse, \$9,969,000

Rhode Island:  
Providence, Kennedy Plaza Federal Courthouse, \$7,740,000

South Carolina:  
Columbia, U.S. Courthouse annex, \$592,000

Tennessee:  
Greenville, U.S. Courthouse, \$2,936,000

Texas:  
Austin, Veterans Administration annex, \$1,028,000  
Brownsville, U.S. Courthouse, \$4,339,000  
Corpus Christi, U.S. Courthouse, \$6,446,000  
Laredo, Federal building-U.S. Courthouse, \$5,986,000  
Lubbock, Federal building-Courthouse, \$12,167,000  
Ysleta, site acquisition and construction, \$1,727,000

U.S. Virgin Islands:  
Charlotte Amalie, St. Thomas, U.S. Courthouse, \$2,184,000

Virginia:  
Richmond, Courthouse annex, \$12,509,000

Washington:  
Blaine, Border Station, \$4,472,000  
Point Roberts, Border Station, \$698,000  
Seattle, U.S. Courthouse, \$10,949,000  
Walla Walla, Corps of Engineers building, \$2,800,000

West Virginia:  
Beckley, Federal building-U.S. Courthouse, \$33,097,000  
Martinsburg, IRS center, \$4,494,000  
Wheeling, Federal building-U.S. Courthouse, \$35,829,000  
Nationwide chlorofluorocarbons program, \$12,300,000  
Nationwide energy program, \$15,300,000

UNANIMOUS-CONSENT AGREEMENT

Mr. HATFIELD. Mr. President, I would like to have the attention of the Senate in order to get our schedule for the next few hours.

Mr. President, I am going to propound a unanimous-consent agreement,

first of all to set aside the D'Amato amendment temporarily in order to take up other amendments. I make that request.

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

Mr. HATFIELD. Mr. President, I now propound a unanimous-consent agreement as follows: that the Shelby amendment in the second degree to the Kerrey amendment be given a half-hour time agreement; that the Kyl amendment which relates to low income energy assistance be given a half-hour, time to be equally divided; a Reid amendment—and may I inquire, again the subject I do not have?

Mr. REID. Mr. Chairman that is to take money from the civilian nuclear waste fund and put it in the community, and the second is the same except to put it in rural health programs.

Mr. HATFIELD. The two Reid amendments each be given 40 minutes equally divided; and that votes on all these amendments at the time of a rollcall, if necessary, begin at 9:30 p.m. So we would be stacking each of these amendments to be voted on if a rollcall is required.

I ask that there be no second-degree amendments in order prior to a motion to table.

Mr. MCCAIN. Reserving the right to object.

Mr. DODD. Reserving the right to object.

Mr. MCCAIN. I would like to add an amendment, depending on the outcome of the Shelby amendment on that list.

Mr. DODD. Reserving the right to object, Mr. President.

Mr. HATFIELD. I would like to amend my request, on the contingency of how the Shelby amendment turns out, the Senator from Arizona [Mr. MCCAIN] be recognized for 10 minutes.

I ask unanimous consent that time on the pending amendments prior to the motion to table be equally divided in the usual form and no second-degree amendments be in order prior to a motion to table.

Mr. DODD. Reserving the right to object.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. DODD. Just to clarify, I ask, Mr. President, whether or not at the expiration of this entire time we would then—the D'Amato amendment would be the pending business, at the conclusion of those rollcall votes beginning at 9:30? I pose that as a question, Mr. President.

Mr. HATFIELD. I am sorry?

Mr. DODD. I was inquiring whether or not it is the Senator's intention at the conclusion of the rollcall votes if necessary, at 9:30, that the pending business would then once again be the D'Amato amendment?

Mr. HATFIELD. The Senator is correct.

Let me make an amendment. I said 9:30. If we add up these times, if all is used—I am hoping some of the time might be yielded back—it would be

about 9:40. So, may I get a little flexibility there—between 9:30 and 9:45.

Mr. DODD. Mr. President, reserving again the right to object, understanding at the end of that we would begin the D'Amato amendment?

Mr. HATFIELD. Right back on the D'Amato amendment.

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

Mr. CHAFEE. Could I direct a question to the manager of the bill? At the conclusion of the voting are we through for the evening?

Mr. HATFIELD. No. It depends on how many other amendments there are. We will continue. We will continue to do the business of the Senate and be ready for all amendments.

Mr. SHELBY addressed the Chair.

The PRESIDING OFFICER. The Senator from Alabama.

AMENDMENT NO. 437 TO AMENDMENT NO. 435

Mr. SHELBY. Mr. President, the amendment, which is the second-degree amendment that I have offered, would basically say that all new construction projects under the General Services Administration, the Federal buildings fund, construction and repair projects, where no earth has been turned, no overt things have been done as far as repairs on the building as yet—in other words, nothing done—this would basically total 1.84 billion dollars' worth of projects in not every State but a lot of States in the Union, including my State of Alabama where we have a Federal courthouse ready to go with a \$46 million projected cost—we have the list—would be knocked out of the appropriations bill. They would be gone.

I will just list them basically.

Montgomery, AL, courthouse, \$46 million. That is the first one. Little Rock, AR, courthouse, \$13 million; Bullhead City, AZ, FAA grant, \$2,200,000; Nogales, AZ, Border Patrol headquarters, \$2,998,000; Phoenix, AZ, courthouse, \$121,890,000; Sierra Vista, AZ, magistrates office, \$1 million; the Tucson, AZ, courthouse, \$121.8 million; Sacramento, CA, courthouse, \$142.9 million; San Francisco, CA, lease-purchase \$9 million; San Francisco, CA, courthouse, \$4 million; the Washington, DC, U.S. Secret Service headquarters, \$113 million; and the list goes on and on.

We have included in there Prince Georges/Montgomery County, MD, FDA consolidation, \$284 million.

It says that we are going to save this money, at least temporarily, until GSA says we are ready to go. As I said, it is \$1.842 billion.

I think the Senator from Nebraska will join me in this amendment. But I will leave that up to him.

Mr. KERREY addressed the Chair.

The PRESIDING OFFICER. The Senator from Nebraska.

Mr. KERREY. I thank the Chair, and I thank the distinguished Senator from Alabama.

Having gained majority support for an amendment that added approximately \$300 million to the rescissions

package, this at least, it seems to me, will now decrease that by \$1.8 billion. I believe that this is wise given the fact that we are going to be cutting, we are going to be taking up amendments immediately following this that have to do with low-income energy assistance and it will not be the last time that we visit a program where real people are going to have their lives affected in rather serious fashion. This, it seems to me, is setting our priorities straight.

I am pleased that the distinguished Senator from Alabama is offering it as a second-degree amendment, and I am pleased to urge my colleagues to support it strongly.

Mr. SHELBY. Mr. President, I yield 5 minutes to the Senator from Indiana.

The PRESIDING OFFICER. The Senator from Indiana is recognized.

Mr. COATS. Mr. President, apparently through an oversight, mistake, or some other reason, there are courthouses that did not meet any of the criteria set out by the Senator from Nebraska but nevertheless made the selected list that was the subject of the last amendment. One of those was in Hammond, IN, the Hammond courthouse. Selected criteria indicated that those on the list were not requested by the General Services Administration. The Hammond courthouse was requested by GSA. I quote from their report:

The purpose and need determination, and the . . . building project survey lead to the conclusion that a new Federal building with expanded courtroom space is required to serve Lake and Porter Counties, Indiana. It was also subject to the timeout process another criteria projects were not supposed to have met if they were on the list.

I quote again:

Judicial requirements for Hammond have actually grown since the initial timeout review. Savings to be identified from application of value engineering techniques during the construction phase of this project will permit us to satisfy these additional requirements without requesting any additional funds.

That was stated in a letter from the GSA Administrator Roger Johnson.

The amendment purported to target projects that the agencies did not request or need. However, as I just pointed out, this particular project and others, such as an Arizona project which the Senator from Arizona pointed out to me, did not meet any of the criteria set forth by the Senator from Nebraska but were included on the list. I do not know why they were included on the list. I do not know if it was a mistake. But I know there were other projects that did meet the criteria but were not included on the list.

I am not going to speculate why they were not on the list. Nevertheless, because the motion to table was not agreed to, which would have given us an opportunity to construct an accurate list, we now have an amendment before us which will rescind funding for all projects in which construction has not started. That I would suggest



would save a considerable amount of money.

The Senator from Alabama has read some of those courthouses, frankly, many of which met the criteria outlined by the Senator from Nebraska but somehow were not on the list. It is a little bit puzzling to this Senator how projects that did not meet the criteria to be rescinded outlined by the Senator from Nebraska made the list but projects that did meet the criteria were not on the list.

This amendment offered by Senator SHELBY is about fairness. The Senator from Nebraska's capricious standards were not applied uniformly and singled out particular projects that did not even meet the standards set forth. If Senator KERREY's purpose is to save taxpayer dollars, which is a commendable purpose, then everything should be on the table as it is in Senator SHELBY's amendment. Then we are talking about big money. I will just read a few of the several that would really save the taxpayers money.

The courthouse project in Sacramento, CA, \$142.9 million, Wheeling, WV, courthouse, \$35.8 million; Brooklyn, NY, \$43.7 million; Fargo, ND, \$20.1 million; and the list goes on. In fact, there are a number of courthouses included in the current amendment that have not even been authorized. We are going to take them all now. We are just going to sweep the whole bundle as long as construction has not started.

We are going to take the whole bundle. I regret that those projects which GSA has approved, which GSA subjected to time out and review process, which GSA has certified are legitimate projects, are going to be included in this amendment. But if we are going to include those, then for sure we are going to include every project equitably. Quite frankly, if the Senator from Nebraska's criteria was actually followed in the list he submitted then it would have been a good amendment. But it is not right or fair for the Senator from Nebraska to claim that all the projects on the list met the criteria because they did not.

And again I wish to say it is a mystery as to why some courthouses in California, North Dakota, West Virginia, and other States were not on that list when they clearly met the criteria established for rescission outlined by the Senator from Nebraska, and others that clearly did not meet that criteria were on the list. I will leave to the speculation of others why those were on the list. I regret that. But now everybody is in. We can save a ton of money—\$1.842 billion. So let us go ahead and do it.

Mr. President, I yield the floor.

Mr. KERREY addressed the Chair.

The PRESIDING OFFICER (Mr. FRIST). The Senator from Nebraska.

Mr. KERREY. Mr. President, I take the point that the distinguished Senator from Indiana makes. To be clear on this, the GSA timeout review process was completed in 1993 and then modified after for a variety of reasons.

It is one criterion. In my Dear Colleague letter I listed four, and even there, I must say, at some point you do become arbitrary.

The distinguished Senator from Alabama in offering his own arguments against the underlying amendment indicated as much is the case. It is absolutely the case. At some point we do try to make good judgments based upon what we think is fair. And obviously, if it hits us, it does not quite sound fair. I understand that.

We try, I would say to my friend from Indiana, to be fair. And as I said earlier, I am quite pleased that instead of \$300 million, we now have before us \$1.8 billion. The question must fall to all of us with this second-degree amendment. What happens to the country if this \$1.8 billion is not spent.

In comparison to other things that we are going to be considering not only in this rescission package but later on in the budget resolution when the distinguished Senator from New Mexico finishes his work, I suspect that we are going to look back upon this as a rather small item in comparison and say that it was good policy the distinguished Senator from Alabama rose and put another \$1.5 billion on the table.

So I hope my colleagues will when the time comes support the amendment of the Senator from Alabama.

Mr. SHELBY. Mr. President, I just want to remind my colleagues that initially in the committee we had cut approximately \$75 million perhaps more than the House. We thought in the committee, as I said earlier, that we were trying to be fair in the process. I thought the earlier amendment, the Kerrey amendment was selective and aimed at selected projects. So I thought only to be fair is to take everything including my own courthouse in Montgomery, AL. And if the Senate, Mr. President, wants spending cuts in Federal buildings which affects just about every State, then they can go with the \$1.8 billion cut the Shelby amendment offers.

Mr. President, I ask unanimous consent that this list of projects that I alluded to earlier, "General Services Administration Federal Buildings Fund Construction and Repair Projects," be printed in the RECORD.

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

*General Services Administration Federal Buildings Fund Construction and Repair Projects*

New construction projects where design, site acquisition and construction awards (construction not begun) have not been awarded:

	<i>Thousands</i>
Montgomery, AL Courthouse ...	\$46,320
Little Rock, AR Courthouse .....	13,816
Bullhead City, AZ FAA Grant ..	2,200
Nogales, AZ Border Patrol HQ ..	2,998
Phoenix, AZ Courthouse .....	121,890
Sierra Vista, AZ Magistrates ...	1,000
Tucson, AZ Courthouse .....	80,974
Sacramento, CA Courthouse .....	142,902
San Francisco, CA Lease/Purchase .....	9,702

	<i>Thousands</i>
San Francisco, CA Courthouse .....	4,378
Washington, DC, USSS HQ .....	113,084
Washington, DC, Corps of Eng HQ .....	37,618
Ft. Myers, FL, Courthouse .....	25,851
Jacksonville, FL Courthouse ....	10,633
Albany, GA Courthouse .....	12,101
Atlanta, GA CDC Laboratory ...	47,000
Atlanta, GA CDC Mercer office bldg .....	40,000
Savannah, GA Courthouse .....	3,000
Hilo, HA facility consolidation .....	12,000
Chicago, SSA offices .....	2,167
Hammond, IN Courthouse .....	52,272
Covington, KY Courthouse .....	2,914
London, KY Courthouse .....	1,523
Lafayette, LA Courthouse .....	3,295
Bowie, MD Census building .....	27,877
PG/Montgomery Counties, MD	
FDA cons .....	284,650
Cape Girardeau, MO Courthouse .....	3,688
Kansas City, MO Courthouse ....	100,721
Omaha, NE Courthouse .....	9,291
Newark, NJ Parking facility ....	9,000
Albuquerque, NM Courthouse ...	47,459
Las Vegas, NV Courthouse .....	4,230
Brooklyn, NY Courthouse .....	43,717
Long Island, NY Courthouse ....	27,198
Fargo, ND Courthouse .....	20,105
Pembina, ND Border Station ....	93
Cleveland, OH Courthouse .....	28,246
Steubenville, OH Courthouse ....	2,820
Youngstown, OH Courthouse ....	4,574
Scranton, PA Courthouse .....	9,969
Columbia, SC Courthouse annex .....	592
Greeneville, TN Courthouse ....	2,936
Austin, TX VA annex .....	1,028
Brownsville, TX Courthouse .....	4,339
Corpus Christi, TX Courthouse .....	6,446
Laredo, TX Courthouse .....	5,986
Higheate Springs, VT Border Station .....	7,085
Blaine, WA, Border Station .....	4,472
Point Roberts, WA Border Station .....	698
Seattle, WA Courthouse .....	10,949
Beckley, WV Courthouse .....	33,097
Martinsburg, WV IRS Center ....	4,494
Wheeling, WV Courthouse .....	35,829

1,531,227

Repair and alteration projects where contracts have not been let:

San Diego, CA FB/CH .....	3,379
San Pedro, CA Customhouse ....	4,887
Menlo Park, CA USGS office .....	6,868
Denver, CO FB/CH .....	8,006
Chicago, IL Federal Center .....	47,682
Chicago, IL Dirksen building ....	1,200
Chicago, J.C. Kluczynski building .....	13,414
Jeffersonville, IN Federal Center .....	13,522
Avondale, MD DeLaSalle building .....	16,674
Woodlawn, MD SSA building ....	17,292
Trenton, NJ Clarkson CH .....	14,107
Holtsville, NY IRS Center .....	19,183
Cleveland, OH Celebreeze FB ....	10,972
Oklahoma City, OK Murrah FB .....	5,290
Philadelphia, PA Byrne-Green FB/CH .....	30,628
Philadelphia, PA Nix FB/CH ....	13,814
Providence, RI FB/PO .....	7,740
Lubbock, TX FB/CH .....	12,167
El Paso, TX Ysleta Border Station .....	7,292
Richmond, VA Courthouse annex .....	12,509
Walla Walla, WA Corps of Eng. bldg .....	2,800

269,426

Savings identified by the General Services Administration's timeout and review:

Lukeville, AZ Border Station ...	1,219
San Luis, AZ Border Station .....	3,496
San Francisco, CA Court of Appeals .....	9,003

	<i>Thousands</i>
Washington, DC central/west heating .....	5,000
Tampa, FL CH .....	5,994
Boston, MA CH .....	4,076
Reno, NV CH .....	1,465
Concord, NH CH .....	3,519
Portland, OR CH .....	5,000
Philadelphia, PA VA .....	2,800
	40,048
This project has been canceled:	
Charlotte Amalie, US VI CH .....	2,184
Total .....	1,842,885

Mr. KERREY. Mr. President, I am prepared to yield back the remainder of my time.

Mr. SHELBY. We will yield our time back.

Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The Senator from Arizona is recognized.

AMENDMENT NO. 434

Mr. KYL. Mr. President, I have an amendment at the desk, No. 434, which I will advise my colleagues I do not intend to call up, but in order to have a time agreement on this amendment which will enable us to discuss it for a period of a half an hour we have agreed not to call for a vote at the conclusion of the discussion.

It is too bad, Mr. President, because to some extent it seems we are on the horns of a dilemma when we seek to add more rescissions to the list of those that have been recommended by the committee. This amendment, No. 434, would conform the rescission of the Low-Income Home Energy Assistance Program, the so-called LIHEAP, to that of the House of Representatives.

Some of my colleagues, on the one hand, said we cannot afford to have a vote on this and win it because, if we do, the President will then veto the bill and we will not get any rescissions; it will not be \$17 billion; it will not be \$13 billion; it will not be anything. And other colleagues say we cannot afford to have a vote on this amendment because if we do and it is defeated, then we will not be able to argue in the conference that we should rescind more money because the amendment will have been defeated on the floor of the Senate.

I think it is important, however, that these issues be discussed because during the debate on the balanced budget amendment which occurred for over 5 weeks we heard over and over again from opponents of the balanced budget amendment that we did not need a constitutional requirement to force us to balance the budget.

We were elected to make the hard decisions, but we are not making the hard decisions. This is a hard decision, but in a moment I am going to read some material to my colleagues which I think will demonstrate that it really is not that hard. We can rescind more money from this program. And in a moment I will explain the reasons why.

Too often the argument is made, on the one hand, that we were elected to make the hard decisions and then when the hard decisions are placed before us, our colleagues are not ready to make those hard decisions.

And so we are going to discuss this for a half an hour right now. We will not have a vote on it, but we will eventually have a vote on it because we are going to have to determine whether it is the House level of rescission or the Senate level of rescission that will prevail. Mr. President, on this I support the House level of rescission.

Let us talk just a little bit about what this program is. The Low-Income Home Energy Assistance Program, or LIHEAP, provides utility assistance for poor families in America as a result of the energy crisis of the late 1970's and early 1980's. It was initiated in 1981 to temporarily supplement existing cash assistance programs to help low-income individuals pay for what were then escalating home fuel costs resulting from the energy crisis.

An interesting thing happened. Since the program's creation, real energy prices have declined to pre-1980 levels and according to the CBO's February 1995 report "Reducing Deficit Spending and Revenue Options," real prices of household fuels have declined 22 percent. So those real low prices mean that it is time to reconsider this program.

It is also interesting that in the CBO report 26 States transferred up to 10 percent of their LIHEAP funds during the 1993 period to supplement spending for five other social and community services block grant programs and 10 percent is the maximum that they can transfer under this program. So the transfers indicate that at least some States believe that spending for energy assistance does not have as high a priority as other spending. As I said, it is time to reconsider this program.

Now, is this just the position of a conservative Republican from Arizona? No. Let me read to you from the budget of the President of the United States, William Clinton, last year.

The President is requesting \$730 million. That is half as much as is requested in this year's budget. Here is what the President said: We had to eliminate or refocus many programs including LIHEAP. Why? Well, several factors influenced our decision, he says:

1. LIHEAP began as a response to the severe energy crisis in the early 1970's and early 1980's which caused quantum increases in energy prices. Since then, energy prices and the percentage of income spent by low-income households on home energy decreased substantially.

What began as a program—

And I continue to quote here from the President's budget. This is President Clinton's budget requesting a reduction in funds last year.

What began as a program focused on easing the energy crisis has evolved into a very narrowly focused income supplement program which provides average benefits of less than

\$200, does not target well those low-income households with exceptionally high energy costs in relation to income, and which does little to help assisted households achieve independence from the program.

I am quoting from President Clinton's budget, indicating why this program should have been cut last year.

The administration has made major improvements [he says] in the Nation's basic income supplement programs, increasing the earned income tax credit for the working poor, expanding the Food Stamps Program and reforming the welfare system. These changes reduce the need for peripheral income supplement programs such as LIHEAP.

And the President concluded:

Considering these factors, we concluded that the time had come to refocus LIHEAP on the energy needs of low-income families and to shift away from income supplementation and dependency.

Mr. President, LIHEAP is a very good example of what has happened so often with the Federal budget. A crisis develops at some point in our history which causes us to implement a Federal program which extracts taxpayer dollars from all over the country and focuses it on a limited segment of our population. We vote to do that because at the time it appears to us that there is a group in need and we want to assist them. But over time the original need for that program, the original rationale for it disappears or is substantially reduced. Sometimes people cannot even remember why it was put into effect.

We remember why this was put into effect. Because there was a severe crisis at the time. That crisis is gone.

The authority for what I just said is no less than the President of the United States, President Clinton, who, last year in his budget submission, said we can cut this program in half. Now, nothing has changed between last year and this year. As a matter of fact, the area of the Northeast has improved its economy. So there are fewer people that would require the assistance.

But still we have people from all over the United States and, in particular, the Northeast part of the country saying that this is an absolute necessity for the people who are their constituents, they cannot get along without it.

Mr. President, there is a billboard in my community. It has a nice picture of Uncle Sam painted on it, and it says: "Remember, he's your uncle, not your dad."

We have to stop relying on the Federal Government to do so many things for us. Yes, there are a lot of things that would be nice if we had the money for them. But as we learned during the debate on the balanced budget amendment, it is time to begin setting priorities. And when the President of the United States, a previous supporter of the program, says it ought to be cut in half because the need for it has been substantially reduced because the original problem—the energy crisis—is now gone, should we not in the House and in the Senate be willing to follow that advice, make the tough decision,

set the priority and reduce the spending on the program?

The House of Representatives was willing to do so, but in the Senate, apparently that is not the case.

So, Mr. President, it seems to me that I could not talk to the folks in my State about reducing Federal spending and then stand by silent as we adopt this rescission package in the Senate without speaking to this program.

When the conference committee between the House and Senate meets, I am hopeful that a larger rescission will be accepted. I am willing, as I said, not to force this to a vote here and upset the applegart and cause the President to veto the entire rescission package, if he were to do that, because it is important that we get even \$13 billion rescinded, although \$17 billion would be a better number. But I think the American people need to start focusing on this.

I go back to what I said originally when those who opposed the balanced budget amendment said, "You send us back here to make the tough choices and we will do it," as we find oftentimes, they are not willing to, and the main reason is because they can always argue that poor people benefit from the program. That is always the case. But that does not justify every bit of spending, because it is hard-working Americans who get up early in the morning, send their kids off to school, work hard all day long, come home tired and pay plenty of taxes so that programs like this can continue.

It is not mean spirited to say enough is enough. They need to be able to keep more of their hard-earned money to spend as they see fit.

So I think it is time we do reexamine this program. I submit that the House rescission number is a better number, and I urge my colleagues in the conference to support that number. I reserve the remainder of my time.

Mr. WELLSTONE addressed the Chair.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. KERRY. Mr. President, I rise in opposition to the Kyl amendment, which would affect funding for the Low-Income Heating Assistance Program [LIHEAP].

When the United States balances \$400 billion of corporate tax benefits against a cut taken exclusively from the most disadvantaged, it violates the average American's sense of fairness.

I also rise to oppose the other body's Appropriations Committee's vote to rescind \$1.4 billion from LIHEAP's fiscal year 1996 budget as part of the Contract with America. That would eliminate complete appropriation for LIHEAP, which gives home heating grants to low-income Americans. The program serves 5.6 million households nationwide, 30 percent of the home eligible to receive LIHEAP support.

Mr. President, in Massachusetts and other regional cold-weather States, energy prices continue to rise along with

the increase in poverty. Many of the people who rely on LIHEAP have jobs, but simply can't make enough to get by when the temperature drops and the bills come in.

In Massachusetts, 143,000 households receive LIHEAP funding. If the program is eliminated, Massachusetts stands to lose \$54 million for fiscal year 1995.

Eliminating LIHEAP could be a death sentence for some Massachusetts families, for the elderly, and for children who may be forced to choose between heat and food or medicine. No one should have to make that kind of choice.

That is why I and 35 senators from both parties have sent a letter to Senator MARK HATFIELD, chairman of the Senate Appropriations Committee, urging restoration of LIHEAP funds in the rescission package.

LIHEAP is a block grant administered by State and local governments, and is one of the most cost-effective and efficient Federal subsidy programs. Seventy percent of LIHEAP recipients do not receive other government relief, such as Aid to Families with Dependent Children or food stamps, but rely on this aid to supplement their monthly income during the winter months.

Mr. President, I would like to close by offering the following graphic illustration of the importance of this issue.

The December before last, a fire burned down a small apartment building in the Mount Pleasant region of DC, burning to death two little girls, Amber and Asia Spencer, ages 6 and 5. Neighbors recalled Amber's last words—"Please, please, help us." The girls were killed by a fire when one of the candles that was used to heat their apartment fell over. The electricity had been turned off two months earlier when the girl's guardian—their grandmother—could not afford to pay the heating bill.

Every winter children across the country are killed or jeopardized by fires caused by desperate attempts to keep warm or to lighten darkened homes. Mr. President, this country cannot abide this sad state of affairs. We can and we must do better—not worse—by the children and families who need the bare necessities to survive.

Mr. WELLSTONE. Mr. President, I know there are other colleagues on the floor who wish to speak on this, and we have had some prior discussion with the Senator from Arizona. I think we have an agreement on how to proceed. I appreciate the discussions that I have had with the Senator from Arizona.

Let me just make a couple of points. The first point is that I think that sometimes the profound mistake we make on the floor of the Senate is that there just are no people and no faces behind the statistics. I met at home with Alida Larson, and there were a number of other low-income citizens from Minnesota—understand full well, Minnesota is a cold-weather State—and each of them told their stories.

In my State of Minnesota, there are around 330,000 low-income people who really depend upon this small amount of support averaging about \$330 a year which for them quite often can be the difference between being able to stay in their home or not.

Mr. President, 110,000 households, 30 percent of which the head of household is elderly, 40 percent of which households have a child, over 50 percent of which have someone working but working at low wages, 40 percent of whom after a year no longer receive this.

In the State of Minnesota, the Low Income Home Energy Assistance Program is not an income supplement. It is a survival supplement. For many, many families without this assistance, it is the choice between heat or eat.

My colleague says, "Well, the cost of energy has gone down." I say to my colleague, we have seen a dramatic increase in poverty in the United States of America. We are talking about elderly people, we are talking about families with wage earners but low wages, we are talking about children. And in the State of Minnesota, there is tremendous support for the Low-Income Home Energy Assistance Program—tremendous support.

I think that my colleague will find that Senators from the Northeast and Midwest, whether they are Democrats or Republicans, feel very strongly about this.

Mr. President, finally, because I am going to stay within 5 minutes or less, as to the choices that we need to make, yes, let us move forward on deficit reduction and, yes, let us move forward to balancing the budget.

Mr. SPECTER. Will the Senator yield for a question?

Mr. WELLSTONE. I actually would be willing to except that I only have about 2 minutes before I have to literally leave the Chamber, but I will go ahead real quick.

Mr. SPECTER. The question is how much time he will take. There are quite a few speakers on this side.

Mr. WELLSTONE. Before my colleague came in, I made it clear I was going to stay within 5 minutes or so because I know there are other colleagues who wish to speak.

Mr. SPECTER. I thank the Senator.

Mr. WELLSTONE. Absolutely.

Mr. President, by way of conclusion, if we are going to be talking about cuts, look to subsidies for oil companies, look to subsidies for pharmaceutical companies, look to all sorts of deductions and loopholes and dodges that affect large corporations and large financial institutions in America.

For God's sake, Mr. President, let us not cut a program that for many, many Americans in the cold-weather States is not an income supplement but a survival supplement.

I yield the floor.

Mr. NICKLES addressed the Chair.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. NICKLES. Mr. President, will the Senator from Arizona yield me 1 minute?

Mr. KYL. I yield 1 minute to the Senator from Oklahoma.

Mr. NICKLES. Mr. President, I wish to compliment my colleague from Arizona for his amendment. If we were to eliminate this program for the years 1996 through 2000, we would save \$10 billion in budget authority and \$7 billion in outlays. If we adopted the Senator's amendment, we would save \$1.3 billion. I think that would be a step in the right direction.

This program was not created to be a welfare program, and I think our colleague from Arizona is exactly right, if we want to cut spending, this would be an excellent example.

I compliment him for his amendment. I urge it be adopted. I yield the floor.

Mr. KOHL addressed the Chair.

The PRESIDING OFFICER. The Senator from Wisconsin.

Mr. SPECTER. Mr. President, we have a time agreement. How much time does the Senator wish?

Mr. KOHL. Three minutes.

Mr. SPECTER. Can he settle for 2?

Mr. KOHL. All right.

Mr. KOHL. Mr. President, I strongly oppose this amendment which completely eliminates the Low-Income Home Energy Assistance Program. This program helps low-income elderly, the disabled, and working poor to cover a portion of the heating of their homes.

Mr. President, the bill we are considering today is a disaster relief bill. It is about helping people fight back against the wrath of nature, whether it be floods, earthquakes or other natural emergencies. When disaster strikes, Americans band together to help those who are down on their luck and to afford everyday necessities.

Heat, food and shelter are everyday necessities, Mr. President. Low-income families and the elderly who must confront bitter cold weather year in and year out are no less deserving of compassion than victims of a flood or earthquake.

The House made the unfortunate decision to eliminate or kill LIHEAP. The Senate Appropriations Committee, under the direction of the distinguished Senator from Oregon and the distinguished Senator from Pennsylvania, wisely rejected this cut. Home energy costs consume an unreasonably high portion of resources for those with limited incomes, particularly during harsh winters.

My colleague from Arizona is fortunate to come from a warm-weather State. In fact, many people from my own State of Wisconsin retired to his fine State because of the very appealing weather. Unfortunately, not everyone can afford to leave their homes to avoid the cold. Often, low-income families and the elderly are forced to choose between food, medicine or heat.

Mr. President, this is a choice that no one should have to make in our country. Although we must cut Federal spending and we must control our deficit, it should not be done at the expense of people's health and safety.

We must preserve LIHEAP and reject the House cut.

I urge my colleagues to oppose the Kyl amendment.

Thank you.

Mr. SPECTER. I ask my colleague from Vermont how much time he needs.

Mr. JEFFORDS. Two minutes.

Mr. SPECTER. Mr. President, how much time remains?

The PRESIDING OFFICER. Eight minutes remain.

Mr. SPECTER. I yield 2 minutes to the Senator from Vermont.

Mr. JEFFORDS. Mr. President, I rise in opposition to the amendment of the Senator from Arizona. It may well be that we should take another look at this program, but this is no place to do it. There may be States like Arizona and Oklahoma and others that may be willing to give up whatever they get under LIHEAP because they do not have the needs of some of the other areas of the country.

In my State of Vermont, this is a critical program. Over the last 3 years, energy prices have gone up in Vermont by 21 percent. At the same time, LIHEAP funding has gone down by \$300 million.

The average family who receives LIHEAP assistance spends over 18 percent of its income on energy. This is three times the energy burden for median-income families. I would expect a lot less for those in Arizona and Oklahoma. Fifty-five percent of all LIHEAP homes include at least one child under the age of 18 and 43 percent include a senior citizen. Both figures are far above the national average. Without LIHEAP assistance, many recipients could not afford to pay their heating bills in the winter and many would be forced to choose between heat and food.

Rescinding LIHEAP will also force energy providers in Vermont, and many other areas, many of whom are small unregulated businesses, to choose between not getting paid for the energy they provide and cutting off their neediest customers.

LIHEAP is well run and administered by State and local governments who keep administrative costs at about 8 percent, far below the average, so the money is getting to those who need it. It has strong bipartisan support from Senators in my region and all around the country.

I urge defeat of the amendment.

Mr. SPECTER. How much time does the Senator from Connecticut desire?

Mr. DODD. I would like 1½ or 2 minutes.

Mr. SPECTER. How much time remains, Mr. President?

The PRESIDING OFFICER. Six minutes remain.

Mr. SPECTER. I yield 1½ minutes to the Senator from Connecticut.

Mr. DODD. Let me commend our colleague from Pennsylvania who, I gather, led the charge in the Appropriations Committee for the restoration of these funds. I commend him, Senator JEFFORDS, Senator WELLSTONE, and others, who have spoken out on this issue.

Mr. President, in the committee report, House Appropriations concludes that this program is no longer needed. There are 60,000 in my State each winter who depend upon this source of assistance, not just as a casual need, but a serious one.

In fact, in anticipation of the study that the energy prices have dropped and it is no longer needed, I asked the Congressional Research Service to complete a study on energy prices and LIHEAP appropriations. They found that actually there would need to be an increase if you tracked energy price fluctuations over the last few years. This year, we budgeted \$1.130 billion, which is far below what they tell us you would actually need. Dr. Deborah Frank, a pediatrician at Boston University, tracked over many years malnutrition among children following significant periods of cold in the Northeast and discovered that after those periods of very low temperatures, actually malnutrition in children went up because of parents making the tough choice of heat over food.

So this issue has been critically important to major parts of the country. I sincerely hope the amendment is rejected. This goes far beyond what most of us recognize as a valuable safety net for many in the country.

Mr. SPECTER. Mr. President, I ask the Senator from Maine, how much time does he wish?

Mr. COHEN. Could I have a minute and a half and then yield 30 seconds to my colleague from Maine?

Mr. SPECTER. Mr. President, how much time remains?

The PRESIDING OFFICER. Four and a half minutes.

Mr. SPECTER. The senior Senator from Maine has 90 seconds.

Mr. COHEN. Thank you.

Mr. President, we hear a lot of talk about a beltway mentality, but it seems to me that this amendment reflects a Sunbelt mentality. I do not know how many people have spent any time in the Northeast during the winter months, but we have at least 5 months of the year during which the average temperature is below freezing. In many months it is not just sub-freezing, it is subzero. When you get to northern Maine, we are talking about 20 or 30 below zero many days.

We have a lot of poor people in our State. There are some 62,000 people who are beneficiaries of this particular program. Many of them are elderly. Forty or 45 percent of those that receive LIHEAP benefits around the country are elderly. So we are putting people who have an income of approximately

\$8,000, whose energy bills consume almost 18 percent of their income, and we are now saying cut the program out, prices are low enough that they can afford it.

But they cannot afford it. This is a small program compared to some others that are provided to the citizens of this country. I know it may be nice to live in a warm climate. It has been mild here in Washington, as I am sure it is in the West. In the Northeast, and throughout the industrial belt, it is very cold.

I submit to my colleagues that it would be a terrible tragedy to cut this program.

Mr. SPECTER. Mr. President, how much time remains?

The PRESIDING OFFICER. Three minutes 20 seconds.

Mr. SPECTER. I yield a minute and a half to the Senator from Maine, [Ms. SNOWE].

Ms. SNOWE. I thank the Senator. I certainly want to be on record in support of this most important program to so many people in my State, and certainly in the Northeast.

I was part of an effort back in 1980 in the House of Representatives to create this program. Yes, it was in response, originally, to a crisis. That is not unusual for the number of programs that are created in the U.S. Congress. But Congress intended it to be a long-term program, because it was serving the poorest of the poor. It is a means-tested program. It serves a number of people. Yet, it only serves 25 percent of those individuals who are actually eligible to receive benefits under this program.

This program, in real terms, has been reduced by 50 percent since 1985—50 percent. I know the Senator from Arizona was referring to the President's budget last year of \$700 million, and that even the President was recommending a 50 percent reduction. He recommended that reduction because he wanted to remove the Southern States from that program. In fact, in 1994, the President recommended a supplemental increase for the low-income fuel assistance program of more than \$300 million, which I think demonstrates the President's commitment to this program. But who does this program serve? Of the roughly 5.6 million households that receive low-income fuel assistance, more than two-thirds have annual incomes of less than \$8,000. More than one-half have had incomes below \$6,000. Thirty percent of these recipients are poor, elderly people, and 20 percent are disabled.

In my home State, 74 percent of these recipients are elderly people on fixed incomes. We are supporting people who need to have the benefits of this very valuable program.

Mr. SPECTER. Mr. President, how much time remains?

The PRESIDING OFFICER. Two minutes remain.

Mr. SPECTER. Mr. President, those who may be watching on C-SPAN 2

may be wondering why so little time is allocated here. This has been an effort by the Senator from Arizona, Senator KYL, to air the subject, but it is not going to be brought to a vote. Were it to be brought to a vote, there would be substantially more time allocated for this very important debate.

The Senators who have come to the floor have spoken for very limited periods of time and have done so to register their passionate concern about this issue. As chairman of the subcommittee which had jurisdiction over this issue and brought it to the floor, we have very carefully considered the totality of the package, and the Senate has met the House figure—the House figure totaling \$17.3 billion, and the Senate figure is in excess of \$13 billion. But the difference is accommodated by deferring the expenditures on FEMA, the Federal Emergency Management Agency.

Our subcommittee and the full committee determined that this funding should remain in LIHEAP because of its importance. The statistics have already been cited and I shall not repeat them. But the overwhelming majority of people have annual incomes of less than \$8,000, or even \$6,000. And regarding the choice of many elderly for either heating or eating, when there are emergency measures taken on alternative makeshift heating and lighting devices, an enormous number of deaths result—11 people, mostly children, in Philadelphia in a 5-month period, from August 1992 to January 1993. While we do not have nationwide figures, they would be enormous.

This is one of the most urgent programs in the Federal budget. It exemplifies what I have said. While I am committed and I think the Congress is committed on consensus to balancing the budget by the year 2002, it has to be done with a scalpel and not a meat ax.

This is a very, very, important program. Were there a longer period of time, I think we would have heard many Senators coming to the floor. Some 35 have signed a letter.

Mr. President, I note my colleague from Pennsylvania on the floor. I would ask how much time remains.

The PRESIDING OFFICER. All time has expired.

Mr. SPECTER. May I ask unanimous consent that my colleague be permitted to speak for up to 2 minutes?

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

Mr. SANTORUM. I thank the Senator for yielding time to me. I wanted to echo his remarks. This is a very important program for a lot of people in my area of the country, and in Pennsylvania particularly.

This is a program that, frankly, has not been funded to the levels that really are going to meet the needs of the people in the communities who are low income, who are not able to keep the houses warm at night.

I can say from having visited homes that have enjoyed the energy assist-

ance program, enjoyed the benefits, that it provides that degree of safety and comfort that the houses will be warm on these cold winter nights that we have had up in our area of the country.

I congratulate the Senator for his great work on defending this program, because it is a regional program in a sense. It is a program that disproportionately benefits one area, the area that has colder temperatures. As a result, it is always on the chopping block, but is a program that meets very vital needs in providing people basic shelter and warm comfort during the very cold winter days.

I congratulate the Senator for his great work on this project. I look forward to continuing support of this program.

Mr. SPECTER. Mr. President, I thank my colleague, and I ask unanimous consent that certain documents be included in the RECORD which lend some factual support—certainly not an exhaustive statement—but some factual support that should be printed in the CONGRESSIONAL RECORD.

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

#### ARGUMENTS TO MAINTAIN LIHEAP FUNDING

A cut to LIHEAP funding will have a significant impact on current recipients who already have difficulty in meeting their energy bills, many having to choose between fuel and food.

Elimination of the program could be devastating, since it brings potentially life-saving heat to nearly 6 million poor families, or roughly 15 million individuals; about 30 percent of the recipients are elderly, and 20 percent are disabled.

Over 70% of LIHEAP recipients have annual incomes of less than \$3000; more than half have annual incomes of less than \$6000. Energy costs consume nearly 20% of these meager incomes.

25% of LIHEAP recipients receive no other federal assistance.

LIHEAP was able to serve less than 25% of eligible households in fiscal year 1994.

The average LIHEAP benefit is only about \$200.

Each winter, there are cases of children dying from the use of dangerous alternative heating sources, like candles.

Contrary to some claims, low income households do not face appreciably reduced energy costs compared to the 1970's and early 1980's.

Energy prices for natural gas and electricity are just as high today as they were in the 1970's, even in constant dollars.

50% of LIHEAP recipients heat with natural gas.

Increased competition among utilities has intensified cost-cutting, making it unlikely they would absorb LIHEAP costs that could put them at a competitive disadvantage. If LIHEAP were abolished, we could expect a major increase in households losing utility services, and increased homelessness.

This program has already suffered large cuts; current funding is \$781 million, or 37 percent, below its 1985 level.

#### FUNDING HISTORY

1985—	\$2,100,000,000.
1986—	\$2,010,000,000.
1987—	\$1,825,000,000.
1988—	\$1,532,000,000.
1989—	\$1,383,000,000.

1990—\$1,443,000,000.  
 1991—\$1,610,000,000.  
 1992—\$1,500,000,000.  
 1993—\$1,346,000,000.  
 1994—\$1,437,000,000.  
 1995—\$1,319,204,000.  
 1996—\$1,319,204,000.

Mr. KYL. In my 48 remaining seconds, let me say, "I told you so."

I said at the beginning that Members would come running out of their offices to come to the floor and pronounce themselves four square in front of this program, because this is critical. We can cut others but we cannot cut this one. That is exactly what is wrong with this process. Every one of them is critical. We have got to start somewhere.

Mr. President, I started where President Clinton started last year when he said we can cut it in half, that it was time to shift away from this program.

By the way, it is not just Sunbelt mentality. Even in my State people receive funds for weather-stripping and air conditioning support, just to show how ridiculous the program has gotten.

We could all use the help, of course, but we have to start somewhere. I just ask this question, Mr. President, if we are not ready to start with this one, we are not ready to start with the other ones we voted down today, where are we willing to start to cut this \$1 trillion budget deficit? We have to start somewhere.

The PRESIDING OFFICER. All time has expired.

Mr. SPECTER. Mr. President, I ask unanimous consent for 1 additional minute.

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

Mr. SPECTER. Let me respond briefly to the Senator from Arizona.

We have made very substantial cuts in this program. And when he says that this is an illustration of, if we do not cut here, where are we going to cut, our job is to establish priorities. That is our responsibility.

The Appropriations Committee met its responsibility and we cut other less-important programs. So we agree with the Senator from Arizona that the budget has to be cut, the deficit has to be cut, that it is a matter of priorities.

I think when all of the Senators came running to the floor here to speak for the enormous amount of 90 seconds, they did so because of their very deep concern for the program and this is a priority item which ought to stay. I thank the Chair.

Mr. KENNEDY. Mr. President, I oppose the Kyl amendment, which would eliminate the Low-Income Home Energy Assistance Program.

Over 6 million people received aid with heating costs under the Low-Income Home Energy Assistance Program last year.

In Massachusetts, LIHEAP served 143,000 households in 1994. It provided especially needed relief in the winter of 1993-94, which was extremely harsh.

Seventy-two percent of the families receiving LIHEAP have incomes below

\$8,000. These families spend an extremely burdensome 18 percent of their incomes on energy costs, compared to the average middle-class family, which spends only 4 percent.

Nearly half of the households receiving heating assistance are comprised of elderly or handicapped individuals.

Researchers at Boston City Hospital have documented the "heat or eat effect"—higher utility bills during the coldest months force low-income families to spend less money on food. The result is increased malnutrition among children.

The study found that almost twice as many low-weight and undernourished children were admitted to the Boston City Hospital emergency room immediately following the coldest month of the winter. Low-income families should not have to choose between heating and eating.

But the poor elderly will be at the greatest risk if LIHEAP is terminated, because they are the most vulnerable to hypothermia. In fact, older Americans accounted for more than half of all hypothermia deaths in 1991.

In addition, elderly households are 28 percent more likely than all households to live in homes built before 1940. These homes tend to be less energy efficient than newer homes, placing the elderly at greater risk.

Many low-income elderly who have trouble paying their energy bills substitute alternative heating devices—such as room heaters, fireplaces, and wood burning stoves—for central heating. Between 1986 and 1990, heating equipment was the second leading cause of fire deaths among the elderly. In fact, the elderly were 2 to 12 times more likely to die in a heating related fire than adults under 65.

LIHEAP is not only vital for low-income Americans, it also benefits communities as well. As Robert Coard, president of Action for Boston Community Development, wrote in a Boston Globe editorial last month, that LIHEAP—

\*\*\* employs large numbers of community people who may have trouble finding work in industries requiring sophisticated high-technology skills. Many are multilingual—a major asset for this program. The oil vendors who work with the program include many mom-and-pop businesses that depend on fuel assistance to survive. The dollars spent go right back into the economy.

The winter of 1993-94 was especially harsh. In January, the temperature in Boston averaged 20.6 degrees. At the same time, the price of oil rose to meet the increased demand for heating assistance.

If Senate Republicans are serious about helping the elderly, they will preserve funding for the Low-Income Home Energy Assistance Program and stop raiding the wallets—or in this case the furnaces—of those who need help the most.

I urge my colleagues to defeat the Kyl amendment.

Mr. KYL. Mr. President, I ask unanimous consent to address the Senate for 30 seconds.

Mr. FORD. Mr. President, I reserve the right to object. We could go back and forth, and we have Senators standing here who have been standing here the whole time to bring up their amendments. I will not object to 1 minute, but after that—

Mr. KYL. Mr. President, 30 seconds. I just wanted to close the debate that I began, if I could.

Reasonable people will differ. The House of Representatives trimmed us by \$1.3 billion. It seems to me that they represent all regions of the country just as much as Senators do.

I do not doubt the sincerity of anyone who speaks in here. But I do doubt the Congress' commitment if we cannot start with a program like this. And I hope that when the conference meets, we will rescind more.

The PRESIDING OFFICER. All time has expired. Under the previous order, the Senator from Nevada is recognized to offer an amendment.

AMENDMENT NO. 438 TO AMENDMENT NO. 420

(Purpose: To restore \$14,700,000 of the amount available for substance abuse block grants)

Mr. REID. Mr. President, I send an amendment to the desk on behalf of Senator BRYAN and myself and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Nevada [Mr. REID], for himself and Mr. BRYAN, proposes an amendment numbered 438 to amendment No. 420.

Mr. REID. Mr. President, I ask unanimous consent further reading be dispensed with.

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

The amendment is as follows:

On page 14, between lines 12 and 13, insert the following:

NUCLEAR WASTE DISPOSAL FUND  
 (RESCISSION)

Of the funds made available under this heading in Public Law 103-316, \$14,700,000 are rescinded.

On page 28, strike lines 18 through 23.

Mr. REID. I further ask, Mr. President, there is about 3 minutes extra on this time block. I ask unanimous consent that the time equally divided for the first amendment I will offer, instead of 40 minutes be about 43 minutes, 44 minutes, whatever is left.

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

The time will be 43 minutes equally divided between the two sides.

Mr. REID. Mr. President, this amendment is very direct and to the point. This year, the money for developing a permanent repository for the disposal of civilian nuclear waste has increased by \$130 million, to where it is now almost \$400 million to dig a hole in the

ground in Nevada. \$400 million for 1 year. They have not spent all that money, of course. They cannot spend all the money, of course.

What this amendment says is, "Let's take part of that money and put it in a program that I think is extremely important." This, Mr. President, would take the money from the nuclear waste, \$14.7 million, and replenish the money that was deleted from a program that benefits every person in this body—every Senator in this body and every Member of the House of Representatives.

It is a substance abuse block grant. Let me, Mr. President, talk a little bit about what the substance abuse block grant does, and then I ask my colleagues whether the money should be spent for these purposes or whether the money should be spent for digging a hole in the ground and spending \$400 million in the State of Nevada.

Mr. President, I am not saying they should not spend money. They will spend hundreds of millions of dollars. I am taking only \$14.7 million from almost \$400 million. That is what I am doing, replenishing a program that is tremendous.

I am going to talk about some of the benefits of the substance abuse block grant money in the little State of Nevada. Little in the sense that there are not many people there.

However, Mr. President, the program in the State of Nevada funds 26 community-based nonprofit agencies. In 1994, approximately 7,000 individuals received treatment ranging from detoxification to long-term residential care.

An additional 9,000-plus individuals were served in civil protective custody programs. An estimated 2,000 individuals will be placed on treatment waiting lists because they simply do not have rooms for them during the year. Those waiting at any point, 37 percent of them will have been waiting for far over a month.

What we need to keep in mind is that substance abuse treatment money that I am going to talk about, Mr. President, is money that is spent. We will save untold millions of dollars in spending these moneys.

It saves lives, restores hope. In Nevada, substance abuse is a primary factor in 55 percent of child abuse investigations. Over half of the child abuse investigations, when they are investigated, we find are a result of some kind of substance abuse.

Mr. President, I am talking about Nevada. There are programs like this all over the country. The Family Preservation Program funded by the Bureau of Alcohol and Drug Abuse accepts 42 families.

Mr. President, 100 percent of these families would lose their children due to abuse or neglect, unless a parent is willing to participate in the intensive day program.

The reason I mention this is that we know that it costs about \$40,000 a year on an average to keep a kid in a re-

formatory—\$40,000 a year. This whole program in the State of Nevada costs \$85,000. If we keep two kids out of prison, out of a reformatory, we have made the nut, so to speak. And then it is gravy for the remaining 42 families. And some of these families, of course, have more than one child. Thus foster placement is not necessary.

First, let me say this. I have said the parents have to be willing to participate. If they do not participate in the program the kids are taken from them. This program has a 90 percent success rate 1 year after treatment. That is tremendous. In other words, foster placement is not necessary in 90 percent of the families who go through intensive treatment. Those of us who know about foster care, we know it is a lot better than nothing but it is not as good as a parent. That is what this program does, is allow parents to maintain contact with their children. This \$85,000 investment of treatment averts \$2 million in foster care money alone—foster care costs.

Mr. President, I ask if the Chair would advise the Senator from Nevada when he has 5 minutes remaining on this amendment.

Mr. President, another successful initiative is something we have in Reno, NV, called Ridge House, a program for ex-felons. Ridge House tracked reincarceration for individuals in the program they serve, and found the program has a recidivism rate of 22 percent—not in a 1-year period. We usually hit our good statistics the first year. After 3 years, a 22 percent return rate, so to speak. The average is about 80 percent. This program is 400 percent better than if we did nothing.

This is significant because again we are talking about a 3-year program. It is not the first year—things are usually pretty good the first year. It is a 3-year program with a little over 20 percent recidivism rate when nationally it is almost 80 percent. The success of this program means that 78 percent of the ex-felons served have not re-offended, have jobs, and are contributing members of society 3 years after treatment.

In 1993 the Ridge House served 32 individuals at a cost—listen to this—of \$945 an ex-felon served. The annual budget of these 32 individuals would not keep a person in prison for a year.

A study at Saint Mary's, which is a Catholic hospital, a wonderful facility in Reno—they did a chemical dependency program study. They evaluated their health care situation for the year before and the year after treatment. These statistics are staggering. And we have to determine tonight whether we are better spending the money digging a hole or putting it in programs that save lives and protect families. The study showed that emergency room visits were reduced by 62 percent for people who were in the program, and health care costs were reduced by 73 percent. This demonstrates that other health care costs are reduced when treatment is available and accessible.

Moreover, results of a pilot outcome study conducted by the University of Nevada Institute For Applied Research found a significant reduction for those presently awaiting charges, trial, or sentencing 3 months after discharge from treatment compared to before treatment. So what we are saying is that those people who are part of the program do a lot better by a significant number. The study also found that the average net income doubled when comparing pretreatment to 3 months after discharge.

These programs and these studies show one of the most important elements of substance abuse is treatment, especially within the context of this debate. Mr. President, I voted happily last year to spend \$11 billion for new police officers; \$11 billion for new prisons, prison facilities. I am talking here about restoring some of the money that is being rescinded for programs that will not keep people in jail. We will not have to hire new police officers. All we are talking about is not digging a hole in the ground quite as deep, maybe—in fact if they spend the money, although it has been proven it is one of the most wasteful programs in the history of America. We are taking \$14.5 million approximately out of a \$400 million program to restore these moneys.

Another important function of the substance abuse block grant is the prevention program it funds. The Nevada Bureau of Alcohol and Drug Abuse funds 100 sites around the State, including programs that would not exist any other way in rural Nevada. These programs serve in excess of 10,000 people. Nevada has adopted a risk and resiliency framework which emphasizes funding programs which reduce the risk factors associated with alcohol and other drugs, and programs which strengthen the resiliency or protective factors.

One of the most successful preventive programs is something called HACES, which stands for Hispanics Assisting the Community with Excellence for Students. Mr. President, listen to this. This program works only with high-risk Hispanic students and includes Saturday workshops along with community work. Students can only participate on Saturdays if they have missed no school during the week. Parental involvement is required.

What were the results? Staggering. Compared to a control group, school absenteeism was reduced by 73 percent and the dropout rate was 75 percent lower. One of the largest dropout rates of any ethnic group in America is that of Hispanics. All over the country, it is a fact. In this program we have a 75 percent lower dropout rate. How can anybody not vote for this?

Satisfactory academic progress occurred in 94 percent of the students, and student interest in higher education increased by 300 percent.

Perhaps one of the best side effects of the program for these young people,

though, is something we could not measure in statistics. I cannot tell you what we know it does to self-confidence, what it does to self-esteem. The total program cost is equal to half of what it costs on average in our country to keep an inmate in prison, about \$15,000.

So how can we afford to cut funding to these successful and what I believe are essential programs? The impact of drug interdiction efforts on the rate of substance abuse in our country can be debated at great length. I believe in interdiction. I believe in prison. I believe in more judges. I believe in more police officers. And I voted accordingly. But let us do something about some of these preventive programs.

I have given statistics from the State of Nevada. Multiply these with the State of Kentucky, the State of Delaware, the State of Pennsylvania. They are staggering. I invite attention to those.

The program we are taking money from is a program we can afford to cut down by a fraction of a percent. From approximately \$400 million that we have in that fund for this year, 1995, we want to take \$14 million from it. That does not sound out of line to me, especially when we keep in mind the budget from which I want to restore these \$14.5 million was increased by \$130 million.

So, this is not going to cripple the Yucca Mountain Project. It will not delay a solution to interim waste storage. This is prudent management of the taxpayers' money.

I reserve the remainder of my time.

The PRESIDING OFFICER. Who yields time?

Mr. REID. Mr. President, I ask unanimous consent, in that it does not appear at this stage that anyone is here to debate this—and I am sure they will show up—but I ask in fairness to me that I reserve my time and that the time toll against the other side on this amendment.

The PRESIDING OFFICER. Is there objection?

Mr. FORD. Mr. President, let me make this suggestion, if I may. I suggest the absence of a quorum and it be charged to the opposition.

Mr. REID. The Senator is absolutely right. I should have done that.

The PRESIDING OFFICER. Without objection, the time of the quorum call will be counted against the Republican time.

The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. BYRD. Mr. President, I see no Senators seeking recognition.

Mr. REID. Mr. President, if I could say, through you, to the Senator from West Virginia, the order now is that the time running under the quorum has been charged to the other side. I ask that continue during the remarks.

Mr. MURKOWSKI. Mr. President, may I make inquiry?

Mr. BYRD. Either that or I could ask unanimous consent that it not be charged against anyone.

Mr. REID. We have a time certain on a vote.

Mr. MURKOWSKI. Mr. President, it is my understanding that the time is running and being charged against our side.

The PRESIDING OFFICER. That is correct.

Mr. MURKOWSKI. How much time remains?

The PRESIDING OFFICER. Sixteen minutes 6 seconds.

Mr. MURKOWSKI. We would like to reserve some time to speak against the Reid amendment. I would like to accommodate the senior Senator from West Virginia as well. I wonder how much time he would intend to take. I have no objection to splitting the time. But if it going to come off our side, then I would ask for some consideration.

Mr. BYRD. Mr. President, I do not want to discommode either side. I could delay until another day to do the speech. I wanted to speak with reference to Mr. HEFLIN's retirement. I thought in view of the fact that nothing was transpiring I might be able to use that time. But it really is all right with me if Senators prefer that I not do that.

Mr. MURKOWSKI. If I may respond, I, too, would enjoy hearing a little reference to Senator HEFLIN very much. Perhaps, if I may inquire again. There is no time on the other side on this amendment. Is that correct?

The PRESIDING OFFICER. The Senator from Nevada has 7 minutes 39 seconds.

Mr. REID. I had 9 minutes a little while ago.

The PRESIDING OFFICER. The time has been running.

Mr. MURKOWSKI. I wonder if the senior Senator from West Virginia will allow me to speak against the amendment. As chairman of the Energy Committee I take the opportunity to do so, and I would be happy to yield the remaining time to the Senator from West Virginia.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. MURKOWSKI. I thank the Chair.

Mr. President, I am very sensitive to the concerns of the Senator from Nevada about the issue of nuclear waste policy. However, I must rise in opposition to the amendment because I honestly feel a trust is about to be broken if indeed funds that have been collected by America's nuclear utility system for the benefit of a specific purpose of establishing a repository for this Nation's nuclear waste are used for a purpose other than intended.

It is my understanding that the amendment offered by the Senator from Nevada does just that, that \$14,700,000 of funds that were collected by the utilities from the ratepayers are

to be used for a purpose other than that which is intended. In 1982 when Congress adopted the Nuclear Waste Policy Act, it required the Department of Energy to build a repository that could accept spent fuel from commercial nuclear reactors at a repository by the year 1998. Unfortunately, that commitment has not been made nor directed by Congress. However, the DOE entered into contracts with the Nation's nuclear utilities under which the Department collected a fee of one-tenth of 1 percent per kilowatt-hour on electricity generated by nuclear energy in return for a commitment to accept waste beginning in 1998.

If the Reid amendment passes today, that commitment will be broken. The fee is collected by utilities from their ratepayers in their monthly bills and it is placed in a special Nuclear Waste Fund in the Treasury. The fund receives over \$½ billion per year from collections and \$300 million per year in interest on the unobligated balance. At this time the fund has a balance of \$4.9 billion.

The Department of Energy has acknowledged that they will be unable to meet their obligations to begin accepting waste in 1998. For this reason, the Committee on Energy and Natural Resources is considering legislation to restructure the nuclear waste program so that the Government will not have to default on its contractual obligations to the American people.

I cannot now tell you exactly what that form of nuclear waste disposal program will take and what it will consist of. However, I know for a fact that it will be very expensive. The Nuclear Waste Fund was collected from the Nation's ratepayers for the specific purpose of disposing of spent nuclear fuel. It cannot be allowed to be used for any other purpose, and that specifically is what the Reid amendment will do.

So I must stand in opposition to the amendment.

I see no further Senator wishing to speak. I would accommodate the senior Senator from West Virginia, and yield the remaining time that we have on this side.

The PRESIDING OFFICER. Is the Senator yielding the remaining time to the Senator from West Virginia?

Mr. MURKOWSKI. I have been advised that there is a Senator from this side who wants to be heard on this issue, the senior Senator from New Mexico. So I must advise my friend from West Virginia that I must reserve the remainder of my time.

Mr. BYRD. Very well. I understand.

Mr. President, I ask unanimous consent that I may speak on another matter and that the time not be charged to anybody; that I speak out of order.

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

Mr. REID addressed the Chair.

The PRESIDING OFFICER. The Senator from Nevada.



Mr. REID. Reserving the right to object—and, of course, I will not object, I am wondering how long the Senator intends to speak, approximately?

Mr. BYRD. I do not think I will go beyond 15 minutes.

The PRESIDING OFFICER. The Senator from West Virginia is recognized.

Mr. BYRD. Mr. President, I thank the Chair.

#### SENATOR HOWELL HEFLIN

Mr. BYRD. Mr. President, on October 28, 1919, the National Prohibition Act, also known as the Volstead Act, was passed by Congress over President Wilson's veto of the previous day. The act defined as intoxicating, any liquor containing at least one-half of one percent alcohol, and provided for enforcement of the provisions of the Eighteenth Amendment.

This singular event was to usher in the colorful era of the 1920's, with its flapper girls, its bathtub gin, and its legendary mobster figures. In 1920, the U.S. Census recorded a population of 105,710,620. The center of the population was judged to be 8 miles south, southeast of Spencer, in Owen County, Indiana. In 1920, for the first time, the total number of farm residents dwindled to less than 50 percent. It was a very different world.

This was the age into which, on June 19, 1921, HOWELL HEFLIN was born. The son of a Methodist minister, Senator HEFLIN is then, the child of a slower, more rural America—the kind of America into which I was born 4 years earlier—an era when there was always time to appreciate charm and wit in individuals and careful, considered, judgment in leaders.

Will Rogers came to prominence in the 1920's. Radio flourished as an entertainment medium in the late 1920's and early 1930's. It was an era when events and ideas were savored, talked about, discussed on the front porch and over the Sunday supper table. The humor was more wry than malicious, and taking a day or two to think about something was considered the norm. HOWELL HEFLIN is a product of those times, and a product of the South and his beautiful home state of Alabama.

His temperament is uniquely suited to the judiciary. He thinks about things carefully. HOWELL turns things over in his mind to see how they look from all sides. He speaks slowly. He measures his words, and he spices his statements with rich Southern tales and the folksy lore of Alabama.

And HOWELL HEFLIN's life has been nearly as rich and varied as his mannerisms and his speech. He graduated from Birmingham-Southern College and the University of Alabama Law School in 1948. This was the beginning of HOWELL's fabulous legal career in Alabama. HOWELL HEFLIN went on to become President of the Alabama State Bar in 1966. He took the oath of Chief Justice of the Supreme Court of Alabama in 1971, and, in 1975, Judge

HEFLIN was selected the most outstanding appellate judge in the United States. When HOWELL left the bench in 1977, there was no congestion and no backlog of cases in any of Alabama's courts, either trial or appellate. In 1978, HOWELL HEFLIN went on to cap an already notable career with election to the United States Senate.

Now serving his third and final term in the Senate, Senator HEFLIN is surely one of the most beloved Members of this body. He is a man to be trusted. He will take on a difficult task and bring it to conclusion with honor. HOWELL HEFLIN will not rush to judgment. I have tried to get him to on a few occasions, but I could not get him to rush to judgment. He does not leap to conclusions, or bow to pressures. It was for those reasons that I, as majority leader, appointed him chairman of the Senate Ethics Committee, a job that is anything but coveted in this body, but which demands unusual qualities of character and honor. And HOWELL HEFLIN is an honorable man. I am sure he did not enjoy the task, but he was perfect for the job because he is impeccably honorable as few men are.

Yet HOWELL HEFLIN is never pompous, never self-important, never ponderous or heavy with his viewpoints or pronouncements. He colors it all with his legendary humor, putting a light and artful touch on nearly everything with which he is involved. I have so wondered at the genesis of this delightful quality in Senator HEFLIN that I recently did a little background research on an uncle of HOWELL's, Senator Thomas J. Heflin, who served the State of Alabama in the U.S. Senate in the 1920's. I find that the delightful sense of humor appears to have genetic roots.

I now read from volume II of my own history of the United States Senate. And I read from page 137. I read from the chapter on filibusters. There was a filibuster going on in 1922. It had to do with a bill which was being filibustered by certain Senators in late February.

By late February, there was no longer any doubt that the obstructionists could and would keep the filibuster going until sine die adjournment at noon on March 4, throttling other legislation in the process. In the face of this threat, Senator Jones and the administration forces capitulated on February 28 by moving to take up a so-called filled milk bill, thus displacing the ship subsidy bill. In the words of Alabama Senator J. Thomas Heflin, the "miserable measure" had "gone to its long, last sleep." It was "already dead."

That sounds very much like HOWELL HEFLIN.

And on page 138, we read of another filibuster that was occurring in the spring of 1926. This was

... a filibuster was conducted against legislation for migratory bird refuges, but the bill died after an effort to invoke cloture failed. Legislation for development of the Lower Colorado River Basin suffered a similar fate when, on February 26, 1927, cloture was rejected by a vote of 32 to 59. Two days later, however, the Senate did invoke cloture on a Prohibition reorganization bill, although a final vote on the bill was delayed

for almost two days by the opponents of a resolution extending the life of a committee that was investigating charges of corrupt senatorial elections in Illinois and Pennsylvania. As Franklin Burdette, author of the study of filibusters, observed, "filibusterers against one measure had been able to make cloture against another serve their purposes for nearly two days!" At one point, Senator J. Thomas Heflin of Alabama—who, incidentally, was—

As I say, in my book

—an uncle of our own colleague and friend from Alabama, Senator Howell Heflin—ridiculed "obstreperous Republican filibusterers"—

This is Senator J. Thomas Heflin talking

—ridiculed "obstreperous Republican filibusterers" for obstructing action on the resolution for campaign investigations. "You are saying in your hearts," he declared with fine sarcasm:

Committee, spare that campaign boodle tree,

Touch not a single bow;

In election times it shelters me,

You must not harm it now.

Well, I can just hear HOWELL HEFLIN saying that. That is just about the way he would say it, except he would say it better than I said it.

I can hear Senator HOWELL HEFLIN saying something very much like that right today, should the proper kind of vexation come along.

I salute my friend and colleague, and I regret his decision to leave this body. I salute him for his character, for his wit, for his steadfast determination to follow his own star, to refuse to be hurried, to study and to deliberate until he is satisfied and at peace with his conclusion. I salute him for taking his time in a world which demands that everyone hurry. I salute him for his courage. This is a man who will be himself, and there is certainly no one else he would rather be. He is an Alabama original, and I regret that, in not too many months, Alabama will reclaim him.

But we here in the Senate will have enjoyed his wit, benefited by his wisdom, and been inspired by his integrity when that time is come. And just as we are certain in our knowledge that all excellent things must come to a close, we will not begrudge him his time to go home, to be with his lovely wife, Mike, and to contemplate with peace and pleasure the seasons' change in the rolling hills of Alabama.

My wife, Erma, and I join in these warm felicitations for HOWELL and his wife, Mike.

Nature's first green is gold.  
Her hardest hue to hold.  
Her early leaf's a flower;  
But only so an hour.  
Then leaf subsides to leaf.  
So Eden sank to grief,  
So dawn goes down to day.  
Nothing gold can stay.

Mr. President, I yield the floor.