

whereupon, the Senate reassembled when called to order by the Presiding Officer (Mr. ALLARD).

**SUPPLEMENTAL APPROPRIATIONS
FOR NATURAL DISASTERS AND
OVERSEAS PEACEKEEPING EF-
FORTS FOR FISCAL YEAR 1998**

The Senate continued with consideration of the bill.

AMENDMENT NO. 2102, AS MODIFIED

The PRESIDING OFFICER. The pending amendment is the Gorton amendment No. 2102 to Senate bill 1768.

The Senator from Washington is recognized.

Mr. GORTON. Mr. President, I ask unanimous consent the yeas and nays on that amendment be vitiated.

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

Mr. GORTON. I send a modification of that amendment to the desk.

The PRESIDING OFFICER. Without objection, the amendment is modified.

The amendment, as modified, is as follows:

At the appropriate place, insert the following:

SEC. . LIMITATIONS ON INTERNATIONAL MONETARY FUND LOANS TO INDONESIA.

The Secretary of the Treasury shall instruct the United States Executive Director of the International Monetary Fund to use the voice and vote of the United States to prevent the extension of International Monetary Fund resources—

(1) directly to or for the direct benefit of the President of Indonesia or any member of the President's family; and

(2) The Secretary of the Treasury shall instruct the Executive Director to use the U.S. voice and vote to oppose further disbursement of funds to Indonesia on any IMF terms or conditions less stringent than those imposed on the Republic of Korea and the Philippines Republic.

Mr. GORTON. I ask unanimous consent Senator GREGG be added as a cosponsor to the modified amendment.

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

Mr. GORTON. Earlier this afternoon, I introduced an amendment which would have instructed the U.S. representative to the International Monetary Fund to vote against any proposal with respect to Indonesia that would have benefited President Soeharto or his family or his close associates.

I did so because it seemed to me that while several of the Nations in Southeast Asia that have been subjected to these runs on their currency and toward the present economic crisis were close friends of the United States, had developed democratic institutions like our own, were struggling toward free markets like our own, this was not taking place in Indonesia. It was a wholly-owned family subsidiary benefiting largely the Soeharto family and not the people of Indonesia.

I pointed out that it seemed to me unfair to impose heavy requirements on friends of ours like the Republic of Korea and the Philippine Republic and allow any IMF money to go to Indo-

nesia that was resisting all of the attempts by IMF to reform its economy.

Others, including the Treasury, the distinguished chairman of the committee, and many others who have been interested in the International Monetary Fund asked me to modify my amendment. I have done so, to make it more narrow with respect to aid to the Soeharto family, narrow enough so I must say, I think it is symbolic only, but to require the United States not to favor any proposition with respect to Indonesia that is less stringent than those that the IMF is imposing on the Republic of Korea and the Philippine Republic, two of the closest allies and best friends with the longest association with the United States of any of the countries of Southeast Asia.

With that motion, I understand the amendment is acceptable and will be adopted by a voice vote. But I do want to say that I know that I represent a strong strain of opinion in this Senate that we should not be bailing out the Soeharto family, even indirectly, through our contributions to the International Monetary Fund.

I want the message to be heard loud and clear in Jakarta that true reforms to its economy are absolutely essential, that the International Monetary Fund and the United States are simply not interested in bailing out a family enterprise—fortunes stolen through corruption and inside dealing in the way that has been all too true in Indonesia over the course of the past decades—that there is a difference among the countries seeking aid in Southeast Asia from the International Monetary Fund. I am told that in some respects the requirements being imposed on Indonesia are tougher than those on South Korea and the Philippine Republic. If so, that is fine. But I certainly don't want us favoring Indonesia over those two nations that have been our allies for such an extended period of time.

So even if this amendment is only symbolic at this point—and it may very well be—I think the symbolism is important. I think that symbolism is vitally important.

I believe as a general proposition that it is in the interests of the United States to help the International Monetary Fund help countries that are willing to try to help themselves out of a severe economic crisis, even selfishly from the point of view of our own economy and our own exporters who are already seeing, in increasing trade deficits, the adverse impacts on trade in the crisis in Southeast Asia.

Certain IMF assistance is in the interest of the United States. Bailing out the Soeharto family is not, and that is what this amendment is designed to accomplish.

Mr. STEVENS. It is my understanding that the amendment of Senator GORTON has been cleared on both sides, and I know of no other debate. I congratulate the Senator for working so hard on this amendment. I remem-

ber the discussions that he and I had with various members of the South Pacific community in Australia when we were down there earlier this year. This certainly reflects the general feeling in the Senate.

The Senator is to be congratulated for doing this.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment (No. 2102), as modified, was agreed to.

Mr. GORTON. I move to reconsider the vote.

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

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The pending amendment is the Faircloth amendment, No. 2103.

Mr. STEVENS. I ask unanimous consent that amendment might be temporarily set aside.

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

AMENDMENTS NOS. 2111 THROUGH 2116, EN BLOC

Mr. STEVENS. I will send to the desk the managers' package of amendments that have been cleared on both sides: The first amendment, for Mr. LEAHY, to eliminate the State matching requirement with respect to certain amounts made available for fiscal year 1998 for the Small Business Development Center Program of the Small Business Administration; the second amendment, for Senators COVERDELL, COCHRAN, BUMPERS, BOXER, and CLELAND, to provide additional funds for emergency watershed and flood prevention separations and strike certain earmarks from the bill; third is an amendment, for Senator KENNEDY, to authorize the Secretary of Defense to lease or create another type of short-term interest in certain land near the Massachusetts Military Reservation; fourth is, for Senators COATS and LIEBERMAN, to extend the National Defense Panel to the end of fiscal year 1998; the fifth amendment is on behalf of Senators SHELBY, BYRD, BOXER, and Senator DORGAN, to provide funds for emergency railroad rehabilitation and repair; the last amendment is on behalf of Senators GREGG and HOLLINGS, to allow the transfer of funds from various agencies to the State Department to address the cost of departmental overhead.

As I indicated, these have all been cleared on both sides. I ask for their consideration.

The PRESIDING OFFICER. The clerk will report the amendments, en bloc.

The legislative clerk read as follows:

The Senator from Alaska [Mr. STEVENS] proposes amendments No. 2111 through 2116, en bloc.

The amendments are as follows:

AMENDMENT NO. 2111

(Purpose: To eliminate the State matching requirement with respect to certain amounts made available for fiscal year 1998 for the Small Business Development Center program of the Small Business Administration)

At the appropriate place, insert the following:

SEC. . Notwithstanding section 21(a)(4) of the Small Business Act (15 U.S.C. 648(a)(4)) or any other provision of law, of the amount made available under the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1998 (Public Law 105-119) for the account for salaries and expenses of the Small Business Administration, to fund grants for performance in fiscal year 1998 or fiscal year 1999 as authorized by section 21 of the Small Business Act (15 U.S.C. 648), any funds obligated or expended for the conduct of a pilot project for a study on the current state of commerce on the Internet in Vermont shall not be subject to a nonfederal matching requirement.

AMENDMENT NO. 2112

(Purpose: To provide additional funds for emergency Watershed and Flood Prevention Operations and to strike earmarks from the bill)

On page 4, line 1, beginning with the word "of", strike all down through and including the word "That" at the end of line 3.

On page 6, line 6, strike "\$50,000,000" and insert "\$100,000,000".

On page 6, line 7, beginning with the word "of", strike all down through and including the word "That" on line 10.

On page 6, line 12, strike "\$50,000,000" and insert "\$100,000,000".

Mr. COVERDELL. Mr. President, I would first like to commend the chairman, Senator STEVENS for his attention to Georgia disaster victims in this bill. I would also like to thank Senator COCHRAN for his fine work as Agriculture Subcommittee chairman in working through the many requests for assistance he has received.

Mr. COCHRAN. I thank the Senator.

Mr. COVERDELL. I would like to ask a question of Chairman COCHRAN if I might. Is it the Senator's understanding that the \$40 million in the Emergency Conservation Program account and \$10 million in the Emergency Watershed and Flood Prevention Program account we provided for the State of Georgia in the 1998 Emergency Supplemental Appropriations Bill is sufficient to fully cover our losses.

Mr. COCHRAN. The Senator from Georgia is correct with regard to the Emergency Conservation Program. Officials at the Department of Agriculture have reported that the \$60 million that we provided for this program will be more than sufficient to address Georgia's disaster needs. Regarding the Emergency Watershed and Flood Prevention program, officials have reported that Georgia will require approximately \$25 million, according to the current estimates.

Mr. COVERDELL. Would the Senator from Mississippi be willing to consider an amendment providing additional funds for the Emergency Watershed and Flood Prevention account in order to cover the \$25 million needed for re-

lief in Georgia and for needs resulting from more recent disasters elsewhere? And, if this assistance is provided at these levels, will it be sufficient to cover Georgia's estimated disaster needs?

Mr. COCHRAN. I would be happy to agree to the amount necessary to cover disaster assistance under the Emergency Watershed and Flood Prevention Program for Georgia in the wake of its recent flooding and tornado damage. In response to the second question, it is my understanding currently that the agricultural disaster needs of Georgia will be sufficiently addressed with a total supplemental appropriation of \$100 million in the Emergency Watershed and Flood Prevention account and \$60 million in the Emergency Conservation Program. So, yes, Georgia's needs will be accommodated, and the Senator's work on behalf of his state is appreciated.

Mr. COVERDELL. The Chairman's assistance is greatly appreciated. Rest assured these vital funds will go to good use in what has become a very trying year for Georgia farmers, and the Chairman's leadership is especially helpful to my state.

THE CHINO DAIRY PRESERVE IN SAN BERNARDINO COUNTY

Mrs. BOXER. Mr. President, one of the consequences of the torrential rains in Southern California has been massive flooding. In the Chino Basin in San Bernardino County, we have a dairy preserve that is home to more than 325 thousand dairy cows. Because of the heavy rains, wastewater wash flows and related manure that are usually stored in lagoons for subsequent disposal, have become inundated causing overflows. These overflows discharge into the Santa Ana River, threatening the underlying aquifer and impairing the water quality. It is important to note that the Santa Ana River is a drinking water source for more than 2 million citizens in Orange County, California. These threats include inorganic salts, parasites, bacteria and viruses and can pollute drinking water with high levels of nitrates that can be potentially fatal to infants.

I would like to ask Senator COCHRAN, chairman of the Agriculture Appropriations Subcommittee, a question. I have been told by the United States Department of Agriculture that \$5 million of the amount requested by the Administration for California from the United States Department of Agriculture Natural Resources Conservation Service Watershed and Flood Prevention Operations, is for the Chino Dairy Preserve in San Bernardino County. Is this the understanding of the Chairman?

Mr. COCHRAN. Yes, I understand that the United States Department of Agriculture estimate includes \$5 million for the Chino Dairy Preserve in San Bernardino County. I support this appropriation.

Mrs. BOXER. I thank the chairman.

This \$5 million will provide important emergency work to begin repair-

ing flood control channels, berms and other related activities that will ensure that this important watershed is provided every protection possible.

With this disaster assistance, we can begin the process of responding to this public health problem without delay and ensure that the citizens of Orange County will have continued confidence in their water supplies. I express my deep appreciation to the chairman, my colleagues on the Committee, and the U.S. Department of Agriculture for their support of this appropriation.

AMENDMENT NO. 2113

(Purpose: To authorize the Secretary of Defense to acquire a lease or other short-term interest in certain cranberry bogs near the Massachusetts Military Reservation, Massachusetts)

On page 15, below line 21, add the following:

SEC. 205. (a)(1) The Secretary of Defense may enter into a lease or acquire any other interest in the parcels of land described in paragraph (2). The parcels consist in aggregate of approximately 90 acres.

The parcels of land referred to in paragraph (1) are the following land used for the commercial production of cranberries:

(A) The parcels known as the Mashpee bogs, located on the Quashup River adjacent to the Massachusetts Military Reservation, Massachusetts.

(B) The parcels known as the Falmouth bogs, located on the Coonamessett River adjacent to the Massachusetts Military Reservation, Massachusetts.

(3) The term of any lease or other interest acquired under paragraph (1) may not exceed two years.

(4) Any lease or other real property interest acquired under paragraph (1) shall be subject to such other terms and conditions as are agreed upon jointly by the Secretary and the person or entity entering into the lease or extending the interest.

(b) Of the amounts appropriated or otherwise made available for the Department of Defense for fiscal year 1998, up to \$2,000,000 may be available to acquire the lease or other interest acquired under subsection (a).

AMENDMENT NO. 2114

(Purpose: To extend the National Defense Panel to the end of fiscal year 1998)

On page 15, after line 21, insert the following:

SEC. 205. (a) Section 924(j) of Public Law 104-201 (110 Stat. 2628) is amended to read as follows:

"(j) DURATION OF PANEL.—The Panel shall exist until September 30, 1998, and shall terminate at the end of the day on such date."

(b) The National Defense Panel established under section 924 of Public Law 104-201 shall be deemed to have continued in existence after the Panel submitted its report under subsection (e) of such section until the Panel terminates under subsection (j) of such section as amended by subsection (a).

Mr. COATS. Mr. President, the report of the National Defense Panel (NDP) has been tremendously useful to the Congress as we consider the national security requirements for our military today, and into the 21st century. The termination of the National Defense Panel (NDP) is extended through fiscal year 1998 to provide additional details on their deliberations. The members of the National Defense Panel have provided insightful testimony on their assessment of the scope scale, and pace of

military transformation needed to address the operational challenges of the 21st century. They are also providing insights on transforming the defense industrial base and infrastructure. The NDP will retain status, staff, and facilities as directed in section 924 of the National Defense Authorization Act for 1997.

AMENDMENT NO. 2115

(Purpose: To provide funds for emergency railroad rehabilitation and repair on Class II and Class III railroads)

(On page 45 of the bill, between lines 13 and 14, insert the following:)

FEDERAL RAILROAD ADMINISTRATION
EMERGENCY RAILROAD REHABILITATION AND
REPAIR

For necessary expenses to repair and rebuild freight rail lines of regional and short line railroads or a State entity damaged by floods, \$10,600,000, to be awarded subject to the discretion of the Secretary on a case-by-case basis: *Provided*, That not to exceed \$5,250,000 shall be solely for damage incurred in the Northern Plains States in March and April 1997 and in California in January 1997 and in West Virginia in September 1996: *Provided further*, That not less than \$5,350,000 shall be solely for damage incurred in Fall 1997 and Winter 1998 storms: *Provided further*, That funds provided under this head shall be available for rehabilitation of railroad rights-of-way, bridges, and other facilities which are part of the general railroad system of transportation, and primarily used by railroads to move freight traffic: *Provided further*, That railroad rights-of-way, bridges, and other facilities owned by class I railroads are not eligible for funding under this head unless the rights-of-way, bridges or other facilities are under contract lease to a class II or class III railroad under which the lessee is responsible for all maintenance costs of the line: *Provided further*, That railroad rights-of-way, bridges and other facilities owned by passenger railroads, or by tourist, scenic, or historic railroads are not eligible for funding under this head: *Provided further*, That these funds shall be available only to the extent an official budget request, for a specific dollar amount, that includes designation of the entire amounts as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress: *Provided further*, That the entire amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: *Provided further*, That all funds made available under this head are to remain available until September 30, 1998: *Provided further*, that the Secretary of Transportation shall report to the House and Senate Appropriations Committees not later than December 31, 1998, with recommendations on how future emergency railroad repair costs should be borne by the railroad industry and their underwriters.

AMENDMENT NO. 2116

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

SEC. . (a) Any agency listed in section 404(b) of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1998, P.L. 105-119, may transfer any amount to the Department of State, subject to the limitation of subsection (b) of this section, for the purpose for making technical adjustments to the amounts transferred by section 404 of such act.

(b) Funds transferred pursuant to subsection (a) shall not exceed \$12,000,000, of which not to exceed \$3,500,000 may be transferred from the U.S. Information Agency, of which not to exceed \$3,600,000 may be transferred from the Defense Intelligence Agency, of which not to exceed \$1,600,000 may be transferred from the Defense Security Assistance Agency, of which not to exceed \$900,000 may be transferred from the Peace Corps, and of which not to exceed \$500,000 may be transferred from any other single agency listed in section 404(b) of P.L. 105-119.

(c) A transfer of funds pursuant to this section shall not require any notification or certification to Congress or any committee of Congress, notwithstanding any other provisions of law.

The PRESIDING OFFICER. The question is on agreeing to the amendments en bloc.

The amendments (Nos. 2111 through 2116) were agreed to.

Mr. STEVENS. I move to reconsider the vote, and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

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

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

AMENDMENTS NOS. 2117 TO 2119, EN BLOC

Mr. STEVENS. I have additional amendments that have been cleared on both sides. The first amendment, by Senator ASHCROFT, is on the IMF and opening markets to agriculture; second is an amendment by Senator HOLLINGS to send a Treasury team to collect data on industry statistics and the impact of the Asian economic crisis; and the last is an amendment by Senator GRASSLEY, accompanied by a statement that he wished to insert in the RECORD before adoption of the amendment regarding reforms in bankruptcy laws.

I send the package to the desk.

The PRESIDING OFFICER. Without objection, the amendments will be considered en bloc.

The clerk will please report.

The assistant legislative clerk read as follows:

The Senator from Alaska [Mr. STEVENS] proposes amendments Nos. 2117 through 2119, en bloc.

The amendments are as follows:

AMENDMENT NO. 2117

(Purpose: To use the voice and vote of the United States to enhance the general effectiveness of the International Monetary Fund)

On page 8, after line 25, insert the following new section and renumber the remaining section accordingly:

SEC. . ADVOCACY OF POLICIES TO ENHANCE
THE GENERAL EFFECTIVENESS OF
THE INTERNATIONAL MONETARY
FUND.

The Secretary of the Treasury shall instruct the United States Executive Director

of the International Monetary Fund to use aggressively the voice and vote of the United States to vigorously promote policies to—

(2) encourage the opening of markets for agricultural commodities and products by requiring recipient countries to make efforts to reduce trade barriers.

AMENDMENT NO. 2118

Insert at the appropriate place in the IMF title:

SEC. . IMF INDUSTRY IMPACT TEAM.—(a) After consultation with the Secretary of the Treasury and the United States Trade Representative, the Secretary of Commerce shall establish a team composed of employees of the Department of Commerce—

(1) to collect data on import volumes and prices, and industry statistics in—

- (A) the steel industry;
- (B) the semiconductor industry;
- (C) the automobile industry; and
- (D) the textile and apparel industry;

(2) to monitor the effect of the Asian economic crisis on these industries;

(3) to collect accounting data from Asian producers; and

(4) to work to prevent import surges in these industries or to assist United States industries affected by such surges in their efforts to protect themselves under the trade laws of the United States.

(b) The Secretary of Commerce shall provide administrative support, including office space, for the team.

(c) The Secretary of the Treasury and the United States Trade Representative may assign such employees to the team as may be necessary to assist the team in carrying out its functions under subsection (a).

AMENDMENT NO. 2119

At an appropriate place, add the following: “(c) BANKRUPTCY LAW REFORM.—The United States shall exert its influence with the IMF and its members to encourage the IMF to include as part of its conditions of assistance that the recipient country take action to adopt, as soon as possible, modern insolvency laws that—

“(1) emphasize reorganization of business enterprises rather than liquidation whenever possible;

“(2) provide for a high degree of flexibility of action, in place of rigid requirements of form or substance, together with appropriate review and approval by a court and a majority of the creditors involved;

“(3) include provisions to ensure that assets gathered in insolvency proceedings are accounted for and put back into the market stream as quickly as possible in order to maximize the number of businesses that can be kept productive and increase the number of jobs that can be saved; and

“(4) promote international cooperation in insolvency matters by including—

“(A) provisions set forth in the Model Law on Cross-Border Insolvency approved by the United Nations Commission on International Trade Law, including removal of discriminatory treatment between foreign and domestic creditors in debt resolution proceedings; and

“(B) other provisions appropriate for promoting such cooperation.

“The Secretary of the Treasury shall report back to Congress six months after the enactment of this Act, and annually, thereafter, on the progress in achieving this requirement.”

Mr. President, I rise to offer an amendment to the IMF funding amendment offered by Senator HAGEL. The amendment I offer relates to international bankruptcies. As chairman of

the Subcommittee on Administrative Oversight and the Courts, which has jurisdiction over bankruptcy policy, I believe that it is crucially important to encourage the IMF to encourage nations which seek IMF economic assistance to implement meaningful bankruptcy and insolvency reforms. In fact, last year, I held extensive hearings on the subject of international bankruptcies. To my surprise, I learned that Wall Street analysts who assess how risky it is to invest in a particular developing country often look at the type of bankruptcy system in place. On the basis of these risk assessments, investors decide whether to invest in a particular country. In other words, bankruptcy reform will encourage private development and investment in emerging economies. My amendment has been developed to encourage the kind of bankruptcy reform which will in turn encourage increased private investment.

As I said, the lack of a developed insolvency system to deal with business failures has frequently been cited as an aggravating factor in the Asian financial crisis. Without effective legal procedures to deal with bankruptcies, jobs are needlessly lost and creditors are needlessly denied access to corporate assets. By encouraging the IMF to push for meaningful bankruptcy reform in economically troubled nations, we will strengthen the global marketplace and provide much-needed certainty to international investors.

The amendment I will offer has been developed in conjunction with the Office of Legal Advisor in the State Department as well as specialists in the field of international bankruptcies who have direct, first-hand experience working with the bankruptcy and insolvency systems in the troubled Asian nations. So, I believe my amendment will result in positive and meaningful change. I urge the passage of my amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendments.

The amendments (Nos. 2117 through 2119) were agreed to.

Mr. STEVENS. I move to reconsider the vote, and I move to lay the motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 2120

(Purpose: To strike unrelated and unnecessary HCFA funding from the bill)

Mr. STEVENS. Mr. President, I send an amendment to the desk on behalf of Senator NICKLES.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows: The Senator from Alaska (Mr. STEVENS), for Mr. NICKLES, proposes an amendment numbered 2120.

On page 39, strike beginning with line 21 through line 24.

On page 50, strike beginning with line 20 through line 24.

Mr. STEVENS. Mr. President, Senator NICKLES intends to raise that

amendment tomorrow. It has not been cleared.

AMENDMENT NO. 2080

Mr. KENNEDY. Mr. President, I opposed the amendment by the Senator from Missouri. The so-called "Family Friendly Workplace Act" is anything but family-friendly. It is anti-worker and anti-family, and it should not take time away from this emergency appropriations bill.

The amendment was offered three times in the last session, and each time, my colleagues on the other side failed to invoke cloture. The reason is clear: the "Family-Friendly Workplace Act" has an appealing title, but appalling substance. It will never become law—nor should it.

This amendment was offered last June while we were debating another necessary appropriations bill. That bill provided billions of dollars of relief to Americans in the Midwest, who were suffering the devastating effects of floods. Yet my colleagues on the other side insisted on delaying that emergency legislation, so they could offer this amendment.

On this side of the aisle, we stood up to the opposition. We said "no." We said that Americans in the Dakotas and Minnesota desperately needed help. They needed assistance to recover their homes, their property and their lives. We defeated the opposition's efforts to jam this bill through the Senate.

Each time the legislation was offered, we defeated it. Finally, last June, the bill's supporters withdrew. We thought we had seen the last of this regressive legislation.

But no, here we go again. Another essential appropriations measure is on the floor, and what do my friends on the other side do? They return to this anti-worker, anti-family amendment.

We won't let it happen this time, any more than we did last June.

Before I discuss the fatal flaws in this legislation, let me make one additional point. For the past ten days, the Senate has been trying to consider an education bill. Throughout that period, the Majority Leader has insisted that only amendments "germane" to the bill should be discussed. He refuses to allow those on this side to discuss amendments addressing the nation's crumbling public schools. He won't allow debate on amendments dealing with reducing class size. And he blocks discussion of amendments meant to encourage more college graduates to become teachers.

Somehow, these education amendments aren't important enough to warrant consideration on the floor of the Senate. The Majority will not allow full and fair debate on these significant policy issues.

But there is a double standard at work. The appropriations measure currently before us is an emergency measure. It provides essential support to our troops in Bosnia and other troubled areas of the world. And, it gives emergency relief to families devastated by

tornadoes, floods and ice storms, from Maine to Florida to California.

Apparently the Majority Leader is prepared to delay this emergency appropriations bill with a totally unrelated amendment.

The inconsistency is obvious. The Majority will not permit debate on important education amendments, because they do not want to delay tax breaks to families who can afford to send their children to private school. But when it comes to postponing essential financial help to American soldiers overseas, and American families at home suffering from disastrous weather conditions—that is acceptable to my Republican friends. Those on the other side of the aisle may find this approach satisfactory, but those on this side couldn't disagree more.

Now, I'd like to offer a few words on the substance of the amendment. Just a brief review demonstrates why it is unacceptable, and why it will never become law.

First, the amendment is a pay cut for 65 million American workers. The so-called "biweekly work schedule" lets employers schedule workers for 60, 70, even 80 hours in a single week. Employers pay every hour at the employee's regular rate, as long as the total number of hours worked in a two-week period does not exceed 80. Under current law, every hour worked over 40 must be paid at time-and-a-half. This proposal would abolish that guarantee.

Second, the amendment cuts benefits. In many industries, health and retirement benefits are based on the number of hours that employees worked. But the amendment does not guarantee that "comp time" or "flexible credit hours" must be considered "hours worked" for these important purposes. The result could be lower pensions and fewer health benefits. This does not help working families.

The amendment does not even assure employees an increase in time off. If an employee takes 8 hours of comp time on a Monday in order to spend time with her family, the employer is free to force the employee to work on Saturday to make up for the lost time. The employer does not even have to pay time-and-a-half for the hours worked on Saturday. The comp time hours used on Monday do not count toward the 40-hour week. This does not help working families.

Despite supporters' claims, this provision does not move the Fair Labor Standards Act into the 21st century. Instead, it turns back the clock, and makes it harder for workers to juggle the obligations of their job with the demands of their family.

Third, the proposal abolishes the 40-hour week. That protection has been basic to employee-employer relations for nearly 60 years. Yet the Republicans want to return to the days when employees could be forced to work from sunup to sundown, day after day. This does not help modern working families juggle their obligations at home and at work.

Finally, the amendment does not guarantee employee choice. The employer chooses who works overtime and when an employee can use accrued comp time. The employer is free to assign all the overtime work to employees who will accept comp time. Those employees who need the money the most, who can't afford to take time off, would be hurt the most. Their paychecks would be smaller. This is discrimination, and it is wrong—but the proposal does nothing to prevent it.

And nothing in the proposal guarantees that workers can take time off when they want to or need to. The proposal does not guarantee any worker the right to use compensatory time under any circumstances. Even if the employee has a legal right under the Family and Medical Leave Act to take time off, the amendment does not give the employee the right to use earned compensatory hours for that purpose.

This amendment is a cruel hoax. It does not help working men, it does not help working women, and it does not help working families.

Many organizations that have historically struggled for the rights of working women and their families recognize the fatal flaws in this proposal. 9 to 5, the National Association of Working Women; the American Nurses Association; the Business and Professional Women; the National Council of Jewish Women; the National Women's Law Center; the Women's Legal Defense Fund; the League of Women Voters; the American Association of University Women—the list goes on and on.

These organizations have fought for years to improve working women's lives on the job and in the home. They have supported affordable and high-quality child care. They have supported a living wage on the job. They were in the forefront of the battle to achieve Family and Medical Leave. From pay equity to pension equity to equal opportunity at home and at work, these organizations and others like them have worked tirelessly with and for working women.

Yet these groups uniformly oppose this proposal. Last spring they sent a letter to Senators LOTT and DASCHLE, expressing their belief that the bill "fails to offer real flexibility to the working women it purports to help while offering a substantial windfall to employers."

These organizations understand that working women may want more time with their families, but they cannot afford to give up overtime pay. As the letter to Senators LOTT and DASCHLE explained, "Women want flexibility in the workplace, but not at the risk of jeopardizing their overtime pay or the well-established 40-hour work week."

Democrats in Congress understand these concerns, and we are prepared to honor them. Unfortunately, this legislation either ignores these problems or makes them worse.

This is a bad bill, and the President has rightly promised to veto it should

it ever reach his desk. But it should never leave the Senate.

The Senate was right to reject this proposal last year, and we would have done so again today.

DISASTER RELIEF NEEDS OF U.S. MILITARY INSTALLATIONS IN CALIFORNIA

Mrs. BOXER. Mr. President, as I did during the Appropriations Committee mark-up of the emergency supplemental bill, I wanted to take a few moments and thank Senator STEVENS and Senator BYRD for their efforts on this important legislation. Once again, my state of California will be able to rebound from a devastating natural disaster, thanks to the leadership of these two distinguished Senators.

One of the consequences of El Nino has been extensive damage to the military infrastructure in my state. High winds and massive flooding have left a trail of destruction that must be addressed. This legislation includes important disaster funding that is critical to the readiness of our Armed Forces and to the quality of life of our military personnel.

I was pleased that the administration requested \$50 million in contingency funding for El Nino related disasters. I am also thankful that a portion of these funds have been designated to repair Marine Corps facilities and Air Force family housing in California. However, it is my understanding that damage estimates from California are still evolving and it is likely that the current allotment for California will not be sufficient.

I would like to ask Senator STEVENS, Chairman of the Appropriations Committee, if it is his intention during conference committee to increase disaster funding for California military installations when better estimates from the Defense Department are made available?

Mr. STEVENS. Mr. President, in the bill being reported by the House today, the House of Representatives has included additional funds for damages incurred from these storms. This amount is based on updated figures that have become available, subsequent to the President's submission to the Congress.

Mrs. BOXER. Mr. President, I thank my friend, Chairman STEVENS, for his continued leadership. His assistance is greatly appreciated. These funds are very important to California and to those serving our nation in the Armed Forces.

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

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

MORNING BUSINESS

Mr. STEVENS. Mr. President, I ask unanimous consent that there now be a

period of morning business with Senators permitted to speak therein for up to 5 minutes each.

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

ANNIVERSARY OF THE EDISON, NJ, PIPELINE ACCIDENT

Mr. LOTT. Mr. President, I rise today to recognize the anniversary of the tragic and frightening natural gas explosion that occurred four years ago near Edison, New Jersey. According to the National Transportation Safety Board, that accident was caused by a gouge in a major natural gas pipeline from unreported external damage during excavation. This dramatic accident caused Congress to focus on underground damage prevention.

Mr. President, I knew then that we needed to act to prevent future damage to the American underground infrastructure. I started working with Senator Bradley and Senator LAUTENBERG to develop "one-call" legislation to improve state laws so as to require excavators to call before they dig, and facility owners to mark their underground facilities accurately when notified. In spite of the clear need to act to reduce the number of dangerous and disruptive accidents at our underground facilities, the consensus needed to pass a one-call bill has eluded Congress for four years. This Congress is going to be different.

Mr. President, the Senate has twice passed a one-call bill in this Congress. The Senate has made a great start. The Senate has a bipartisan bill. The Senate has a bill passed by all 100 members. The Lott-Daschle one-call bill (S.1115) passed the Senate unanimously. In the House, the Baker-Pallone one-call bill (H.R. 3318) is moving ahead. I believe this legislation is a compatible component for the ISTE A bill. There is an overwhelming logic that as this Congress deals with the surface infrastructure it should deal with our underground infrastructure. ISTE A is the right legislative vehicle for one-call.

I promised my good friend, Bill Bradley, when he left the Senate that I would continue the legislative effort. This Congress is not going to let another anniversary pass without enacting a one-call bill into law. This Congress will not turn its back on Edison, New Jersey. This Congress will not turn its back on a common sense safety procedure. This Congress will not allow future Americans to be subjected to the tragic consequences of an avoidable natural gas explosion.

THE VERY BAD DEBT BOXSCORE

Mr. HELMS. Mr. President, at the close of business yesterday, Monday, March 23, 1998, the federal debt stood at \$5,539,832,909,123.38 (Five trillion, five hundred thirty-nine billion, eight hundred thirty-two million, nine hundred nine thousand, one hundred twenty-three dollars and thirty-eight cents).