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REFERENCE: Vol. 132 No. 89; Continuation of House Proceedings of June 25, 1986, Issue No. 88; and Proceedings of June 26, 1986, Issue No. 89.

TITLE: URGENT SUPPLEMENTAL APPROPRIATIONS, 1986 CONFERENCE REPORT

SPEAKER: Mr. ABDNOR; Mr. ANDREWS; Mr. BENTSEN; Mr. BIDEN; Mr. BINGAMAN; Mr. BOREN; Mr. BUMPERS; Mr. BURDICK; Mr. BYRD; Mr. CHAFEE; MR. CHILES; Mr. COCHRAN; Mr. CRANSTON; Mr. D'AMATO; Mr. **DANFORTH;** Mr. DeCONCINI; Mr. DIXON; MR. DODD; Mr. DOLE; MR. DOMENICI; Mr. EAGLETON; Mr. EVANS; Mr. EXON; Mr. GRAMM; Mr. HARKIN; Mr. HATFIELD; Mr. HEFLIN; Mr. HELMS; Mr. JOHNSTON; Mr. KASTEN; Mr. KENNEDY; Mr. KERRY; Mr. LEAHY; Mr. LUGAR; Mr. MATHIAS; MR. MCCLURE; Mr. MOYNIHAN; Mr. MURKOWSKI; Mr. NICKLES; Mr. PROXMIRE; Mr. ROTH; Mr. SARBANES; Mr. SIMON; Mr. SIMPSON; MR. STAFFORD; Mr. STENNIS; Mr. STEVENS; Mr. SYMMS; Mr. WEICKER; Mr. ZORINSKY

The PRESIDING OFFICER. The clerk will report the next amendment in disagreement.

The legislative clerk read as follows:

RESOLVED, That the House recede from its disagreement to the amendment of the Senate numbered 91 to the aforesaid bill, and concur therein with an amendment as follows:

Strike out the matter stricken by said amendment, and insert:

DEPARTMENT OF DEFENSE ADMINISTRATIVE PROVISION

Of the funds previously appropriated or made available for research, development, test and evaluation for the Department of Defense for fiscal year 1986 pursuant to Public Law 99-190, \$55,600,000 shall be available only for grants or contributions to educational institutions for research activities, construction of research related facilities and for other related purposes as provided in House Report 99-450 accompanying House Joint Resolution 465, Public Law 99-190, and the Secretary of Defense shall provide these grants or contributions expeditiously: PROVIDED, That such grants or contributions are

a one time obligation and expenditure and shall not interfere with or change the existing system of other competitive research grants or contracts.

Mr. **DANFORTH** addressed the Chair.

The PRESIDING OFFICER. The Senator from Missouri.

Mr. **DANFORTH**. Mr. President, this amendment is going to require a rollcall vote. It is on almost precisely, with one slight exception, the same subject that the Senate voted on June 5. On June 5, when this bill was before the Senate, an amendment was offered to strike the provisions of the bill which earmarked funds for research spending for the Department of Defense.

The committee bill did earmark funds for nine specified universities for specific research projects.

In addition to that, the House of Representatives had earmarked two different research projects for specific universities for research.

An amendment was offered on the floor on June 5 to delete the earmarking. We went to a rollcall vote and we voted by 58 to 40 to strike the earmarking for both the two House projects and the nine Senate projects.

Therefore, the Senate bill had no earmarking for university research. The House bill had earmarking for two projects.

The conferees met and restored to the bill, through this amendment in disagreement which we will be voting on, both of the House projects and seven Senate projects for a grant total of nine.

In other words, the Senate's position was, "Do not earmark for university research." The House position was, "Earmark two projects." The conferees came back and said, "We will earmark nine projects for specific spending for university research."

That is the specific issue that is before us now.

Is the Senate going to stick by its guns? Is the Senate going to stick by the principle which we established on the night of June 5? Is the Senate going to continue to stand by the basic premise that research money should be spent according to merit, not according to politics?

That issue was debated over a period of about an hour-and-a-half, as I recall, on June 5. Good speeches were made on both sides. The Senate thought about the subject, and the Senate voted. The position that we took on that night was that research money spent by the Department of Defense should be spent according to merit, that scientists, whether they are in-house scientists in the Department of Defense or whether they are scientists

who are utilized on a peer review basis, professionals should make the decision as to where the wisest spending of our research dollars occurs. That was the position of the Senate.

Now the conferees come back to us with all of those projects put back that we struck earmarking for, and with the two House projects put back.

The question of principle, of course, is whether merit should govern determination of research spending or whether, instead, pork-barrel approaches should govern. It is notable, I believe, that of the nine items, the nine particular research projects that are specified, three of the universities never even had submitted proposals to the Department of Defense at the time that the Committee on Appropriations put the earmarking in for these proposals. No proposals were even submitted by the universities. Without even an application being made, the Committee on Appropriations selected three of the universities.

The Department of Defense went out into the field, looked at the universities that had applied, looked at the universities that had been designated by the Appropriations Committee, and the Department of Defense found that four of these earmarked universities did not have the research capability to do the job that we were going to hire them to do in this appropriations bill.

So three universities had not even sent in applications and four of them were found incompetent to do the job by the Department of Defense. Yet the conference committee comes back with an amendment in disagreement to earmark funds for these universities.

The position that is taken by the Committee on Appropriations, the position that money should be earmarked and not awarded by competition or by merit, is opposed by the White House and has been opposed by the White House; it is opposed by the Department of Defense; and it is opposed by, I believe, every professional organization that has anything to do with the field of education or the field of science in America.

The concept of earmarking and earmarking in this bill has been specifically opposed by the Association of American Universities, by the National Association of State Universities and Land Grant Colleges, by the American Council on Education, by the American Association for the Advancement of Science, the American Association of State Colleges and Universities, the American Physical Society, the National Academy of Sciences, the White House Science Adviser, the Department of Defense, and the Council of Scientific Society Presidents. Those are the opponents of this idea of earmarking.

Mr. President, let me turn briefly to the question of what earmarking does to our colleges and universities. We pride ourselves in this country on the quality of higher education. We pride ourselves that our colleges and universities are the cutting edge of America, this is the future of America. The capability not only of our colleges not only to train our young people but also to do very high-quality work in science and technology -- this is the pride of America. If we adopt this amendment in disagreement, we are saying to our

universities in this country that it does not matter whether they are qualified or not; it does not matter whether they have the capability to do research or not; it does not matter if they bother to file an application to do research with the Department of Defense or whatever **department** of the Federal Government. What matters is politics; what matters is pork-barrel politics; what matters is having the right friends on the right committees of the Congress of the United States.

There is a magazine which came out yesterday. It is Common Cause magazine. I suppose it is not the favorite magazine of a lot of people in the Senate, but that is neither here nor there. What is really striking about the magazine is the cover. This cover of Common Cause magazine shows three pigs, three pigs dressed up in academic garb, with mortarboard hats and robes. The cover story is "Hog Heaven: How Pork Barrel Politics Pays Off for Universities."

Here is what universities are doing. I have heard this from educators. It is pretty well written up in this article.

Here is the state now of the relationship between our academic community and the Federal Government. There is a lobbyist in town named Mr. Cassidy. This Mr. Cassidy goes around to colleges and universities and says, "Pay me \$2,000 a month for a minimum of 2 years and I will help you to get Government grants."

Mr. President, this is just plain wrong; it is just plain wrong for colleges to be bellying up to the trough of the Federal Government. If they want research grants to do research for our Government, it should be on the basis of their competence and their ability, not on hiring a lobbyist and getting into the pork barrel.

Mr. JOHNSTON. Mr. President, will the Senator yield for a question?

Mr. **DANFORTH**. Of course.

Mr. JOHNSTON. Was that the same issue of Common Cause magazine that spoke about the qualifications of Mr. Manion to be judge?

Mr. **DANFORTH**. I have not read it that far.

Mr. President, that is what this has done to our colleges and universities. It has transformed them into organizations that apply to lobbyists, pay lobbyists, lobby the Congress, just like anything else. I think that is wrong and I think that is what we are encouraging by this amendment in disagreement.

I think it is further true that from the standpoint on national defense -- and that is that is what we are dealing with here, the national defense of this country -- the strong point of the United States is not brawn, the strong of the United States is not how many people we have in arms or how many tanks or how much artillery we have.

The Soviet Union has much greater ones than we have. The strong point of the United States is the quality of what we have, the ability of our research people to maintain the absolute forefront of development with respect to science and technology. That is our strong point, and that is why money that is spent for national defense and for research in national defense should be spent wisely and not just dished out on a political basis.

If any one of us in the Senate had a child who was very, very sick, to what doctor would we go to treat the child? Clearly, we would pick out the most qualified doctor available because we want the best competence to save the life of our child.

If somebody were to come to us and say, "Please, instead of hiring or retaining the most competent physician, retain somebody who is friendly or retain somebody who needs the job," we would not do that for our own family.

But what is at stake in national defense spending is the country. It is our children, and we cannot just dish out research money on the basis of what Members are on the Appropriations Committee. It has to be done, in my opinion, on the basis of competence.

And finally -- just one further point -- we are going to have a continuing battle in the Congress on national defense spending. In the age of huge budget deficits and Gramm-Rudman-Hollings, we are going to be fighting this battle of how much we can spend for national defense for the foreseeable future. I have always supported a reasonable level of defense spending, at least I have thought it was reasonable. But always we are asked, "Isn't there fat in the defense budget? Isn't there waste in the defense budget?" And we always have to argue, "Oh, this money is being spent wisely and we in the Congress are doing our best to make sure that it is spent wisely and efficiently and well." And we are always being asked, "Well, how about the \$600 toilet seats, or the \$700 hammers?" or the latest indignity that we have read about. And we have said, "Oh, we didn't know about that but we found out about it and we stopped it."

Well, Mr. President, this is fat. This is waste. It is absolutely wasteful to take research money appropriated for the Department of Defense and give it to four universities that the Defense Department has found are not competent to spend the money. It is absolutely wasteful to take money that is appropriated for our national defense and give it to three universities that never even applied for it when the money was put in the budget. That is waste. It is likened to the \$600 toilet seats. It is scandalous and it is wasteful, and I do not know how, with a straight face, we can say that we have squeezed the fat out of the defense budget when we are throwing money at universities because they have hired lobbyists to get the money.

Mr. President, parliamentary inquiry. As I understand it, as yet, a motion has not been made to approve the amendment in disagreement?

The PRESIDING OFFICER. The Senator is correct.

Mr. **DANFORTH**. In that case I yield the floor.

Mr. PROXMIRE addressed the Chair.

The PRESIDING OFFICER. The Senator from Wisconsin.

Mr. PROXMIRE. Mr. President, I rise in support of the distinguished Senator from Missouri [Mr. **Danforth**]. I think he has made one of the best speeches I have heard in a long, long time on the floor.

On June 5, just 3 short weeks ago, the Senate passed, by an overwhelming 58 to 40 bipartisan majority, a majority of Republicans and majority of Democrats, an amendment of which Senator **Danforth** was the principal sponsor, which struck from this bill all earmarkings for defense research and development programs. This body, the U.S. Senate, said no to \$80.6 million in earmarkings to 10 specific universities. None of these universities, Mr. President, not one, competed for these defense dollars. None, not one, won the award through the competitive process. None of these projects were authorized by the Armed Services Committee. None were requested by the Department of Defense. And in fact each one was opposed by the Department of Defense. That 58-to-40 vote on the **Danforth** amendment said no to pork-barrel science. It said no to the substitution of political power over open competition. It was a correct vote then. It is a correct vote now. Nothing has changed.

Mr. President, nothing has changed except that the conferees at the request of the House have overridden the Senate vote and placed \$55.6 million of that \$80 million of earmarking for nine universities back in the conference report. Now, I was on the conference and when I asked the House conferees what happened in the conference on this matter they responded, and I quote: "We had to give people what they wanted." So the earmarkings were restored. Nine universities will receive funding without going through competition, without being approved by the Department of Defense, and every other university in the rest of our States that would like to compete will lose out. Seven States win, 43 States lose out, and the Nation loses out because the most competent researchers with the best capability will not have a chance to bid on these contracts.

Mr. President, this is just plain outrageous. Why the favoritism to these seven States? What makes them more equal than the other States? What gives them the right to stand at the front of the line and push all the others aside? Well, there is only one answer. They had patrons in the conference, patrons who look out for them, patrons who seek to insure that their universities get funding without going through competition where they may or may not survive.

Now, Mr. President, there is a hint in the conference university research amendment that having sinned once, having sinned once, the conference will not sin in the future. That is the rationale behind the curious wording of the proviso clause in the amendment, which states, and I quote now: "Provided that such grants or contributions are a one-time obligation and expenditure and shall not interfere with or change the existing system of competitive research grants or contracts."

Now, some people interpret that as meaning "we will never do it again. We did it this time, it was wrong, but we will not do it again." Well, taken literally, this language is a total contradiction of the amendment itself. The amendment provides funding for nine universities by going outside of, that is, by interfering with the existing system of competitive research grants or contracts. The implication is that this procedure shall not be followed again. Do you believe it? Do you believe it? Is it binding? Well, I have serious reservations as to whether or not it is binding. It does not appear to be binding in any legal way. It may be nothing more than a technique to insure violation of the competitive process one more time.

So, Mr. President, I support the Senator from Missouri in his effort to once again stop these earmarkings before the entire system of competition for defense dollars turns into a political test of wills and influence peddling.

That **Danforth** amendment has been strongly endorsed by the Defense Department on the basis of a vital principle. That principle was that the Defense Department should be allowed by Congress to allocate its research funds on the basis of professionally administered competition. The Defense Department contended that it could not secure research of the highest quality and the most reasonable cost unless they were allowed to rely on professionally administered competition.

Mr. President, on this issue, the Defense Department was absolutely right. Our military procurement is wasteful and scandalous enough without the kind of gross intervention by individual Members of the Congress contained in the initial appropriation bill when it came to the floor, and still contained, unfortunately, in the conference report.

What did the Appropriations Committee bill do before it was corrected by Senator **Danforth's** amendment? It took 10 projects in eight States out of the competitive process and, in effect, it ordered that research funds should go to these projects in those States regardless of merit, regardless of price, regardless of the judgment of professional experts selected to supervise the competition between our economic institutions.

What did the Senate and House conferees agree to do? They, in effect, thumbed their noses as the Senate. They directed that 9 out of 10 noncompeting projects the Senate had removed from the bill by the **Danforth** amendment would go right back in the bill.

Let me spend a minute on the project they excluded.

One project, the \$25 million research allocation to Arizona State University, was not included. To his everlasting credit, that Arizona project was explicitly opposed by the senior Senator from Arizona, Senator Barry Goldwater. Here was an extraordinary situation, a Senator rising to oppose these ten specially packaged gifts to eight States, although his own State received the biggest single allocation of all -- \$25 million. That fact alone was a major reason, Mr. President, why such a decisive majority of the Senate voted for the **Danforth** amendment and to delete all of this special, noncompetitive

earmarking.

Why did Senator Goldwater vote against this earmarking of defense research funds that so heavily favored his own Arizona? Senator Goldwater is chairman of the Senate Armed Services Committee. He is the prime majority expert in this body on national security. Senator Goldwater recognized what a serious threat this earmarking of defense funds for noncompetitive allocations is for the quality of defense research. He was supported in this position by Senator Sam Nunn, the ranking Democrat on the Armed Services Committee, this body's most minority expert on national defense, along with the distinguished Senator from Mississippi [Mr. Stennis].

Senator Nunn spoke to me just a little while ago and said he felt it was a terrible thing that the conference had done in overriding the will of the Senate, so clearly and emphatically expressed on this matter.

The Defense Department itself takes the same position. Mind you, the Defense Department is not saying let us decide what institutions will get research funds. The Defense Department is saying let the allocation of **defense** research funds be decided by professionally supervised competition.

Mr. President, many of us in this body have criticized the waste and mismanagement in the Defense Department. The American people widely share the view that our Federal Government wastes billions on defense, in part because there is not enough competition in procuring the research as well as the weapons systems necessary to defend our national security interests. Throughout this country, we frequently hear the charge that the Government spends defense money to gratify some local economic or political interest. Do we waste money this way? Indeed, we do. Here is a prime example. There is nowhere that this criticism is more richly justified than in the deliberate, calculated, by-passing of competition represented by the action of conferees in flatly rejecting the emphatic decision of the Senate to eliminate all of the earmarked, noncompetitive research grants by adopting the **Danforth** amendment.

For these reasons, Mr. President, this Senator urges his colleagues to stay with the principle established by the **Danforth** amendment and to vote "no" on the pending amendment 91 to the conference report.

Mr. DeCONCINI. Mr. President, I oppose the argument just put forth by my distinguished colleagues from Missouri and Wisconsin. They seem to approach this in a way that there is something wrong for one of us to come on this floor and try to represent a State university -- or a private university, for that matter -- that does not have the peer review process to even go to.

These particular projects we are talking about here are facilities. These are not proposals for some kind of research. They are the facilities to do the studying and the research.

I am disappointed that, once again, we have to stand here and defend a step that Members

of the Senate have taken to help groups who are very worthy universities, who are seeking to expand the contribution they are trying to make to the scientific advancement of our country.

I say to my colleagues and the sponsors of this amendment that there is no money in amendment 91 for Arizona State University project at this time. That was taken out, and I am very sorry, and I will be glad to debate the Senator from Wisconsin on the reason why my senior colleague voted against this. There is far more to it than meets the eye. He is not here to engage in the debate today, so I see nothing gained by doing that. I have no vested interest in the universities that are covered by this provision in the conference report.

The real issue here has become bogged down in convoluted rhetoric about peer review and congressional responsibility. What we should be talking about is the appropriateness of spending more money on education and the facilities needs of institutions of higher education. We are all aware of the severe financial constraints under which we are operating. We all share a concern about balancing the budget. But we cannot lose sight of the necessity for spending funds essential to meet our future national needs. Developing university research facilities is fundamental to assuring our continued economic vitality and national security. It is our responsibility as Senators to support through appropriations, when necessary, efforts directed toward those goals. There is nothing sinister or wrong about this, in this Senator's judgment.

We should not have to be defending and debating the appropriateness of funds for university facilities or for education or for cancer research or for health care. We should recognize that we are making an investment in America's future through the education of its youth at universities with modern facilities. That is what is at stake today, as it was 2 weeks ago.

Some of my colleagues have implied that these university projects will take money away from other institutions, money that should have been awarded through peer review. That is not the case. First of all, there is no peer review system for funding university facilities. Second, if this money had not been appropriated for these universities, it would not have been appropriated at all.

Are we going to be so foolish as not to invest in our universities in order to have the facilities to do the research, so that we can have these weapons systems and the modern technology and scientific needs that this country has moved on for years?

This is not a matter of Senators injecting themselves into a peer review process. These funds are not for research projects but, rather, for research facilities and equipment. This is a matter of Senators injecting themselves -- and properly so -- into providing better facilities for more of our students at more universities throughout the country. I see absolutely nothing wrong with that. In my judgment, that is why we are sent here. This money should be spent in some universities. I am sorry it is not going to be spent in one in Arizona. But I am very supportive that it is going to be invested in some of the quality

universities that are mentioned here and have been mentioned in past bills.

Some of my colleagues are talking about peer review and competition and money for research. They say we are acting out of turn, that we do not have the expertise to make decisions about research funding. We are not making decisions about research funding, and I underscore that. We are making decisions about research facilities. And we have the expertise to do so. We know the sorry state of the infrastructure of U.S. universities. Facilities needs have been variously estimated at in the range of \$20 to \$50 billion. What we are considering today will mark just a small step in meeting some of those needs for some of our universities who deserve this funding.

For those who are calling for more competition, let me just say that providing new facilities and equipment for these universities will increase the competition for peer reviewed research dollars later, and perhaps it is this increased competition that some of my colleagues find troublesome, because if we have more universities that have the facilities so that they can compete in the peer review, because now it goes to a very limited number of schools, about 16 to 20, there is not much competition, so these universities that are named here are the ones, and Arizona will have really no chance or opportunity to ever get into that peer review. Here we are not talking about a peer review. We are talking about the facilities that the research will be accomplished in.

I am all for competition. Let us help these universities enter that competition. Without new facilities and equipment, they will never be truly competitive and the bulk of Federal research dollars will remain in the hands of a few universities in this country, those prestigious schools with reputations, and I take nothing from them -- they are great schools -- but it seems to me that some of our other schools are just as great, if they had the right to compete, which they do not have because they do not have the facilities. Those of us who share my point of view on this issue are the ones seeking to increase the competition, not restrict it.

And I ask my colleagues who oppose this funding, where do you expect these universities to go for the funds? They go but to their elected representatives.

I do not believe we should be penalized for doing our constitutional right or they should be penalized. I do not believe we should punish them for seeking and coming to their representatives and asking for some assistance so that they can partake in the moneys for facilities only, so then they can come to the peer review process.

As U.S. Senators we have the authority and the responsibility to act and represent what we believe is good and we can make an expert judgment as to facilities. I submit, in this case, universities are our constituents.

They have made a legitimate request to Congress, and I believe we should exercise our prerogative and appropriate these funds for these universities.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. BINGAMAN. Mr. President, I am not going to take very much time on the merits of this issue. I think the Senator from Missouri and the Senator from Wisconsin have discussed it very well.

Let me just indicate, though, that I firmly believe that allocating our research funds on the basis that it is represented in this bill is a guarantee that we will proceed down the path of mediocrity in our national research enterprise.

For those of us who are interested in the long-term economic competitiveness of our Nation, I need to point out that our trading partners are not allocating our research funds on this kind of basis. The Japanese and Germans do not allocate research funds on the basis of which district happens to be represented on the Appropriations Committee in their particular legislative body.

We need to continue to use competitive merit-based procedures to allocate our limited research funds if we are not going to fall even further behind some of our international competitors in some of these key fields.

Mr. President, earlier this week the Senate took a very major step away from special interest legislating when we adopted the tax bill which was before us. As Senator Long might say we stood up for the fellow behind the tree. The Senator from Louisiana is famous for his saying, "Don't tax you, don't tax me, tax the fellow behind the tree."

I would suggest that if that has been the rule here with regard to tax law for some years and perhaps we made a break with it this week -- I would like to think so -- but perhaps we have a different rule that is equally applicable or becoming applicable to the allocation of research funds which might be stated, "Don't forget you, don't forget me, don't forget those fellows behind the tree."

I think clearly we cannot afford to allocate research funds on that kind of basis.

Mr. President, we need to allow the Department of Defense and its professional staff to allocate these resources to universities who put forth the best research proposals, and that is all that the Senator from Missouri is asking for here. These nine earmarked projects that have been referred to are not just new money that has been found. These projects are being funded from seven different defense research accounts. All of those accounts, I might point out here, are funded below the President's request in this year's budget, in the 1986 budget.

I have a table that I have prepared showing the cuts that we, Congress, have made in those seven accounts already that I ask unanimous consent to have printed in the Record.

There being no objection, the table was ordered to be printed in the Record, as follows:

EARMARKED ACCOUNTS -- FISCAL YEAR 1986 DEFENSE RESEARCH

BUDGET

[In millions of dollars]

NOTE: This table is divided, and additional information on a particular entry may appear on more than one screen.

Account	President's request	Appropriations (following Gramm-Rudman)
Army Defense Research Sciences	236.9	222.1
Army Military Disease Hazards Technology	29.0	26.0
Air Force Defense Research Sciences	206.3	194.5
Air Force, Very High Speed Integrated Circuits	193.8	191.1
DARPA, Defense Research Sciences	92.6	79.2
Defense Nuclear Agency	384.4	318.1
DARPA, Strategic Technology	254.4	216.7
Totals	1397.4	1247.7

Account	Earmark
Army Defense Research Sciences	n1 8.5
Army Military Disease Hazards Technology	n2 2.0
Air Force Defense Research Sciences	n3 6.5
Air Force, Very High Speed Integrated Circuits	n4 13.5
DARPA, Defense Research Sciences	n5 2.0
Defense Nuclear Agency	n6 11.1
DARPA, Strategic Technology	n7 12.0
Totals	55.6

n1 \$5 million for Wichita State University for aviation research; \$3.5 million for

University of Nevada, Las Vegas, for computer research.

n2 \$2 million for University of Kansas for neurotoxin research.

n3 \$6.5 million for Iowa State University for unspecified research.

n4 \$13.5 million for Northeastern University for engineering research.

n5 \$1 million for Oregon Graduate Center for advanced semiconductor research; \$1 million for Oklahoma State University for unspecified research.

n6 \$11 million for Rochester Institute of Technology for microelectronics engineering and imaging sciences research.

n7 \$12 million for Syracuse University for the CASE Center computer research project.

Mr. BINGAMAN. Overall, we have cut these seven research accounts by 11 percent for \$150 million from what the Preseident asked for. If we force the Department of Defense to earmark another \$55.6 billion of these funds we will be effectively making another 4-percent cut in these accounts. For some accounts, such as the Defense Nuclear Agency's account and DARPA's strategic technology account, the overall cut that would result would reach 20 percent or more.

I can assure you the Japanese are not making a 20-percent cut in their fifth-generation computer project and the Soviets are not making a 20-percent cut in their research on nuclear weapons effects in order to fund marginal projects in important legislator's districts. We should not be doing so either.

Mr. President, I urge my colleagues to reject this approach to the allocation of defense funds and to support Senator **Danforth's** stand in favor of a merit-based competition for these funds.

I yield the floor, Mr. President.

The PRESIDING OFFICER. The Senator from New York.

Mr. D'AMATO. Mr. President, first of all I would like to associate myself with the remarks made by my distinguished colleague from Arizona, Senator DeConcini.

I think it is worthwhile noting, Mr. President, the fact of the matter is that there is no peer review system for funding construction of science and technology facilities for our Nation's universities. It is a specious argument, absolutely specious. And yet, we keep hearing over and over and over that somehow we are interfering with this magnificent peer review system that works so well.

I would like to address some comments with respect to that system and I intend to ask for

a GAO investigation because those that have been undertaken so far have not indicated that it has been run the way it should. It is the old buddy system and we will refer to that in my remarks.

Mr. President, the fact of the matter is, there is no peer review system for funding the construction of science and technology facilities for our Nation's universities.

A report from the Congressional Research Service -- I will give Senators a copy of that -- from Mr. Bosman of the Office of Science and Technology states:

* * * I have made inquiries at the National Science Foundation [NSF], the Association of American Universities [AAU], and the General Accounting Office [GAO] concerning the application of the Federal peer review system to the construction of federally funded R&D facilities. These inquiries have brought to light no comprehensive surveys of explicit statutory mandates or regulatory requirements for the application of Federal peer review procedures to R&D facility construction, although peer review of Federal research projects is widespread.

Thus Mr. President, this argument that has suddenly come to the floor about peer review as it relates to construction of science and technological facilities is specious. That is the point that a number of us have been attempting to make. It may very well in the future provide some legitimate competition for relatively few universities that seem to share in a disproportionate amount of the research grants that are presently put out and spent out. It may even shake up the old boy network on peer review, that means the taxpayers, that appropriate the dollars we authorize appropriate and send to the university systems, and they will decide who under their councils of peer review will get the dollars. I would suggest that maybe we should look rather closely at that.

Thus, the peer review system is in place for research, instrumentation, and programs of that nature. But little, if any peer review is available for the assessment of proposals for the construction or renovation of facilities. Therefore, the argument that Congress is affecting the peer review system is misleading. All too often, the charges of the critics and the statements of the defenders do not appear to refer to the same topics (Science, Technology & Human Values, vol. 10, issue 3, summer 1985, Funding Science: The Real Defects of Peer Review and an Alternative to it, by Rustum Roy).

The fact of the matter is, the Department of Education for the first time since 1974 plans to conduct a program for funding facilities this year. The National Science Foundation has no line item program for facilities construction. NSF only has a recently developed policy statement. Therefore, there are no line item programs to fund university facility needs. Hence, there is no "Peer preview" system to assess or fund facility needs.

In addition, many fail to recognize that in the recent 1986 report to the White House Science Council -- panel on the Health of U.S. Colleges and Universities to the Office of Science and Technology Policy -- that at a minimum \$10 billion, \$5 billion Federal and \$5 billion non-Federal sources is needed to address the magnitude of the University

infrastructure shortfall over the next 10 years.

Only a few agencies have ever allocated funds for facilities. For example, in 1984 the U.S. Government spent just under \$50 million in support of science and engineering research and development [R&D] plants: This total includes construction, as well as renovation and repairs for existing facilities.

The Academic Facilities Program of the Department of Education has not had funds for the construction, reconstruction and renovation of academic facilities since 1974. For 1986, \$38 million will be awarded under this program. The dates for the announcement have not been determined but already more than 700 inquiries have come into the Department of Education for funding. This \$38 million represents less than 1 percent (.76 percent of \$5 billion) of the \$5 billion Federal share needed by our Universities. No peer review; just beginning to come into a process of allocating some funds.

The National Science Foundation [NSF] does not have a program in place to systematically fund university facility construction and renovation. However, NSF has recently developed a policy to examine proposals that come in for facility construction assistance. This is not a clear signal of available funds for our universities. It is an indication that their needs will be considered. In the past, for example, NSF has funded construction for particular facilities in conjunction with the engineering programs, chemistry program, et cetera. For example, the engineering center's competition included funds for construction along with proposals that focused mostly on engineering research.

The few million that we are discussing is a small step toward meeting the \$10 billion needed to address the infrastructure needs -- both facilities and equipment -- of our Nation's universities. We cannot afford to wait until the recommendations of the Packard Commission are acted upon to provide funding for university facilities. We must act now to help address a compelling national need.

Indeed, Congress has always played a major role in deciding which universities will receive funds for research facilities. During World War II and through the 1950's and 1960, Congress made a major commitment to building university facilities and national laboratories, which were most often also affiliated with universities. In making these decisions, Congress recognized that university research facilities were essential to the economic health of the country and vital to our national defense. "Peer review" did not come into play at that time, nor has peer review generally been applied to decisions concerning facilities. The Department of Defense does not have any tradition of using outside peer review panels to make decisions concerning the funding of research programs or facilities. Thus, we have been accused of violating a system that does not exist for the construction and renovation of science and engineering facilities.

The critics of these direct approaches to Congress have rallied around the concept of "peer review." However, the General Accounting Office [GAO] has several reports suggesting that without proper controls specialists who are appointed for proposal evaluation are involved in conflict of interest. In fact, GAO report number HRD 78-121

(November 17, 1978) shows: "Accountability in the evaluation process continues to be a problem. All proposal files should show why the experts were selected and how their comments were handled, so that Foundation officials who review the staff's recommended decisions on proposals can be sure that equitable evaluations are made." Furthermore, GAO report number PAD 81-16 (January 15, 1981) mentions that some reviewers have made decisions on grant proposals that create an appearance of impropriety under applicable Federal guidelines, policies and regulations.

The findings reported in the National Science Foundation's January 1986 publication is worthy of note. Federal support to universities, colleges, and selected nonprofit institutions for fiscal year 1984 shows that the top 10 universities received 27 percent of NSF funds. This represents about \$277 million of \$1 billion. The top 20 universities received 42 percent, or about \$422 million of NSF's \$1 billion. If you consider the total of \$8.4 billion in both R&D and FFRDC funds nationwide for 1984, the top 20 universities received more than \$4.7 billion or more than 55 percent of these funds.

Similar findings have been summarized by members in the academic community. For example, the president of Boston University, John Silber before the Congressional Science Policy Task Force (June 26, 1985) stated: "In practice, however, the system of peer review now in operation in this country is seriously flawed. Approximately 20 institutions, clustered in only three geographic regions receive nearly half of all Federal support." Daniel S. Greenberg in the October 1985 issue of Discover, entitled Science and Politics stated, "* * * Is U.S. science really injured by these end runs? Not a bit. Congressional will and muscle have always played a major role in the economic and cultural development of this country."

Therefore, while peer review is clearly an appropriate mechanism for the evaluation of proposals for individual research projects, it is not the only appropriate or necessary mechanism for decisions on the location of federally supported or congressionally mandated research facilities. In its more extreme forms, the argument on behalf of the existing system of peer review incorporates several erroneous assumptions and neglects issues that are critical to the economic health and well-being of the United States and the research community itself.

The basic research conducted at universities provides the foundation for the later commercial development and application of new products and technologies critical to maintaining our ability to compete in the international marketplace and to be assured of a strong national defense. Therefore, it is equally important that the Congress makes certain that we have facilities to house this important research.

Mr. President, the location of university research facilities has enormous economic consequences both for the Nation at large and for the community in which they are situated, in particular. New facilities create new jobs and attract new industries. Decisions on where facilities should be built and what purpose they should serve have ramifications that go well beyond the realm of scientific responsibility or insight. Congress must make these decisions for it has the wisdom and the responsibility to do so.

Mr. President, I believe that the cry of those who oppose these funding projects on the altar of peer review is simply crying wolf when there exists no danger, where there is no intrusion to the academic life of science and research, but rather a legitimate expression of Members of Congress to aid and assist those universities who, for the most part, otherwise would be without.

UNIVERSITIES FACILITIES FUNDING

Mr. HEFLIN. Mr. President, I rise in support of the conference committee report to the supplemental appropriations bill. I was particularly pleased to note that my colleagues on the committee saw fit to put back in the bill funds for a number of university projects. This action rectifies the previous decision by the Senate to strike funding for these worthy institutions. I am glad that the midnight madness the Senate engaged in a few weeks ago in striking this provision of the bill can be redressed.

I would just like to make a few brief points to refute the allegations that have been made inaccurately against these universities and those of us in Congress that are supporting their cause.

First of all, to label congressional backing for university research facilities and equipment as "pork barrel politics" is needlessly inflammatory and altogether unjust.

Second, any attempt to classify these universities as saboteurs of some hallowed peer review system is inaccurate. These universities are merely exercising their constitutional rights to petition Congress on their own behalf. Congress should listen to their arguments, weigh the merits of the case, and make a decision. Congress should not be guided by unsubstantiated allegations that support for facilities at these universities might -- just might -- somehow, in some unspecified way, reduce the quality of scientific research in this country. I don't believe that. In fact, all the evidence points to the contrary conclusion: Funding for these facilities will contribute and add to both the quality and quantity of scientific research in this country, just as the Federal investments in our national laboratories and other universities have done in the past.

Mr. President, there is certainly a need for geographical equity in the distribution of university research funds. By exercising its legislative prerogative to earmark funds for special programs, Congress can help to redress the institutional and geographical imbalance which currently exists in the distribution of Federal research support to universities.

In 1984, 20 universities located primarily in the Northeast, and in California received 56 percent of all Federal research support. Universities in the South, the Southeast, the Southwest, the Plains States, and the Rocky Mountain States received only modest amounts of Federal research support.

It is not fair to funnel a disproportionate amount of our research dollars to only a handful

of institutions located primarily on the east or west coast. The scientific talent of the country should not be confined to one or two geographical locations simply because the universities in these areas have the most modern facilities.

It is in the national interest to broaden the base of scientific research development and education in this country beyond the 20 schools which year after year receive the majority of Federal research dollars.

Third, opponents of university facility funding completely overlook the fact that considerations other than existing scientific capability must legitimately be taken into account when deciding whether or not to fund a university facility. Foremost among other considerations is whether or not a university facility will contribute to the economic development of the area in which it is located and to the Nation generally. The construction of a new facility will create jobs. Better facilities and improved equipment will attract top-flight talent to a university. Industries with interests related to the research agenda of the university will be attracted to that location in order to be near a source of supply of well qualified personnel and to be close to facilities where research on the cutting edge of new technologies is being conducted. Because of the important economic implications involved in funding these university projects, I believe it is altogether fitting that Congress reserve for itself the right to make some of these decisions.

University research facilities often serve as an anchor for industrial parks in which academia and industry work in partnership to apply research findings to the commercial development of new products and technologies vital to our national economic growth. University research facilities can and will stimulate the economic development of a community by attracting new industries in the areas of the university's research inquiries. The proximity of a university to industry will allow for the exchange of ideas, information, personnel, and technologies which will enhance the research quality and facilitate the increased commercial application of research findings.

Mr. President, I urge my colleagues to join me in voting in favor of the conference committee report.

Mr. DOLE. Mr. President, the issue in question here is whether or not nine universities which received \$55.6 million for research funding under the DOD appropriations bill last year should actually receive the funds as Congress had directed. This is not a new issue. Congress has already appropriated these funds in this way once. We are merely trying to make certain that the intent of the Congress is carried out, and that Congress has some say as to where at least some of the research money in the DOD budget should go. These funds would be provided in addition to what the Pentagon had requested for research funds which would be subject to an internal peer review process.

After the passage of the continuing resolution for fiscal year 1986, the Department of Defense notified Congress that it was unable to obligate the funds appropriated for the university research facilities for construction purposes. This amendment to the conference committee report provides the authorization necessary to carry out the intent

of the Congress as expressed in the continuing resolution.

FUNDING FOR FACILITIES, NOT RESEARCH

Mr. President, there is one issue that should be clarified at the outset -- the funds under consideration in amendment No. 91 are for university facilities and equipment. They are not funds for research programs and activities. Therefore, it is debatable as to whether these funds should be subject to a so-called peer review process at all. True research money is not the issue here. This amendment to the conference report provides new funds to the Department of Defense specifically for the construction of facilities and the purchase of equipment. It does not take away previously appropriated funds which were to be awarded to universities through a competitive process.

NOT DISPROPORTIONATE SHARE

The \$55.6 million contained in the amendment to the supplemental conference report represents just 4 percent of DOD spending on university research in fiscal year 1986 -- it hardly represents a "disproportionate share" of DOD funds for university research.

If the \$55.6 million under consideration today were to be given directly to the Department of Defense for university research, it is likely, given past performance, that the funds would end up in the hands of those universities that are already receiving substantial support from the Federal Government for their research activities.

Again, I want to emphasize that the funds in question were added to the DOD budget for university research; the funds were not taken away from other university research programs at DOD.

PREVIOUS FEDERAL FUNDING PATTERNS

Mr. President, if you look at DOD funding patterns for university research in fiscal year 1984, you will find that just two institutions -- MIT and Johns Hopkins -- received \$640 million or 49 percent of all university research funds awarded by the Department of Defense. Further, DOD awarded \$862 million or 66 percent of its university research funds to just 10 institutions, while 76 percent of the funds went to only 20 institutions.

The Department of Defense does not have any tradition of using outside peer review panels to make decisions concerning the funding of research programs or facilities. Congress has been accused of circumventing a system that does not exist. Further, there is no existing Government program specifically designed to fund university research facilities. Only a few agencies ever allocate funds for such facilities, and they do so on an ad hoc basis. Such projects comprise only a small part of their budgets.

Nearly half of Federal research funds -- 48% -- went to just 15 universities, 7 of which were located in California and 8 of which were located in the Northeast. I ask that a list of the top 20 recipients of Federal research funds in fiscal year 1984, showing the amount

of funding each received, be included in the Record at this point, along with the list of the top 20 recipients of National Science Foundation funds in fiscal year 1984.

COMPETITION SHOULD BE FAIR

Without state-of-the-art facilities, universities cannot effectively compete for research funds. At the present time, just 20 universities receive \$4.7 billion of the \$8.5 billion the Government spends for research development -- 56 percent of the total.

The major part of these Federal research funds goes to a handful of institutions located primarily on the east or west coasts. Universities located in the Midwest, the Rocky Mountain States, the Southwest, and the South are virtually locked out of the competition for significant Federal support of their research activities. In fiscal year 1984, for example, 56 percent of all Federal funds for university research went to just 20 institutions, 7 of which were located in California.

In order to compete effectively for Federal research funds, universities must have state-of-the-art facilities. Until they possess such facilities, institutions will continue to be at a serious disadvantage in the competition for research funding and will be denied the opportunity of developing to their fullest potential.

Once these universities have modern research facilities, they will be competing for research funds under peer review and other existing systems for allocating research funds.

Facilities are instrumental in attracting faculty, industry, and private support to a university. With a state-of-the-art facility, a university will be able to attract the outstanding faculty necessary to conduct high quality research. In today's mobile society, scientists and professors are willing to relocate to those institutions that offer them the most up-to-date setting in which to work. The scientific talent in this country should not be confined to one or two geographic areas simply because the universities in these places may have the most modern facilities. Other universities deserve a chance to compete on equitable terms.

OPPOSITION FROM UNIVERSITY COMMUNITY

Mr. President, only a small segment of the academic and scientific community opposes the earmarking of funds. Just this morning I received a telephone call from Dr. Jean Meyer, the president of Tufts University. He firmly believes that Congress has every right to direct where the research money that it appropriates goes. Further, he described the peer review process as an "old boys network" that feels threatened every time something new happens. He does not think there should be only one system supporting research. Of the peer review process, he stated: "It is a self-interested, confused approach to use only one mode of funding research."

Further, in a letter to my distinguished colleague from Illinois, Mr. Simon, the president

of Northwestern University in Chicago says:

Senator **Danforth's** argument that academic facility grants should not be approved without peer review, is somewhat disingenuous in light of the fact that there has not been any significant amount of peer-reviewed funding for academic facilities during the past fifteen years...moreover, peer review is not the only appropriate or necessary mechanism for decisions on the location of federally funded academic research.

In the June 15, 1986, issue of the Science and Government Report, those opposed to earmarking have been described as "well-heeled institutions who can mobilize to keep their privileged place in the distribution of Federal research funds."

KANSAS PROJECTS

Mr. President, as my colleagues know, this supplemental contains \$5 million for Wichita State University in Wichita, KS, to construct an aviation research center. This Senator would not have supported that program if it did not have significant merit and was not strongly supported by the community itself, as well as surrounding industries. Wichita happens to be the heart of the aircraft industry, and the Boeing, Cessna, and Beech companies have pledged to match the Federal funds dollar-for-dollar. This is what I consider to be an outstanding example of public-private sector cooperation.

The basic research conducted at universities provides the foundation for the later commercial development and application of new products and technologies critical to maintaining America's ability to compete in the international marketplace. This type of effort is also critical in establishing and maintaining a strong national defense.

The location of university research facilities has enormous economic consequences for the Nation at large and for the communities and regions in which they are situated in particular. New facilities create new jobs and attract new industries. Decisions on where such facilities should be built and what their purpose should be have implications that surpass the realm of scientific responsibility or wisdom. Congress, not the academic community, often has a better sense of priorities in making these decisions.

University research facilities will stimulate the economic development of a community by attracting new industries interested in the university's research endeavors. The proximity of a university to certain industries will allow for the exchange of ideas, information, personnel, and technologies which will enhance the quality of the research and facilitate the rapid commercial application of research findings.

At this point, I might also mention that \$2 million are designated to go to the University of Kansas Medical Center in Kansas City, KS, to carry out research activities related to toxic substances. I believe both of these projects have great merit, and should not be viewed in the negative light that some have attempted to shine on this issue.

CONCLUDING REMARKS

Mr. President, the nine universities that were designated to receive funds appropriated in the continuing resolution last year have relied on receipt of these funds. They have engaged in their own fundraising activities through the private sector, and if these funds are withdrawn at this point, it will leave them in a most awkward financial position. Such a situation is unfair and unjust. Congress in this instance is simply upholding action that it has already taken in last year's appropriations process. The conference committee has decided to restore specific funding for nine university research projects. I suggest that we should support the action of the conference committee. I urge my colleagues to vote against the motion of the Senator from Missouri.

Mr. HATFIELD addressed the Chair.

The PRESIDING OFFICER (Mr. Evans). The Senator from Oregon.

Mr. HATFIELD. Mr. President, I move that the Senate concur in the House amendment to Senate amendment No. 91 and 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 majority leader is recognized.

Mr. DOLE. Mr. President, I am going to move that we go back into executive session -- but I want the distinguished minority leader to be alerted -- and consider the motion to reconsider the Manion nomination. Then I will move to table the motion to reconsider and, hopefully, we can dispose of that matter and then not further interrupt the distinguished chairman of the Appropriations Committee with reference to the supplemental.

I indicated to the minority leader's staff earlier that this would be my procedure so there would not be any surprise. I will wait for the distinguished minority leader to come to the floor.

Mr. KENNEDY addressed the Chair.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KENNEDY. Mr. President, I rise in support of the funding for university projects that is contained in the supplemental appropriations bill being debated today.

Let me begin by stating that I support the concept of merit-based peer review -- when it is applicable. The peer review process has been established by several Government agencies to ensure that research funds awarded to academic, scientific, and medical institutions maintain our Nation's position as the leader in scientific and technological

development. However, the current debate focuses on an entirely different issue. The issue before the Senate is whether new funds should be specifically appropriated for the construction of research facilities and the purchase of research equipment to academic institutions of established reputation who seek to become competitors for research money in a field dominated by a select group of universities that seek to maintain their privileged position. This is an important distinction.

First, let me address a misconception. Currently, there is no merit review process in place, whether at the Department of Defense or elsewhere, for reviewing the allocation of Federal funds for university construction projects. The peer review process is used in awarding funds for research in already existing facilities, but is not the basis upon which the Government distributes money for the construction of research facilities and equipment.

In fact, only a few agencies allocate funds for facilities and such projects constitute a small portion of their budgets. These scarce resources fail to meet an increasing problem of obsolete equipment and aging facilities that threatens the quality of academic research. Recently, the White House Science Council estimated the infrastructure needs of our Nation's universities to be approximately \$10 billion.

In fiscal year 1984, the U.S. Government spent less than \$50 million for the repair and construction of science and engineering research and development facilities.

Second, the overwhelming beneficiaries of merit-review in the awards of current research funds are a small group of select institutions that have benefited over the past several decades from the millions of dollars in Federal support, awarded on a non-merit review basis, for the construction of modern, sophisticated research facilities. In 1984, 56 percent of all Federal research funds went to only 20 universities. The construction of the research facilities at these select universities was not based on competitive merit-based review. But that support has been critical to their success in competing for Federal research funds that are subject to merit review.

Now, these same universities want to deny Federal support to other schools that are attempting to build their own research facilities in order to compete more effectively for scarce Federal research dollars. The great bulk of present Federal research funds flows to universities that benefited from past building programs, and it is unfair to deny other universities the opportunity to acquire the facilities essential to compete effectively for scarce research funds.

Obviously, these top educational institutions are performing quality research. But I am concerned that denying opportunities to other institutions will only serve to worsen the existing system and perpetuate the current double standard.

I particularly object to the "pull up the ladder" mentality by which existing elite institutions are seeking to keep other good institutions down.

The funds proposed to be awarded to nine educational institutions in this legislation is Federal money well-spent. Funding for university research facilities will serve a dual benefit.

It will increase the quality and quantity of research conducted in the United States by expanding the research base to include more universities. University research facilities will also stimulate the economic development of their communities by attracting new industries interested in the university's research endeavors. Northeastern University -- one of the proposed beneficiaries of these funds -- is an excellent example.

Northeastern intends to utilize these funds for the construction of a high technology resource center that is the focal point of an impressive community redevelopment program for the Roxbury-Dudley area -- a chronically depressed part of Boston.

This redevelopment project will have a beneficial impact on the economy of a poor community. It will have the short-term effect of creating construction jobs, and it will have the long-term effect of promoting further economic development.

Through its unique cooperative educational program, Northeastern University has proven its commitment to the community by providing an equal educational opportunity to all people -- regardless of income or race. By assisting institutions such as Northeastern University in their important educational work, the Federal Government will assist thousands of Americans who may not otherwise have access to a quality education, stimulate the economy of these areas and provide new employment opportunities for community residents.

I am proud to lend my assistance to Northeastern University and other academic institutions that have labored diligently in a highly competitive environment to become respected members of the educational community. I ask my colleagues not to turn their backs on the future of these institutions and the students at these schools who are destined to become our future leaders.

Mr. HARKIN addressed the Chair.

The PRESIDING OFFICER (Mr. **Danforth**). The Senator from Iowa.

Mr. HARKIN. Mr. President, I rise in support of the motion by the distinguished chairman of the Appropriations Committee to concur in the conference report. I have just a couple of things I want to talk about with regard to this. I think the first one is regarding just who the lobbyists are that are lobbying on either side of the issue we are talking about here on the floor now.

I was quite astounded sitting in my office of hear the name of an individual for whom I have a high regard who is not a Member of the Senate, but an individual in the private sector, who represents different universities, who does a lot of work with universities, and I could not believe my ears to hear his name and his firm used in a rather pejorative

sense. The individual referred to, Mr. Cassidy, does indeed have a firm in Washington in which people are employed to assist universities all over the United States, assist them not just in lobbying here in Washington, but to assist them in development programs, research programs, building science parks. There are over 50 people employed in this firm in helping universities develop and grow.

I cannot think of more laudable work to be done than in helping to build the scientific and educational base of this country. There are a lot of lobbyists in Washington. There are a lot of people to lobby for different things. I cannot think of a more laudable goal to be lobbying for than to increase the educational research, and scientific basis of this country.

So I was quite astounded to hear Mr. Cassidy's name and his firm used in that rather pejorative sense.

I would just point out again for the record, to be quite clear, that in this firm of Cassidy & Associates there is the former president of the University of Alabama, Dr. Frank Rose, 14 years president of the University of Alabama, a distinguished academician in his own right. He is there in this firm to help other universities develop their programs.

Also in this firm is Dr. Elvis Stahr, former president of the University of Indiana.

So to speak of this firm as just a bunch of lobbyists I think really is being a little bit disingenuous on the part of the Senator from Missouri when he used Mr. Cassidy's name here on the floor. The fact is that this group of individuals are involved, as I said, in helping universities all over the country.

But as long as we are talking about lobbyists, I did not hear the distinguished Senator from Missouri talk about another lobbyist, Jack Crowley, who is the registered lobbyist for the AAU here in town, who I am sure has been in offices all over the Hill, I am sure has been in the office of the distinguished Senator from Missouri and others, and calls all the time on the phone; or even Mr. Robert Rosenfweig the President of the AAU.

Come on. Let us face it. There are lobbyists all over who lobby for their interests. Jack Crowley is no different than any other lobbyist.

So when we are talking about individuals here on the floor of the Senate, I think we have to be a little bit careful about naming names because sometimes these things can tend to come back to haunt us.

As long as we are talking about lobbying, on behalf of universities, let me point out that Stanford University employs lobbyists from three different congressional offices, employees who formerly worked here on the Hill just to lobby for Stanford University.

The University of California has a full-scale lobbying office right here in Washington. The State of California has allocated \$1 1/2 million to lobby in Washington for one project in the State of California, the supercollider -- \$1 1/2 million just to lobby for that.

So I think really when we are trying to cast aspersions on individuals who are doing work here in Washington; that is, work in two areas, one to get the Congress to allocate more money for research and development, and for facilities and equipment to upgrade the research base that we have in this country, then I think that it is somewhat disingenuous at best to say they are just lobbying on behalf of special interests.

I also think that individuals who are here working with universities around the United States to help them upgrade their facilities and equipment, ought to be applauded for their efforts rather than trying to be degraded.

So, Mr. President, I just wanted to make that point and to point out that there are all kinds of lobbyists around this town. When you name one, we might get on the list and name a couple thousand if that is what we want to do here.

I yield the floor.

The PRESIDING OFFICER. The majority leader.

Mr. DOLE. Mr. President, I do not want to make a motion to go into executive session without the distinguished minority leader being present.

Mr. President, I yield to the Senator from Washington.

The PRESIDING OFFICER. The Senator from Washington.

Mr. EVANS. Mr. President, I have listened to some tortured reasoning this afternoon on why the proposals made in the supplemental appropriations do not constitute good old-fashioned pork barreling. But they are indeed tortured sets of reasoning.

I had the privilege of serving for 6 years as president of a small college. I think only one other Member has had that privilege, that being the junior Senator from West Virginia, Senator Rockefeller.

The PRESIDING OFFICER. Will the Senator withhold? There is not order in the Chamber.

The Senator from Washington.

Mr. EVANS. I thank the Chair.

Neither of those colleges were part of the old-boy network. We were not part of, as someone said, the three major geographic areas of the Nation to which 50 percent of this research money goes. We would have to fight and fight hard indeed for any piece of any action, and yet felt very strongly that what we got we should deserve, and we should deserve on the basis of review by those who have a significant and I think detached view

of research, of research facilities, and how research facilities and research personnel and research capacity all tied in together.

Mr. President, we just had a vote on this very issue just a few weeks ago, and the vote, as I remember it, was rather substantially in favor of retaining a peer review and objecting to this concept of pass it around among the committee members according to who lobbied best. That vote, as I remember, was something like 60 to 40.

And yet 2 weeks later we are faced on the floor of the Senate with the same issue coming back to us and we are placed in the position, in a somewhat adverse situation, of trying to sustain the vote which we made just a short time ago.

That is the nature of conference committees, I suppose.

I would only pass along to all of my colleagues who worked hard, many who supported versions of the Senate-financed package in the tax reform bill, that we have now sent that on to a conference committee. Are we going to have the votes that were cast so overwhelmingly in the Senate on versions of that tax reform bill come back to us after conference totally twisted and turned about?

I would hope not.

Mr. President, let us just knock away all the gloss and all of the verbiage and all of the words. What we are talking about here is just plain good fatback pork, and those who are advocating the specificity of certain universities and certain colleges are those who would just like to get some good old fat side pork.

These are not roads or bridges.

I might say, Mr. President, we do not even try to do that much anymore. We have gotten over that old characteristic of trying to specify whose road and whose bridge would get built. We recognized that that ought to be done in a different way. It ought to be done on the basis of need. It ought to be done on the basis of engineering determinations. It ought to be done in a scientific or at least a respectable way.

But here we are not just dealing with roads and bridges. We are dealing with brains. We are dealing with the future of the Nation. We are dealing with the only thing that is likely to keep us competitive. We are dealing with the only thing that is likely to keep us competitive in the years ahead. I think we ought to be very careful before we substitute the pure lobbying of one Member to another for a specific benefit for one college or university or another in place of a responsible system.

Mr. President, I would only say, finally, that it might even be possible to do this if the Department of Defense asked for it, thought that it was a better idea, felt that the current situation was bad.

Mr. President, we have seen fit in the last couple of years, and I suspect we will see fit again this year, to reduce the Defense Department budget, to make it imperative on the Defense Department to use each dollar in the best way they can. But I do not see the Defense Department here asking for this kind of specificity. In fact, in a letter sent to several Senators, Secretary Weinberger made a strong case against the earmarking in the supplemental.

The Department funds research including that conducted at colleges and universities that is in support of our defense mission. Except when otherwise authorized by statute, individual projects are competitively selected for funding after taking account of all relevant considerations with the particular emphasis on the research needs of the Department and the technical merit of the research proposal.

Mr. President, in a time of tight defense budgets, at a time when many Members of this body are supporting the need for continued research in some important defense fields, including SDI, it seems to me not very smart to ignore the request of the Secretary of Defense, to veer away from the kind of practical, continuous, long-term review that has been done by the Department of Defense.

It is tough enough to limit **defense** now. It is even tougher to specify something the Defense Department does not want. I think it would not be in their best interest, and certainly is not in the best interest of either the scientific community of this country, the broad university community of this country, or in our own future which depends so much on legitimate funding of research and development.

Mr. EXON addressed the Chair.

The PRESIDING OFFICER. The Senator from Nebraska.

The Senator will withhold. The Senate is not in order.

The Senator from Nebraska.

Mr. EXON. Mr. President, I would like to pose a question to the managers of the bill. As I understand the situation we are in right now -- unless we adopt the position of the committee as articulated by the chairman thereof -- if we do go in and change the position agreed to in the conference, then we could find ourselves in the uncomfortable situation of forcing this measure back to the House of Representatives, which, from all practical standpoints, would set this aside and we would have to revisit this on July 15, or sometime thereafter when we return.

Is that the parliamentary situation that we find ourselves in now?

Mr. WEICKER. The Senator from Nebraska is correct.

Mr. EXON. Aside from the very important matter of the universities and under other

circumstances I might find myself in support of the position taken by my distinguished friend from Washington, my friend from Wisconsin, and others. I would simply say that we have made a compromise, an unfortunate compromise, about eliminating the REA funding consideration because the President put a gun to our heads and said, "You either change that or I will veto the bill."

We have gone ahead and we waived that, unfortunately. As I said earlier, I do not believe the conferees had any option other than to agree to that.

I would simply say that we are going to find ourselves in the same situation if we do not accept the recommendation from the chairman of the Appropriations Committee. Therefore, in this instance, I would hope that the Senate would not agree to resist at this juncture the matter of where funding goes to universities, as worthy as that might be.

I simply say once again, that this measure is too important. We have to get this through and get the money flowing, following the commitments that we made to the people of the United States of America. Therefore, I hope when we come to a vote, in whatever form it comes, we go along with the recommendation of the chairman of the Appropriations Committee.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. Evans). Without objection, it is so ordered.

Mr. DANFORTH. Mr. President, I wanted to clarify a point made by the Senator from Nebraska and the Senator from Connecticut.

It is my understanding that subsequent to the disposition of this issue on university research, there is going to be an issue raised by the Senator from Louisiana [Mr. Johnston] relating to trade adjustment assistance. I believe it is correct to say that the effect of that is that this conference report is going to have to go back to the House anyway. Is that not right?

Mr. WEICKER. That depends on the disposition of the amendment of the Senator from Louisiana, which, very frankly, I think might share the same fate as the amendment of the distinguished Senator from Missouri. So I would not want to say that is going to be the case.

Mr. DANFORTH. Mr. President, in other words, it is not correct to say that whether or

not this matter goes back to the House depends solely on the position that we take on university research?

Mr. WEICKER. Mr. President, I do not think that statement was made either by the distinguished chairman of the committee or the Senator from Connecticut. The question that was asked is, if this amendment passed, would it go to the House? The answer was yes. It was not a question of solely -- --

Mr. **DANFORTH**. The same would be true of the amendment on trade adjustment assistance.

Mr. WEICKER. The same would be true of any amendment. That is a matter of speculation on the part of the distinguished Senator from Missouri.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. WEICKER. Mr. President, I ask unanimous consent that the call for the quorum be dispensed with.

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

The question is on the motion to concur in the amendment of the House.

Is there further debate?

Mr. HARKIN addressed the Chair.

The PRESIDING OFFICER. The Senator from Iowa.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. HARKIN. Mr. President, I ask unanimous consent that further proceeding under the quorum call be dispensed with.

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

The Senator from Iowa.

Mr. HARKIN. Mr. President, prior to having the vote on this motion, I want to respond to one point that was brought up in the debate on this issue the first time it came around several weeks ago.

In reading the Record at that time after the vote was taken, it became clear to this Senator that perhaps there had been some misconceptions on the part of some people as to what we were talking about in terms of the \$56 million and the universities involved in these projects. I want to quote from the Record debate on June 5 of this year.

The distinguished Senator from Missouri said, "The issue raised by the amendment is whether the Appropriations Committee should earmark research money to certain specified universities."

Mr. President, the amendment at that time, just as the provision before us right now, does not provide funds for research projects. It provides funds for facilities and equipment. So that is not the issue. Let no one be led astray that we are talking about doing away with the peer review process for research. We are not. We are keeping peer review for research. But there is no peer review within the Department of Defense for facilities and equipment, and there has not been for years.

All we are saying is that we as the U.S. Senate and the other body, the House, are making decisions on facilities and equipment, not on research money but only on general purpose construction for facilities and equipment. So for those Senators who may have thought they were voting to uphold peer review for research money, that is not the case. What we are simply saying is that we here in the Senate and the other body have as much right and should in fact be involved in the decisionmaking process of facilities and equipment as unnamed bureaucrats sitting in the Department of Defense. That really is the issue and not peer review for research.

Mr. President, I yield the floor.

The PRESIDING OFFICER. Is there further debate? If not, the question is on agreeing to the motion. The yeas and nays have been ordered. The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. SIMPSON. I announce that the Senator from Florida [Mrs. Hawkins] and the Senator from Oregon [Mr. Packwood] are necessarily absent.

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

The result was announced -- yeas 56, nays 42, as follows:

(See Rollcall Vote No. 153 Leg. in the ROLL segment.)

So the motion to concur in House amendment to Senate amendment No. 91 was agreed to.

Mr. DOLE. Mr. President, I move to reconsider the vote by which the motion to concur was agreed to.

Mr. STEVENS. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.