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REMARKS

Computer Security Act  
HR 145 passed Senate  
unamended. Will now be  
signed into public law

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tional Weather Service and NESDIS employees. In fact, flight service specialists routinely refer the more complicated pilot briefings directly to NWS employees, who also participate alongside flight service specialists in coordinating search and rescue efforts.

My amendment would establish equitable treatment for weather service employees, to whom we all owe such a debt of gratitude for their conscientious performance of duty. It is estimated that it would currently affect no more than about 300 senior employees, although those 300 deserve our help.

**THE PRESIDING OFFICER.** Is there further debate on the amendment? If not, the question is on agreeing to the amendment of the Senator from Tennessee (Mr. Sasser).

The amendment (No. 1378) was agreed to.

**THE PRESIDING OFFICER.** The question is on the engrossment of the amendment and third reading of the bill.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read a third time.

**THE PRESIDING OFFICER.** The bill having been read the third time, the question is, Shall the bill pass?

So the bill (H.R. 1948), as amended, was passed.

**MR. BYRD.** Mr. President, I move to reconsider the vote by which the bill was passed.

**MR. ARMSTRONG.** I move to lay that motion on the table.

The motion to lay on the table was agreed to.

#### KOREAN WAR VETERANS MEMORIAL CONTRIBUTIONS

**MR. BYRD.** Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be discharged from further consideration of H.R. 1454, and that the Senate proceed to its immediate consideration.

**THE PRESIDING OFFICER.** Without objection, it is so ordered.

The clerk will report.

The legislative clerk read as follows:

A bill (H.R. 1454) to permit certain private contributions for construction of the Korean War Veterans Memorial to be invested temporarily in Government securities until such contributed amounts are required for disbursement for the memorial.

There being no objection, the Senate proceeded to the immediate consideration of the bill.

**MR. GLENN.** Mr. President, I rise to express my support for H.R. 1454 which would authorize the Secretary of the Treasury to invest private funds contributed to the American Battle Monuments Commission (ABMC) for the construction of the Korea War Veterans Memorial in public debt securities. In July Senator Armstrong and I introduced the Senate companion measure, S. 1525, and in October

the House approved H.R. 1454 without dissent. I very much appreciate the efforts of my colleagues on the Public Lands Subcommittee and the Energy and Natural Resources Committee to bring this measure up for Senate consideration prior to the end of this session.

As my colleagues recall, last year Congress enacted legislation to authorize the construction of a memorial to veterans of the Korean war. The memorial project is to be funded primarily by private contributions and the American Battle Monuments Commission was given responsibility for the project.

H.R. 1454 and S. 1525 seek to make minor modifications in the law enacted last year. Primarily, the bills would permit the American Battle Monuments Commission to earn interest on the contributed funds, until such time as they are needed for the memorial project, by investing them in interest-bearing obligations of the United States or an obligation guaranteed as to principal and interest by the United States. To date the ABMC has received \$1,547 million in contributions toward the Korean War Memorial and they estimate that, absent the authority contained in H.R. 1454 and S. 1525, they are currently forgoing \$10,000 per month in interest.

Senator ARMSTRONG and I, and all who share our interest in seeing a Korean War Memorial become a reality, appreciate the efforts of every Senator who has cooperated to expedite consideration of this measure.

**THE PRESIDING OFFICER.** The bill is before the Senate and open to amendment. If there be no amendment to be offered, the question is on the third reading and passage of the bill.

The bill (H.R. 1454) was ordered to a third reading, was read the third time, and passed.

**MR. BYRD.** Mr. President, I move to reconsider the vote by which the bill was passed.

**MR. ARMSTRONG.** I move to lay that motion on the table.

The motion to lay on the table was agreed to.

#### REMOVAL OF INJUNCTION OF SECRECY—MONTREAL PROTOCOL ON SUBSTANCES THAT DEplete THE OZONE LAYER

**MR. BYRD.** Mr. President, as in executive session, I ask unanimous consent that the injunction of secrecy be removed from the Montreal protocol on substances that deplete the ozone layer—Treaty Document No. 100-10—which was transmitted to the Senate today by the President of the United States.

I further ask that the treaty be considered as having been read the first time; that it be referred, with accompanying papers, to the Committee on Foreign Relations and ordered to be

printed; and that the President's message be printed in the Record.

**THE PRESIDING OFFICER.** Without objection, it is so ordered.

The President's message is as follows:

TO THE SENATE OF THE UNITED STATES:

I transmit herewith, for the advice and consent of the Senate to ratification, the Montreal Protocol on Substances that Deplete the Ozone Layer, done at Montreal on September 16, 1987. The report of the Department of State is also enclosed for the information of the Senate.

The Montreal Protocol provides for internationally coordinated control of ozone-depleting substances in order to protect public health and the environment from potential adverse effects of depletion of stratospheric ozone. The Protocol was negotiated under the auspices of the United Nations Environmental Program, pursuant to the Vienna Convention for the Protection of the Ozone Layer, which was ratified by the United States in August 1986.

In this historic agreement, the international community undertakes cooperative measures to protect a vital global resource. The United States played a leading role in the negotiation of the Protocol. United States ratification is necessary for entry into force and effective implementation of the Protocol. Early ratification by the United States will encourage similar action by other nations whose participation is also essential.

I recommend that the Senate give early and favorable consideration to the Protocol and give its advice and consent to ratification.

RONALD REAGAN.

THE WHITE HOUSE, December 21, 1987.

#### ACTION WITH RESPECT TO CERTAIN BILLS ON CALENDAR

**MR. BYRD.** Mr. President, I ask unanimous consent that the Senate's request for a conference with respect to S. 864, S. 865, and S. 866, and the listing of S. 1174 as a bill in conference, no longer be printed as part of the Senate's daily calendar.

This should result in a significant saving to the taxpayers, by virtue of the fact that those several pages of the Calendar of Business will not continue to have to be printed.

**THE PRESIDING OFFICER.** Without objection, it is so ordered.

#### COMPUTER SECURITY ACT OF 1987

**MR. BYRD.** Mr. President, I ask unanimous consent that the Senate proceed to the consideration of H.R. 145, the Computer Security Act of 1987, which is being held at the desk.

**THE PRESIDING OFFICER.** The bill will be stated by title.

The legislative clerk read as follows:

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A bill (H.R. 145) to provide for a computer standards program within the National Bureau of Standards, to provide for Government-wide computer security, and to provide for the training in security matters of persons who are involved in the management, operation, and use of Federal computer systems, and for other purposes.

**The PRESIDING OFFICER.** Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

**Mr. CHILES.** Mr. President, I am pleased to announce that the Senate will soon move to adopt and pass by unanimous consent H.R. 145, the Computer Security Act of 1987.

I want to comment on the legislation before we do.

The bill comes to us from the House of Representatives. During this Congress and last, the House Committees on Government Operations and Science and Technology held hearings and deliberated upon this legislation—H.R. Report 100-153, part 1 and 2. With the support of the administration the full House passed this legislation by voice vote on June 22 of this year.

Let me compliment Congressman GLICKMAN, the sponsor of this legislation and my friend Chairman BROOKS for their leadership in bringing this legislation about.

In considering this legislation here in the Senate, several Senators representing points of view from the Governmental Affairs, Commerce, Judiciary, and Intelligence Committees engaged the administration to bring together several interests in the executive branch in order to explain the consensus that exists within the executive on this legislation.

As a result of participating in that process, Mr. President, I want to make the following comments on the bill.

The bill we have before us today, the Computer Security Act of 1987, will move us a long way toward providing much needed protection for the vast amount of data which the American people entrust to the computer systems of the Federal Government. We all know that in this computer age all of society, but especially the Federal Government, relies on computers to handle information of extraordinary importance—information which must be protected from unauthorized access, manipulation, or destruction.

The protection of information stored in computers or transmitted among computer systems is vital, for example, to preserving our Nation's security, to protecting the privacy of individuals, to maintaining the integrity of financial and medical transactions, and to assuring safety in our transportation industry. Inadequate computer systems security can lead to access or manipulation by hostile intelligence services, criminal elements, foreign economic competitors, or even unbalanced individuals. The threat is too serious to be ignored. This legislation

will move us a step closer to providing adequate protection.

National Security Decision Directive 145—NSDD 145—assigned significant responsibility for the Nation's computer security matters to the Department of Defense, specifically the National Security Agency, NSA. This arrangement has given rise to widespread concern about a defense or intelligence agency having responsibility over Federal computer systems that contain nondefense and nonclassified information. To allay these concerns, this bill quite properly assigns the primary responsibility for certain computer security matters to the National Bureau of Standards (NBS).

The bill requires that NBS in doing its work shall draw upon computer system technical security guidelines developed by the National Security Agency. Consequently, the Senate expects that NBS will work closely with NSA to assure that the fine work done by that organization is put to good use and that NBS, to the maximum extent feasible, assures that computer security standards that it sets are consistent and compatible with computer security guidelines developed by NSA.

This bill alters the previously existing Presidential directed assignment of responsibilities in the computer security arena by making NBS the primary agency responsible for sensitive civil sector computer matters. It is important that it be understood that this bill is not intended in any way to alter the assignment of responsibilities in the area of telecommunications security.

Now Mr. President, let me turn to Senator GLENN, the chairman of the Governmental Affairs Committee, who will pose questions to me which I will answer.

**Mr. GLENN.** I recognize that up to this time there has been significant responsibility for computer and telecommunication security vested in NSA by virtue of a Presidential directive. But, I would like to point out that since 1965, under the Brooks Act, Public Law 89-306, the Commerce Department NBS has had a significant role in this area, as well.

**Mr. CHILES.** I thank the Senator for this clarification.

**Mr. GLENN.** I also recognize that in the statement of the Senator, he expressly states that this bill is not intended in any way to alter the assignment of current responsibilities in the area of telecommunications security. Is the Senator aware that under the same law—that is, under Public Law 89-306—NBS has responsibility for both computer and telecommunication standards, and that this responsibility for standards includes responsibility for security standards in these areas, as well?

**Mr. CHILES.** Yes, the law can be read that way. I am aware that NBS has the statutory charges to develop and implement both computer and telecommunication standards and that

that charge includes responsibility for security standards in the fields of both computers and telecommunications. Keep in mind, to the extent that cryptography is involved, it is essential for purposes of national security that NSA retains its present responsibility.

**Mr. GLENN.** I have one final question. Is it the intention of this bill that, when developing security guidelines, NSA will make every effort to assure that those guidelines are consistent with those standards issued by NBS?

**Mr. CHILES.** Yes, that is true. It is very important that NBS and NSA activities complement each other, rather than spark confusion through inconsistency.

**Mr. HUMPHREY.** I say to the chairman that our Judiciary Subcommittee on Technology and the Law has jurisdiction over the Freedom of Information Act, computer security and Government information policy, does it not?

**Mr. LEAHY.** That is correct.

**Mr. HUMPHREY.** There has been some concern that the language of section 8(2) of the pending bill could be construed to support the expansion of existing Government disclosure obligations. And I appreciate the Senator's willingness to work with me to address these concerns.

**Mr. LEAHY.** Concerns have also been raised that the Computer Security Act might be misconstrued to restrict existing Government disclosure obligations.

It is not the intent of this bill to expand or to restrict the Federal Government's disclosure obligations under the Freedom of Information Act with respect to any category or medium of information.

Section 8 of H.R. 145 provides that the bill shall not be construed to authorize the withholding of any agency records or information which are disclosable under the Freedom of Information Act.

At the same time, section 8 does not require the disclosure of any records, information, electronically stored data, software, data processing information, or computer programs which could be withheld under the Freedom of Information Act. Nor does the bill authorize the withholding of any records, information, electronically stored data, software, data processing information, or computer programs which would be disclosed under the Freedom of Information Act.

**Mr. HUMPHREY.** I thank the Senator for the clarification. Let me address a second issue that has been raised.

U.S. commercial computer technology vendors have invested heavily in research efforts to meet the unique security requirements of intelligence and defense agencies with commercial products. This spurs development of data security technology while ensuring that its costs do not fall principally

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on the Government. We are mindful of the potential negative impact on technology companies, and the Government as well, should this legislation give rise to two separate and distinct regimens of computer security technology—one for civilian agencies and another for intelligence and defense agencies. Will this legislation adequately safeguard the commercial interests of these companies?

Mr. LEAHY. The legislation does not mandate or even urge the establishment of two sets of data security standards or systems. Instead, it provides a framework for recognizing and reconciling the sometimes differing security needs of these distinct communities.

Mr. President, today we are considering the Computer Security Act of 1987. The House sent this bill over to the Senate on June 23. Since that time, I have been working with Senators CHILES, GLENN, HOLLINGS, and ROTH, Congressmen GLICKMAN and BROOKS, the National Security Agency, the National Bureau of Standards, and the Office of Management and Budget to assure the adoption of this important legislation.

This legislation will restore civilian control over all Federal computer systems except those excluded under the Brooks Act (10 U.S.C. 2315) and the Paperwork Reduction Act (44 U.S.C. 3502(2)). The Computer Security Act is a significant act of Congress that rejects the promulgation of information policy by executive fiat.

The central purpose of this legislation is to reject the Federal computer security plan set forth in NSDD-145. National Security Decision Directive 145 signaled a dramatic shift in the management of Government information protection from civilian authority to military authority. It has set the Government on a course that has served neither the needs of national security nor the interests of the American people. Since the issuance of that directive we have watched a Government attempt to:

Limit the availability of unclassified data in Government data bases;

Place selective limits on who may access Government data bases;

Intimidate private data base firms and public libraries to limit access to their electronic files—files which contain information published in newspapers everyday;

Impose unnecessary restrictions on the nearly 500 U.S. firms that sell information abroad.

These efforts have been widely opposed by the leaders of our information industry and those concerned with the public's right to know. The president of Mead Data Central told a Congressional hearing that "Such new restrictive and unwarranted policies under the unilateral control of the Defense Community threaten to bring this industry to a halt and would negate the significant productivity gains being made in many sectors of

our economy. . . ." The Computer Security Act of 1987: Hearings before the Subcommittee on Science, Research and Technology and the Subcommittee on Transportation, Aviation and Materials of the House Committee on Science, Space and Technology, 100th Cong., 1st Sess. 112 (1987) (statement of Jack Simpson). Counsel for dialog has warned that these controls could have a devastating impact, noting that "the information industry is one of the few areas of commerce in which the United States has a favorable balance of trade." The Boston Globe, April 20, 1987, at 35.

Moreover, such efforts obstruct the free flow of information in our society. Information is the cornerstone of our democracy. As a comprehensive report from People for the American Way released last week warns, a government of secrecy produces "Decisions without Democracy."

The Computer Security Act establishes a comprehensive program for Federal computer systems security. A civilian agency—the National Bureau of Standards [NBS]—will implement that program. As H.R. 145 states in the first specific purpose outlined in section 2(b)(1), the act assigns to the National Bureau of Standards responsibility for developing standards and guidelines for Federal computer systems, including responsibility for developing standards and guidelines needed to assure the cost-effective security and privacy of sensitive information in Federal computer systems, drawing on the technical advice and assistance of the National Security Agency, where appropriate.

The Computer Security Act assigns to NBS responsibility for developing standards and guidelines for the security of Federal computer systems. It provides for a Computer Systems Advisory Board to identify emerging Federal computer security and privacy issues. It requires the development of security plans by the heads of all Federal agencies. And it will establish a training program for all persons involved in Federal computer systems. These are sound and comprehensive objectives for a Federal computer security policy.

There is no question that properly classified information requires specialized security measures to safeguard against unauthorized acquisition, alteration, or destruction. That is why the Computer Security Act leaves NSA's authority over computer systems containing such information unchanged.

OMB Director Jim Miller has also outlined this relationship between the agencies:

. . . It is the Administration's position that NBS, in developing Federal standards for the security of computers, shall draw upon technical security guidelines developed by NSA in so far as they are available and consistent with the requirements of civil departments and agencies to protect data processed in their systems. When developing technical security guidelines, NSA will

consult with NBS to determine how its efforts can best support such requirements. We believe this would avoid costly duplication of effort.

Computer security standards, like other computer standards, will be developed in accordance with established NBS procedures. In this regard the technical security guidelines provided by NSA to NBS will be treated as advisory and subject to appropriate NBS review. . . ." H. Rep. 100-153, 100th Cong., 1st Sess., pt. 1, 41 (letter to Congressman Roe); H. Rep. 100-153, 100th Cong., 1st Sess. pt. 2, at 37 (letter to Congressman Brooks).

It is my understanding that this continues to be the administration's position and that the administration consensus described by Senator CHILES in his statement is consistent with Director Miller's letter.

I want to remind all those involved in the protection of Federal computer systems that we should not fall into the trap of characterizing computer system security as simply a matter of national security. This invites technological xenophobia, and produces misguided policies and misdirected programs. A recent report stated:

Security experts are nearly unanimous in their view that the more significant security problem is abuse of information systems by those authorized to use them, rather than by those trying to penetrate the systems from outside. Office of Technology Assessment, *Federal Government Information Technology: Management, Security and Congressional Oversight 65* (1986).

The report of the House Committee on Science, Space and Tehnology on H.R. 145 found that Federal computer fraud and abuse is most often conducted by insiders. An extensive 1984 ABA study on computer crime and another study conducted by the President's Council on Integrity and Efficiency supported this finding. A computer security policy that fails to recognize this insight will impose unnecessary costs on the Government and the private sector. It will substitute high-technology fixes for solid management practices. Ultimately, such a policy would frustrate this much needed effort to enhance Federal computer system security.

This country cannot afford a hemorrhage of vital national security information. Federal computer security is critical to the cost-efficient implementation of Federal programs as well as to a secure future for all Americans. As chairman of the Senate Subcommittee on Technology and the Law, I look forward to continuing to work the National Security Agency and the National Bureau of Standards to promote necessary, strong, and cost-effective Federal computer systems security.

Access to information by our country's scientists, inventors, scholars, historians, journalists, and, most importantly, American citizens is also vital to America's future. Interest in, and awareness of, the activities of our national government instills vitality in our political process. Therefore, computer security legislation must be care-

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fully crafted so that it safeguards systems without restricting access to unclassified information.

That is why I would prefer that the legislation not include the charged phrase "sensitive information." However, I have worked to ensure prompt passage of the bill because of the urgency of reasserting civilian control over the computer systems of the federal government. I hope that the next time the Congress considers this issue it will avoid terms that raise fears of increasing government restriction over access to unclassified information.

As used in the Computer Security Act, the phrase "sensitive but unclassified information" is intended to underscore the importance of information held in Federal computer systems, particularly as it affects the conduct of Federal programs or the privacy of individuals. As defined in the legislation, this term is an explicit rejection of the broad and ambiguous phrases used in NSDD-145 and the 1986 National Telecommunications and Information Systems Security Policy No. 2. It does not create another category of restricted Government information. (See H. Rept. 100-153, 100th Cong., 1st Sess., pt. 1, at 24, 31.)

Further, the Computer Security Act states that public availability or use of information shall not in any way be limited. I discussed the Freedom of Information Act with the ranking minority member of the Technology Subcommittee earlier today. The House Committee reports on Section 8 examine other laws. (See H. Rept. 100-153, 100th Cong., 1st Sess., pt. 1, at 31, Committee on Science, Space and Technology; H. Rept. 100-153, 100th Cong., 1st Sess., pt. 2, at 30-31 (Committee on Government Operations)).

In closing, Mr. President, I want to say that we are adopting a good piece of legislation that reflects several years of congressional study. This act will coordinate many aspects of Federal computer security without trampling on the rights of its users, the ultimate beneficiaries of all activities undertaken by this Government, American citizens. As we are protecting the security of Federal computer systems, we will also safeguard the most precious right of Americans—the opportunity to understand and participate in the activities of our Government.

I would like to thank Senators CHILES, HOLLINGS, GLENN, ROTH, and HUMPHREY for all their help on this legislation. I would also like to thank their staff members, Bob Coakley with Senator CHILES, Pat Windham with Senator HOLLINGS, Stephen Ryan with Senator GLENN, John Eliff and Ed Levine with the Senate Intelligence Committee, John Parisi with Senator ROTH, and George Smith with Senator HUMPHREY, for their hard work.

Finally, I would like to thank my own staff, Ann Harkins and Marc Rotenberg, for their efforts to ensure passage of the Computer Security Act of 1987.

Mr. ROTH. Mr. President, I am pleased that the Senate is considering H.R. 145, a bill that will help improve the security of the ever-increasing number of computer systems utilized by the Federal Government. The provisions of H.R. 145 will strengthen Federal efforts to deter computer crime and to ensure the integrity and privacy of information stored in computer systems utilized by the Federal Government.

The bill appropriately divides responsibility for developing computer security standards between the National Bureau of Standards and the National Security Agency. NSA will provide guidelines for computer systems which handle classified information and NBS will provide guidelines for those which handle unclassified but sensitive information.

One concern that was raised over this division of responsibility was the potential for duplication of effort. The terms of the bill seek to militate against that, and the ongoing cooperative efforts of NSA and NBS will be continued under the bill.

Continued cooperation between NSA and NBS under the terms of this act will be helpful to the many private firms which are in the business of developing computer security systems. The process of testing and validating these systems for use by the Federal Government, particularly our defense and intelligence agencies, is very rigorous and can take a long time. Some of these firms, including firms in my State of Delaware, were concerned that they might be forced to run the gauntlet twice: once through NSA's National Computer Security Center and then again through the National Bureau of Standards. I have been assured by NBS that, once a system has passed muster at NSA's Computer Security Center, it would not have to go through the NBS process for use by agencies with unclassified systems. If the system provides the additional safeguarding required for classified systems, it would clearly be sufficient for use by agencies with unclassified systems.

So, I am pleased that agreement has been reached to clear this legislation for the President's signature and look forward to its successful implementation.

The PRESIDING OFFICER. The bill is open to amendment. If there be no amendment to be proposed, the question is on the third reading of the bill.

The bill was ordered to be read a third time, was read the third time, and passed.

Mr. BYRD. Mr. President, I move to reconsider the vote by which the bill was passed.

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

The motion to lay on the table was agreed to.

## COMPLIMENTS TO MAJORITY AND MINORITY FLOOR STAFFS

Mr. BYRD. Mr. President, I thank my friend, Mr. ARMSTRONG, for his cooperation.

I want to take this opportunity, also, to thank our excellent floor staffs on both sides of the aisle, who have made it possible for the Senate to conduct its work expeditiously and very professionally.

Mr. ARMSTRONG. Mr. President, I should like to join in the majority leader's commendation of the floor staffs. It is just extraordinary, the level of responsibility and the patience and attention to detail which this handful of people on the floor demonstrate. They do the vast bulk of the routine work of the Senate. The majority leader is quite right to compliment them.

Mr. BYRD. What we see is really a phenomenal job done by Howard and Elizabeth Greene, Charles Kinney, Marty Paone, and Bill Norton. These people work together so well, and they make our work easier. They are exceedingly pleasant to work with.

I compliment the people on the other side of the aisle. This fine young lady, Elizabeth Greene, and her husband, Howard, are pleasant to work with. It makes my work a lot easier and certainly moves the work of the Senate along.

Without their cutting the briars out of the path, the Senate would not be able to act as expeditiously and as thoroughly as it does.

## THE MAJORITY LEADER'S SINE DIE TIE

Mr. LEAHY. Mr. President, will the distinguished majority leader yield?

Mr. BYRD. I yield.

Mr. LEAHY. Mr. President, I concur completely in what the majority leader has said. I do not know what any of us would do without the staffs on both sides of the aisle.

I also note something else.

In my State, we have certain harbingers, as other States do: the robin, the first harbinger of spring; the maples changing color, the first harbinger of fall.

Mr. President, I note that the distinguished majority leader has the one harbinger that all of us look for day after day at this time of the year. I refer, of course, to that unique item of haberdashery, his sine die tie.

Many of us have looked in vain for that the past few days, and now I hope it is not a mirage. I hope it is not an illusion. I hope that that tie, which comes out only on occasions such as this, is an indication that perhaps there will be freedom for the Senate 100.

So I say that, like the robin in the spring and the maples in the fall, the unique tie of the distinguished Senator from West Virginia is the harbinger of sine die—I hope.

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Mr. BYRD. I thank the Senator.

Mr. President, I hope I am not still wearing it at this time tomorrow night. [Laughter.]

I thank the distinguished Senator for his very generous comments.

#### TRIBUTE TO BOB BERRY, READING CLERK OF THE HOUSE OF REPRESENTATIVES

Mr. BYRD. Mr. President, Bob Berry is one of the reading clerks of the House. He delivers messages to this body often, and we all are accustomed to seeing his smiling face as he comes in the south door of the Chamber.

He has been the reading clerk in the House for the last 17 years. Before that, he was minority counsel to the Senate Governmental Operations Committee and legislative assistant to the late Senator Carl Mundt.

I call to the attention of my colleagues that this will be the last time that Bob Berry delivers a message to this body. [Applause.]

#### MESSAGE FROM THE HOUSE

At 11:09 p.m., a message from the House of Representatives, delivered by Mr. Berry, one of its reading clerks, announced that the House agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 3545) to provide for reconciliation pursuant to section 4 of the concurrent resolution on the budget for the fiscal year 1988.

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

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

The Senator from Florida is recognized.

Mr. BYRD. Mr. President, will the distinguished Senator yield?

Mr. CHILES. Yes.

Mr. BYRD. Could he and his distinguished counterpart give to the Senate some indication of the time that they believe will be required on this report so that we can notify Senators. Some Senators will need 30 to 40 minutes, probably, notice to get here for the rollcall which will occur on the adoption of the conference report.

The CHILES. Mr. President, I think they ought to start if they are going to need that long.

Mr. DOMENICI. I concur, unless someone around here wants to talk a lot longer than I.

Mr. CHILES. I say they are starting late.

Mr. BYRD. Very well.

Mr. CHILES. I am going to take a few minutes in my remarks.

#### OMNIBUS BUDGET RECONCILIATION ACT—CONFERENCE REPORT

Mr. CHILES. Mr. President, I submit a report of the committee of conference of H.R. 3545 and ask for its immediate consideration.

The PRESIDING OFFICER. The report will be stated.

The assistant legislative clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 3545) to provide for reconciliation pursuant to section 4 of the concurrent resolution on the budget for fiscal year 1988, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses this report, signed by a majority of the conferees.

The PRESIDING OFFICER. Without objection, the Senate will proceed to the consideration of the conference report.

(The conference report is printed in the House proceedings of the RECORD of December 21, 1987.)

Mr. CHILES. 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.

Mr. CHILES. Mr. President, in the long fight against the Federal deficit, this has been the longest year. With the approval of this conference report, we can make it the most successful year.

This is not the first time we have spent months of hard work or dealt with frustrations. But this time all the effort has produced landmark results.

As a practical matter, we are about hopefully to agree on the largest deficit-reduction package in history. It is real and it is for 2 years. We said we wanted to get \$76 billion in savings at the summit, and that is exactly what we have done.

Of the savings we aimed for, roughly \$50 billion of that amount is contained in the reconciliation package now before the Senate.

Included in that amount are \$13.5 billion in entitlement savings—\$5.8 billion for 1988 and \$7.7 billion for 1989.

When added to the provisions included in the continuing resolution, the total savings on the spending side are \$33 billion—\$20 billion in domestic and \$13 billion in the military.

So, Mr. President, with the nearly \$50 billion in deficit reduction contained in reconciliation and the additional savings in the continuing reconciliation, we will have reached our goal of \$76 billion cut from the deficit.

This agreement stands for something central to the future of the economy. A year ago—as the Senate changed hands—all that people were talking about was suspicion and doubt and impasse.

A year ago, all the predictions were that the President would not work with a Democratic Congress and the

Congress would not cooperate with the White House.

A year ago, the budget process was a watchdog without teeth. The automatic provisions of Gramm-Rudman-Hollings had been removed and the deficit was high and all indications were it was going higher.

And a year ago, the only attention anyone paid to the deficit targets was who would miss them first.

So, while this has been a very long year, it has been a year of very great change.

We have for the first time in many years, a bipartisan, bicameral agreement. Working together for just 2 months, we have cut the deficit by \$75 billion. If we can keep it up for another year or two, we can get to a balance.

So, a Democratic Congress, a Republican President, and a minority under the Republicans in Congress have worked together. We restored the automatic features of Gramm-Rudman-Hollings. And we have worked out an effective agreement to reduce the Federal deficit.

Any time people meet face to face to work out their differences in public, there will always be people on the sidelines and in the bleachers who compare the outcome with some set of ideals. You get a lot of critics who say what it should have been and everything that should have been in it.

Some years ago a gentleman from the media said a critic is the person who walks across the field after the battle is over and shoots the survivors.

Those of us who have been through the battle—and there have been so many who fought so long to put this package together—know what it has been like.

We have heard from the groups on one side who suffered some pain. We have heard from groups on the other side who preferred a scorched-earth approach. And we have left some tears of our own on the negotiating table.

But we have been through the battle, and I am convinced time will tell us it was a major victory for the American people and for the Nation's economy.

Within the last couple of days, we have had a report from the Institute for International Economics that spoke of a global economic collapse unless we did better. The report of the economists called the summit agreement, grossly inadequate—but, of course, that comes from a profession with a tendency to be "grossly inaccurate."

Yet, the economists warned that we need \$40 billion in deficit reduction each year for the next 4 years, and that is something I agree with. In fact, that notion is at the center of the package before the Senate which aims to reduce the deficit at least \$36 billion in each of the next several years.

Here is the point. The reconciliation conference report is tough. It involves