amid a general feeling of well-being and affection. If the ghosts of Maxwell's friends were somewhere in the sculptured brown lines of the Folger theatre and Great Hall, then they must certainly have been travelling in the company of Bernard Malamud, for the spirit of that marvelous writer of stories was invoked by every facet of the evening.●

## FRENCH NUCLEAR TESTING

● Mr. FEINGOLD. Mr. President, I rise today to join my colleagues in welcoming to the United States, the President of France, Jacques Chirac, who will address a joint session of the Congress this morning. I look forward to his remarks and observations, not only on historically close French-American bilateral relations, but on developments on the international scene. The political, economic, and cultural ties which link the French and American people go beyond mere trade of goods and ideas, however important those may be. Our relations with the French are almost as with brothers and sisters; more often than not, France and the United States have stood as allies in the struggle for freedom. The debt we owed France for its assistance during our Revolution, for example, was repaid on the beaches of Normandy.

Though we may be friends, Mr. President, it is a strength and beauty of the relationship that permits us to air our differences over some fundamental questions. One of those issues has been the French program of testing nuclear devices in the South Pacific, a regrettable series of tests which, literally and figuratively, have served only to poison the environment and endangered U.S.-led efforts to conclude a Comprehensive Test Ban Treaty this year.

Since September 5, 1995, Mr. President, the Government of France has exploded six nuclear devices at underground testing sites in the South Pacific. The most recent explosion was made only 4 days ago and came despite French acknowledgement that there had been some leakage of radioactive material into the seabed around the Mururoa Atoll. The French Government ignored, as well, the vociferous protests of various governments of Pacific Rim nations, whose people would be affected by the potentially dangerous effects of leaked radiation.

France justified this somewhat colonial action by claiming that its sovereign interest in assuring its security overrode the health and safety of those affected by these tests. These should never have happened.

But I do believe, Mr. President, that we can take some satisfaction in President Chirac's January 28 announcement that the testing is now finally and forevermore at end. I salute, too, his claim that France will now seek a lead role in working for a comprehensive test ban. I also applaud President Clinton's leadership in seeking a true ''zero yield'' CTBT. On October 10, 1995, I wrote to the President expressing my concerns about U.S. involvement in the French nuclear weapons program. President Clinton responded with a statement of regret about France's decision on testing, and a pledge to continue to press for a CTBT. I ask that these letters be printed in the RECORD.

The letters follow:

U.S. SENATE,
*Washington, DC, October 10, 1995.*

President BILL CLINTON,
*The White House, Washington, DC.*

DEAR MR. PRESIDENT: We want to draw your attention to recent reports concerning close cooperation between the U.S. and France in developing the French nuclear weapons program.

An article in the Washington Post September 19 suggests that a decades-long period of U.S. support for technical assistance to the French program not only continues, but may soon reach new, unprecedented levels of cooperation. Particularly disturbing are the reports that the U.S. and France are currently negotiating a pact by which the two sides will begin to share sensitive computer codes that describe how nuclear weapons behave when exploded. Further, it is reported that a senior-level American scientist will also help the French government in building and designating a new facility for weapons-related research.

These reports are deeply troubling. They serve to undermine the strong political leadership you consistently exhibited in successfully urging the nations of the world to extend the Nuclear Non-Proliferation treaty (NPT) and in your continuing efforts to secure a comprehensive test ban treaty. It also seems to contradict the Administration's very public criticisms of recent French nuclear testing in the Pacific.

Moreover, we can speculate that once the French government has access to computer code data generated by the U.S., and designs weapons with technical assistance provided by the U.S., it will seek to test the weapons in the Pacific which, it could be said, will have been god-fathered by the U.S. More troubling still is the possibility that the U.S. itself will share in the data generated by French tests.

Cooperation with the French government on matters of mutual security is important. But in order to continue to lead with moral authority on the question of deterring nuclear non-proliferation and on ending unnecessary and harmful nuclear weapons testing, we urge you to carefully review these policies. We believe that taking measures which discourage—rather than facilitate—nuclear weapons testing should remain the lodestar which guides Administration policy.

We thank you for your efforts to date and look forward to hearing from you.

Sincerely,

RUSSELL D. FEINGOLD.
DANIEL K. AKAKA.
TOM HARKIN.
BYRON DORGAN.

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THE WHITE HOUSE
*Washington, November 7, 1995.*

Hon. RUSSELL FEINGOLD,
*U.S. Senate, Washington, DC.*

DEAR RUSS: Thank you for your recent letter regarding nuclear cooperation with France.

The United States has had an ongoing cooperative program with France in the nuclear area. My Administration recently conducted a review of this program and I have concluded that such a program of cooperation with France remains in the U.S. national interest. I have also directed that this program focus on stockpile stewardship (i.e., maintenance of existing nuclear stockpiles without nuclear testing) and that it not include activities that would materially aid the development of new nuclear weapons.

Of course, such a program of cooperation can only take place in the overall context of positive United States-French relations. While I regret France's decision to resume nuclear testing, we must also take note of France's strong commitment to sign a Comprehensive Test Ban Treaty (CTBT) banning all nuclear tests, ''regardless of level,'' no later than the fall of 1996. This position is consistent with my own decision to seek a true ''zero yield'' CTBT. We will continue to work with France and all other states participating in the CTBT negotiations to ensure that a Treaty is ready for signature as early as possible next year.

Sincerely,

BILL.

Mr. FEINGOLD. Mr. President, only last week the Senate ratified the START II Treaty, putting us firmly back on the road to ending the threat of nuclear annihilation. The next step is to bring to reality the Comprehensive Nuclear Test Ban Treaty, which would serve to put an end to the practice of testing weaponry which—we pray and can increasingly say with confidence—will never be put to use. This effort was seriously undermined by the French tests, and it has caused other nations to question the point and sincerity of the CTBT. While I harbor deep regrets about the effect of France's unwarranted tests, I want to say now to President Chirac, ''welcome aboard.'' We look forward to close cooperation with France in reaching the goal of ridding the world of nuclear weapons, and will work to ensure that its series of tests will be the last ever conducted on the globe.●

## ROBERT A. BUDUSKY

● Mr. LIEBERMAN. Mr. President, I rise today to pay my respects to Robert A. Budusky of Meriden, CT, who was the victim of a senseless murder on Tuesday. Mr. Budusky, a letter carrier for the U.S. Postal Service, was delivering mail along his route in Hartford when he was suddenly and fatally shot in the back of his head. His alleged murderer is a man on parole for an earlier weapons conviction.

I did not have the honor of knowing Robert Budusky, but from what I have learned, he was a dedicated public servant and a wonderful human being. ''Everybody on his route loved him. They're all telling me so,'' said Martin Torres, according to an article in today's Hartford Courant. Torres, also a letter carrier, volunteered to take over Mr. Budusky's route ''to make sure they get the service today that Bob gave them every day.''

Robert Budusky is the first letter carrier to be killed on the job in New England in more than thirty years. But his death is a reminder that all letter carriers brave much more than the elements every day as they deliver our mail. Too often we take for granted their service, and fail to provide them the respect they all richly deserve.

Mr. Budusky reportedly had enough seniority to request mail routes in

other communities, but he chose to remain on the job in Hartford, where he ''loved the people on his route,'' said his supervisor, Dwight Davies, according to an Associated Press report. That report also quotes Mary Asberry, a resident along Robert Budusky's route, saying, ''He was a friend, to me and to a lot of other people around here.''

Flags are at half staff in front of post offices across Connecticut today, and thousands of black ribbons are being worn by postal employees in honor of their fallen colleague. At the young age of 35, Robert Budusky will be buried this Saturday. My prayers go out to his family and his many friends.●

## REPEAL MANDATORY DISCHARGE FOR HIV-POSITIVE MILITARY PERSONNEL

● Mrs. BOXER. Mr. President, a very important article appeared in today's Washington Post that I commend to all my colleagues. Its title is ''Army Sergeant with HIV Feels Deserted by Policy.'' This article tells the story of a woman—a sergeant in the Army—who faces discharge because of a horrible provision in the Department of Defense authorization bill that mandates the release of HIV positive personnel.

This provision is not supported by the military. It has been forced upon them by this Congress. In my view, it is nothing less than shameful.

The sergeant, who used the pseudonym ''Marie'' for this article, is a good soldier. She exhibits no signs of illness. Were it not for this provision in the DOD authorization bill, Marie would likely get a promotion this year.

Marie may not get that promotion. Instead she may get shown the door. I want to share with my colleagues what Marie thinks about this provision, mandating the discharge of HIV positive personnel like herself. She says, ''no one is looking at the work I've done. No one is looking at the commitment I made—I defend the Constitution. It feels like the United States has turned its back on me.''

Mr. President, I have been in Congress for nearly 15 years. During that time, I have seen a lot. But I never thought that I would see the day that the United States would turn its back on a soldier. The United States military has a proud tradition of standing by those courageous enough to dedicate their lives to the defense of our Nation. And if this provision becomes law, that proud tradition will end. That would be a sad day for this country.

Supporters of this provision argue that it is needed because non-worldwide deployable personnel degrade the readiness of our forces.

But I hope all Members realize that the substance of this new policy contradicts the rhetoric of its backers. They say that nonworldwide deployable personnel degrade readiness, but they only target a small fraction of that group.

Military personnel are placed on nondeployable status if they have severe asthma, or diabetes, or cancer. But this provision doesn't affect them. It targets only HIV positive personnel—only about 20 percent of all nondeployable personnel.

It is therefore perfectly clear: This provision is not about readiness or about deployable status, it is about targeting people with HIV. It is about discrimination.

Mr. President, on Tuesday I was proud to stand with all Californians—and indeed all Americans—to cheer the return of ''Magic'' Johnson to the Los Angeles Lakers. The Lakers wanted Magic back neither because he was HIV positive nor in spite of it. They wanted Magic back because he makes their team better.

The Army needs sergeants like Marie because she makes their team better. She can do the job. And for as long as she can do the job, Congress should not intervene to mandate her discharge.

Mr. President, this forced discharge policy is worse than wrong; it is immoral.

As soon as the President signs the DOD authorization bill, bipartisan legislation will be introduced to repeal this outrageous policy. I will be an original cosponsor and I urge my colleagues to cosponsor.

I believe the military's existing policy is adequate. As Asst. Secretary of Defense Fred Pang has said:

> As long as these members can perform their required duties, we see no prudent reason to separate and replace them because of their antibody status. However, as with any Service member, if their condition affects their performance of duty, then the Department initiates separation action . . . the proposed provision would not improve military readiness or the personnel policies of the Department.

We must repeal this provision within 6 months, or else people like Marie will feel the consequences for a lifetime. I ask that the article be printed in the RECORD.

The article follows:

[From the Washington Post, Feb. 1, 1996]

### ARMY SERGEANT WITH HIV FEELS DESERTED BY POLICY

(By Dana Priest)

Marie, a staff sergeant who has been in the Army 10 years, figures she has done what has been expected of her, and more. She has worked hard, spent months away from her family on assignments, ''given 110 percent'' to her job and is in line for an important promotion.

Except now she expects to be forced out of the Army.

That is because last week Congress passed and President Clinton agreed to sign a defense bill that includes a provision to discharge service members with the AIDS virus, regardless of whether they are sick or can still perform their jobs.

Marie, who is 34 and has a daughter in elementary school, was infected by her late husband before he knew he had the disease.

''I'm widowed from it, I have a child and now I'm going to lose my job,'' she said in a three-hour interview yesterday at a friend's home in Northern Virginia. ''No one's looking at the work I've done. No one's looking at the commitment I made. . . . I signed a contract to uphold freedom of speech, freedom of religion, I defend the Constitution. It feels like the United States has turned its back on me.''

Marie noted that she was being forced from her profession for having HIV, the virus that causes AIDS, just when many people this week applauded basketball star Earvin ''Magic'' Johnson's return to professional play despite having the virus.

Afraid of being stigmatized, she will not allow her full name to be used in this article—Marie is her middle name. She has not told her daughter or most of her co-workers she is HIV-positive and only informed her mother last month, although the virus was diagnosed five years ago and she informed her Army supervisors.

''It's my family I'm concerned about,'' she said.

The HIV measure in the defense bill was introduced by Rep. Robert K. Dornan (R-Calif.), a conservative presidential aspirant and former combat pilot who has become a lightning rod for anger among AIDS activists and others, including Marie.

Dornan has attracted their criticism for comments such as one he made on the House floor in November, when he defended the provision by saying that AIDS ''is spread by human God-given free will'' and then listing what he described as the three ways service members get AIDS: ''Rolling up your white, khaki or blue uniform sleeve and sticking a contaminated, filthy needle in your arm . . . heterosexual sex with prostitutes . . . and having unprotected [homosexual] sex with strangers in some hideaway or men's room somewhere.''

''I feel outraged'' at Dornan, said Marie. ''I can't go out into the public and talk about my disease because the American people don't understand this disease. How can I feel safe if I have a leader on Capitol Hill who says things like this?

''Everything I worked for he's taking away from me, everything I know,'' she said. ''I've left my family to go to school, I've left my family to go overseas. I did it because that was what the military expected of me. If I didn't want to make it my career, I wouldn't have done it. I love my family.''

There are 1,049 male and female service members who have the AIDS virus. They have been allowed to continue to work and to reenlist as long as they are able to perform their jobs. But the military tests personnel for HIV about every two years, and those with the virus are prohibited from being sent to overseas posts or into combat. Marie went abroad before being infected.

''It sounds like a tragic case,'' Dornan said of Marie in an interview yesterday. But, he added, AIDS sufferers put an undue burden on other service members who have to fill in for them overseas. ''She can't go to Bosnia. She can't go to Haiti. She can't go to Somalia. She can't go anywhere in this world . . . and she obviously had unprotected sex with someone whose entire background she didn't know. . . . She should be a good patriot and take her honorable discharge.''

Defense Department statistics show that half of the service members with the AIDS virus are married.

Several high-ranking military officials and military organizations have supported Dornan's provision because they believe HIV-positive service members are a drain on military readiness. In 1993, Adm. Frank B. Kelso II, then chief of naval operations, wrote Dornan to say that retaining HIV-positive service members ''imposes significant problems for all services, especially the Navy. Assignment limitations cause significant disruption in the sea/shore rotation for all our personnel.''