getting to the bottom of these things and getting these matters resolved.

With that, I thank my colleagues for letting me have this time.

I yield the floor.

The PRESIDING OFFICER. The Democratic leader.

NATIONAL SECURITY AND THE SENATE'S CHINA INVESTIGATIONS

Mr. DASCHLE. Mr. President, as every Senator is aware, a number of Committees are investigating the national security impacts of two parts of the U.S. relationship with China: the launching of American commercial satellites on Chinese rockets, and the so-called ''China Plan'' to influence the American political process through campaign donations.

Earlier this week the Majority Leader came to the floor to announce what he called ''major interim judgments'' of his task force coordinating this investigation. His remarks sparked a round of debate and speculation that may have clouded the real issues at hand, and I would like to take a moment to respond.

These are unquestionably significant issues that merit serious, objective review. For me and for the Democratic Senators on our investigation task force, the objective is simple: national security.

We want the national security to be enhanced; we want American lives and American interests protected.

If the Senate's work on the satellite export issue reveals flaws in our export controls that endanger national security, we want those flaws corrected—now.

If the facts warrant, we will gladly join with our Republican colleagues to that end. But there should be no place for politics, for partisan political maneuvering, when it comes to national security.

We also want U.S. law to be enforced without fear or favor. If the law was violated in campaign financing for the 1996 election, Democratic Senators want the guilty held accountable. The best way to ensure this occurs is not to discuss classified information associated with these cases, and thereby avoid impeding or damaging the FBI's and the Justice Department's ability to investigate and build cases.

In short, we care about this investigation because we care about national security.

One of the most important guardians of national security is the Senate Select Committee on Intelligence. This is a unique committee, Mr. President. It is not set up like others. It has a vice-chairman, not a ranking member. Its makeup gives the majority party just a one-vote advantage regardless of the composition of the Senate.

We try to keep partisanship out of most things we do, but in the case of this Committee, Mr. President, we insist on it, because Americans are more safe when Congress can conduct oversight of intelligence functions in a manner that is not just bipartisan, but nonpartisan.

It is for this reason that I agreed with the Majority Leader's decision to assign primary responsibility to the vital China investigation to the Intelligence Committee. And it is also for this reason that I am so gravely disappointed when its nonpartisan tradition is violated.

That tradition makes the assertion earlier this week that ''interim judgments'' had been reached in the China matter particularly disturbing. The Vice Chairman of the Intelligence Committee, the senator from Nebraska, said they most assuredly had not, a fact subsequently confirmed by the Chairman.

The Democratic priority is national security. National security is a complex and demanding topic in today's world. While several Senate committees consider the effect on Chinese ballistic missiles of launching American commercial satellites in China, this nation faces many other equally grave and immediate threats to our national security.

For example, Russia, which is now in an economic and military tailspin, has thousands of nuclear warheads and many tons of fissile material from which warheads could be made at stake and perhaps in jeopardy.

The temptation in Russia today to look the other way while such materials quietly migrate to rogue states must be acute. That's one way in which Russia's problems threaten the United States.

Other threats appear in the headlines for a few days and then recede from public view, but they are still out there: the very unstable nuclear confrontation in South Asia, the development of weapons of mass destruction by Iran and other rogue states, the growing conflict in Kosovo, the growing tension between the Koreas, the still-tense Bosnia situation.

We are also threatened today by non-nation state actors, the terrorist organizations who plot to kill or kidnap Americans overseas, and the crime cartels who use today's increasingly open international borders to bring narcotics and other criminal activity to our shores. Information warfare and the relationship between computers and our national infrastructure is another arena in which hostile nations, movements, or even individuals can threaten us.

All these threats present greater challenges to the defense, intelligence, and law enforcement establishments than they encountered during the cold war.

At the same time, the haystack is growing, the needles are as small as ever. We need to support and strengthen our capabilities in these areas. We need to be able to react quickly to changing threats and develop the brainpower to master environments ranging from now-obscure foreign cultures at one extreme, to global cyberspace at the other.

The one thing we should not do is stand pat, as if winning the cold war gives us the right to relax.

Congress authorizes and appropriates funds for the elements of government that defend against, deter, or counter the threats: the world's most capable military forces, informed by the world's leading intelligence services, as well as law enforcement entities which are second to none. It is our responsibility in Congress to fund these activities, to guide their continued improvement, and to oversee what they do.

If these departments and agencies are essential to our national security—and they are—then our Congressional authorization, appropriation and oversight processes for these activities are also essential to national security.

The need to address these issues underscores the importance of the Intelligence Committee's mandate. To approach these matters in a spirit of partisanship arguably puts the national security at risk.

As for the China inquiry, to my knowledge, none of the four committees that have conducted hearings on the matter has reached any conclusions, interim or otherwise. Many documents already in the possession of Congress have not even been reviewed. Other documents have not yet been received from the administration, which is working hard to comply with the sweeping document requests they have gotten from Congress.

So it is premature to reach even interim conclusions. To do so subverts the Congressional oversight process.

I would prefer not to be here discussing ongoing investigations. But I think it is important to correct the record so that from this point on we can let the committees do their work.

It has been suggested this week on the Senate floor that the Clinton administration's export controls for satellites are wholly inadequate. That statement should be considered in its historical context.

The policy of exporting satellites for launch on Chinese rockets was initiated in 1988 under President Reagan and has continued under Presidents Bush and Clinton. President Bush authorized the export of 9 satellites to China in three years. Each of these satellites could only be exported after President Bush determined that the transaction was in the U.S. national interest and that the Tianamen sanctions should be waived.

President Clinton did make some changes in the licensing process for the export of commercial communications satellites.

President Bush transferred licensing authority for over one-half of all commercial satellites from State to Commerce and recommended that serious consideration be given to moving the rest over to Commerce. President Clinton completed this transfer and issued

an executive order that greatly increased the role of the Defense Department in these decisions. In recent testimony before the Senate Armed Services Committee, a witness, otherwise critical of the Clinton administration, acknowledged that the United States has the strongest and best export controls in the world!

Does this mean the system is perfect? Certainly not. No multi-agency process involving thousands of decisionmakers and difficult technical and political issues can be. In fact, as a result of some of the information disclosed in the early stages of the hearings, I believe some modification is probably in order. For example, the Departments of Defense and State should see the final text of all licenses.

However, these are minor fixes in a system that, according to State, Commerce, Defense, and the intelligence community, is working well.

Second, it has been asserted that sensitive technology related to satellite exports has been transferred to China. Under the Clinton administration, all requests to launch U.S. satellites aboard Chinese rockets go through an exhaustive and careful scrutiny. The Departments of Defense and State must approve all licenses and always place U.S. national security in the forefront of their decision process. Their primary role in this process is to specifically design procedures to ensure that China's access to U.S. technology is limited solely to what is needed to mate the U.S. satellite to the Chinese launcher.

If these procedures are properly followed, the Chinese learn little, if anything, about our satellites or the technology they contain. Indeed, the Chinese gain no direct access to our satellites and only take ownership of the U.S. satellites they purchase from us after they are successfully placed in orbit.

Third, it has been charged that China has received military benefit from U.S. satellite exports, and reference has been made to Chinese missiles pointed at U.S. nuclear cities. These very same missiles were developed years before President Reagan decided to allow U.S. satellites to be placed atop Chinese launchers.

Furthermore, Intelligence Committee hearings have been held on this very issue. And I might say all of them were closed hearings, and public accounts of those hearings fail to substantiate this sensational charge. There is no public account, to my understanding, that substantiates the sensational charges made earlier by people on this floor.

The final specific charge I will address today is the assertion that new evidence has come to light about a Chinese plan to influence our political process, and that this new evidence should lead the Attorney General to appoint an independent counsel. Unfortunately, the ''new'' evidence cited is highly classified and cannot and should not be discussed publicly.

Mr. President, publicly characterizing classified information under any circumstance is dangerous. Using it to make charges against which the accused are unable to defend themselves is even more so.

Classification is a misunderstood, sometimes frustrating, thing. It is difficult to explain and understand why we keep some things secret. Well, the reason is simple. Americans, and our friends around the world, quite literally risk their lives to gather this information because we promise to protect them.

When classified information is characterized, the sources who collect intelligence and the methods by which they do so are in danger. Furthermore, because the information involved was classified, those citing it are fully aware that the individuals involved cannot, under law, use that information to reply.

I will resist the temptation to place on the Record my own characterization of this new classified information. Instead, I will simply make the point that we have heard Republican Members make equally ominous proclamations about the China-plot in the past only to see that these facts fail to substantiate their own allegations.

Moreover, Attorney General Janet Reno has access to all relevant information, classified and unclassified. She has not been reluctant to call for a special prosecutor in the past, and I am confident that should the facts warrant, she will not hesitate to do so in this case.

These observations cover my concerns about what has been voiced by critics of this administration's export policies. However, my greatest reservation is the result of what has not been stated. These critics repeatedly fail to mention that the last six Presidents—Democratic and Republican alike—have each concluded it is in our national interest to engage China, not isolate it.

Specifically, every President since Ronald Reagan has agreed that our national security is enhanced as a result of allowing the Chinese to place U.S. satellites in orbit.

Based on current information, I agree with this assessment. I believe it is in our national interest to dominate the world's commercial satellite market. This is a strategic industry vital to our defense. We simply cannot be the dominant power in today's high-tech world without this industry and others like it.

This industry also produces tens of thousands of challenging, high-paying jobs for Americans. So when the Chinese choose an American satellite instead of a foreign satellite, that is good for our security as well as our economy. But the underlying point is that congressional committees are taking a fresh look at all these issues. Therefore, I will reserve final judgment pending their findings.

The China investigations now underway could have significant, positive benefit for national security. That is my goal and the goal of the Democratic task force. We look forward to working with Senator LOTT and Republican members of his task force to get an outcome that makes America safer.

I applaud many members of our task force and the work done by members of the committee. The next speaker, Mr. President, deserves special commendation. He is not only a member of the Intelligence Committee, but he is our ranking member on the Armed Services Committee. I do not know of anyone who has put more time and effort into sifting through these facts and attempting as best as he can, in as objective a manner as he can, what the facts are. He has done so in a fashion that is commensurate with his reputation. I commend him again for his studious and thoughtful analysis and the work that he has provided not only to our task force but to the committee.

I yield the floor.

Mr. LEVIN addressed the Chair.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. LEVIN. First, let me thank the Democratic leader for those kind comments.

It is my intention just to briefly amplify what the Democratic leader said here this afternoon. And I am greatly appreciative for the tremendous support that he has given to an effort to achieve a bipartisan approach to an issue which should be approached in a bipartisan manner. There is no justification for partisanizing this issue. It will weaken our security if we do so. And the Democratic leader's effort to insist that we approach this issue in a bipartisan way, I hope, will produce some results.

Mr. President, the statement that was released last Tuesday by the majority leader was a highly partisan approach to the multiple hearings which we have had in the Senate relative to the export of satellites to China.

I happen to sit on three of the four Senate committees that have held these hearings, so I speak from personal experience when I say that the majority leader's statement omitted some of the most important testimony that those committees received.

His statement also conveyed the false impression that the statement was a bipartisan product, when to the best of my knowledge not a single Democrat was consulted or even knew that the statement was being prepared.

The majority leader's statements claim that he was being careful not to rush to judgment, but then he offered such unequivocal conclusions as:

> The Clinton Administration's export controls for satellites are wholly inadequate, [and that] they have not protected sensitive U.S. technology, [and that] national security concerns are regularly downplayed and even ignored, [and that] sensitive technology related to satellite exports has been transferred to China, [and that] China has received military benefit from U.S. satellite exports.

To my knowledge, Mr. President, not one of the Senate committees investigating these issues has reached those conclusions. The evidence that the majority leader offered to support his conclusions ignored some of the most important testimony that we received, obviously, because it contradicted their conclusions offered.

For example, the majority leader's statement ignored testimony by senior Department of Defense and State officials on June 18 and 25 and on July 8 that the 1996 Clinton Executive order ''strengthened'' the Department of Defense's role in Commerce export licenses, rather than weakening it, and also ignored the fact that those Department of Defense and State Department officials believed ''it would be a bad thing'' to return to State licensing of commercial satellites.

In a June 18 hearing before the Senate Governmental Affairs Subcommittee on International Security on which I sit, when responding to a question on whether commercial satellite export licensing should be returned to the State Department, Department of Defense, Principal Deputy Under Secretary for Policy Jan Lodal testified that ''I think it would be a bad thing to do.'' And Assistant Under Secretary of State for International Security John Holum, testified, ''I agree. . . . I would recommend against that.''

Mr. President, the statement of the majority leader last Tuesday also ignored the Department of Defense and State Department letters which were included in the June 18 Governmental Affairs Committee subcommittee hearing record and which stated that each agency has an adequate opportunity to revise and support the issuance of all satellite export licenses actually issued by Commerce since 1990.

The majority leader's statement ignored testimony on June 18 by senior State and DOD officials, stating that they are unaware of any transfer of sensitive U.S. satellite technology to China that has harmed U.S. national security.

Mr. Holum testified, ''[W]e do not believe that any launch of a commercial satellite under this policy since 1988 has resulted in a transfer of significant technology or assistance to Chinese either space-launch vehicle capabilities or missile capabilities.''

Mr. Lodal testified, ''I agree. We're not aware of any situation in which such transfer harmed U.S. security.'' Yet the majority leader's statement ignores that kind of testimony.

Now, the majority leader's statement cited testimony critical of U.S. export control from a June 25 hearing before the Governmental Affairs Committee by an individual that the majority leader described as a ''senior official of the Defense Trade and Security Administration,'' without mentioning testimony the following week before the Senate Armed Services Committee revealing that this individual, Dr. Peter Leitner, had been demoted by the Bush administration from a senior policy position to a lower-level licensing officer within that office. The statement of the majority leader also omitted testimony on June 25 and on July 9 by some of Dr. Leitner's current and former superiors at the Department of Defense contradicting Mr. Leitner's facts and assertions.

The majority leader's statement cites testimony by the GAO before the Senate Intelligence Committee on June 10, but omitted testimony from the same hearing indicating that the General Accounting Office has not reached a conclusion on whether current export controls are adequate to protect national security, and he omitted to say that the Intelligence Committee had requested the General Accounting Office to conclude that analysis. Now, the relevant testimony came from Katherine Schinasi, the Associate Director of the International Affairs Division at the General Accounting Office. Responding to a question about Department of Defense's ability to effectively advocate national security interests in the current export control process, she testified on behalf of the General Accounting Office that, ''We have not looked at how that process has operated.''

The majority leader's statement indicates that moving satellites from the State Department to the Commerce Department eliminated the requirement that Congress receive notice of individual export licenses. The statement failed to mention the legal requirement that the President must notify Congress of all national security waivers authorizing commercial satellite exports to China, whether the export license is issued by State or by Commerce. The majority leader's statement also failed to note that Congress has, in fact, received timely notice of every waiver granted to export a satellite to China; and that Congress has received timely notice of the decisions in 1992 and 1996 to transfer satellites from the State Department to the Commerce Department. It fails to acknowledge that despite receiving all those notices, Congress took no action to express disagreement with the decisions made.

The majority leader's statement also omitted mention of the National Security Council letter included in the July 9 Senate Armed Services Committee hearing record, stating that the National Security Council conducts the same waiver review process for commercial satellite exports to China, whether the export license is issued by the State Department or by the Commerce Department.

The majority leader's report omitted testimony on June 18 and July 8 before the Governmental Affairs Subcommittee on international security, by senior Defense and State Department officials that, after the 3 unmonitored satellite launches took place in China, a policy decision was made in 1996 and remains in effect today, requiring the Defense Department to monitor all satellite launches, whether or not a satellite contains sensitive technology.

Mr. Lodal, speaking for the Defense Department, testified on June 18 that

> Communication [satellite] licenses include strong safeguards, including DOD monitoring . . . DOD currently reviews all communication satellite licenses to ensure that the proposed export would be consistent with U.S. national security interests . . . [A]fter the implementation of the 1992 Bush administration decision to transfer to Commerce purely commercial satellites, and before the 1996 revision, there were three launches that were not monitored . . . We're not aware of any transfer of technology from these unmonitered launches that contributed to China's missile and military satellite capabilities.

He continued, speaking for the Defense Department:

> Nevertheless, DOD did conclude that full monitoring would be a strong safeguard at relatively low cost to the companies, and that it should be applied to all license cases, even those that did not require Department of State licenses. And this was agreed by all agencies and incorporated as a requirement in 1996, when jurisdiction was transferred to Commerce for all commercial communications satellites. . . .''

The majority leader's statement identified the major ''military benefit'' of China launches of U.S.-made commercial satellites to be the access gained by the Chinese military to an improved commercial telephone system, without acknowledging that that same so-called military benefit would have accrued if China had instead launched European-made commercial satellites.

The majority leader's statement ignored testimony from Clinton administration critics on July 9 before the Senate Armed Services Committee that the United States export control system is still the ''best'' and most restrictive in the world.

Now, the majority leader has the right to say whatever he wishes on the subject of satellite exports to China. But he is wrong to suggest, as his statement did, that his conclusions were bipartisan, or that they were reached by the Senate committees examining this issue. His statement struck a major blow to whatever hopes there were that the Senate committees would proceed in this matter in a bipartisan way, with emphasis on the facts rather than on partisan politics.

Mr. President, I hope that a bipartisan approach can still be salvaged. But I think it is fair to say that that goal, that effort which is so important to the national security of this Nation, was given a set-back by the highly partisan comments of the majority leader on this floor last Tuesday.

Mr. President, I thank the Chair and yield the floor.

Mr. LOTT addressed the Chair.

The PRESIDING OFFICER. The majority leader.

UNANIMOUS CONSENT REQUEST—H.R. 4112

Mr. LOTT. Mr. President, I ask unanimous consent that the Senate now