Today is the McConnell amendment. There are 2 minutes equally divided.

Mr. GLENN. Mr. President, I urge last night to put this on the table. This would really knock the socks off any election law enforcement over at the FEC. We oppose this very much. It would mean there would be a restriction on the FEC that is not on any other agency or department of government, because their general counsel goes and their staff director.

The efforts to oust him over there, I think, are unconscionable. He has been doing a good job. This just stands starkly opposed to our efforts for campaign finance reform.

At the appropriate time I will move to table this, but I yield the remaining time to Senator LEVIN.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. LEVIN. Mr. President, this amendment is directly aimed at the independence of the Federal Elections Commission. It is aimed at no other commission. Its purpose is obvious—to eliminate a general counsel who has taken an independent position, following the Federal Election Commission’s decision relative to soft money and other issues. We should not muzzled them. We should not throttle them. We should not destroy their independence.

Mr. MCCONNELL. Mr. President, the amendment is really quite simple. The Federal Election Commission is like no other commission of the Federal Government. It has three Republicans and three Democrats. The general counsel, under our current system, could serve for a lifetime. All the McConnell amendment does is require that every 4 years the general counsel come up for reappointment and not be reappointed unless he can achieve at least four votes, thereby demonstrating to the full Commission that, on a bipartisan basis, enough confidence to continue for another 4-year term.

This guarantees that the general counsel will operate in a bipartisan manner, because a general counsel who, after 4 years, could not achieve votes from both parties, it seems to this Senator, clearly would fail a test of bipartisanship.

This is not about the current occupant of the office. It is about ensuring that the Federal Election Commission continues to operate on a bipartisan basis. I hope the amendment will be approved.

The PRESIDING OFFICER. The question is on the motion to table the McConnell amendment numbered 3379. Mr. GLENN. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second. The yeas and nays have been ordered. The PRESIDING OFFICER. The question is on agreeing to the motion to table amendment No. 3379. On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

The motion to lay on the table the amendment (No. 3379) was rejected. Mr. LOTT. Mr. President, I move to reconsider the vote.

The motion to lay on the table was agreed to.

UNANIMOUS CONSENT AGREEMENT

Mr. LOTT. Mr. President, we have had, obviously, extensive consultation about how to proceed to this point. There is disagreement about this particular amendment and how we can complete the Treasury-Postal Service and other related agencies appropriations bill at this time.

The interest of Senators to have time to work on the substance, what we have agreed to do is to set this bill aside—I will ask unanimous consent to that effect in a moment—and we would go on to the Department of Defense appropriations amendments and continue to work progressively, with the idea of finishing the Department of Defense appropriations bill as early as possible—hopefully, even tonight—which will allow us time to work on some nominations and allow Senators to attend the funeral tomorrow and adjourn for the recess at a reasonable hour tomorrow, or earlier if there is any way of doing it.

I ask unanimous consent that the pending Treasury-Postal Service appropriations bill be laid aside, not to recur prior to September 1, unless agreement is worked out in the meantime. There is hope that could be done. Maybe we could act on it after the DOD appropriations bill is completed. If not, it would be September 1. And no call for the regular order serves to displace the treasury bill, when it is pending in September, in the status quo.

Mr. DASCHLE. Mr. President, reserving the right to object, just for purposes of clarification, this would lock into place the current situation. The pending amendment would be, of course, the McConnell amendment. Senators wishing to offer amendments in the second degree subject to recognition would be recognized as authors of amendments in the second degree.

It is with that understanding that I do not object. I am sure the majority leader would clarify and would conform with that understanding.

Mr. LOTT. Mr. President, that is correct. Second-degree amendments would be in order. We are freezing everything in place. We would not take it up again before September—unless an agreement were worked out. When we do go back to it, we will be right where we are now, and second-degree amendments will be in order.

Mr. GLENN. Mr. President, reserving the right to object, and I don’t plan to object. I want to clarify, this would in no way affect the voting order we agreed to last night on other amendments.

Mr. LOTT. Everything would be just like it is at this very moment on this appropriations bill.

Mr. GLENN. Thank you. The PRESIDING OFFICER. Without objection, it is so ordered. Mr. LOTT. I yield the floor.

DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 1999

The Senate continued with consideration of the bill.

The PRESIDING OFFICER. The clerk will report the defense bill.
The legislative clerk read as follows:
A bill (S. 2132) making appropriations for the Department of Defense for the fiscal year ending September 30, 1999, and for other purposes.

AMENDMENT NO. 3997

The PRESIDING OFFICER. There are 2 minutes equally divided on the Feingold amendment.

Mr. FEINGOLD. Mr. President, this amendment is about the National Guard. This amendment is about priorities in our Armed Forces, not about the merits of any aircraft proposed to be added to the Navy's aviation fleet. This amendment fills in almost all of the dangerous $225 million shortfall in the National Guard's O&M account. As an offset, we use the House's recommendation on Super Hornet procurement for the coming fiscal year.

Mr. FEINGOLD. Mr. President, this amendment is supported by 25 State adjutants general. I hope my colleagues contact their State adjutants generals to get their opinion before casting their vote. I urge colleagues to support the National Guard and to vote against this amendment.

Mr. STEVENS. Mr. President, this amendment will eliminate the Navy's highest priority, or I would say the Defense Department's highest priority for the Navy, the F-18 E/F. It would move that money into the National Guard. We have already increased the National Guard by more than $500 million above the budget request. So that approval of the National Guard Adjutants is a facade. This is to kill the F-18. I urge that the Senate support my motion to table.

The PRESIDING OFFICER. The question is on agreeing to the motion to table amendment No. 3997.

Mr. NICKLES. The yeas and nays have been ordered.

Mr. President, this amendment is about the National Guard. This amendment is about priorities in our Armed Forces, not about the merits of any aircraft proposed to be added to the Navy's aviation fleet. This amendment fills in almost all of the dangerous $225 million shortfall in the National Guard's O&M account. As an offset, we use the House's recommendation on Super Hornet procurement for the coming fiscal year.

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The PRESIDING OFFICER. The question is on agreeing to the motion to table amendment No. 3997.

The result was announced—yeas 80, nays 19, as follows:

[Rollcall Vote No. 247 Leg.]
The Senator from Arkansas is recognized.

Mr. HUTCHINSON. Mr. President, the Senate is not in order.

The PRESIDING OFFICER. The Senate will be in order.

The PRESIDING OFFICER. The Senate is now equally divided. The Senator deserves to be heard.

Mr. HUTCHINSON. Mr. President, thank you for bringing the Senate to order.

This is an amendment that would simply deny visas and travel to those in the Chinese Government who the Secretary of State finds, by credible evidence, are involved in either forced abortions or religious persecution. It is not MFN, it is not IMF, it is not sanctions, but it would deny visas. China denies these practices are taking place. If that is the case, there would be no obstruction at all in diplomatic relations.

We provide in the amendment, and I hope everybody will look closely at the amendment, that an inherent waiver if it is in the national interest. This amendment passed overwhelmingly in the House of Representatives. I think, since the President returned, the most recent round of arrests of democratic dissent underscores the need for this amendment.

It is a rifleshot, not a shotgun. We want to go after the bad guys, and that is all. It is not against trading. It doesn’t deal with trading. A vote against tabling this amendment is a vote for freedom in China.

I ask my colleagues to oppose the tabling motion.

The PRESIDING OFFICER. The question occurs on the motion to table.

Mr. STEVENS. Senator Thomas has a minute on our side.

The PRESIDING OFFICER. The Chair was under the impression the Senator from Alaska yielded back the time. If that is incorrect—

Mr. STEVENS. It is correct. I did not.

The PRESIDING OFFICER. The Senate will be in order. The Senator from Wyoming.

Mr. THOMAS. Mr. President, I urge my colleagues to follow the leadership of the floor leader and the bill leader here on this one. No. 1, it doesn’t belong in this area. We are taking away all these amendments. I think that is the right thing to do.

The second point is those of us who have been working in this area for a very long time feel as if there is a process that is going on to make things better with China, to make our relations better.

No one disagrees with doing something about religious freedom. No one disagrees with any of these issues. The question is, How do you best do it? And the best way to do it is not to refuse to provide visas to the Chinese.

I urge we table this amendment.

Mr. STEVENS. There are 2 minutes. Vote.

The PRESIDING OFFICER. 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. NICKLES. I announce the vote from North Carolina (Mr. HELMS) is absent because of illness.

I further announce that, if present and voting, the Senator from North Carolina (Mr. HELMS) would vote "no."

The result was announced—yeas 29, nays 70, as follows:

[Roll Call Vote No. 248 Leg.]

**YEAS—29**

Akaka     Glenn     Myrheim
Baucus     Graham     Murray
Bingaman    Hagel     Reed
Bond       Hollings     Robb
Bumpers     Inouye     Roberts
Burns     Jeffords     Rockefeller
Chafee    Kennedy     Stevens
Gioland    Landrieu     Thomas
Domenici    Levin     Thurmond
Feinstein     Lukas

**NAYS—70**

Abraham     Feingold     Smith (N.H.)
Allard     Fezza     Smith (Okl.)
Ashcroft     Finken     Snowe
Baucus     Ford     Specter
Bennett     Gordon     Thune
Bingaman    Graham     Torricelli
Baucus     Grassley     Warner
Brownback     Gregg     Warrell
Bryan    Hatch     Wyden
Byrd     Hatch     Wyden
Campbell     Helms     Wyden
Cochran     Helms     Wyden
Collins     Inhofe     Wyden
Conrad     Johnson     Wyden
Cornell     Kinzer     Wyden
Craig      Koelling     Wyden
D Amato     Kyl     Wyden
Daschle     Kyl     Wyden
DeWine     Kyl     Wyden
Dodd     Leach     Wyden
Dorgan     Leahy     Wyden
Durbin     Lieberman     Wyden
Enzi     Lott     Wyden

**NOT VOTING—1**

Holms

The motion to lay on the table the amendment (No. 3124) was rejected. Mr. STEVENS addressed the Chair.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. STEVENS. I am informed now there are at least two, maybe three, amendments that will be offered to this amendment. Under the circumstances, I would like to just suggest we set that aside for a minute and have the proponents of the second-degree amendments talk to the author of the first-degree amendment to see if we might work something out as to how we limit the time or deal with this, if that is agreeable. If it is, then I would ask it be temporarily set aside.

I would like to take up the amendment No. 2964.

The PRESIDING OFFICER (Mr. GORDON). Is that a unanimous consent request?

Mr. STEVENS. It is a request. I ask unanimous consent that it be temporarily set aside, and we take it up one by one. Hopefully, they will talk while we are doing this.

Mr. HUTCHINSON. Reserving the right to object, will the Senator yield for a question?

Mr. STEVENS. Yes.

Mr. HUTCHINSON. When we temporarily set this aside and do the negotiations on the various second-degree amendments that are to be considered, when do you anticipate returning to—

Mr. STEVENS. I say to the Senator, there are two other amendments we could act upon now. Your amendment automatically be the order when we finish those.

The PRESIDING OFFICER. The regular order would bring back the amendment.

Mr. STEVENS. Yes.

Mr. HUTCHINSON. Thank you.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Alaska?

Without objection, it is so ordered.

**AMENDMENT NO. 2964**

Mr. STEVENS. Mr. President, the next amendment would be amendment No. 2964, offered by Senator ABRAHAM. There was no request for time that I know of for this. We are prepared to do and ask that—are the yeas and nays ordered on that amendment? I do not think they have been ordered. Have they?

The PRESIDING OFFICER. The yeas and nays have not been ordered.

Mr. STEVENS. I move for the adoption of Senator ABRAHAM’s amendment.

The PRESIDING OFFICER. If there is no further debate, the question is on agreeing to the Abraham amendment No. 2964.

The amendment (No. 2964) was agreed to.

Mr. MCCAIN. I move to reconsider the vote.

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

The motion to lay on the table was agreed to.

Mr. STEVENS. Was there one more amendment we had to dispose of before we come back to the regular order?

The PRESIDING OFFICER. There is the Kyl amendment.

Mr. STEVENS. For the information of the Senate, Senator KYL asked that his amendment be set aside temporarily because the Armed Services Committee is meeting to consider a similar amendment. We would like to have that set aside until Senator KYL asks that it be brought up. I ask unanimous consent that Senator KYL’s amendment be set aside.

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

We have two amendments pending from the Senator from Texas, Mrs. HUTCHISON.

Mr. STEVENS. There is one amendment on which the debate has been finished.

May I inquire of the Senator from Texas, is debate finished on the one amendment?

Mrs. HUTCHISON. That is correct. I have spoken on the first amendment, No. 3409. I am happy to yield back time on that.

Mr. STEVENS. Mr. President, I am informed there I ask for the consideration of the amendment until the Bosnia amendment is considered. I ask unanimous consent to set it aside temporarily, also, until that is resolved.
The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 3424

Mr. STEVENS. We come back, then, to the pending amendment. As I understand, it is the regular order. And that is the amendment that was not tabled.

The PRESIDING OFFICER. Amendment No. 3413.

Mrs. HUTCHINSON. Amendment No. 3413 has to do with Bosnia.

The PRESIDING OFFICER. Amendment No. 3413.

The Senator from Texas is recognized.

AMENDMENT NO. 3413

Mrs. HUTCHINSON. Mr. President, amendment No. 3413 is to condition the use of appropriated funds for the purpose of reducing or modifying the reduction of U.S. ground forces in Bosnia.

It is a fact that the U.S. Armed Forces have accomplished the military mission assigned to them as a component of the implementation and stabilization forces. The continuing and open-ended commitment of U.S. ground forces in the Republic of Bosnia and Herzegovina is subject to the oversight authority of Congress.

Mr. President, this is the first time that I have voted on any kind of resolution that would establish some kind of policy on Bosnia since the President decided that it would be an unending mission.

On November 27, 1995, the President said that America would be part of a multinational military implementation force that would terminate in about a year. The President declared the expiration of the mandate to be December 20, 1996.

The Secretary of Defense and the Chairman of the Joint Chiefs of Staff at the time expressed the critical importance of establishing a firm deadline in the absence of which there is a potential for expansion of the mission of U.S. forces. That was a forceful statement by the Chairman of the Joint Chiefs. He said it is a recipe for mission creep not to have a termination date.

On October 3, 1996, the Chairman of the Joint Chiefs announced the intention of the United States to delay removal until March 1997. In November of 1996, the President announced that we would delay until June of 1998. The President did not request authorization by the Congress of a policy that would result in the further deployment of U.S. forces in Bosnia until June 1998.

Notwithstanding the passage of two previously established deadlines, the reaffirmation by senior national security officials, and the endorsement by those same national security officials of the importance of having a deadline, nevertheless, the President announced on December 17, 1997, that establishing a deadline had been a mistake and that U.S. ground combat forces would be committed to the NATO-led mission in Bosnia for an indefinite amount of time.

What my amendment does is very simple. It says that funds appropriated will not be made available except as conditioned below; that the President will bring the number of troops down to 6,500 by February of next year and 5,000 by October of 1998, so we are staying roughly where we are.

It just says, by the end of the fiscal year of the budget that we are considering, that our troop level would be down from about 8,500 to about 5,000. This should start the process of working with our allies to have a better distribution and sharing of responsibility among our allies and the United States.

This is a European security issue. The United States has approximately double the number of forces in the NATO alliance than any of our European allies have. We want to be a good ally. In fact, I don't want to pull up stakes and leave Bosnia without doing it in a responsible way. I think that is our responsibility. But, in fact, many of us have asked the President repeatedly to lay the groundwork with an established and clear mission that has a chance to succeed, a mission that has a finite term so that both our allies and any enemies of our cause would know exactly what to expect from America and what would be possible at this time. We have said we were going to leave twice, and we have not left. We have not left, and we have not laid a proper base to leave.

What I am asking the President to consider and what I ask the American people to consider is that we start the process of realigning the forces in Bosnia so that our contribution would be reduced and our allies in NATO would begin to take a greater share of the burden.

Why is this important? We are looking at a time when our military readiness is being called into question. In fact, if you look at all of the responsibilities that America has in the world, we are spending too much on Bosnia and putting the future security of the United States and our ability to respond in the future in other places where America may have to respond, even unilaterally, in jeopardy. That is not the course we should be taking.

It is most important that America start with the issue of Bosnia and address it in a way that we are putting it in context with our overall responsibilities in the world. The Bosnia operation has already diverted nearly $10 billion from our national defense. A growing lament at the Pentagon among senior officers is that we are in danger of returning to the hollow forces of the military of the late 1970s.

Let me mention some of the indicators that demonstrate our military is not again at risk. Last year the military had its worst recruiting year since 1979. The Army failed to meet its objective to recruit infantry soldiers, the single most important specialty in the army. A Senate Budget Committee investigator recently reported finding serious Army-wide personnel and readiness problems. At the National Training Center, where our troops go for advanced training, units rotating in typically come with a 60 percent shortage in mechanics and often a 50 percent shortage in infantry. These shortages were blamed on the fact that these personnel, especially the mechanics, are deployed abroad for missions such as Bosnia.

More than 350 Air Force pilots turned down the $60,000 bonuses they would have received to remain in the cockpit another 5 years—a 29 percent acceptance rate. That is compared with 59 percent the previous year. The Air Force announced last year that its personnel shortage is now lured by the airlines. This year more than 500 pilots resigned. Most of them were lured by the airlines. This year more than 500 pilots resigned. Most of them were lured by the airlines.

The Air Force says it is not able to train enough new pilots to replace them.

When I have gone and visited our bases overseas and at home and I ask our enlisted military men and women why we are losing our experienced people, almost every time the answer is: Too much time away from our families on operations that don't seem that necessary. A Senate Budget Committee investigation also found that small units are now being led by junior people because sergeants are off on peacekeeping duty. As a result, subunits from basic squads on up do not train with the leaders they would go to war with or even know. We are going to debate and vote on a resolution today, hopefully, expressing our support for the President's strong actions toward Iraq. But
the fact is, if anything went wrong, we would have to divert troops from every theater in the world to prevail. Defense cuts of almost 50 percent over the last decade have put our security at risk. But this has been made worse by the diversion of U.S. resources away from our nation's readiness so that there is no security threat to the United States, such as Bosnia, Haiti, and elsewhere.

We have spent more time discussing Bosnia than missile defense, which is a security risk to our country. We are not dealing with that issue. We should put our country in the best position to deal with the myriad of issues that will face this country and our security in the next century.

President Clinton and his administration are missing a big-picture view of the world and the proper role for the United States. Our growing involvement in Bosnia is a good example of that. Just last week, U.S. forces were directly involved in tracking down and capturing a war criminal.

The Dayton accords have made it clear that apprehension of war criminals would be the responsibility of the parties to Dayton—civilian police and government officials. In fact, a little more than 2 years ago now, the former NATO commander, General Joulwan, told the Congress this:

The military are not policemen. And I think the proper responsibility rests on the parties. That is what Dayton says. [If] we are not careful, we will go down this slippery slope where the military will be put in the position of hunting down war criminals. That is within the mandate.

That is Gen. George Joulwan. I joined with many of my colleagues in the Senate to oppose the decision to send troops to Bosnia. One of our principal concerns was that, once there, our mission would be indefinite, and that it would be a mission creep. We were bolstered in our concerns by former Secretary of Defense William Perry and former Chairman of the Joint Chiefs, General Shalikashvili. They both warned that without a specific deadline for withdrawal there would be the potential for expanding the mission.

I am concerned that Secretary Perry's warnings are coming true. While we were on a recent recess, the President announced that thousands of U.S. troops would remain in Bosnia after the June 30 deadline, remembering that the Senate had unanimously endorsed that deadline of June 30, 1998, which his administration had established.

After 240 U.S. Marines were killed in Lebanon in 1983, Defense Secretary Caspar Weinberger established six principles upon which the decision to send U.S. ground troops should be based. Here is what he said:

The U.S. should not commit forces unless the commitment is in our vital national interest. If we do commit forces, we should have clearly defined political and military objectives. We should know how those objectives are to be achieved, and we should send the appropriate forces to complete the objectives. We must constantly reassess and adjust our relationship between our objectives and forces, if necessary. The commitment of troops should be a last resort, not the first.

We have violated virtually every one of Secretary Weinberger's principles in Bosnia. It was supposed to be a 1-year peacekeeping operation that would keep the factions apart until their own forces could come in and keep the peace from the ground up. They would have local elections and general elections for a new government. They would begin to resettle refugees.

Dayton has long since passed. I was in Brcko a year ago, 1 week before the eruption there in which U.S. troops were harmed. I was able to see how far we had come. I have been to Bosnia four times.

What I saw in Brcko was the resetting of refugees who did not even meet their next-door neighbors from the other factions, and I thought this was going to be very difficult. The atrocities committed right in Brcko against thousands of Muslims are as bad as anything I have ever heard reported from the Nazi atrocities of World War II. Yet, we are trying to say "come and live together, huggable, loveable." It looks like we are trying to create multiethnic neighborhoods, forcing people to do this prematurely, after the atrocities that have occurred in that country. This in itself can be antipeaceful. We think it is going to provoke the uprisings and the forces try to force this before the people themselves are ready—before the wounds have healed. So I hope that we can let things settle, let the peace settle in, and let's do what we said we were going to do. Let's start training the people who are there to be a peacekeeping and police force. This could be done in an orderly way. We could begin with a NATO force that transitions and trains the forces that would come in behind them. They will be able to keep their peace, but it will not be an incentive for them to take over this job if they know that we are going to be there to do it for them.

I hope that we can create the base for an honorable exit. My amendment just tries to make a more equitable distribution of forces so that the burden is more equally shared between the United States and our NATO allies in Europe. It validates the legitimate responsibility that Congress has to authorize the deployment of forces around the world by requiring a vote on the President's plan.

Without this amendment, we will be looking at American troops in Bosnia indefinitely. We will be looking at a never-ending commitment, and we will be taking resources that are vitally necessary for our own security and for our responsibilities around the world.

It is most important that we establish a policy that can succeed. Keeping thousands of American troops in a conflict that costs $1 billion a year in a peacekeeping mission, which can be done just as well by any of our other allies, we are walking away from the responsibility we have to our allies to protect them in a way that only we can. Because only we have the resources to do it.

Mr. President, I don't see how our colleagues can express alarm about the decline in U.S. readiness, and at the same time, ignore the policies that are causing the decline. It is our responsibility to act when our troops are going to be sent to an overseas conflict or missions of any kind when they are long-term. The President has now said it is going to be long-term—in fact, it is our intent that the commitment of forces for Ballistic Missiles, for nuclear weaponry, but that only we can do this. It is our responsibility to act now while we can still do this.

We can do things that no one else in the world can do. We can provide an umbrella of defense for ballistic missiles, for nuclear weaponry, but that only we can do. We can put troops around the world by requiring a time deadline. We have set deadlines in Cambodia, Vietnam, Somalia, Rwanda, and even in Korea, in the Philippines, and in Japan. We have spoken. In the past, Congress has stepped up to its responsibility. I hope it will today.

Mr. President, I will stop at this point because others want to speak. I do hope that my colleagues will focus carefully on this step. It is not even a major step of withdrawing from Bosnia. It is to just say we want our allies to accept more of the responsibility so that our troops will be able to do what...
they do best, and that is to train for the contingency that only we can address; that we will have the money to be able to invest in the technology that will protect the world from ballistic missiles and nuclear, biological, and chemical weapons; and that we will not lose the experienced personnel because they are worn out from mission fatigue on operations they do not see as threats to U.S. security.

Mr. President, I thank you. I yield the floor.

Several Senators addressed the Chair.

The PRESIDING OFFICER. The Senator from Wisconsin.

Mr. FEINGOLD. Mr. President, I rise today as a cosponsor of the Hutchison amendment, No. 3413, to the DOD appropriations bill concerning Bosnia.

I want to very sincerely commend the Senator from Texas for all the hard work she continues to devote to this important issue and for trying to craft a compromise that would be acceptable to a majority of our colleagues regarding the United States’ ongoing presence in Bosnia and Herzegovina.

As my friend from Texas has already explained, this amendment mandates a withdrawal of U.S. forces participating in the NATO Stabilization Force, or SFOR, requiring that that force, or any future multi-national successor force, shall not exceed 6,500 troops by February 2, 1999, and 5,000 troops by October 31, 1999. The amendment enforces these levels by tying any appropriated funds for the Bosnia mission to this troop reduction.

This amendment represents something less than a funding cut-off for the mission, although that is a policy I have pursued in the past.

Rather, it suggests a slow and careful drawdown of U.S. forces in the region. In fact, it allows for troops to stay there past October of next year!

Mr. President, this is July 30. This is exactly 1 month after the date that we were supposed to be out of Bosnia in the first place. That isn’t even accurate, because really we were supposed to be out of Bosnia in the first place, according to the promises that were made by both parties, by December 30, 1996. So we are away beyond that date.

Our troops have been there since 1995—much longer than the original 1-year mandate, and already longer than the extension mandate for SFOR—and I do not think anyone has a good idea how many more years we will be there.

More significantly, the cost of our involvement in Bosnia has increased dramatically—easily more than quadrupling the original $2 billion estimate to over $9 billion.

The estimate is that it is now well over $9 billion for this commitment that has already been spent or obligated.

Mr. President, I regret that the managers of this bill earlier today agreed to a provision that would allow $1.8 billion in additional funds for the Bosnia mission to be added to this bill with an emergency designation.

Mr. President, the mission in Bosnia has clearly ceased to be an emergency, and this amendment even recognizes that fact.

The fact that the emergency designation was inserted into the bill this morning unfortunately highlights the fact that we in Congress continue to be lax in establishing some kind of accountability for our continued operations, and pay similarly for the taxpayer dollars that are needed to support that operation, soon to approach the astounding figure of $10 billion.

I recognize that my continued opposition to the mission in Bosnia is not shared by everyone in Congress. But I think all of us would agree that the Congress has a constitutional responsibility to provide a check on the manner in which the executive branch spends money.

This is the way the President spends an annual budget request to the Congress with his plans for the following year’s spending. From time to time there are emergencies that can not be foreseen, and we deal with those accordingly as emergencies.

But let me repeat again, U.S. involvement in Bosnia has ceased to be an emergency.

Rather, our presence in Bosnia has clearly become a substantial, long-term commitment. It is something the United States has, for better or worse, decided to do for the long-term. And we need to evaluate this operation on its merits accordingly, and not pretend that it is an appropriate occasion for an emergency designation.

The amendment by the Senator from Texas can at least put some real pressure on the administration to develop plans for a reduction in troop levels in Bosnia. The amendment also would have provided $500 million, because we would need fewer resources to support a smaller troop presence.

Mr. President, with or without this amendment, I think we all recognize that there will be troops in Bosnia next year.

So, this is not an emergency, and I think the Congress has a responsibility to face that fact and deal with it accordingly.

I hope, therefore, that those of my colleagues who do support the mission in Bosnia will cease to resort to maneuvers regarding the funding of this mission that seek to avoid our budget spending caps! This has been going on far too long, and has eaten up too many of our resources—human, financial, and otherwise. We cannot continue with this budgetary game.

Mr. President, I am pleased once again to join the junior Senator from Texas in trying to assert some kind of accountability for this mission. I urge my colleagues to support her amendment.

Mr. President, I yield the floor.

Mr. COATS addressed the Chair.

The PRESIDING OFFICER. The Senator from Indiana.

Mr. COATS. Mr. President, it is with reluctance I rise to oppose the amendment offered by my colleague, the Senator from Texas, because we share many of the same concerns about the deployment of our troops to Bosnia initially. We had the same concerns about the Dayton accord, which, as presented to us, was transparent on its face. It was disingenuous on its face that we could accomplish the task incorporated in Dayton with a 1-year period of time of deployment of our troops on the ground, a timetable unachievable by any measure. The continued existence of our involvement in Bosnia is something that I don’t support.

But I believe that the amendment has a fatal flaw, and the fatal flaw is that it makes Congress the determiner of how many troops and what time period those troops will be deployed once the mission has been authorized by the Commander in Chief, the President of the United States.

I find it difficult to stand up here and defend the powers of the President of the United States, particularly at a time like this. But constitutional prerogatives and constitutional powers that I think need defending regardless of what your personal assessment is of any particular President.

Second, I believe it is unwise policy for Congress to instruct the administration about the force levels of our troops or decisions that micromanage how those troops conduct themselves and how they accomplish their mission once the decision has been made. Clearly, our responsibility, if we disagree with the presence of those troops and the deployment of those troops, is to address that by eliminating the funding for those troops, but not to determine the force level of those troops, the kind of units that they should have, and what their timetable ought to be.

I quote from a letter from the Secretary of Defense dated May 21, 1998, when he says, “Our military commanders in the field have determined the level and type of force required to carry out the mission within acceptable risks. The mission force and guidance of the force currently planned for have been fully agreed to by military authorities. Military commanders”—unfortunately that amendment is here—“Military commanders would be forced to restructure their force and mission tasks based on an arbitrarily mandated schedule rather than on mission accomplishment, operational consideration, and the fluid tactical situations they face. In addition, legislating withdrawal would incite heightened transgression and extremism.”

Mr. President, we sadly learned in Somalia, to cite one example, the disastrous and tragic consequences of political decisions overriding military requests. We lost some brave Americans unnecessarily because the political decision was made to not provide those
forces with the necessary equipment and not base a sufficient force there until our mission was accomplished. I don’t want to see us doing that again.

We in Congress do not have the expertise to make that decision. Even if we didn’t make the decision, that is a decision that ought to be made by those who command the troops and make the decisions about their presence and what they need to be there.

So strongly, strongly urge my colleagues to vote to table this amendment, not because they necessarily agree or disagree with whether or not this is a proper deployment, not because this impacts our readiness, which it does, not because it is costing a lot of money, which it is, not because it was a bad decision to start with, and an unachievable mission and objective to start with, because it is, but because it tells our troops that we in Congress know more about what they need, what the troop levels should be, what the date of withdrawal should be, how we accomplish the mission of our military commanders. Those men and women in uniform who we put in harm’s way have to have every advantage we can give them in terms of protecting their security, in terms of accomplishing their mission, and it is a decision that has to be made by people with military expertise and not Members of Congress.

For that reason, I strongly urge that we table the amendment but, I think, misguided amendment.

Mr. BIDEN. Mr. President, I rise today in opposition to the Bosnia amendment introduced by the junior Senator from Texas. Before I discuss the reasons for my opposition, I would like to commend the Senator for her continuing interest and involvement in U.S. foreign policy. The Senator is one of this body’s most active Members, and while I have often opposed her legislative initiatives, which seemed to me unnecessarily to limit American involvement abroad, I value her enthusiasm and engagement.

The amendment that Senator HUTCHISON has proposed today sets arbitrary caps on our troop strength in Bosnia and micromanages their duties from the vantage point of Washington, D.C.—4,000 miles from Bosnia and Herzegovina! The amendment is fatally flawed.

Mr. President, the Hutchison amendment is predicated upon a false assertion: that the U.S. contribution to SFOR is inequitable and disproportionately large. I will return to that inaccurate claim in a moment.

Moreover, the amendment makes several incorrect claims about the current situation in Bosnia, for example that NATO forces participate in law enforcement activities there.

In circumscribing future activities, it also incorrectly implies that NATO forces are transporting refugees or that refugees are relocating in order to control the territory of the other Bosnian entity.

But, Mr. President, the core of my opposition to the Hutchison amendment is the same as was my opposition last month to the Thurmond amendment to the Defense authorization bill.

Put quite simply, if the United States of America is to be the leader of the North Atlantic Treaty Organization, then it must continue to lead!

Mr. President, leadership means being present in all aspects of NATO operations and sharing in the risks.

The Hutchison amendment is a prescription for “NATO à la carte.” By February 1999 it would allow exceptions in Bosnia to the arbitrary troop limits in Bosnia only for self-protection as we withdraw our forces, to protect U.S. diplomatic facilities, or in advisory support roles.

That might work for a junior member of the Alliance, but not for the United States of America. Not for the leader of NATO.

Let me return to the false assumption that underlies the Hutchison amendment—that our participation in SFOR is disproportionately large.

As a matter of fact, Mr. President, while the U.S. contribution to SFOR remains the largest single national contribution, the proportion of U.S. forces within NATO forces in Bosnia has declined dramatically since initial deployment in December 1995.

At the outset, U.S. troops made up fully one-third of IFOR. As a result of steady, measured reductions, U.S. participation has dropped to one-fifth of SFOR.

In other words, our allies and other SFOR partners have agreed to the U.S. taking disproportionate cuts in force numbers at each milestone, while continuing to accept U.S. command of the overall force.

At the current time, our European allies alone contribute more than three-and-one-half times the number of troops in SFOR than we do.

Attempting to lower the U.S. proportion to equal or below that of any single European almost certainly cost us our command position. Some Members of the Senate might welcome such a development. I would not.

I want the United States to retain command of SFOR in order to ensure that the pace of implementing the Dayton Accords holds steady or accelerates.

I want the United States to retain command of SFOR in order to maximize the effectiveness and protection of the U.S. forces in Bosnia.

We are in Bosnia because helping to resolve the Bosnian problem is in our national interest.

As was wisely pointed out by this Senator and many others during the debate on NATO enlargement last spring, that is the reason we are in Europe at all.

In political, security, and economic terms, we are a European power. Our engagement in Europe, including Bosnia, is not a charity operation. Stability in Europe benefits us.

The European allies of the United States are playing a major role in Bosnia.

Because of our leadership role in NATO, and because of our superior logistical capabilities, we have maintained command of SFOR. This is how it should be.

Like my colleagues, I am in favor of the speediest fulfillment of the Dayton Accords so that Bosnia and Herzegovina will have a self-sustaining democracy and all foreign troops may be withdrawn. American command of SFOR is the best guarantee that we can rapidly achieve this goal.

The Hutchison amendment would, I submit, gravely undermine that American command in Bosnia and would set in motion a process that could ultimately result in loss of the position of SACEUR, the command of NATO land forces in Europe.

For all these reasons, I oppose the Hutchison amendment, and I urge my colleagues to join me in voting against it.

I thank the Chair and yield the floor.

I thank the Chair and yield the floor.

Mr. President, I will take no more time. I know my friend from Arizona is about to make some comments.

Last spring this was a bad idea. Nothing has caused it to become a good idea in the summer. It was a bad idea then; it is a bad idea now. I hope it will be tabled.

Mr. MCCAIN addressed the Chair. The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. I thank my friend from Delaware, who obviously is very knowledgeable on this issue and has stayed focused on these issues for many, many years.

I also wish to thank the Senator from Indiana for his very forceful presentation.

Mr. President, I believe everyone in this body knows that I have long had serious concerns about our mission in Bosnia. From the time this mission was first briefed to the Congress, I knew the job could not be completed in one year—or against any arbitrary deadline. Instead, I urged the Administration to set concrete objectives and benchmarks for measuring success.

Now, as many members have pointed out, we are in an open-ended and ill-defined military commitment. The Administration has scrapped all the artificial deadlines. But no clear set of objectives and well-defined military missions has taken its place. We seem to drift in and out of going after war criminals, of using the military to resettle refugees, and of taking on a direct political role in parts of Bosnia in the name of supporting international civilian authorities. The role of our military has expanded, and there is no end in sight.

The answer to this problem, however, is not to go back and set new artificial deadlines or troop levels. And make no mistake about it, the amendment before us is little different than the one the Senate rejected last month.
Bosnia is a long-term, complicated problem. It involves not only the warring factions, but has direct effects on Croatia and Serbia, including Kosovo, and threatens to spill over to the wider Balkan region. The credibility of NATO and especially the United States is tied up with our commitment to the Bosnia crisis. It would be sheer irresponsibility, probably leading to renewed warfare, if we were to precipitously pull Out of Bosnia after investing so much. It would be a betrayal of our commitment to our Allies. And it could well lead to an even more costly and dangerous re-introduction of American forces to stop the renewed fighting.

Dealing with the Bosnia crisis—even if our objective is to get American troops out of there—requires treating Bosnia as a serious long-term challenge. It is not an issue that lends itself to artificial deadlines for withdrawal. Nor is there any rationale for forcing the Senate to vote on some arbitrary artificial deadline. Worse still would be a funding cut-off, which would only punish our troops for the failure of policy makers in Washington to craft a viable long term policy.

I would like to offer six principles that I believe should guide our policy:

(1) The U.S. has no permanent national interests in Bosnia. We are not interested in nation-building for its own sake. All we want is to create a self-sustaining peace. We must come out of our responsibilities and then get out.

(2) Our withdrawal must not precipitate renewed warfare in Bosnia.

(3) There must be no phony deadlines—whether for a withdrawal date, a Senate vote, or anything else. We have all the power we need to act whenever we want. We don’t need a deadline. We need sound policy.

(4) There must be no funding cut-offs or threats to withdraw troops that would only hurt our troops on the ground. The real problem is policy making here in Washington. It needs to be solved here.

(5) There must be no micro-management of the military. The Congress and Administration must provide political leadership. We must make the tough decisions and bear the consequences. The military’s job is to implement our decisions as effectively as possible based solely on military considerations. The military has no business making political decisions for us, and we have no business making military decisions for them.

(6) The U.S. must provide leadership. No other country in the world has the political, military, and moral authority to exert leadership. Simply packing our bags and walking away is not an option. We must not simply abandon our Allies. We must leave Bosnia, but with dignity and leadership, leaving behind a well-planned succession.

Handling the Bosnia crisis requires us to look beyond just this fiscal year. It requires the United States to develop a multi-year strategy that sets out our objectives, the means for achieving these objectives, and a target timetable for getting us there—but no phony deadlines. For the sake of our troops, we need to set out clearly the military and nonmilitary missions they are being asked to perform. Creative ways of using the military in politics, but it is dangerous for soldiers. We need to be honest with ourselves about the risks we are asking our troops to face, and the costs to the taxpayers of continuing the mission.

I am convinced that the direction we should be taking is to move toward a force made up of European nations inside Bosnia, with U.S. forces just “over-the-horizon” outside of Bosnia—providing a rapid response capability to deter security threats, and providing logistical, intelligence, and air support to the European forces inside Bosnia. This step would free up U.S. forces to prepare for other contingencies.

But it is not possible to achieve this goal simply by withdrawing numbers, or even numbers arrived at through an averaging process involving contributions of countries with militaries a fraction the size of our own, and deadlines for troop withdrawals. Doing so would compound the problems we are already facing with our Allies and could have the effect of simply setting a timetable for restoring violence to Bosnia. Instead, achieving this goal requires working together with our Allies and realistically taking account of the situation inside Bosnia.

Mr. President, the Senate has already approved an amendment, of which I sponsored, that seeks to do exactly these things. It imposes a number of reporting requirements, designed to provide the basis for moving us in the direction we all want to go. According to the amendment already passed by the Senate just over one month ago, each time the Administration submits a budget request for funding military operations in Bosnia, the Administration must clearly state its best assessment of six items:

(1) our overall objectives and multi-year timetable for achieving these objectives—taking account of the benchmarks already required under the supplemental appropriation passed earlier this year;

(2) the military and nonmilitary mission the President has directed U.S. forces to carry out—including specific language on our policy on war criminals, returning refugees, police functions, and support for civil implementation;

(3) the Chairman of the Joint Chiefs of Staff’s assessment of the risks these missions present to U.S. military personnel;

(4) the cost of executing our strategy over several fiscal years.

(5) the status of plans to move forward a European force inside Bosnia with a U.S. force outside Bosnia that could provide additional support to the European force; and

(6) an assessment of the impact of reducing our forces according to the timetable proposed in the original Byrd-Hutchison amendment.

This may seem like a detailed and onerous reporting requirement, but it is nothing more than the kind of long-term planning the Administration should be doing anyway. Requiring it in a report to Congress, we ensure that the Congress is operating off the same set of assumptions and plans as the Administration. This will give us an opportunity to look more thoughtfully at the real challenges in Bosnia and structure our decisions more appropriately. Instead of broad swipes through artificial deadlines or prohibitions on certain missions, we will be able to target our policy choices more effectively.

Mr. President, I am not going to elaborate very much on what the Senator from Indiana had to say, except to ask unanimous consent that a letter to Senator Strom Thurmond, the chairman of the Senate Armed Services Committee, written by General Shelton and Secretary Cohen be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

THE SECRETARY OF DEFENSE,

HON. STROM THURMOND,
Chairman, Committee on Armed Services, U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: We write to express our concerns with any amendment that would legislate a date schedule for withdrawal of US troops from the NATO-led mission in Bosnia. Such amendments would make it more difficult to accomplish the mission, which has been remarkable successful to date.

It is our intention to reduce our forces in Bosnia. Based on the progress achieved to date, our commanders already have been able to reduce US troop levels from almost 20,000 in 1996 to the 6,900 that will be deployed after the current drawdown is completed in September. Based on regular reviews of our force posture and progress toward the benchmarks we have established, and we expect further reductions will be possible but that determination is best based on the actual situation on the ground, the military advice of our commanders in the field, and the approval of the NATO military and political authorities, not an arbitrary withdrawal or reduction dates determined long in advance.

Our military commanders in the field have determined the level and time of force required to carry out the mission within acceptable risk. The mission, forces and guidance of the force currently planned in June 1998 have been fully approved by NATO political and military authorities. Under a legislated approach, military commanders would be forced to restructure their force and mission tasks based on an arbitrarily mandated schedule rather than on mission accomplishment, operational considerations, and the fluid tactical situation they face. In addition, while those opposed to the Dayton Accords have been steadily isolated and diminished in their influence, legislating withdrawal of reduction dates would invite hostile intransigence.

Additional factors that Congress should consider in reviewing any such amendment are the following:

Under the proposed amendment, command of the SFOR operation and its element in...
Ms. HUTCHISON. Mr. President, I would like to be able to close.

The PRESIDING OFFICER. Does the Senator withdraw the motion to table?

Mr. STEVENS. Mr. President, will the Senator yield?

Mr. McCaIN. I withdraw my motion to table and I yield the floor.

Mr. STEVENS addressed the Chair.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. STEVENS. I was trying to condition that motion to table. I know Senator BYRD is one of the original cosponsors, Senator HUTCHISON also. But we do have to move along. I am a cosponsor also. But I do think we have to have some time limit.

Would the Senator be willing to have some discussion at a time when we might be able to vote?

Mr. BYRD. I, first of all, wish to thank the distinguished Senator from Arizona for withholding his motion. I would probably need 25 minutes.

Mr. STEVENS. And how much time does the Senator want?

Mrs. HUTCHISON. Mr. President, Senator INOHOE and Senator SESSIONS have both asked to speak for approximately 10 minutes each, and then I would like to close on my amendment with about 10 minutes.

Mr. McCaIN. Senator INOHOE said he does not wish to speak on the amendment.

Mr. STEVENS. He has gone to a meeting.

Mr. President, I would like to put some time restraints on this, if we could. I would like to see if we could have the vote take place no later than quarter to 6.

Could we have that agreement?

Mr. BIDEN. Mr. President, if the Senator will yield, a lot of us would like to speak against this amendment, and I hope that maybe just the Senator from West Virginia, Mr. BYRD, would speak and then all those who already spoke refrained from speaking again, so people such as me don’t feel compelled to stand up and respond. We are trying to get this done. Because the Senator from Arizona was kind enough to withdraw his motion to table, I hope we could discuss that. The Senator from West Virginia speaks, and maybe the Senator from Texas takes a couple minutes to close out, we then let the Senator move. It would be helpful.

The PRESIDING OFFICER. The Senator from Alaska has the floor.

Mr. STEVENS. Mr. President, I would then ask unanimous consent that Senator BYRD be recognized, and the Senator from Texas have whatever time is remaining, and the Senator from Arizona be recognized in regions surrounding Bosnia, as envisioned by the amendment, will not save money and indeed could cause our current situation in Bosnia. We are continually evaluating the force posture for Bosnia, and do not consider an over-the-horizon force appropriate now. Accordingly, we strongly urge you to oppose any legislated fixed date or timetable for withdrawal or reduction of US forces in Bosnia.

There is one other factor related to operations in Bosnia of great concern to us, and that is funding. The Department submitted an addition to the FY99 budget to fund a 6,000-man force in Bosnia. Authorizing that request is essential to accomplishing the mission without significantly reducing readiness in other areas. Without that funding, we would have to choose between Bosnia operations and the overall readiness of our Armed Forces.

Sincerely,

HENRY H. SHELTON.
BILL COHEN.

Mr. McCaIN. Mr. President, in Secretary Cohen and General Sheltton’s letters to the Senator from Indiana just referred to, it is very important to understand what they are saying here:

Under a legislated approach, military commanders will be forced to restructure their force and mission tasks based on an arbitrary fixed schedule rather than mission accomplishment, operational considerations and the fluid tactical situation they face. In addition, while those opposed to the reduction dates would invite the troops should be there at all. I pride myself on the fact that I had any knowledge to set a troop level. That reiterates why we have some time limit.

Would the Senator be willing to have some discussion at a time when we might be able to vote?

Mr. BYRD. I, first of all, wish to thank the distinguished Senator from Arizona for withholding his motion. I would probably need 25 minutes.

Mr. STEVENS. And how much time does the Senator want?

Mrs. HUTCHISON. Mr. President, Senator INOHOE and Senator SESSIONS have both asked to speak for approximately 10 minutes each, and then I would like to close on my amendment with about 10 minutes.

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The PRESIDING OFFICER. The Senator from Alaska has the floor.

Mr. STEVENS. Mr. President, I would then ask unanimous consent that Senator BYRD be recognized, and the Senator from Texas have whatever time is remaining, and the Senator from Arizona be recognized to make his motion to table. And it is with the understanding that if the amendment is not tabled, there is no agreement on the amendment.

Mr. McCaIN. I do not intend that the request for the distinguished manager of the bill. It is nearly 5 o’clock. We have 50 pending amendments.

The PRESIDING OFFICER. Is there objection?

Mrs. HUTCHISON. After Senator BYRD speaks, I would be allowed at least 5 minutes to close?

Mr. STEVENS. That leaves 10 minutes. I might say to the Senator, in her control; 25 minutes in the control of the Senator from West Virginia.

Mrs. HUTCHISON. That will be fine. I thank the Senator.

The PRESIDING OFFICER. Without objection, it is so ordered. The unanimous consent agreement is accepted. The Senator from West Virginia.

Mr. STEVENS. Pardon me. The amendment is the Senator from Arizona will be recognized, is that correct?

The PRESIDING OFFICER. That is part of the unanimous consent agreement.

Mr. LEVIN. Mr. President, parliamentary inquiry. Has the agreement been entered into?

Mr. STEVENS. Yes, it has. Is the Senator from Michigan upset?

Mr. LEVIN. I would like 5 minutes, if I could.

Mr. STEVENS. On which amendment?

Mr. LEVIN. On the pending amendment.

Mr. STEVENS. The Senator has not spoken on the amendment.

May I extend him another 5 minutes. We will vote, then—let’s put that off. When that time has expired, I do want to ask unanimous consent that we then proceed to the Hutchinson amendment in the second degree to his amendment, and following that, there will be a vote. I understand there is an agreement so I don’t think we need a time agreement. But I would ask that the time on this expire at 5:40 and that we then proceed to the Hutchinson amendment in the second degree—there will be three comments about that amendment—and that we vote on both of those amendments at 6 o’clock.

The PRESIDING OFFICER. Is there objection?

Mr. BIDEN. Reserving the right to object, why didn’t the Senator just leave it at 5:30 when he had it? I think the Senator from Michigan may be willing to take, say, a minute.

Mr. STEVENS. Very well. At 5:30 he gets a minute, and we will go back. We still want to have a vote on the two amendments at the same time. I will renew that request later.

Mr. COATS. Mr. President, reserving the right to object, but I will not object, could I just inquire, did I understand that Senator BYRD said that the second degree will be in order if the amendment is not tabled?

Mr. STEVENS. If it is not tabled. There is no second-degree amendment available because the Senator from Arizona will be recognized to table at the end of these statements.

Mr. COATS. If not tabled, the second degree—

Mr. STEVENS. If not tabled, the second degree is still in order.

The PRESIDING OFFICER. Without objection, it is so ordered. The Senator from West Virginia.
Senator HUTCHISON for steaming ahead and even I do not share my opinion. So I applaud Senator HUTCHISON for streamlining ahead on the strength of her convictions, despite the somewhat daunting odds.

U.S. troops have been in Bosnia since the Dayton Peace Accords were signed in December 1995. Some 25,000 U.S. troops formed the U.S. contingent of the NATO-led force that replaced the failing United Nations peacekeeping effort there since 1992. The original mission of the NATO force was quite limited—mainly warring factions were to contain the heavy weapons that were bombarding defenseless towns and cities, and begin to mark the hazardous and indiscriminately strewn minefields so that civilians could take over the arduous task of clearing mines. The U.S. had to lead, because our European allies would not rally behind anyone else. This task, we were assured at that time, would take “about one year.”

And that was in 1995.

As that mission was coming to a close, the military tasks were declared essentially complete, and the situation on the ground was, indeed, transformed. While far from enjoying the kind of security that we in the United States take for granted, people could at least seek water without dodging shells and gunfire. The civilian efforts to reestablish Bosnian society, however, had barely begun. NATO leaders agreed to leave substantial numbers of troops in place to keep the peace while the civilian reestablishment continued. This agreement was understandable. Again, the U.S., we assured, must take the lead, because if we left, our European NATO allies would march out right behind us. We were told that the troops would be needed only through June 1998. That was in 1996.

Now it is July 1998, almost August. We have been told that the consideration for leaving is being revised to allow a government and civilian infrastructure that requires the continued reassurance of a NATO peacekeeping force. Elections are scheduled for September, and more work needs to be done to establish a viable judicial system that has the trust of the populace. Therefore, the Administration announced a substantial shift in U.S. policy on Bosnia in December 1997—there would be no further estimates regarding the end of a U.S. presence in Bosnia. The U.S. and NATO would leave when sufficient progress was made in achieving certain benchmarks. The complete and detailed benchmarks are classified, but the unclassified summary that I have seen is fairly straightforward. It says that when Bosnian government and institutions resemble those of the United States, then our troops might leave.

Mr. President, that is a pretty big order. Bosnia has never previously reestablished democratic institutions, nor has it been a party to the international conventions that have been passed, one that has been passed during the debate on the Defense Authorization bill last month, but I recognize that, sadly, the majority of my colleagues do not seem to share my opinion.

Senator HUTCHISON for steamlining ahead on the strength of her convictions, despite the somewhat daunting odds.

The United States has spent $8.6 billion since 1992 through 1995, the total cost is about $9.5 billion. That is a lot of money. That is $9.50 for every minute since Jesus Christ was born, 2,000 years ago. For every minute since Jesus Christ was born, 2,000 years ago, $9.50. For every minute that is what it equals.

This bill provides $1.86 billion for Bosnia operating costs for Fiscal Year 1999, under an emergency declaration.

There are approximately 6,700 troops inside Bosnia now, down from almost 10,000, and another 3,000 more are supporting them from bases in Hungary, Italy, and on ships in the Mediterranean. These troops and these funds are not available to meet other crises that might arise, such as that developing in Kosovo, and they are not available to protect U.S. core national security interests.

Further, the support troops employed in this mission are drawn heavily from the Guard and Reserves, assigned with the status of part-time military and their employers. The President will need to request continued Reserve call-up authority in August to maintain the Bosnia operation. These readiness questions must be measured against the estimate of how many more troops are needed to continue reassurance for civilian reconstruction in Bosnia—what is the minimum number of troops required to provide that reassurance? And for how long? And at what cost? Let us not be so easy to be a critic rather than a playwright, but as the Bosnia operation settles into a routine, surely some of this burden could be assumed by our allies.

Second, does the Senate wish to continue to allow the United States to be led by the reluctance of others? Must the United States continue to provide a substantially greater number of troops than any of the other NATO allies, as is the current vision? If we cannot pass the baton of leadership because our European allies will not lead, then should we not at least push them into carrying an equal military burden for a situation that is, after all, on their borders, not ours? I know that it is easier to be a follower than a leader, easier to be a critic rather than a playwright, but as the Bosnia operation settles into a routine, surely some of this burden could be assumed by our allies.

Third, does the Senate want to abstain from placing limits on the role that U.S. forces should play in Bosnia? Or do we want to enhance the safety of the men and women we are supporting on the ground there by prohibiting them from performing the kinds of activities that put them in harm’s way by making them appear to side with one ethnic group over another? NATO forces have played an increasing role in the capture of war criminals, and have been linked with propaganda practices. A news story from early July reported that U.S. special operations teams...
came very close to mounting a “snatch and grab” exercise designed to capture Serb military leaders before commanders on the ground declared that the intelligence was insufficient to ensure a reasonable chance of success.

The mission in Bosnia, while not requiring more manpower we have to spare, the more such jobs we will be drawn into doing. It is the American way, to say, “we’ll pitch in.” And we are suckers for the underdog. But that can be dangerous in a peaceable world with centuries-old animosities as Bosnia. These ethnic and religious factions know how to carry a grudge, how to nurse an injustice, through centuries if need be.

With these questions in mind, consider the current situation in the Balkans, as Senator HUTCHISON has. Bosnia is relatively stable. No one is shooting at each other, and no one is shooting at the NATO forces. But, Kosovo, on its borders, is not stable. There, the situation is rapidly degenerating. More than 100,000 refugees have fled into neighboring Albania to seek refuge from Serbian dominated Yugoslav military forces who are ruthlessly squashing a separatist movement in ethnically Albanian Kosovo, which is an autonomous republic of Yugoslavia until 1989. The situation is complex and, frighteningly, contains the potential to draw in neighboring nations and even NATO members. This is the dreaded “spillover” that was much discussed when the ethnic conflagration in Bosnia erupted in 1992.

NATO officials have already contemplated what forces might be necessary to contain the conflict in Kosovo. Even with over 20,000 troops spread along the mountainous border between Kosovo and Albania, they concluded, the probability of success would be low. Air strikes are under consideration. Diplomatic efforts are ongoing, but the Yugoslav leader, Slobodan Milosevic, has an unenviable history of playing both ends against the middle to achieve his goals.

It is clear that the cost of maintaining a large presence in Bosnia could be unfairly high if forces are needed to contain the conflict in Kosovo and keep it from engulfing a large part of the Balkans. Our NATO allies will happily continue to let the U.S. carry the burden, while freeing up troops, energy, and funds for other pressing security concerns.

The United States cannot continue to pick up the largest burden of every NATO military mission. While our allies have been reducing their military budgets and forces since the cold war ended, the United States military has increased its number to respond to crises around the world—in Somalia, Rwanda, Haiti, Iraq, Bosnia, and next, perhaps, in Kosovo. Our generosity in picking up the bulk of the tab has, I fear, marked us as a patsy, a patsy who can be suckered into bankrupting everyone’s problems with funds and troops. If we keep doing it, what incentive is there for anyone else to develop the expertise, training, and tools to take over appropriate parts of that role?

I wish that the administration would put its support behind this amendment. I think it would strengthen the administration’s position in talking with our allies in Europe, and it would seem to me that would be a very beneficial thing, insofar as the administration is concerned.

Mr. President, I believe that Senator HUTCHISON has offered a blueprint for the continued U.S. participation in Bosnia that supports our NATO commitment, even our leadership role, but not at the cost of maintaining a disproportionate force size. The most important thing we can do here today is to let the soldiers and airmen out there so far away know that we are watching, and that we care enough about them to act in their best interests. They are not America’s forgotten heroes, out of sight and out of mind unless trouble comes their way. We are there with them, in thought and in deed, and that is why more of them engaged in lengthy and lonely overseas deployments for any longer than is absolutely necessary. I will vote for the Hutchison amendment. I urge my colleagues to do the same.

Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. Under the previous order, the Senator from Texas is recognized.

Mrs. HUTCHISON. Mr. President, I yield 3 minutes to the Senator from Alabama.

The PRESIDING OFFICER. The Senator from Alabama is recognized for 3 minutes.

Mr. SESSIONS. Thank you, Mr. President. I want to say a couple things that I think are very important. I think this amendment is much more important than it may appear to some who probably will be casting their votes against it. We are at a great juncture, the greatest Nation in the history of the world. This body, this Senate, has traditionally been involved in American foreign policy and American national defense. We are spending a very large sum of money on this mission which is ill-defined and provides little immediate benefit to our Nation. Other nations which have a far clearer and more direct interest in it are承担ing the lion’s share.

This mission has exceeded $10 billion, money which comes from the American taxpayers. We went through a BRAC process, a base-closing process of which the Senator from Texas and the Senator from Oklahoma, who is here joining us, all quite agreed $9 billion. We spent more than that already on Bosnia, an operation that has very little vision. The President has articulated very poorly and inadequately, in my opinion, any justification for an extended mission with no end in sight.

As the President said in remarks earlier, it was a political decision to move into this area of the world. Therefore, it is a decision quite appropriate for this body to respond to. I say it is time for us to confront the issue, demand some answers, require the President to be responsible, and assert our rightful role as a U.S. Senate in American national defense. I am, frankly, disappointed that a Senator would move forward to table and cut off debate on this issue.

I think we ought to say a lot more about it, and we ought to have a lot of time talking about it, not be cutting off this debate. Maybe some of them have made up their minds, they think they know what is best for everybody else here, but I am not so certain that they do. So I don’t know.

I do not have much time. I know others do. And we are going to have the vote on the motion to table shortly. And I just feel very strongly about it. We have a role in this world, not to be the policemen. We have ballistic missile defense. We have chemical, biological weapons. We have strategic capability that we can support. We cannot just drift into this without a clear understanding of our mission.

Mr. President, I yield the floor.

Mrs. HUTCHISON. Mr. President, I yield up to 3 minutes to the Senator from Oklahoma.

Mr. INHOFE. I thank the Senator from Texas for yielding the time. It is a very precious time. There isn’t nearly time to get into the seriousness of this issue. The Senator from Alabama is excellent, there is no issue before this body that is more significant than this particular issue.

We have stood here and debated this at least once a month since November of 1995. If I could criticize the Senator from Texas, I would say this isn’t strong enough. But I know she knows it is not strong enough either. We should have a date. We should be out of there. And it isn’t being hardhearted, it isn’t being uncompromising.

This is something where we must agree on what we are doing, what they were back in 1995. If you just look at a very recent development, the Rumsfeld report came out. And if you will remember,
the national intelligence estimate that came out in 1995, that said we would have a good 3 years’ warning, in 3 years, to participate in preparing for a national missile defense system. Now the Rumsfeld report has come out and said that isn’t true at all, that we are out of the loop—if we started today to deploy a system and put it into effect, we would not be able to do it.

What has that got to do with Bosnia? It is very simple, because in Bosnia right now they are using up our military assets to the extent that we are not able to carry out the minimum expectations of the American people, which would be to defend America on two regional fronts.

If you do not believe this, go to the 21st TACOM in Germany. They are responsible for the ground support, anything that will happen in that theater. That theater includes Iraq. That means that if something should happen, we should be able to surgically strike Iraq. I do not think there is a person in America who does not believe that is a possibility—we would eventually have to go in on the ground and clean it up.

How do you do that? If you go to the 21st TACOM in Germany, they will tell us we are right now over 100 percent capacity in just supporting Bosnia. We have 9-15 trucks that have a million miles on them right now trying to carry the support over there and support Bosnia on the ground. Until we are able to do that, we are not going to be able to adequately meet the defense needs.

I hope that you read, Mr. President, just in this morning’s Inside the Pentagon: ‘The Navy’s ability to retain its carrier aviators has hit its lowest historical annual rate. . .’

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. INHOFE. I thought I had 3 minutes.

The PRESIDING OFFICER. The time allocated, and then I will finish.

Mrs. HUTCHISON. Thank you, Mr. President. Those 10 benchmarks, however, were established unilaterally by the Administration and were not shared with or agreed upon by our NATO allies. Accordingly, I offered an amendment when the Senate was considering the emergency supplemental bill at the end of March. That amendment, which was accepted and eventually became part of the 1998 Supplemental Appropriations and Rescissions Act, urged the President to seek concurrence among the NATO members on the ten benchmarks, on estimated target dates for achieving the benchmarks, and on a process for NATO to review progress towards achieving the benchmarks. It also required the President to submit to Congress a report on these matters by June 30, 1998 and semiannually thereafter as long as U.S. ground combat forces remain in the Stabilization Force in Bosnia.

Mr. President, two days ago the President submitted that report as required by the amendment to the 1998 Supplemental Appropriations and Rescissions Act. That report advises that benchmarks parallel to ours have been incorporated in NATO’s Operation Plan or OPLAN for the post-June 1998 mission in Bosnia. The OPLAN requires that the NATO allies, including the United States, meet a series of benchmark criteria. The OPLAN indicates that each of those benchmarks, to be approved by the North Atlantic Council.

The President’s report also advises that the NATO allies agreed on June 10 to the United States’ proposal that the NATO military authorities provide an estimate of the time likely to be required for the implementation of the military and civilian aspects of the Dayton Agreement based on the benchmark criteria. During his testimony before the Armed Services Committee on March 3, 1998, the President submitted the required certification and objectives of the U.S. armed forces, the exit strategy of such forces, and a number of other matters.

The President submitted the required certifications and objectives of the U.S. armed forces, the exit strategy of such forces, and a number of other matters.
The amendment before us, however, would use the power of the purse to reduce the number of U.S. ground troops in Bosnia by another 400 by February 2 of next year and then by an additional 1,500 by October 1 of next year. That is the purpose and impact of this amendment. That is also what makes this amendment unacceptable to the Secretary of Defense and the Chairman of the Joint Chiefs of Staff and should make it unacceptable to us. When the Administration's Joint Chiefs committee was considering a series of amendments during its markup of the Defense Authorization bill earlier this year, we sought the views of the Department of Defense. Secretary Cohen and General Shelton, in their letter of May 21, 1998, gave us their views and I would like to quote from a few parts of their letter:

We write to express our concerns with any amendment that would legislate a date or schedule for withdrawal or reduction of US forces from the NATO-led mission in Bosnia. Such amendments would make it more difficult to accomplish the mission, which has been remarkably successful to date.

We will conduct regular reviews of our force posture and progress toward the benchmarks we have established, and we expect our civilian and military commanders to determine when it is safe to reduce or withdraw our forces. Under a legislated approach, military commanders would be forced to restructure their force and mission tasks based on an artificially mandated schedule rather than on mission accomplishment, operational considerations, and the fluid tactical situation they face.

Mr. President, I ask unanimous consent that the President's July 28, 1998 report to Congress be printed in the Record following my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered. (See Exhibit 2)

Mr. LEVIN. Finally on this point, I would note that the Senate adopted an amendment during its consideration of the Express Authorization bill for Fiscal Year 1998 that expressed the sense of Congress that, among other things, stated that the President should work with our NATO allies to withdraw U.S. ground combat forces from Bosnia within a reasonable period of time, consistent with the safety of those forces and the accomplishment of SFOR's military tasks. That amendment passed by a vote of 90-5 on June 24—a little more than a month ago.

Mr. President, I thought that it was important that information on the record to correct any impression that Congress has not paid attention to the participation of U.S. military forces in the NATO-led force in Bosnia. But it is far more important, in my view, to focus on the other sections of the amendment, particularly the mandatory reduction of U.S. ground elements from Bosnia to a level of 6,500 by February 2, 1999, and 5,000 by October 1, 1999.

First, I think it would be useful to put the size of the U.S. contingent in Bosnia in perspective. It should be noted that the United States provided about 20,000 of NATO’s Implementation Force in 1996—or about 33 percent of the total force. Up until approximately June of this year, the United States provided about 8,500 troops to NATO’s Stabilization Force—or about 25 percent of the total force. By September of this year, the United States will provide about 6,500 troops—or about 22 percent of the total force. So the percentage of the U.S. contribution to the NATO-led force has been declining over time—from 33 to 25 to 22 percent.

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S9370

CONGRESSIONAL RECORD — SENATE
July 30, 1998

DEAR CARL: We write to express our concern with any amendment that would legislate a date or schedule for withdrawal or reduction of U.S. forces in Bosnia. We are continually evaluating the progress made in meeting these goals and the benchmarks in the March 3 certification to the Congress and in the SFOR OPLAN. In addition, the PIC Steering Board called on the High Representative to submit a report on the progress made in meeting these goals by mid-September, which will be considered in the NATO 6-month review process.

The current framework, now approved by the military and civilian implementers, is clearly a better approach than setting a fixed, arbitrary end date. The process will produce a clear picture of where intensive efforts will be required to achieve our goal: a self-sustaining peace process in Bosnia and Herzegovina for which a major intensive effort will be required to carry out the mission within acceptable risk. The mission, forces and guidance of the force currently planned for June 1998 were determined by the Dayton Accords. Those Accords have been steadily isolated and diminished in their influence, legislatively withdrawn, and the security situation they face. In addition, the benchmarks to the Dayton Accords have been steadily isolated and diminished in their influence, legislating withdrawal of reduction dates would invite heightened political and military authorities. Under a legislated approach, military commanders would be forced to restructure their force and mission tasks based on an arbitrarily mandated schedule rather than on mission accomplishment, operational considerations, and the fluid tactical situation they face. In addition, additional factors that Congress should consider in reviewing any such amendment are the following:

Under the proposed amendment, command of the SFOR operation and its element in MND-North might well be transferred to a non-U.S. European force. Shifting to a posture in which the U.S. has much smaller force levels in Bosnia but enhances its force presence in regions surrounding Bosnia, as envisioned by the amendment, will not save money and indeed could cost more than our current operation in Bosnia. We are continually evaluating the force posture and its operations and decision to consider an over-the-horizon force appropriate now.

Accordingly, we strongly urge you to oppose any legislated fixed date or timetable for withdrawal or reduction of U.S. forces in Bosnia.

There is one other factor related to operations in Bosnia. We have great concern about what funding. The Department submitted an addition to the FY98 budget to fund a 6,000-person force in Bosnia, authorizing that request to accomplish the mission without significantly reducing readiness in other areas. Without that funding, we would have to choose between Bosnia operations and the overall readiness of our Armed Forces.

Sincerely,

HENRY H. SHILTON
Chief Counsel

THE PRESIDING OFFICER. The Senator from Texas.

MRS. HUTCHISON. Thank you, Mr. President.

Mr. President, I thank the Senator from Oklahoma, the Senator from Alabama, the Senator from West Virginia, who have all made very strong statements about their commitment and the commitment of Congress to support our troops. It is our responsibility to do this. I want to answer a couple of points that were made. Somalia—the argument was made that troops were not provided equipment and we lost 18 rangers. That is exactly correct. I would hold up Somalia as a very real example of what we could be doing something today to protect our troops in the field—because, in fact, in Somalia Congress was never consulted. The decision not to send the equipment was made by the Pentagon. It is precisely because Congress was not consulted and was not committed to this that it failed so miserably. The mission creep in Somalia is exactly what we are trying to avoid in Bosnia today. And that is why I support this amendment.

Let us talk about precedent. On July 31, 1989, there was a resolution requiring the President to reduce the number of U.S. forces in Korea. That is exactly what I would hope that we would do today. Nine years ago, almost to the day, Congress met its responsibility. This was an amendment that specifically asked the President to come forward with a plan to have gradual reductions in the number of U.S. military personnel stationed in the Republic of Korea.

This is exactly what we are doing today. We are saying, in this appropriation bill for this fiscal year, that we should reduce the number of forces so that the President can go to our allies and start negotiating for a more equitable spread. That is exactly what we did in Korea.

With Korea we said, "The Republic of Korea should assume increased responsibility for its own security." This was an amendment that was sponsored by Senator McCAIN, Senator Nunn, Senator Warner, Senator Exon, Senator Dixon, Senator Wirth, Senator Shelby, Senator Thurmond, Senator Cohen, Senator Wallop, Senator Gorton, Senator Lott, and Senator Coats.

This is exactly what I hope we will do today. It is the responsibility of Congress to provide support for our troops. We cannot stand by and watch our military disintegrate, lose our most experienced warriors, put them in harm's way, and do nothing.

Have we lost our backbone in 9 years? Or have we lost our compass? Have we lost the will to do what is right for this country?

Congress is responsible for providing the support for our troops. And I hope that we will meet our responsibility today.

Thank you, Mr. President. And I yield the floor.

Mr. McCAIN addressed the Chair.

THE PRESIDING OFFICER. The Senator from Arizona.

Mr. McCAIN. Nearing the moment, I think, according to the previous unannounced announcement, that it would be appropriate to make a motion to table, I would just like to make one quick point.

Back several years ago, in 1990, I was speaking in support of an amendment—in support of the Bush administration, the President of the United States, not in opposition. And it was a peacekeeping deployment to Korea, a rearrangement of forces, not the situation in Bosnia. An important factor is, I was supporting the President of the United States and the Secretary of Defense.

The Hutchison amendment is in opposition to the Chairman of the Joint Chiefs of Staff and the Secretary of Defense, as well as the President of the
United States. I think there is a significant difference there.

Second, one of the Members came to the floor and said that we need to debate this more. As the Senator from Indiana pointed out, this is the same amendment we voted on last May; basically the same amendment. We did have long debate on it.

As the distinguished chairman of the committee pointed out, we have 50 or 60 amendments that we need to address between tonight and tomorrow, all of which require a very thorough debate and discussion, as well, if we expect to get out at a reasonable timeframe either tomorrow or Saturday or Sunday, as the distinguished chairman and ranking member point out.

The hour of 5:30 having arrived, I move to table the Hutchison amendment 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.

Mr. STEVENS. I want to announce, there is now a second degree amendment to the Hutchinson amendment that could be offered and may settle the issue with regard to the previous amendment which was not tabled.

AMENDMENT NO. 3141 TO AMENDMENT NO. 3124

Therefore, I ask unanimous consent the Senate now turn to the Hutchinson amendment in the second-degree and that there be a short period of debate. Can you tell me how long you think it will take?

Mr. HUTCHINSON. I think the amendment has been agreed to and would not need debate, from my standpoint.

Mr. STEVENS. I think we should have at least 10 minutes equally divided between the Senator from Arkansas and the Senators from Michigan and Delaware, and I am informed it will require a rollcall vote.

I ask unanimous consent there be that period now for 10 minutes on this amendment that Senator Hutchinson will offer, and following that time that the rollcall on his amendment take place after the rollcall vote on the motion to table that has just been made by the Senator from Arizona.

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

Mr. HUTCHINSON. Mr. President, I ask unanimous consent that it be in order for me to offer an amendment, by unanimous consent, to the amendment to the desk.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Arkansas [Mr. HUTCHINSON], for himself and Mr. LEVIN, Mr. KERRY, Mr. BIDEN and Mr. LIEBERMAN proposes an amendment numbered 3419 to amendment 3124.

The amendment is as follows:

Strike all after the word “Title” and insert the following:

IX HUMAN RIGHTS IN CHINA

Subtitle A—Forced Abortions in China

S. 9001. This subtitle may be cited as the “Forced Abortion Condemnation Act”.

S. 9002. Congress makes the following findings:

(1) Forced abortion was rightly denounced as a crime against humanity by the Nuremberg War Crimes Tribunal.

(2) For over 15 years there have been frequent and credible reports of forced abortion and forced sterilization in connection with the population control program of the People’s Republic of China. These reports indicate the following:

(a) Although it is the stated position of the politburo of the Chinese Communist Party that forced abortion and forced sterilization have no role in the population control program, in fact the Communist Chinese Government encourages both forced abortion and forced sterilization through a combination of strictly enforced birth quotas and immunity for local population control officials who engage in coercion. Officials acknowledge that there have been instances of forced abortions and sterilization, and no evidence has been made available to suggest that the perpetrators have been punished.

(b) People’s Republic of China population control officials, in cooperation with employers who are required to monitor women’s menstrual cycles and subject women who conceive without government authorization to extreme psychological pressure, harsh economic sanctions, including unpayable fines and loss of employment, and often to physical force.

(c) Officially recognizing birth to unauthorized children include fines in amounts several times larger than the per capita annual incomes of residents of the People’s Republic of China. For example, the average fine is estimated to be twice a family’s gross annual income. Families which cannot pay the fine may be subject to confiscation and destruction of their homes and personal property.

(d) Especially harsh punishments have been inflicted on those whose resistance is motivated by religion. For example, according to a 1995 Amnesty International report, the Catholic inhabitants of 2 villages in Hebei Province were subjected to population control measures including contraception “to have more graves than one more child”. Enforcement measures included torture, sexual abuse, and the detention of residents’ relatives as hostages.

(e) Forcible abortions in Communist China often have taken place in the very late stages of pregnancy.

(f) Since 1994 forced abortion and sterilization have been used in Communist China not only to regulate the number of children, but also to eliminate those who are regarded as defective or unwelcome by the official eugenic policies of the “Natal and Health Care Law”.

S. 9003. (a) Notwithstanding any other provision of law, the Secretary of State may not utilize any funds appropriated or otherwise available for the Department of State for fiscal year 1999 to issue a visa to any official of any country (except the head of state, the head of government, and cabinet level ministers) who the Secretary of State finds, based on credible and specific information, has been directly involved in the establishment or enforcement of policies or practices designed to restrict religious freedom.

(b) Notwithstanding any other provision of law, the Attorney General may not utilize any funds appropriated or otherwise available for the Department of Justice for fiscal year 1999 to admit to the United States any national covered by subsection (a).

(c) The President may waive the prohibitions in subsection (a) and (b) with respect to an individual described in such subsection if the President—

(1) determines that it is vital to the national interest to do so; and

(2) provides written notification to the appropriate congressional committees containing a justification for the waiver.

S. 9012. (a) Notwithstanding any other provision of law, the Secretary of State may not utilize any funds appropriated or otherwise available for the Department of State for fiscal year 1999 to issue a visa to any official of any country (except the head of state, the head of government, and cabinet level ministers) who the Secretary of State finds, based on credible and specific information, has been directly involved in the establishment or enforcement of policies or practices designed to restrict religious freedom.

(b) Notwithstanding any other provision of law, the Attorney General may not utilize any funds appropriated or otherwise available for the Department of Justice for fiscal year 1999 to admit to the United States any national covered by subsection (a).

(c) The President may waive the prohibitions in subsection (a) and (b) with respect to an individual described in such subsection if the President—

(1) determines that it is vital to the national interest to do so; and

(2) provides written notification to the appropriate congressional committees containing a justification for the waiver.

S. 9013. In this subtitle, the term “appropriate congressional committees” means the Committee on Foreign Relations of the Senate and the Committee on International Relations of the House of Representatives.

Mr. HUTCHINSON. Mr. President, I want to express my appreciation to the Senators on the other side of the aisle who, I think, have made very positive and productive suggestions to improve the amendment that I have offered regarding human rights abuses in China.

The simple explanation for the changes that are made, we have made the bill generic in nature rather than country-specific. I have some reservations about the bill, but I don’t want to in any way dilute, I think the proper attention that should be placed upon what our State Department says is the greatest abusers of human rights in the
world today. But at the same time, I think this makes this a very, very powerful human rights amendment applicable to all nations of the world. The “finding” section of the amendment remains in which we are able to outline some of the abuses evident in China today.

We would add, I think, a positive suggestion, that the genital mutilation issue be added. So in addition to religious persecution and forced abortions, genital mutilation and those who would condone it would be added as criteria for those countries that would be denied their visas for those condoning that practice, the terrible practice that human rights advocates the world over and all people, I think, condemn.

I want to thank Senator BIDEN for, I think, some very good suggestions regarding the “definitions” area on the Secretary’s obligations in determining who would be denied these visas. The addition to the phrase “credible information,” adding “and specific information,” and adding to the phrase “has been involved in the establishment or enforcement,” the word “directly”; so, “has been directly involved in the establishment or enforcement of population policies.” I think that is a very helpful change that will make this much more enforceable and make it much more clear. I am grateful for that suggestion, as well.

We have struck section 9012, which simply lists a number of associations and entities which are agents of the government in carrying out some of these abuses. It is really unnecessary, an unnecessary provision that has caused confusion, because anyone, any individual, any official, who is involved in perpetrating persecution of religious minorities, coerced abortions or the genital mutilation would be covered by the amendment, without what is really extraneous language and unnecessary language.

So I think these are all very positive changes and that is the content of the second-degree amendment. I think this is relevant. I think it is a very positive improvement to the appropriations bill. I appreciate the support of those on both sides of the aisle in the defeat of the motion to table.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. BIDEN. Mr. President, I will be very brief. I want to thank the Senator from Arkansas. He has been a gentleman.

His amendment is, I think, a good amendment and I thank him for considering some of the suggestions that I and a few others had.

I ask unanimous consent that Senator LEVIN of Michigan, Senator KERRY of Massachusetts and Senator BIDEN of Delaware be added as cosponsors.

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

Mr. BIDEN. Mr. President, I particularly want to thank my friend from Arkansas for adding the prohibition, the ability to deny visas to those countries that engage in the heinous practice of engaging in female genital mutilation. I am not one who thinks we should be erecting sanctions all over the world, but there are certain things that are so, so contrary to our basic values—forced abortion, forced sterilization, mutilation of body parts—that I think that it is appropriate that we use sanctions in those circumstances.

I also ask unanimous consent that the Senator from Connecticut, Senator LIEBERMAN, be added as a cosponsor.

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

Mr. BIDEN. I realize I have a few more minutes, but in order to accommodate this bill moving along, again, I close by thanking the Senator from Arkansas for accommodating some of the changes that he has for his amendment.

I yield the floor.

Mr. STEVENS. Mr. President, I understand that the Senator from Michigan is on his way.

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. LEVIN. Mr. President, I ask unanimous consent that the quorum call be rescinded.

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

Mr. LEVIN. Mr. President, let me commend the Senator from Arkansas for the second-degree amendment, the modification in effect, which he has sent to the desk.

I reluctantly voted to table his original amendment because I was troubled by his narrow focus on one country, when the problem exists not only in China, but a number of other countries. The problems he identifies in his amendment are real problems and they are problems we must be concerned with. He has shown that concern, and I think it is wise that we reflect the concern people are expressing in those practices that come from any country—China or anywhere else. And while I reluctantly voted to table his original amendment, the first-degree amendment, for the reason I just gave, I enthusiastically cosponsored the second-degree amendment of the Senator from Arkansas, and I hope it passes with a resounding vote.

I yield the floor.

The PRESIDING OFFICER. Who yields time on the second-degree amendment? Time will be equally divided.

Mr. STEVENS. Mr. President, I now have before me here a managers’ package that contains some amendments. Following the next two votes, I intend to ask that no more amendments be in order. I urge Members to come and look at the list and see if their amendment is here. If there are more, I urge Members to let us know if they intend to offer the amendments shown here. Secondly, if they intend to offer any other amendment, I am pleased to have them do that.

Mr. President, as I understand it, the first vote will be on a motion to table ordered by the Senator from Arizona, and the second will be the amendment in the second degree offered by the Senator from Arkansas.

I ask for the yeas and nays on the second-degree amendment of the Senator from Arkansas.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

Mr. STEVENS. If the pending motion to table is not carried, that amendment will still be open. If the amendment of the Senator from Arkansas passes in the second degree, I intend to ask that the—are the yeas and nays requested on the Senator’s original amendment?

The PRESIDING OFFICER. Only on the motion to table the original amendment.

Mr. STEVENS. Very well. If that is adopted, which I urge the Senate to do, then we will move to adopt the original amendment, as amended, with a voice vote. I call for the vote.

AMENDMENT NO. 3413

The PRESIDING OFFICER. Is all time yielded back?

Mr. STEVENS. I yield back any time I have left.

The PRESIDING OFFICER. The question is on agreeing to the motion to table the amendment of the Senator from Texas.

The yeas and nays have been ordered. The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. NICKLES. I announce that the Senator from North Carolina (Mr. HELMS) is absent because of illness.

I further announce that, if present and voting, the Senator from North Carolina (Mr. HELMS) would vote “no.”

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 68, nays 31, as follows:

[Rollcall Vote No. 249 Leg.]

YEAS—68

Abraham
Akaka
Baucus
Bennett
Biden
Bingaman
Boxer
Breaux
Brownback
Bryan
Bumpers
Byrd
Chafee
Cleland
Coats
Cooper
Collins
Conrad
Conyers
D'Amato
Dasinck
Dole
Dodd
Domenici

NAYs—31

Allard
Ashcroft
Bond
Byrd
Campbell
Coversdill

Lugar
McCask
McCa
McConnell
Miukule
Moseley-Braun
Meyn
Murray
Reed
Rei
Robb
Roberts
Rockefeller
Rot
Sarbanes
Sasser
Specter
Thurmond
Torricelli
Warner
Weisstone
Wyden

The result was announced—yeas 68, nays 31, as follows:
The motion to lay on the table the amendment (No. 3419) was agreed to.

Mr. BIDEN. Mr. President, I ask unanimous consent to proceed for 10 seconds.

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

Mr. BIDEN. Mr. President, I failed to ask that Senator FEINSTEIN of California be added as a cosponsor to the Hutchinson amendment. I ask unanimous consent she be added.

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

Mr. INOUYE. Mr. President, I move to reconsider the vote.

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

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

The motion to lay on the table was agreed to.

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

Mr. GRAMS. Mr. President, on roll call vote No. 249. I voted “aye.” It was my intention to vote “no.” Therefore, I ask unanimous consent that I be permitted to change my vote. This will in no way change the outcome of the vote.

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

(Forgetting tally has been changed to reflect the above order.)

The PRESIDING OFFICER. The Senator from Alaska.

Mr. STEVENS. I believe the Senator from Delaware wished to be recognized for just one minute.

The PRESIDING OFFICER. The Senator from Delaware has been recognized.

Mr. STEVENS. He has been?

The PRESIDING OFFICER. Yes.

VOTE ON AMENDMENT NO. 3419

Mr. STEVENS. Have the yeas and nays been ordered?

The PRESIDING OFFICER. The yeas and nays have been ordered.

Mr. BIDEN. Mr. President, I also ask unanimous consent the Senator from Virginia, Mr. ROBB, be added as a cosponsor.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. STEVENS. Vote.

The PRESIDING OFFICER. The question is on agreeing to the second-degree amendment offered by the Senator from Arkansas. The yeas and nays have been ordered. The clerk will call the roll.

The legislative clerk called the roll.

Mr. NICKLES. I announce that the Senator from North Carolina (Mr. HELMS) is absent because of illness.

I further announce that, if present and voting, the Senator from North Carolina (Mr. HELMS) would vote “aye.”

The result was announced—yeas 99, nays 0, as follows:

[Roll Call Vote No. 250 Leg.]

YEAS—99

Abraham—Faircloth—Low

Alaska—Fedna—Lugar

Aliard—Feinstein—Mack

Baucus—First—McConnell

Bennett—Glen—Michaels

Biden—Gorton—Mosley-Brown

Bingaman—Graham—Meylahan

Bond—Gramm—Morkowski

Borcher—Gramm—Murray

Breaux—Gueule—Niceties

Brownback—Gregg—Reid

Bryan—Hagel—Reid

Bumpers—Harkin—Robb

Burns—Hatch—Roberts

Byrd—Hollings—Rockefeller

Campbell—Hutchinson—Roth

Chafee—Hutchinson—Sanorum

Cleveland—Inhofe—Sarbanes

Coats—Inouye—Sessions

Cochran—Jeffords—Shelby

Collins—Johnson—Smith (N.H.)

Conrad—Kempthorne—Smith (Ohio)

Corkerdell—Kennedy—Snowe

Cruz—Kerry—Spector

D’Amato—Kerry—Stevens

Daschle—Kohl—Thomas

DeWine—Kyl—Thompson

Dole—Landrieu—Thurmond

Domnick—Lautenberg—Torricelli

Dorgan—Leahy—Warner

Durbin—Levin—Wellstone

Enzi—Lieberman—Wyden

NOT VOTING—1

Helms

The amendment (No. 3419) was agreed to.

Mr. HUTCHINSON. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

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

The motion to lay on the table was agreed to.

VOTE ON AMENDMENT NO. 3214, AS AMENDED

Mr. STEVENS. Mr. President, I ask for the immediate consideration of the first-degree amendment.

The PRESIDING OFFICER. If there is no further debate, the question before the Senate is on the underlying amendment No. 3214, as amended.

The amendment (No. 3214), as amended, was agreed to.

Mr. STEVENS. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

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

The motion to lay on the table was agreed to.

Mr. STEVENS. Mr. President, we have now exchanged lists. We have a managers’ package which we will present in a moment. We have the two lists now from the two sides of the aisle.

I ask unanimous consent that the following amendments be the only first-degree amendments remaining in order, other than the managers’ package, and that they be subject to only relevant second-degree amendments:

D’Amato—Air Guard, Coast Guard Search & Rescue

Faircloth—Spend Fiscal Year 1998 fund (FPNA)

DeWine—Drug interdiction

Mack—Electronic combat testing

Santorum—60mm mortar?

Baucus—Bear Paw development canal (20 divided)

Bingaman—D.C. would vote "aye."

Bingaman—White Sands

Bingaman—Health centers

Boxer—Relevant

Bumpers—Relevant

Byrd—Relevant

Daschle—Relevant

Daschle—Relevant

Dodd—Army pensions

Dodd—Cyber disease

Durbin—Land conveyance

Durbin—Military operations/war powers.

Dorgan—Indian incentive program

Dorgan—Relevant

Ford—National Symphony

Graham—Land transfer

Graham—Relevant

Graham—Space

Harkin—Outlays

Harkin—P.O.O.

Harkin—Veterans medals

Harkin—Gulf war illness research

Harkin—Smoking funding

Hollings—Environmental report

Inouye—Manager’s amendment

Inouye—Manager’s amendment

Inouye—Manager’s amendment

Kerry—Sense of Senate on payroll tax

Kerry—Relevant

Kerry—Relevant

Leahy—JSAT

Reed—Environmental training

Robb—Reimbursement for Italy accident

Wellstone—Child soldiers

Wellstone—Domestic violence

Wellstone—Relevant

Mr. STEVENS. I further ask unanimous consent following disposition of the listed amendments, the bill be advanced to third reading and the Senate proceed to the immediate consideration of the House companion bill; that all after the enacting clause be stricken and the text of S. 2132, as amended, be inserted; and that the bill be advanced to third reading and passage occur without any further action or debate.

The PRESIDING OFFICER. Is there objection?

Mr. WELLSTONE. Reserving the right to object, Mr. President, as I understand what the Senator from Alaska—

Mr. STEVENS. I really can’t hear the Senator, I am sorry.

Mr. WELLSTONE. Reserving the right to object, have you eliminated time on debate? I am not quite sure.

Mr. STEVENS. We have not yet addressed the question of time on debate. The only real limitation here is that this list be the only first-degree amendments in order and that they only be subject to relevant second-degree amendments in the event they are considered and not adopted.

Mr. FORD. Reserving the right to object, Mr. President, I have been trying
to work out on our side as it relates to amendments, and I have not seen this list yet. I want to be sure, when I have told my colleagues that their amendment has been accepted, I want it on the managers’ list or I want it on the amendments yet to be worked out.

Mr. STEVENS. I say to the Senator from Kentucky, Mr. President, many of the amendments that are on the list that have come from your side are, in fact, on the managers’ list. But they will be qualified if they are on the list you have given us.

Mr. FORD. I want to be sure that all of these amendments—I have not seen the list, I say to my friend, and would like to work it out.

Mr. KEMPThORNE. Will the Senator from Alaska yield?

Mr. STEVENS. I will be happy to yield, Mr. President.

Mr. STEVENS addressed the Chair.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. STEVENS. Mr. President, my request is still pending.

Mr. WELLSTONE addressed the Chair.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. WELLSTONE. Mr. President, as I understand the unanimous consent request, what the Senator is saying is that after disposal of the last amendment, we go right to final passage: is that correct? But there is no limit on debate on amendments: is that correct?

Mr. STEVENS. These listed amendments will be disposed of. Once they are disposed of, the bill will go to third reading. They will have to be either acted upon or withdrawn.

Mr. WELLSTONE. I understand. But there is no limit on debate on the individual amendments: is that correct?

Mr. STEVENS. There is no limit there on debate time. I intend to do my best to do that.

Mr. WELLSTONE. I withdraw my objection.

The PRESIDING OFFICER. Is there objection?

Mr. FORD. I reserved my right to object a moment ago, and I have no objection now. I thank the chairman for his cooperation.

Mr. STEVENS addressed the Chair.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. STEVENS. I have been asked to amend my request and add this following—ask unanimous consent that the Senate insist on its amendment, request a conference with the House on the disagreeing votes of the two Houses, and the Chair be authorized to appoint the following conference of the Senate: Senators STEVENS, COCHRAN, SPECTER, DOMENICI, BOND, MCCONNELL, SHELBY, GREGG, HUTCHISON, INOUYE, HOLLINGS, BYRD, LEAHY, BUMPERS, LAUTENBERG, HARKIN, and DORGAN, and the foregoing occur without any intervening action or debate, and I further ask that when the Senate passes H.R. 4103, as amended, that S. 2132 be indefinitely post-

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. STEVENS. Mr. President, we are proceeding now to a look at the amendments that are not in the managers’ package. I would like to address that issue with the Senate.

It is my understanding that Senator BAUCUS has an amendment that he wishes to have 20 minutes equally divided; Senator BINGMAN has two amendments; Senator BOXER’s amendment that was on the list is in the managers’ package; Senator BUMPERS’ amendment is on the list in the managers’ package; Senator BYRD has two amendments which are to be in the managers’ package: Senator DASCHELLE’s relevant amendments are withdrawn, as I understand it; Senator DODD has one amendment dealing with Army pensions which we have not seen; Senator DURBIN’s amendment on land conveyance is in the package; his amendment on veterans’ benefits and war powers will be opposed and we will have to deal with it; Senator DORGAN’s amendment on Indian incentive program is in the package, and I understand his second amendment will not be offered; Senator GRAHAM’s amendment on National Symphony is not in the package and would have to be debated; Senator GRAHAM has a land transfer amendment which is in the package now, and the space amendment, as I understand it, is the same as the amendment from Senator MACK, and that will have to be debated; Senator HARKIN has the outlay amendment, and the PPO amendment is in the package, the vets medals amendment we have not seen and we cannot discuss now; Senator HOLLINGS’ amendment will be accepted; Senator INOUYE’s manager’s amendment is in the managers’ package; Senator KERRY’s amendment in the managers’ package; Senator KERRY which we have not seen; Senator LEAHY’s amendment cannot be accepted; Senator REED’s amendment we have not seen; and Senator ROBB’s amendment on reimbursement we would like to discuss with Senator ROY— it is in the House bill; we prefer not to take it up at this time if we can avoid it—and Senator WELLSTONE’s amendment on child soldiers has been accepted, the domestic violence one has not been agreed to yet—we will have to discuss it with them.

Those are the amendments on the Democratic side.

Mr. FORD. Mr. President, would the Senator yield for a question?

Mr. STEVENS. Yes.

Mr. FORD. I was trying to keep up with you, with the Senator. Senator DODD has one as it relates to Lyme Disease.

Mr. STEVENS. That is in the package.

Mr. FORD. That is in the package?

Mr. STEVENS. Yes.

Mr. FORD. Then he still has two left.

Mr. STEVENS. I realize the relevant one is just a place holder.

Mr. FORD. I understand. That is correct.

Mr. INOUYE. Will the chairman yield? I am now working on an amendment for Senator CAROL MOSELEY-BRAUN. Can I discuss that with you later?

Mr. STEVENS. Yes. I would be happy to do that. The Senator has the right to an amendment in the managers’ package since it has been accepted?

Mr. STEVENS. It is there.

Mr. WELLSTONE. I am sorry.

Mr. STEVENS. The domestic violence one I do not think I have seen yet. That is also being reviewed by the Armed Services Committee and we cannot report that yet.

Mr. WELLSTONE. I say to my colleague, I am ready to debate it if you will, but let me know.

Mr. STEVENS. I could not hear you.

Mr. WELLSTONE. I say to my colleague, I am pleased to debate it if you want, but you just let me know.

Mr. LOTT. Mr. President, while the chairman is working on the list, I have a quick unanimous consent agreement we have worked out. I would like to go ahead and get that done while we have a break here.

UNANIMOUS CONSENT AGREEMENT—H.R. 629

Mr. LOTT. I ask unanimous consent that immediately after the conclusion of morning business, following the reconvening of the Senate from the August recess, the Senate proceed to the conference report to accompany the Texas Compact, H.R. 629, and that conference report be considered as having been read. I further ask that there be 4 hours of debate, equally divided, between the Senator from Minnesota, Senator WELLSTONE, and Senator HATCH, or their designees, and following the conclusion or yielding back of time, the Senate proceed to a vote on adoption of the conference report, without any intervening action or debate.

Now, I did not specify whether this would be Monday the 31st or Tuesday, September 1st. I need to talk further about the exact date with the Senators involved, and Senator DASCHELLE, but the first day we are back. And I appreciate the cooperation I received from Senator WELLSTONE on this UC.

Mr. WELLSTONE addressed the Chair.

The PRESIDING OFFICER. Is there objection?

Mr. WELLSTONE. I do not object. I would also like to thank the majority leader for his cooperation.