Commerce Committee has tentatively scheduled a markup session for June 15.

Senator GORTON and I are working with both the majority and minority members of the Senate Commerce Committee to come up with a manager's package that will meet the standards we have outlined and will be acceptable to as many members as possible.

As we work here in the Senate on this important legislation, I want to encourage my colleagues in the House of Representatives to move forward quickly on their legislation so this Congress can pass a bill this year.

One of the things that has been so important over the past year is that so many people have come together to improve pipeline safety. And while I don't have time to thank them all, I do want to mention a few.

First among them is Bellingham's Mayor Mark Asmundson, who has done more to educate the public and legislators about pipeline safety than anyone I know.

I also want to recognize Transportation Secretary Rodney Slater who stationed a pipeline inspector in my State after the accident, and DOT Inspector General Kenneth Mead, who issued a report at my request on the Office of Pipeline Safety.

I also thank the President and the Vice President for their leadership.

In particular, the Vice President took the time to learn about this issue when he was in my State. He recognizes its importance, and he sent the administration's pipeline safety bill to the Senate.

I also thank the rest of the Washington State delegation—which has come together across party lines to address this issue—particularly my colleague Senator GORTON, along with Representatives from our delegtion.

And of course, I want to recognize Washington State Governor, Gary Locke, for the work he has done to raise pipeline standards in our State.

Mr. President, one year has passed since the accident in Bellingham, WA, that you can see on the chart behind me.

We have made some progress, but we need to finish the job.

We need to pass a strong pipeline safety bill this year. We owe it to the people of Bellingham, the victim's families, and to the American people. As we mark the 1-year anniversary of the Bellingham explosion, we must answer the call of the families with a strong bill. Nothing can ease the pain of this anniversary for so many people in my State, but we can and we must use this occasion to enact stronger pipeline safety standards.

I yield the floor.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2001—Continued

The PRESIDING OFFICER. The Senator from Nebraska is recognized.

AMENDMENT NO. 3183

(Purpose: To repeal a limitation on retirement and dismantlement of strategic nuclear delivery systems)

Mr. KERREY. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Nebraska [Mr. KERREY], for himself, Mr. LEVIN, Mr. DASCHLE, Mr. HARKIN, Mr. KERRY, and Mr. DURBIN, proposes an amendment numbered 3183.

Mr. KERREY. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

Strike section 1017 and insert the following:

SEC. 1017. REPEAL OF LIMITATION ON RETIREMENT OR DISMANTLEMENT OF STRATEGIC NUCLEAR DELIVERY SYSTEMS IN EXCESS OF MILITARY REQUIREMENTS.

Section 1302 of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105–85; 111 Stat. 1948) is repealed.

The PRESIDING OFFICER. The Senator from Virginia.

AMENDMENT NO. 3184 TO AMENDMENT NO. 3183

Mr. WARNER. Mr. President, I send a second-degree amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Virginia [Mr. WARNER] proposes an amendment numbered 3184 to amendment No. 3183.

Mr. WARNER. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

In lieu of the language proposed to be inserted, insert the following:

"SEC. 1017. CORRECTION OF SCOPE OF WAIVER AUTHORITY FOR LIMITATION ON RETIREMENT OR DISMANTLEMENT OF STRATEGIC NUCLEAR DELIVERY SYSTEMS; AUTHORITY TO WAIVE LIMITATION

''(a) Section 1302(b) of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105–85; 111 Stat. 1948), as amended by section 1501(a) of the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106–65; 113 Stat. 806), is further amended by striking ''the application of the limitation in effect under paragraph (1)(B) or (3) of subsection (a), as the case may be,'' and inserting ''the application of the limitation in effect under subsection (a) to a strategic nuclear delivery system''.

''(b) AUTHORITY TO WAIVE LIMITATION ON RETIREMENT OR DISMANTLEMENT OF STRATEGIC NUCLEAR DELIVERY SYSTEMS.—After the submission of the report on the results of the nuclear posture review to Congress under section 1015(c)—

''(1) the Secretary of Defense shall, taking into consideration the results of the review, submit to the President a recommendation regarding whether the President should waive the limitation on the retirement or dismantlement of strategic nuclear delivery systems in section 1302 of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105–85; 111 Stat. 1948); and

''(2) the President, taking into consideration the results of the review and the recommendation made by the Secretary of Defense under paragraph (1), may waive the limitation referred to in that paragraph if the President determines that it is in the national security interests of the United States to do so.''.

Mr. KERREY. Mr. President, I ask for the yeas and nays on this amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The Senator from Nebraska is recognized.

Mr. KERREY. Mr. President, in 1998, the Congress, for the first time in the history of strategic nuclear weapons policy, imposed upon a President a limitation on what that President could do in terms of reducing nuclear weapons. It imposed a floor at the START I levels, which is roughly 6,000 strategic nuclear weapons. It said the President could not go below 6,000, unless and until the Duma ratified START II.

Last year, when I attempted to eliminate this restriction—which I believe is putting a position upon an Executive that would be very difficult to sustain if we were discussing this in the clear light of day, if it was understood by the American people that this was what we were doing—many people on that side of the aisle said: We believe this language will put pressure upon the Duma to ratify START II. The argument carried the day in a close vote of 54–46; the current policy was sustained. The language in the current law is section 1302 of the National Defense Authorization Act. It references that section 1017 of this particular legislation we are considering right now was held in law.

Well, since that time, the Duma has ratified START II. I expected to bring this language to the floor this year with open arms. It worked. We put in a floor and said the United States could not go any lower, declared victory, and the Duma ratified START II. Instead, we have an alternative proposal the Senator from Virginia has offered that has a certain amount of appeal because it requires a strategic review of our nuclear force structure. After that review, it gives the President authority, subject to what the review says, to waive the provisions of 1302 if the President says it is in the national security interest to do so.

It still puts us in a position—whether it is President Clinton or, if Vice President GORE wins the election, President GORE or, if Governor Bush wins, President Bush—the President will be prevented by Congress from reducing nuclear weapons below the START I levels, below 6,000, unless the President of the United States can accelerate a strategic review. I guess that is possible. I would like to find out from the authors of this second degree if that is their understanding. In other words,

could President Clinton satisfy the requirements of this amendment by saying: My Secretary of Defense and Secretary of Energy are going to do an accelerated review?

This language has to be concurrent with the quadrennial review and submitted no later than December 2001. Could the President accelerate that review on this particular question? If not, whoever the next President is, they are going to be held up at least until December of 2001 from doing so. That makes complete sense for America to do, in my judgment.

One of the most compelling things that happened on this subject prior to our leaving for our Memorial Day recess was a remarkable speech given by the likely Republican nominee for President, Governor Bush, followed by a speech at the Naval Academy given by Vice President GORE, the likely Democratic nominee for President. The comments, which I found to be very striking and very encouraging, indicate a significant shift in our policy if the Republican nominee has any influence over the Republican Party platform.

Governor George Bush, surrounded by the preeminent thinkers on the Republican side on nuclear strategy—former National Security Chief Brent Scowcroft, former Chairman of the Joint Chiefs Colin Powell, former Secretary of State George Shultz, and former Secretary of State Henry Kissinger—they were all there standing with Governor Bush as he said the following:

> America should rethink the requirements for nuclear deterrence in a new security environment. The premise of the Cold War nuclear targeting should no longer dictate the size of our arsenal. As President, I will ask the Secretary of Defense to conduct an assessment of our nuclear force posture and determine how best to meet our security needs. While the exact number of weapons can only come from such assessment, I will pursue the lowest possible numbers consistent with our national security.

If Governor Bush were President today, he would not think very kindly of Congress coming along and saying: We don't think you have been in office long enough; 9 years is not long enough, so we are going to ask you to do an additional review before you do what you say you are going to do here. It is an interference on the part of Congress at a time, in my view, that the President ought to be doing exactly what Governor Bush is suggesting; that is, to break out of the Cold War thinking, and has us saying we have to maintain our parity with the Russians; otherwise, it is not going to be possible to get the kind of arms control agreements we want to get.

I must say, I find much to be commended in many things I have heard on the other side of the aisle having to do with missile defense, believing that in an era when we begin to reduce nuclear weapons, accidental and unauthorized launches from rogue nations, or the threat of them, are likely to increase as we draw down our nuclear forces. Missile defense becomes, in my judgment at least, an even more compelling part of our arsenal.

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

Mr. STEVENS. Mr. President, I thank the Senator.

A MEMORIAL DAY OBLIGATION

Mr. STEVENS. Mr. President, I would like to carry out an obligation I made on Memorial Day at the Arlington National Cemetery services.

This statement was presented at the Arlington National Cemetery memorial service by the Flying Tigers of the 14th Air Force Association. It was in the form of a prayer that was entitled, ''Empty Cockpit; To our Departed Comrade.''

His is a place no one can take,
The void he leaves cannot be filled,
For the mark he made, stays, fresh on us,
Although his heart has stilled.

Though the years pursue their relentless course,
And images are replaced,
And memories grow dim and fade,
And time obscures that familiar face,
And even a name be forgot,
And the things he said, and did,
And lives more noble may come and go,
But what he was cannot be hid.

The lessons he unknowingly taught,
By being what he was,
Have certainly changed the lives he met,
As his life touched ours.

So that the course which they now take,
Points somehow higher than before,
A true and gently comrade,
Has opened an unknown door.

So although his life on Earth is done,
His heritage will not rust,
For parts of him, that was, remain,
And live on as part of us.

I thank the Chair. I made a commitment to repeat that here on the floor of the Senate. I appreciate the time.

Mr. KERREY. Mr. President, it is somewhat difficult to get back to the somewhat arcane subject of how many nuclear weapons are needed after listening to the recitation of the Senator from Alaska of a short, very moving statement that in many ways gets to the heart of the mood we ought to be in when we are discussing our defense authorization bill, which is not just trying to answer the question how we authorize and defend the United States of America but how we give honor to those who have given the highest and most in service to this country.

I appreciate very much the presentation by the Senator from Alaska of that memorial because I think it puts us indeed in the correct mood, which is, we ought to be writing this law so as to enable all of us to take action to defend the United States of America against all enemies, foreign and domestic, without regard to some previous ideology that we have held onto for a long time.

We ought to do the right thing and not worry about whether or not we are going to find ourselves subject to criticism as a consequence of some group saying we didn't do enough, or we have done too much, and so on and so forth. It is that kind of thinking that is required if we are going to get the right number of nuclear weapons. We spend $15 billion to $20 billion a year on our nuclear weapons force structure. It is an oppressive effort.

I happen to have the privilege of not just serving the people of the State of Nebraska but in the State of Nebraska is an effort and an organization known as STRATCOM. STRATCOM's entire mission is to operate the strategic nuclear force. The current STRATCOM CINC and I have a very good relationship, as I have with all other CINCs, because this mission is very important to the people of the State of Nebraska and to the people of the United States of America. I have had the opportunity on many occasions to be briefed, and I can state to my colleagues that we get our money's worth. These men and women work very hard. They are tireless in the execution of their duties. They want to make certain they follow the command and the orders that are given by the people's leaders—in this case, the Commander in Chief—who instruct STRATCOM on what to do through a Presidential directive. They are following orders.

They put together target requirements. They put together a list of requirements that are called SIOP. SIOP determines what targeting is being done. Then it comes back to us, and it says this is what we need in order to follow the civilian orders. They come to us and say these are the resources we need in order to be able to accomplish that objective.

It is very important for us to follow that because often times it will turn to the military. We turn to the STRATCOM and say such things as: Tell us the minimum level of deterrence. They come back and say: The minimum level is 2,500. We have to have 2,500 warheads.

Remember, that 2,500 number comes as a consequence of an order they have been given by a Presidential directive. They have been given an order. That is where it comes from. Change those requirements and the number of warheads is going to be changed. It may be that a Presidential directive comes and says we need more. I do not know. But right now, without the lengthy review—I appreciate the lengthy force structure review that is in this authorization. That is basically the substitute—that we have a lengthy review that is going to be done.

I urge my colleagues to think of several things.

One, the Russians, first of all, are no longer the military threat they were in the cold war. It is a democratic nation. They have had three elections. They just elected their second President. We have partnerships with them in many different areas. We want their experiment in democracy and free markets to succeed.

The chairman of the Armed Services Committee said earlier he believes the No. 1 threat to the United States of

America is political instability. It is uniquely the case. In Russia, that is the case. Our mood toward the Russians ought to be that we want to partner with them and help them be successful in making this transition from an economy run by a central government—a Politburo—to a political system that is not limited to a single party but one that has selected its leadership. They are trying to make a successful transition. They need the partnership and they need the assistance of the world's leading democracy to make that likely to occur.

No. 1, we are dealing with a dramatically different political situation. This is not the Soviet Union. It is Russia we are talking about.

No. 2, everybody who assesses Russia right now understands that as a consequence of the catastrophic failure of the Communist economic system, and as a consequence of a number of other things associated with the decisions made by their political leaders, they have barely enough money to be able to make payroll for a dramatically reduced military, let alone be able to allocate the resources—though they are modernizing in certain areas—and their ability to provide the early warning that is necessary is woefully deficient and is weakening every single day, leading up to the possibility of increasing the likelihood of a false warning to their leadership.

One of the things the President and President Putin agreed on is that we are going to have this site in Russia for the first time. But the Russians are going to be provided data that comes from U.S. computer analysis. They are not going to get it through their own system, or through their own overhead system, or through their own electronic surveillance; they are going to get it from us.

It is likely to give them slightly more confidence. But it is not going to give them the kind of confidence that is necessary when decisions have to be made very rapidly not to put a launch against the United States even though the warning they get may be a false warning.

The second thing colleagues need to understand as we think about imposing—that was a fundamental change in 1998—for the first time on the President that ''thou'' cannot go below the START I agreements, even though President Bush did it very successfully in 1991, is that we were not going to allow this President to do it in last year's debate. It was because we were putting pressure on the Duma to ratify. This year, it is a different argument that is being used; we are imposing upon the President an unusual and unprecedented restriction at a time when Russia is not able to come up with the resources they need to maintain the level at 6,000. They are begging us to go to 1,500.

It may not be in our interest to go to 1,500, but it is unquestionably in our interest to assist them to go to lower levels since they can't maintain the levels they have now. It increases, in a paradoxical fashion, the likelihood of an unauthorized accidental launch and decreases the likely effectiveness, if we are going to have one, of an effective missile defense system because the Russians aren't going to launch 10 or 20. The Russians aren't going to launch a relatively small number of not very accurate missiles, as rogue nations might. They have very highly accurate missile systems and large numbers of them. They would launch in the hundreds, or perhaps in the thousands, based upon a warning that may be inaccurate.

We are increasing the risk when we force the President to maintain at a START I level at a time when the Russians are saying we can't afford to maintain at that level and begging us to come to some kind of an agreement that enables them to go to lower levels.

The last argument: Again, if you take a commonsense approach to this and just say what the targeting requirements are.

A long time ago, or 6 months ago, much of this was classified. But increasing amounts of it are making their way into the public record.

It is a very interesting problem because, again, the number of nuclear warheads begins as a consequence of a Presidential directive. It goes to STRATCOM. That Presidential directive is then fairly precise language. But it still doesn't tell the exact number. It gives them a set of instructions that they then follow. They produce what is called a SIOP. That SIOP has been read by a very small number of elected representatives. Very few elected people look at the targeting requirement.

Recently, we have seen in published accounts some information which gives us some idea of the size of our capacity and the deadliness of our capacity.

I believe as well it is an unwise conclusion that we ought to maintain at our current level.

The Russian nuclear target of a 2,500 force structure would be slightly under the START II. START II would take us to 3,000. The Pentagon says we need 2,500 warheads. Again, that is based upon the Pentagon taking the Presidential directive they have been given at 2,500.

We have 1,100 nuclear weapons we would put on nuclear sites, 3,500 on conventional weapon sites, 160 on leadership, and 500 nuclear weapons on war-supporting industry.

These numbers tend to dull our thinking, making it difficult to assess just what it is we are talking about.

Let's reverse it. Say the Russians have targeted American territory with 160 nuclear weapons. They don't have a nuclear weapon in the strategic arsenal that is less than the 15-kiloton weapon dropped on Hiroshima. We dropped two weapons in 1945 that ended the war in the Pacific. We had a vested interest in that. My uncle was killed in the Philippines. My father was part of an occupation, instead of invasion force. I believe Truman did the right thing. Nonetheless, it is impressive that two 15-kiloton weapons ended the war in the Pacific. We are talking about hundreds in this case.

Imagine the Russians are only going to hit the United States with 160 nuclear weapons averaging 150 to 300 kilotons each. I don't need a complicated, detailed year-long strategic review to determine that 160 nuclear weapons hitting the United States of America would not just do slight damage; they would cause massive damage to our economy, to our political structures, to our social structures. They would produce monstrous losses to us.

Ask Alan Greenspan what it would do to the economy. He seems to be the most trusted person right now in trying to get American people to be concerned about things going on in the world. It would produce tremendous and devastating losses.

The same is true with Russia. Mr. President, 160 nuclear weapons inside of Russia would reduce Russia to a state of chaos. It wouldn't just damage their leadership and eliminate their leadership. It would do exactly the opposite, in my view, of what we would desire. It would produce the very political instability and chaos we seek to avoid. As a consequence, it likely would not be selected as an option, thereby producing, again, one of the great paradoxes of maintaining a defense system where we authorize $15 to $20 billion of scarce resources.

The chairman of the committee talked earlier about the possible need to allocate additional money for retirees' medical care. There is no question we look across the current conventional forces and we don't have to look far to find a situation where we are flying the wings off the planes. We are having a difficult time sustaining levels of readiness. We are short on the conventional side. At a time when we are short, I don't believe we ought to be expending precious resources into areas that are likely to be unnecessary or that are unlikely to be used.

I am arguing the President ought to go to lower levels. The President may disagree with me. In fact, up until now, the President has disagreed with me and hasn't gone to lower levels. That is why I was pleasantly surprised at that part of Governor Bush's speech prior to the Memorial Day recess where he said we ought to scrap the old cold war thinking. I agree. We need to assess what kind of weapons system we need to keep the people of the United States of America safe in light of the new political realities—not in light of the old mutual assured destruction reality, in light of the new political realities.

I believe without extensive and expensive nuclear review, we would reach a conclusion of significantly lowering. I don't believe this Congress under any circumstance, whether the President agrees with me or not, should be imposing this kind of restriction. It ties

the President's hands. It limits the President. It forces the President to do something that up until 1998 we had not required the President of the United States of America to do. Again there was an argument last year made that this would get the Duma to ratify START II on that basis.

I said earlier to the distinguished Senator from Virginia, I was hoping perhaps my amendment would be accepted, declare victory, and we shake hands and say we had a good argument and there is no need to go further. Indeed, I ask the Senator from Virginia, it may be that what I ought to do is vote for the Senator's substitute, depending on what it is the Senator proposed to do. In this amendment, it appears to be that the President would have the authority to waive the restrictions of 1302 after a comprehensive review was done. However, in the language of the Senator's amendment, it merely says this is supposed to be done concurrently with the quadrennial review and due to operate in 2001.

Does the Senator mean, therefore, that President Clinton couldn't ask Secretary Cohen and Secretary Richardson to do an accelerated comprehensive review of the nuclear force structure, and, as a consequence of that review, say perhaps the President says: I want to go to 5500, I want to go below because I think on that basis I could get the Russians to agree to accept changes in ABM that might even be acceptable to the Senator from Virginia —would that sort of accelerated review be possible? It appears it would be in the language of the Senator's amendment.

The PRESIDING OFFICER (Mr. ALLARD). The Senator from Virginia.

Mr. WARNER. Mr. President, I thank my colleague.

I remember so well when the Senator brought this up last year. This is a serious effort by one of the most serious, conscientious Senators with whom I have ever been privileged to serve and one for whom I have the highest personal and professional regard. As I said some months ago, this Senator, too, will miss him.

We are not trying to abridge, so to speak, the right of President Clinton. He is the President of the United States. Until the last day, the last hour, the last minute of his term of office, he is entitled to exercise the powers given to him under the Constitution. As the Senator knows so well, being a student of foreign and international affairs, the Constitution designates the President of the United States as that individual who is our chief foreign policy advisor, negotiator, the home realm authority that goes with the Presidency.

I don't wish to be critical, but I will be factual. The President simply did not, in the course of his administration, avail himself of the opportunity to do the indepth type of study that I and other colleagues think is necessary before any decision of the type the Senator describes be made.

As the Republican candidate, George W. Bush said he would move in some of the directions President Clinton has indicated in terms of trying to seek that level of reduction to the lowest level that still protects the security interests of this country. But George W. Bush would only do that after he had received the advice and counsel of the Department of Defense, and presumably his own Secretary. But Members of the Joint Chiefs would still be carrying forward, a number of them, from one administration to the other, and he would carefully counsel with them as he moved forward.

My point is, that study cannot be done in 30, 60, or 90 days, in my judgment, nor should it be done. Let's face it; we have elections coming this November. We have the heat that accompanies any election from the debates that take place between the candidates and, most specifically, the Presidential candidates. To try to overlay a decision of that magnitude and try to have a report generated in 30, 40, 60, 90 days is not, in my judgment, the wise thing to do.

Mr. KERREY. I appreciate that, but there is nothing in the Senator's amendment that would prevent——

Mr. WARNER. I beg your pardon?

Mr. KERREY. Let's say Governor Bush is elected and he comes into office and says I have Brent Scowcroft, Henry Kissinger, George Schultz, and Colin Powell. They have done a review from November to January and they have made a recommendation to go to lower levels. Does the amendment of the Senator allow a President-elect Bush to do that in short order?

Mr. WARNER. Mr. President, there is no constraint on the next President, be it President Bush or President Gore, within which time—I mean it is not next December. He can do it before next December.

Mr. KERREY. If that is the case, if it does not restrict the next President, it does not restrict this President. He could also do it. I have had a briefing on the review that was done in 1997, prior to the Helsinki meeting between President Clinton and President Yeltsin. That was a detailed review on the minimal deterrent level necessary, done by General Shalikashvili. I believe the chairman has had a briefing of that as well. That was a pretty indepth review, was it not? Do you regard that as a good review?

Mr. WARNER. I am not here to prejudge that review. I think it was done very carefully. But let me bring to the attention of my distinguished colleague, who spent great heroism in his career in the military himself, you should not try to make a decision with reference to the strategic capabilities of this country without reference, as needed in the quadrennial review, to the convention. In other words, you cannot just look at that in isolation. It has to be examined in the context of the totality of our military assets, and the quadrennial review has to be done and upgraded.

Mr. KERREY. I presume General Shalikashvili, in 1997, made that review.

Mr. WARNER. I am not in a position to say what he did or did not do.

Mr. KERREY. I would be very surprised, if the Chairman of the Joint Chiefs of Staff, in 1997, reviewing the minimal deterrent level, did not reference that minimal deterrent level to the rest of the conventional forces. This is a conventional Army officer who is the Chairman of the Joint Chiefs of Staff. My guess is that was a pretty detailed review. In fact, he came to the conclusion at that time that 2,500 is the minimal level that is necessary.

Mr. WARNER. The Senator repeatedly says he presumes. I am not here to act on presumptions. What I do know is the realities, and particularly the political realities that face this Nation of an election and a new President. In my opinion, it is the wiser course of action to defer such decisions as this until the next President is in office; he has his quadrennial review; he has his detailed study of our strategic arsenal. Then those decisions.

Mr. KERREY. Let me get this correctly. So the intent of this amendment is to prevent President Clinton from making any decision and to——

Mr. WARNER. We cannot block this President. Nor would we try.

Mr. KERREY. That is precisely what section 1302 does. Section 1302 says the President cannot go below the START I levels. For the first time, it restricted and tied the hands of a President in his own decisionmaking about strategic forces. That is what it did. I sought to strike it last year and was told the concern was the Duma might not ratify START II. They have done that.

It seems to me the language gives the President, this President—I am asking the question because it affects whether or not I simply just declare victory myself and support your second-degree amendment. If your second-degree amendment gives the President the flexibility to waive, if he says, ''I have already done that review and I will submit to Congress the review that was done by General Shalikashvili in 1997,'' it may be we have agreement here. But if you are saying the intent of the amendment is to say President Clinton, after having been Commander in Chief for 7 years, is not sufficiently prepared to make this decision, we need a further review before he can make it, then I couldn't support the second degree.

Mr. WARNER. I certainly cannot rely on a 1997 review as being up to date. Much has occurred in those 2 years, indeed over 2 years, to where we are today.

Let me give one example. The Russians are strapped financially. One of the principal motivations to go to a lower level, on behalf of the Russians, is they simply do not have the financial resources to maintain their existing arsenals—the readiness, the safety,

all aspects of those existing arsenals. That is the 1997 assessment. I would not accept that. I would not think President Clinton would want to accept it.

What I am telling the Senator is that I would like to reply in totality to the Senator's question by giving my statement and then we can perhaps continue this colloquy. Is that an option?

Mr. KERREY. That would be an option for me.

Mr. President, let me finish my statement, and I will yield to the Senator from Virginia.

Mr. WARNER. Fine.

Mr. KERREY. I am anxious to hear the statement. As I said, it may be—expecting that the chairman, the Senator from Virginia, after listening to last year's debate, would merely this year declare victory and allow this provision to be struck, it may be I should declare victory and accept this amendment, if it does not restrict the Commander in Chief who has had plenty of time to review it—and he may not. As I said, up to now he hasn't agreed that going to lower levels in exchange for ABM is a good strategy—and he may not. It may all be moot as far as I know. But if it does not restrict this President, or the incoming President, to make a determination prior to December 2001, it may be that I should declare victory and go home as well.

I want to repeat something I tried earlier to discuss. I do not think it is very well understood by many Members of Congress. I certainly do not think it is very well understood by the American people. I say that with great respect. It has been a voyage that has produced some surprising discoveries on my part as well. I am not suggesting I am smarter, more informed than anybody else. I am merely saying I spent time on this.

I am deeply concerned that the threat to the United States of America of an accidental and unauthorized launch from Russia goes up every single day that we maintain the force structure as high as we currently have. We have plenty of safety. We have plenty of redundancy. We have plenty of capacity to tell whether we are actually being attacked or whether the signals are false.

The Russians do not have any of that or they have a declining amount of it. We are forcing them to maintain at levels, in my view, that are increasing the danger to the people of the United States of America. The danger is enhanced as a consequence of our sort of presuming maybe there is no real risk.

I put these numbers out. This is the minimal level. This is what the Pentagon said in 1997. It is what the Pentagon is currently saying is still valid: That the minimal level we need in the number of warheads is 2,500. The reason we need 2,500 is, according to the people who do the targeting—again, they are doing the targeting based upon a Presidential directive, presumably evaluated by the Congress after we do the directing and tell them what needs to be done—there are 2,260 vital Russian nuclear targets.

These are on active alert. We are ready to attack. We are not talking about the kinds of missiles that might miss by a couple of miles. These things are going to hit. They are very accurate; they are very sophisticated; and they are very reliable. We have 1,100 nuclear targets. That is to say the Russians hold nuclear weapons. So 1,100 of our nuclear warheads —and we do not have one under 100 kilotons—are going to be targeted on 1,100 Russian nuclear sites.

Then there are conventional sites, conventional weapons sites—500 targets; 500 targets. I urge my colleagues to get a map out of Russia and try to come up with 500 targets on top of 1,100 targets of nuclear weapon sites. Part of this debate needs to be done in the open so we can do a commonsense check as to whether or not we have more than we actually need, again forcing the Russians to maintain more than they can control.

Mr. President, 160 leadership targets. These are the guys to whom we talk. We have a meeting with them: President Putin, would you agree to modify ABM? And oh, by the way, we have 160 nuclear weapons of 100 kilotons or more targeted on you and all the rest of the Russian leadership. Try to come up with 160 targets. Get a Russian map out and put 160 targets up, or 500 targets, on something called war-supporting industry. This is all published accounts. This is not me coming out of the Intelligence Committee or some top secret briefing; this is now published accounts of this targeting. It is vital for the American people to understand that; otherwise they are going to say to the Congress: Just keep doing what you are doing; it seems to be working.

The longer we continue doing what we are doing, the more likely it is that the horrible, unimaginable disaster occurs and that is an accidental unauthorized launch against the United States of America on the people of America and that the people suffer as a result.

I have no idea if President Clinton would do an expedited review and say: I am going to try to strike a deal with President Putin that will allow us to go to lower levels of ABM to solve the stalemate we have over missile defense. He may not take the option.

Whether he takes the option or not, I believe it is unwise for us to be tying the hands of President Clinton. I think it would be unwise to tie the hands of President Gore, President Bush, or any President in this fashion. We had never done it up to 1998. There may have been a compelling argument prior to the Duma's ratification of START II, but there is no longer a compelling argument, in my view, and it would be a mistake for us to have this continuing limitation.

I yield the floor.

The PRESIDING OFFICER (Mr. ENZI). The Chair recognizes the Senator from Virginia.

Mr. WARNER. I thank the distinguished Presiding Officer.

Mr. President, I am thoroughly enjoying this opportunity. It is an important amendment. Let me start by allowing those who are following the amendment to understand what it is our distinguished colleague wishes to do. By his amendment, he wishes to repeal the limitation on retirement or dismantlement of strategic nuclear delivery systems in excess of military requirements. ''Section 1302 of the National Defense Authorization Act for fiscal year 1998 is repealed.''

The thrust of what he is trying to repeal limits the President of the United States to certain levels of strategic systems. Are we agreed on that? Does the Senator have a copy?

Mr. KERREY. My amendment simply says:

Strike section 1017 and insert the following:

Sec. 1017. Repeal of Limitation on Retirement or Dismantlement—

Mr. WARNER. Does the Senator have a copy of section 1017 he can print in the RECORD?

Mr. KERREY. It is 1017 of the authorization—

Mr. WARNER. I understand that. The repeal of the limitation in a previous authorization act of 1998—does the Senator have a copy of 1998?

Mr. KERREY. Section 1302 of the Defense Authorization Act.

Mr. WARNER. Section 1302 of 1998. I left mine in the office inadvertently.

Mr. KERREY. Staff is searching, trying to get an answer. I do have it.

Mr. WARNER. My distinguished ranking member is always prepared. We want to make sure the Senator from Nebraska has a copy.

Mr. KERREY. The answer is yes. The Senator from Virginia and I are looking at, I believe, the same thing.

Mr. WARNER. That is correct. We are looking at the conference report for the 1998 authorization bill on page 330, section 1302, ''Limitation on Retirement or Dismantlement of Strategic Nuclear Delivery Systems.''

Mr. KERREY. I am looking at the public law.

Mr. WARNER. It is the same thing.

Mr. KERREY. My guess is it is pretty close.

Public Law 105–85 says:

(a) Funding Limitation.—Funds available to the Department of Defense may not be obligated or expended during fiscal year 1998 for retiring or dismantling, or for preparing to retire or dismantle, any of the following strategic nuclear delivery systems below the specified levels:

(1) 71 B–52H bomber aircraft.

(2) 18 Trident ballistic missile submarines.

I note that under current law, I believe you have given flexibility to go from 18 to 14; at least you have allowed it to happen.

(3) 500 Minuteman III intercontinental ballistic missiles.

(4) 50 Peacekeeper intercontinental ballistic missiles.

All of which total, by my rough calculation, slightly more than 6,000, which is the START limitation.

Mr. WARNER. Wouldn't the distinguished colleague from Nebraska say that there Congress expressed its will and put limitations on the powers of the President?

Mr. KERREY. Yes, I do.

Mr. WARNER. Fine, and that is precisely what the Senator wants to take out.

Mr. KERREY. Yes.

Mr. WARNER. Let us frame the argument from that. Congress has already done it. The question is: Should we continue, if we put this into permanent law now, so it is permanent? Am I not correct on that?

Mr. KERREY. The Senator is correct.

Mr. WARNER. The Senator from Virginia comes along and says there could be merit in waiving this and a future President should have the option to waive it, provided he does certain preliminary steps as outlined in the amendment of the Senator of Virginia. Are we agreeable with that interpretation?

Mr. KERREY. No, I would be agreeable if the Senator from Virginia says——

Mr. WARNER. We may not agree, but do we understand that is what I am endeavoring to do?

Mr. KERREY. That may be what you are endeavoring to do, but I am not sure your amendment does it. You are saying with your amendment that you want to make certain President Clinton cannot do it but future Presidents could.

Mr. WARNER. What I am saying, practically speaking, is I do not think President Clinton can do it in a judicious and effective way, given the time limitations between now and the end of his term of office.

Mr. KERREY. That is an interpretation on which perhaps we should have a colloquy. If we can reach a conclusion that the President could do an effective review in short order, it may be, as I said, that I am going to declare victory and go home and maybe support your second-degree amendment.

Mr. WARNER. In the first place, the law of the land is still intact until the Senate and, indeed, the House are in conference and the President signs this bill. At the moment, the law of the land precludes him from doing that.

What I am trying to offer is a relevant course of action whereby the next President has the opportunity to address this situation in the context of a fresh QDR and a fresh up-to-date analysis of all the strategic threats, what the other nations possess, and the like. That is effectively what I am trying to do.

Mr. KERREY. By effectively doing that, you are also saying that the current QDR, the current evaluation, is not valid; that the analysis that was done in 1997 by General Shalikashvili is not valid?

Mr. WARNER. I say it is outdated. Mr. President, 1994 is when the last assessment was made.

Mr. KERRY. Will my colleague permit a question?

Mr. WARNER. Mr. President, I also owe the Senator an answer on a procedural matter which I am prepared to, regrettably, give, but I will give it to him.

Mr. KERRY. I thank the distinguished Senator.

I want to follow up on what the Senator from Nebraska said, and I strongly support what the Senator from Nebraska is trying to achieve. I ask the Senator from Virginia if he will agree that START II was signed by the United States of America and was ratified.

Mr. WARNER. Factual.

Mr. KERRY. And the Senator agrees that now START II has also been ratified by the Russian Duma.

Mr. WARNER. But with certain appendages thereto.

Mr. KERRY. I agree. I understand.

The Senator is correct. The Russian Duma ratified START II with the understanding that they had to have the successor states to the ABM Treaty ultimately recognized by the United States, and there are a series of bilateral agreements they want us to ratify, and because the Senator from North Carolina, the chairman of the Foreign Relations Committee, is fundamentally opposed to these changes, we are stuck. But the larger interests of the United States of America are to make the world and this country safer.

We decided, as a matter of policy, I say to the Senator from Virginia, that the world will be safer if we move to reduce weapons to the levels of START II. In fact, it is the policy of the United States of America now to engage in negotiations toward START III, but no one whom I know, who is rational at least—and I absolutely include the distinguished chairman of the Armed Services Committee as among the most rational and most thoughtful people on this subject—nobody is suggesting that we would not want to reduce from the level of 6,000-plus warheads and try to move in the direction of START II. I assume the Senator agrees.

Mr. WARNER. I simply say to my distinguished colleague, before this Senator expresses a view on that, I want to see a new quadrennial review, as well as a new analysis of our strategic system. I will not commit to any numbers at this time until I see that. That is essentially what our candidate George W. Bush has said.

Mr. KERRY. I interpret what the candidate, George W. Bush, said somewhat differently, and I read his speech closely the other day.

It was my understanding he said he is prepared to unilaterally reduce weapons no matter what the Russians do. He also wants to accompany that with a fairly robust national missile defense system.

I again say to my colleague, I think the Senator from Nebraska is on target. Look, the former Soviet Union, what remains of it, Russia, has an extraordinarily weak command and control system.

As a current member of the Intelligence Committee, and the Senator from Virginia shares that, we know full well that one of the greatest single threats to the United States of America today is threat reduction efforts. To suggest that the United States, that our citizens, are safer with more warheads and more active missiles being left in place, with an army that is not being paid, with command and control that is disintegrating and degrading, is a very hard thing for me to understand.

Mr. WARNER. Mr. President, if I might reply, I raised that issue earlier. One of the reasons, motivations for the Russians to drive to lower figures as soon as they can possibly get there is the inability fiscally to maintain their own structure in a readiness posture, which equates to what they have had in years past.

Mr. KERRY. I agree.

Mr. WARNER. That is a risk.

Mr. KERRY. But I ask my colleague, if you understand their economic need, because they cannot maintain the warheads properly, and we are worried about accidental launch, how can you then want to prohibit the President of the United States from conceivably making us safer by wanting to mutually move to a level where we are both safer because we have a number of missiles that are able to be maintained properly and the balance of power is correct?

Mr. WARNER. I give to my colleague two responses: No. 1—and I am not trying to be critical of this President's administration—why didn't they do that several years ago? Because the deterioration of the infrastructure and the financial situation in Russia has been an ongoing situation for several years. It commenced under Yeltsin.

Mr. KERRY. Absolutely.

Mr. WARNER. Why didn't your President take those initiatives several years ago?

What I am saying to you now is, before this President or any other President begins to make an assessment of a magnitude such as this, they better have in place an up-to-date analysis. That is essentially what I am saying.

For the record, I would like to read from the George W. Bush statement:

> As President, I will ask the Secretary of Defense to conduct an assessment on our nuclear posture and determine how best to meet our security needs. While the exact number of weapons can come only from such an assessment, I will pursue the lowest possible number consistent with our national security.

Mr. KERRY. Mr. President, it is ironic that a Democrat would be here interpreting the words of the putative Republican nominee. But let me say to my colleague, he very clearly talked about unilateral reductions. His father, President Bush, also was supportive of and negotiated the policy of START II and wanted to move in that direction.

Now START II takes us down to 3,000 warheads. I do not know anybody in

the world of nuclear assessments—you look at the SIOPs. I think there are public targeting figures that do not violate classification. But I will be careful with this because I do not want to violate it.

Let me just say that the Senator well knows that the SIOPs plans of the United States have a number of targets that are well taken care of by the current levels of START II, which is why the Joint Chiefs of Staff, the Pentagon, and everybody signed off on it.

In today's world, in a non-cold-war world, the greatest threat is a rusty freighter hobbling its way into New York Harbor, or nearby, and has the potential to launch a cruise missile at us, or the greater threat is some group of terrorists assembling in New York the multiple parts of a nuclear weapon and holding us hostage, or, as we saw in Japan with the sarin gas attack, terrorists who want to cripple the community through chemical or biological warfare.

Those threats chill me far more than the concept of reducing to 3,000 weapons over the course of the next years. It is going to happen. No matter what the Senator from Virginia says about the next quadrennial review, I am willing to bet my seat in the Senate that this country is going to move, together with others, to reduce the levels of weapons to at least 3,000. The debate today is not whether we ought to be at 3,000. The debate today is whether or not 1,000, 1,500, 2,200 to 2,500 are the appropriate levels.

So why on Earth we would want to hobble the ability of the President of the United States to make this country safer by reducing to the level already agreed upon by Republican and Democrat negotiators alike is absolutely beyond me.

Mr. WARNER. Mr. President, I simply say to my colleague, the Congress has done it. Why do we want to hobble? They did it. Last year our colleague brought up the amendment, vigorously argued it, and it was defeated. So Congress did it again.

Mr. KERRY. There was a reason, Mr. President. It is because the Russian Duma had not ratified. Everybody understood the rationale for that. But now they have ratified it. And the only restraint on our moving to a safer world is the fact that the Senate Foreign Relations chairman is unwilling to bring it to the floor.

Mr. WARNER. I am not going to single out the Foreign Relations chairman, but I make the following observation. That is, this is the law of the land. We are giving the opportunity to the next President to do the necessary studies.

Supposing President Clinton took such actions, which under the Constitution I presume he can—except that the law is pretty explicit here, unless it is repealed—and laid down a set of numbers which the next President, whomever it may be, finds unacceptable after he does the requisite studies, not only of the nuclear posture but also the conventional. You have to do them together. Then what happens?

The next President is faced with the dilemma of trying to refute what President Clinton did. That would be the worst of both worlds.

Mr. KERRY. May I ask the distinguished Senator from Virginia, with all his years of experience—he has been on the inside of these negotiations; there is nobody with a stronger career with respect to this—can he really say to me, in this current climate, with the problems of the Russians in reducing and maintaining their current weapons, he can really envision the scenario which would require us to reverse a builddown to the 3,000 level?

Mr. WARNER. First, I thank my colleague for his comments with regard to me. But, No. 1, I never commented on SIOPs. I think that is a classification that should not in any way be breached.

Mr. ALLARD. Will the Senator from Virginia yield?

Mr. WARNER. Let me finish. Then, not addressing the SIOPs in any way—I think you understand why we should not do that—I believe that it is unwise, given the current posture of the studies and the fact that on the face they are not up to date—certainly there has been no revelation that these studies are up to date—that we should be making decisions with regard to numbers at this time. I simply will not put my finger on any particular number. Your assumption is reasonable, but I am not going to accede to it.

Mr. KERRY. Let me say to my friend, he talks about the law of the land. When you sign a treaty and the Senate has ratified it, it is the law of the land. Technically speaking, under international law, it is the law of the land when you sign it. When it is ratified, it is even more so the law of the land.

I realize that technically speaking the SALT II does not, in effect, go into full effect until we pass on the codicils. But that is such a technicality in the context of what we are trying to achieve in the world. We are the leader of the free world. We used to be the most important force in the world for nonproliferation efforts. We used to make the most important efforts to try to encourage other countries to toe the line on nuclear weapons.

If we are now going to suggest that having put into law and ratified a treaty, we are unwilling to reduce these levels of nuclear weapons at a time we know Russia is growing more and more unsafe in its capacity to maintain them, we are not acting in the interests of the American people and making them safer.

I say respectfully to my friend from Virginia, in the next 6 months there is ample opportunity for any President to step in, a new President, and say: I do not want to continue these levels. But we have an opportunity here to make the law of the land on this bill in effect carry through properly. I strongly hope my colleagues will do so because it is the right thing to do.

I thank the Senator from Nebraska.

Mr. WARNER. Mr. President, I have enjoyed my colloquy with my distinguished colleague from Massachusetts.

I would like to present my amendment at an appropriate time. Has the presentation of the presenter, the distinguished Senator from Nebraska, concluded?

Is this an appropriate juncture, because I don't want to encroach on the opportunity for him to fully give his presentation?

Mr. KERREY. The Senator is not encroaching. I stand by and look forward to his argument.

Mr. WARNER. I see the distinguished chairman of the subcommittee on strategic affairs seeking some recognition. I would like to accommodate him. I have had more than adequate opportunity to debate these points.

Mr. ALLARD. Mr. President, I want to point out that the Strategic Subcommittee, which I chair, has been realizing that times are changing and we need to reevaluate and reassess our nuclear forces. In fact, if you look in the bill, we have set up a couple of studies: a revised nuclear posture review in section 1015. Another is a plan for a long-term sustainment of modernization of U.S. strategic nuclear forces in section 1016.

We recognize that times are changing. But this is very serious business. When you are talking about a balance of power between the United States and the rest of the world—and in this particular case, Russia, the former U.S.S.R.—we are talking about very serious business. I don't think this decision should be made by one person. That is why we have set up this posture review process. We suggested it in the bill we have introduced in the full committee and now it is part of the bill. Apparently, this sort of mantle was picked up by Presidential candidate George W. Bush. An important part of his comments is that there be a posture review, a careful analysis of where we are with our nuclear forces. I think your amendment is carrying forward with what the Strategic Subcommittee suggests and the Armed Services Committee and even candidate for the Presidency George W. Bush.

I support the chairman in his amendment to ask for a posture review before we move forward. If I am not a cosponsor on that amendment, I will ask that I be added because I think it is very important. No matter who is President, I don't think one single person should be making these decisions without a careful review from those people who know what they are doing in the Department of Defense.

As I understand the chairman's amendment, it does call for that very careful review. There is one thing I would like to comment on before I yield. The Warner substitute amendment, as I understand it, would provide

authority for the President to waive the limitations in current law regarding the retirement of strategic nuclear delivery systems once the Secretary of Defense has completed the Nuclear Posture Review required by section 1015, which I referred to earlier in my comments. The amendment of the Senator from Nebraska, as I understand it, would not be consistent with the policy enunciated by Governor Bush, nor would it satisfy the concerns that Congress has raised for the last 5 years. It would lead to misguided and uninformed reductions, in my view, rather than a force posture based on careful review of all our strategic requirements and how these relate to our overall national military policy. I think the chairman is headed in the right direction.

Mr. WARNER. Mr. President, if I may, I will make one observation and then I will step back. This provision in the bill that is currently before the Senate was done in, first, the subcommittee of which the Senator is chairman.

Mr. ALLARD. That is correct.

Mr. WARNER. It was brought to a markup, at which time any Senators on that side of the aisle could have objected to it. There was no objection. In fact, as I have looked at the record, it was accepted and voted on unanimously by the entire committee, recognizing the importance of having such a review done timely before any analysis could be made as to future levels of weaponry; am I not correct?

Mr. ALLARD. That is correct. This issue was not brought up in subcommittee or full committee that I recall.

Mr. LEVIN. If the Senator will yield on that narrow point, this language was significantly amended in committee, if I may say so. It wasn't offered in that form. It was amended. This language here is not the issue. The issue is that the amendment of the Senator from Virginia says that this President and the next President cannot take an action until after a certain action is taken at the end of 2001. That was never discussed in committee. It is not part——

Mr. WARNER. Any time before. It doesn't limit it to the end of 2001. It could be done earlier on.

Mr. LEVIN. Oh, it can be?

Mr. WARNER. With the next President.

Mr. KERREY. Mr. President, if the Senator will yield on that, the language of the Senator's amendment doesn't say that. That was the question I was going to ask the Senator from Colorado. It doesn't preclude the President from doing a review before December 2001. The Senator from Virginia was saying so long as it is GORE or Bush, it is OK; but if it is Clinton, it is not.

This is June 6, the day Franklin Delano Roosevelt, while going through a Presidential campaign, authorized the landing on the beaches of Normandy. There was bipartisan support for it. He was running against Dewey at the time, and he was courageous enough to say we were going to have a bipartisan foreign policy.

The thing that concerns me is that we are losing that. We are saying President Clinton can't do it. If it is Bush or GORE, fine, they can do it, but Clinton can't. I think that is a signal that we are not willing—for example, the Senator said earlier President Bush signed START II after the November election and authorized troops to go to Somalia late in his term. We understood it was late in his term and that he might not have won the election, but, by gosh, the President had the authority to make these decisions right up to the end of his term. This amendment seems to be saying, although I think the language of the amendment—I am trying to ascertain whether or not I should vote for this amendment because it appears the language would allow the President to do an expedited review. It doesn't say he can't have it done earlier. It may be that the Senator's intent is to prevent President Clinton from doing it. But I don't believe the language of the amendment does that.

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

Mr. ALLARD. I thought the Senator from Virginia was controlling the time.

Mr. KERREY. I ask the Senator from Colorado, is it his understanding that this language would prevent a President Bush from doing a review that could be done in 60 days from, let's say, either the time of his election or the time he is sworn in as President? Would it prevent an expedited review? Say he has Colin Powell or former National Security Adviser Brent Scowcroft and Henry Kissinger and George Shultz advising him, and the four of them say we believe he ought to go to 5,000, and the Secretary of Energy is going to notify Bush on February 1; would your amendment preclude that?

Mr. ALLARD. In my view, and the way I read the amendment—and I think you are missing the main point of the amendment—is that you have a careful review before making a decision. From a practical standpoint, hopefully, it is not going to be an easy decision arrived at. If you are using February as an example, I think it may be possible, because if you look into it, it says after the quadrennial review of 2001.

Mr. KERREY. No. It says concurrent, which, as I read the language of this amendment, would cause me not to vote for it. It doesn't preclude President Clinton or Bush or GORE from saying we can finish that part of the review faster than the rest of the review and have the Secretary of Energy submit it to Congress for congressional consideration. By the way, you can strike this provision and there is no guarantee at all that President Clinton is going to take any action. He hasn't thus far. He hasn't asked for authority.

Mr. ALLARD. The important point is that we have careful review of our nuclear posture. I think it should be done with a lot of consultation with a lot of different people, other than only the President and his immediate surrounding staff. I think the amendment of Senator WARNER does that. I think it is certainly compatible and consistent with what the committee has been thinking in terms of the studies they think are necessary, both in long-term as well as short-term posturing with the nuclear forces. Personally, I think probably there is going to be an opportunity for us to reduce some of our nuclear forces. But it has to be done with a lot of forethought and careful study. I don't think we are going to solve that on the Senate floor. I think it is going to take people who know and understand all the details of the program—both ours as well as throughout the world—to make this decision. I don't think it can be made quickly.

Mr. KERREY. The Senator's answer is yes, for a new President. He could do it as long as he is satisfied with the definition of ''careful review.'' He could do it prior to December of 2001. According to this amendment, it has to be submitted by 2001. So a careful review could be done before December 2001.

I am trying to get the Senator to talk me into voting for his amendment. That is what I am attempting to do here. If the answer is yes, as it appears to be, you may not want President Clinton to make the decision. By the way, I think it is unlikely that he will. He hasn't thus far.

I just think it would not be a good thing for us to say that we are going to put a restriction on this President that we are not going to put on the President-elect, whoever that happens to be.

Mr. ALLARD. I would like to respond to that. On page 4 of the Warner amendment, it says after submission of a report, consult with the new Congress in subsection (c).

I think if those positions are met, we can move forward.

Mr. WARNER. Mr. President, if I might interject myself, as this is drawn, I can easily amend it so that the next President can bring about the necessary infrastructure of studies and have them completed on a timetable to accelerate it so it is not tied to December. The way this is drawn, it is due in December. But I do not interpret that to preclude an earlier assessment by the next President.

What I say to the Senator most respectfully is, practically speaking, under the current administration you have several years in which to do this work and bring it up to date. It simply has not been done.

I just think, practically speaking, this President would be ill-advised to try in the remaining period of a few months to do this type of important thing and to have these studies suddenly brought up.

Mr. KERREY. First of all, I think it would be a very unwise thing to do.

Again, as I indicated earlier, President Bush took action on START II after the election of 1992. President Bush committed troops to Somalia late in his term without getting my objection to do it. I wasn't going to draw a line in the sand late in his term if he saw a threat to this Nation. And if he had a policy, I would agree with that policy. I was not going to prevent him from doing it simply because it would be late. I think that would be inadvisable.

I look at the language of the amendment. I don't see any need to do in the amendment what the Senator is saying. It seems to me that the language of the amendment says it has to be submitted by December 2001, but also there is language in there precluding President Clinton, if he could, to accelerate a review if he chose to.

I am trying to get the Senator to talk me into voting for his amendment because it seems to me the language of his amendment would allow the President, if he chose to, to do the review just as President-elect Bush or President-elect GORE could do.

Mr. WARNER. I think the Senator from Nebraska has carefully pointed out that some clarification of this December timeframe is desirable. I will begin to draft it immediately and hope he can accept some.

Mr. KERREY. Mr. President, it is not desirable, if the Senator from Virginia seeks to get additional support. I am saying that as long as he keeps the language the way it is right now, I can interpret this in a way that allows President Clinton to do so if he chooses. Again, I say to my good friends on that side that President Clinton hasn't indicated any desire to do so.

Why would we want to draft this amendment so that it prevented an existing President from doing something that a new President could do if the existing President hasn't demonstrated any willingness to do so in the first place?

It seems to me if Congress is saying we just do not trust this particular President, and we are not going to allow him to do that, it is a very bad signal. It signals to people that may have a bad intent toward the United States of America that they might be able to get away with things. They might be able to do things in this current environment as a consequence of Congress not willing to allow what normally the Commander in Chief would be allowed to do.

The PRESIDING OFFICER. The Chair recognizes the Senator from Arizona.

Mr. KYL. Mr. President, as a cosponsor of the Warner amendment, maybe I can offer a little solace to my colleague from Nebraska, which I think is consistent with the intent of the chairman of the Armed Services Committee.

First of all, as the Senator from Colorado pointed out, the primary point of the Warner amendment is to ensure that two specific studies are done; that this cannot be done just on the certification of the President. That is the primary distinction between this amendment and the amendment from the Senator from Nebraska.

With respect to those two studies, one of them is the quadrennial review. That is the review that Congress now requires of the President every 4 years. It is a very long set of requirements that take all of the defense needs of the country into account in a coordinated, structured way.

It is in that context that I believe, incidentally, Governor Bush would probably want to have this review done. I can't speak for Governor Bush. But I am certain after having talked to him that he has in mind approaching our defense structure generally in a somewhat different way than the past administration has. He has some different strategies in mind.

My guess is that he would want the nuclear review to be done consistent with the quadrennial review so that the Nuclear Posture Review would be coordinated with the quadrennial review. That is precisely what the Warner amendment calls for. It says:

> The secretary of defense shall submit to Congress in unclassified and classified forms as necessary a report on the result of the Nuclear Posture Review concurrently with the Quadrennial Defense Review due in December of 2001.

The Senator from Nebraska is quite correct. That report would be accelerated some. As a practical matter, however, it is not going to be accelerated to the point that would occur in the year 2000, and as a result it would, in fact, occur during the next administration—not this administration, the way the amendment is written, at least as I read it.

While it does not tie the Nuclear Posture Review to a specific date, it does say that it should be submitted concurrently with the QDR, whenever that happens to be submitted.

I think that is the answer to the Senator's question. I think this is a very reasonable approach. I hope the Senator will support the amendment for that reason.

I again go back to primarily the point that was made, and that is that we have two different approaches. One relies on just the certification of the President that he thinks this is a good thing to do. The other specifically requires him to do the Nuclear Posture Review and the quadrennial review and to submit those two concurrently. Then the President can, if need be, bring the force structure down.

I would like to make one other point, if I could. If the Senator from Nebraska wishes to interrupt me, that is fine.

The second point I want to make is this: There is a tendency to speak in just sort of hypothetical terms about numbers: Well, 6,000 is a lot or 3,000 seems more reasonable.

What everyone really needs to understand is that we are talking about one of the most complex sets of interrelated considerations that exist in our defense strategic posture.

The Senator from Nebraska, as the vice chairman of the Intelligence Committee until very recently, appreciates this point as well as anyone. I know that. Among the things that have to be considered, for example, in bringing the number of warheads down, are two things: First, though we all talk in terms of warheads, the Senator from Nebraska knows and the chairman of the Armed Services Committee knows that isn't what we really count. We count delivery systems. Those delivery systems include ICBMs, missiles on submarines, and bombers, which are the three legs of the triad that deliver the warheads.

Here is just one consideration that goes into this equation. The United States has a need to project its conventional forces. We are the superpower of the world. We try to keep peace in parts of the world when other nations cannot do so because among other things, we have the reach to get to those places. We recently involved those forces in Kosovo, and before that we did it in the gulf war. In both cases we used our bomber forces.

Some of these bomber forces, such as the B–2 bomber, clearly count in terms of strategic warheads. If we were to bring the strategic warheads down too far, the result of that would be to take out of service bombers which we need not just for strategic purposes but for conventional purposes as well.

That is why this gets to be a pretty complicated matter and why it shouldn't be done quickly. It certainly shouldn't be done merely for political reasons. I am not suggesting that any President would do that.

That is why clearly a Nuclear Posture Review is critical to any proposal that the President would make in this regard or any decision he would announce. Because you are talking about the interrelationship between conventional and strategic forces, you should tie this to the QDR as well.

That is why the Warner amendment very wisely says the Nuclear Posture Review, and the quadrennial review should be submitted concurrently, and that when they are, the President could make a decision to reduce our warheads below that called for by this agreement.

One more point in response to a point that the Senator from Massachusetts made earlier. The inference of his remarks was now that START II has been ratified by both the United States and Russia, there is no reason why we can't bring these warhead numbers down. But that is not true. START II has not been ratified unconditionally by the Duma. The Duma in Russia ratified START II with conditions, and until those conditions are satisfied, Russia will not submit its articles of ratification. They will not become effective. Until they are deposited with the appropriate international body, and I believe it is Geneva, Switzerland,

the Duma ratification of START II is not effective. It is conditional upon two things that the U.S. won't approve: the so-called multilateralization agreement and another agreement which limits the way in which our tactical missile defenses could be arrayed.

We are at a stalemate in terms of START II. That is why it is inaccurate to argue that since both countries have now ratified START II, the President might as well bring the numbers down. That is not true. There may be good reason to bring those numbers down irrespective of START II, but it is not an argument that because both countries have ratified START II, now the President should bring the warhead numbers down. In point of fact, START II has not yet been legally ratified by Russia.

The bottom line is I agree with President Bush. I take it, to some extent based upon what I know of Senator KERREY's comments, that we ought to make a determination which makes sense for America. The world is different now than it used to be. The President ought to, upon proper review, determine the size of our nuclear strategic forces.

Where I think perhaps we may have a disagreement, although perhaps he now is convinced, is that rather than simply saying the President can have that authority and can exercise it irrespective of what the Congress did last year in passing the law that said no, rather than taking that approach, it makes much more sense to ensure that the President makes this decision with the calm, cool reflection of the quadrennial review and the strategic nuclear posture review having been done. When those two things are done and submitted concurrently, it will be an appropriate time for the President then to make this decision.

Mr. KERREY. First, I appreciate very much the statement of the Senator from Arizona. We have been together on a number of occasions before the intelligence committee and in the public environment talking about the threat of the missiles, especially from rogue states. I have enjoyed those associations very much.

He is quite right; the systems are extremely complicated. We do talk about warheads and we ought to focus on the platforms. One of the problems is that it is very rare we have a chance to focus on any of these. It is debated too little, in my view. These are not bullets; these are very complicated systems. If you are the STRATCOM, you have a Presidential directive that tells you what you are supposed to do. Again, that is where it all begins, with a Presidential directive and a PPD 60 that was updated during the Clinton administration. You set forth talents. You are the CINC in charge of this. You have ICBMs, submarine launch ballistic missiles; you have your bombers at your disposal; and you are calculating whether they will be reliable, whether they are available, whether they will be able to do what that Presidential directive says you have to do. I am challenging the Presidential directive, the policy itself.

As I understand it, I thought earlier we could have some flexibility in this amendment. I am uncomfortable tying this thing to quadrennial review. I don't want to speak for the administration. I am not on the Armed Services Committee so I haven't been there when they made the presentations, but I have, as a consequence of being provoked to do so, requested a briefing from STRATCOM that was given to General Shalikashvili in 1997 and was presented to the Armed Services Committee. I believe both the chairman and ranking member received that briefing, as well. I am satisfied that is a current analysis. I am satisfied that it needs relatively little attention.

I don't agree with what the chairman has said, saying that the President has not been evaluating this over the last 7 years. He has arms control negotiators. In fact, he has resisted pressure from this side of the aisle to do the very thing I am talking about right now. He has been unwilling to do it; he has been unwilling to go lower, to do the thing that President Bush did in 1991.

I am not certain, even if this section were stricken, that the President would take any action, but I am not willing to accept that there hasn't been a sufficient amount of review done on this, and I think it would be unwise, as I hear now, not only restricting President Clinton but restricting President-elect Bush or President-elect GORE.

Earlier in a colloquy with the author of the amendment, it seemed there was some flexibility. But I hear the Senator from Arizona saying, no, there is not; it would have to be submitted concurrent with the quadrennial review, which is expected in December of 2001, and it may not be done 2001. It could take longer than December of 2001. We are saying that the current President and future Presidents could not, if they got an attractive offer from the Russians to accept the kind of modifications in ABM that permit a vigorous deployment of missile defense along the lines of what Governor Bush is talking about, this would prohibit Governor Bush from doing that unless we came in and changed the law again.

I think we should not be tying the hands of the President in these kinds of negotiations. What current law does, as modified by the Senator from Virginia, is to untie it slightly, but as I understand it now and if the Senator from Virginia agrees regarding the explanation of the Senator from Arizona in an earlier evaluation, that could not be done, but only submitted concurrent with the submission of the quadrennial review.

Mr. LEVIN. Will the Senator yield?

Mr. KERREY. I yield.

Mr. LEVIN. My understanding is the Senator from Arizona and the Senator from Virginia would have to make a decision on this because it is his amendment. But my understanding is that the decision of the President to lower the force structure—what he negotiates is a totally different issue. We are not limiting what the President can negotiate in terms of a treaty which will then be submitted to the Senate.

We are talking about a force structure which has to be maintained, subject to being changed either by treaty when ratified becomes the law of the land, or by a subsequent law.

What this language does, as I understand it, and I think I partly agree with the Senator from Arizona, is that he could not lower the force structure until that Quadrennial Defense Review and Nuclear Posture Review are submitted. I think that is the way the amendment reads.

However, I think I agree with what the Senator from Virginia suggested before, which is if that Quadrennial Defense Review and Nuclear Posture Review is submitted before December of 2001, at that point this waiver could be exercised by a President.

Mr. KYL. That is exactly my understanding, too. That is precisely the way I think it reads.

Mr. LEVIN. Will the Senator yield for a question?

Mr. KERREY. I am pleased to yield.

Mr. LEVIN. What is interesting to me is that there has been an argument from the Senator from Virginia and our good friend from Arizona that there should be a review; until there is a review, there should not be a reduction in our force from START I levels.

Mr. WARNER. That is correct.

Mr. LEVIN. There was a review in 1994—1994. In 1994, the START II level was deemed to be adequate by the chiefs. There was a nuclear posture review in 1994.

Then, in 1996, we come along and say you can't go to START II levels. You have to stay with START I levels, we said, by law—by law.

So we had this thoughtful Nuclear Posture Review that took place in 1994, but we won't let a Commander in Chief implement that Nuclear Posture Review, which was thoughtfully carried out and which supported the START II levels in 1994 because we came along a year and a half later and said you have to stick with the START I levels.

Now the chiefs are very much opposed to that requirement in law that restricts us to START I levels, the higher levels, and doesn't allow a Commander in Chief to go to the START II levels. They have written us, and they have testified. Here is General Shelton:

> I would definitely oppose inclusion of any language that mandates specific force structure levels.

General Shelton:

> The Service Chiefs and I feel it is time to consider options that will reduce the strategic forces to the levels recommended by the Nuclear Posture Review.

That was 1994. He went on:

> The START I legislative restraint will need to be removed before we can pursue these options. Major costs will be incurred if we remain at START I levels.

So we required that they stick at START I levels, in 1996. And then some of us now are critical of the Commander in Chief for not going to a different force structure. We are saying: Well, that's the law. We passed the law. We require him to stay at the START I levels. And now some of us criticize him for trying to do something precipitously, without adequate study.

There was an adequate study. It was called a Nuclear Posture Review in 1994, which said the START II levels were adequate for the security of this country. We will not let him go to the START II levels. Then, as my good friend from Nebraska points out, in 1997 there was an additional review. I do not think any of us want to suggest the chiefs did not do a thoughtful review in 1997, saying we could safely go, in a START III agreement, to a lower level than START II. But we are stuck at START I. We are at START I levels. Now we are saying we will let the next President go to a lower level than START I, but not this, because we want it to be thoughtful, when we had a thoughtful review in 1994. We will not let them go on. We had a thoughtful review in 1997 to which we won't let him go.

Of course, it should be thoughtful. We have had two of them right in the RECORD, right before us, that we are saying, in the Kerrey amendment, to which we ought to allow a Commander in Chief to go. We have the Chiefs saying they want the option to go to the START II levels. Unless we say the chiefs do not act thoughtfully—and I do not think anybody in this Chamber wants to take that position—then it seems to me we should allow a Commander in Chief to go to the thoughtful Posture Review level of 1994 and the thoughtful 1997 level.

So the first thing we need to do is interpret what this amendment means. I do not know if Senator WARNER agrees with this, but I think Senator KYL has suggested the way I phrased that interpretation was accurate. I would be asking a question, even though Senator KERREY has the floor, of Senator WARNER, whether he agrees with Senator KYL's interpretation of the Warner amendment.

Mr. KERREY. Let me ask Senator WARNER the question.

Mr. WARNER. I ask my colleague to restate his position for clarity, and then I will clearly indicate.

Mr. KERREY. In answering the question of the Senator from Michigan, that portion that was directed to me at least, first of all I say you are right. I think the question is, Do we need an additional review, more than we have already had, to support a President if the President decides to go at lower levels? That is what this amendment says. This amendment says we need additional review and it needs to be more thoughtful than we have had thus far.

I am prepared to say, with the little I know—you know more than I on this subject—that we have had thoughtful and serous review done. What the amendment does is it ties the hands of a President, this President and the President-elect, if we have to wait for it to be submitted concurrently with the quadrennial review, and it weakens him as a consequence. It says to the people who are negotiating with him, if an offer is put on the table by this President that is different from what the current law allows, he cannot do it. He can't sit down and negotiate with President Putin to go to lower levels in exchange for a modification of ABM because the law prevents him from doing it.

It weakens an incumbent President. That is exactly what it does. I think that is what it is intended to do. That is what it will successfully accomplish. I don't think—in fact, I know—from my experience of the Senator from Virginia that is precisely the opposite of the sort of thing he would want. He would avoid it. I am going to listen to the answer of the Senator from Virginia and then come back in the morning to hear even more.

But in the spirit of bipartisanship, I understand the Senator from Virginia is going to be offering later, perhaps, an amendment that would provide some resources for the operation of a World War II memorial.

Mr. WARNER. That is my intention.

Mr. KERREY. I would like to be added as a cosponsor of that.

Mr. WARNER. At long last, he is joining me. I am going to do that as soon as the opportunity presents itself.

I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. KYL. Mr. President, I believe the question of the Senator from Michigan through the Senator from Nebraska to the Senator from Virginia is whether he agreed with me.

My interpretation is simply the language of the amendment which says that the Nuclear Posture Review shall be submitted concurrently with the quadrennial review, which is due in December——

Mr. WARNER. No later than.

Mr. KYL. No later than December 2001. It could be, therefore, submitted prior to that date. It all depends upon when the QDR would be submitted. But it does have to be at the same time.

If I could just make one other point, I am advised by staff that the last quadrennial review did not include a review of the nuclear posture. So the last Nuclear Posture Review was in fact in 1994.

Mr. WARNER. Mr. President, my colleague is correct on that. I can verify that. And I agree with his interpretation of my amendment. It is as simple as that.

Mr. LEVIN. I think I did say the Nuclear Posture Review of 1994, which was a thoughtful review which supports START II levels. The Commander has been precluded from going to that by our law.

Mr. WARNER. It comes down to a very practical application, that we believe strongly—and this amendment recites it—that certain steps should be taken before any President makes such important decisions with regard to the numbers in our future arsenals.

Mr. President, under the unanimous consent agreement, this debate can continue tomorrow. I think we have had an excellent debate. I think we have narrowed, for the benefit of the Senate, where the differences are on the two sides.

Unless my colleague from Colorado has further to say on this amendment, I will proceed to do another amendment at this time.

Mr. LEVIN. Will the Senator yield for just one procedural question?

Mr. WARNER. Yes, of course.

Mr. LEVIN. Is it the intention, then, of the Senator from Virginia to modify his pending amendment?

Mr. WARNER. I thank the Senator from Michigan. It is not my intention to modify the amendment of the Senator from Virginia at the desk at this time.

Mr. LEVIN. The modification I was referring to was not a technical modification to comply with the unanimous consent agreement. The modification I was referring to is whether the Senator from Virginia is intending to modify any of the language relative to that 2001 date.

Mr. WARNER. At this time I do not think it is necessary. I will ask the Chair, for the purposes of clarity, is the amendment of the Senator from Virginia in order?

The PRESIDING OFFICER. Yes, it is.

Mr. WARNER. There was some concern, technically, heretofore that it was not.

Mr. LEVIN. That is correct.

Mr. WARNER. Mr. President, we will lay aside this amendment for the time being.

The PRESIDING OFFICER. The unanimous consent agreement we are operating under at the present time does not contemplate any additional amendments, so it would require unanimous consent.

Mr. WARNER. That is correct. I am simply at this point in time asking my colleague for unanimous consent that I can send to the desk an amendment relating to the World War II veterans memorial.

The PRESIDING OFFICER. Is there objection?

Mr. LEVIN. Reserving the right to object, we just need a few minutes to look at it. We just received it.

Mr. WARNER. Why don't we put in a brief quorum call, Mr. President.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

AMENDMENT NO. 3189

(Purpose: To require the disposal of a certain quantity of titanium from the National Defense Stockpile)

Mr. WARNER. Mr. President, I have consulted with my distinguished colleague, and I am going to now send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. Without objection, the clerk will report.

The bill clerk read as follows:

The Senator from Virginia [Mr. WARNER], for himself, Mr. LEVIN, Mr. THURMOND, Mr. INOUYE, Mr. HOLLINGS, Mr. STEVENS, Mr. ROTH, Mr. HELMS, Mr. MOYNIHAN, Mr. LAUTENBERG, Mr. GORTON, Mr. AKAKA, and Mr. KERREY, proposes an amendment numbered 3189.

Mr. WARNER. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

On page 613, after line 12, insert the following:

SEC. 3403. DISPOSAL OF TITANIUM.

(a) DISPOSAL REQUIRED.—Subject to subsection (b), the President shall, by September 30, 2010, dispose of 30,000 short tons of titanium contained in the National Defense Stockpile so as to result in receipts to the United States in a total amount that is not less than $180,000,000.

(b) MINIMIZATION OF DISRUPTION AND LOSS.—The President may not dispose of titanium under subsection (a) to the extent that the disposal will result in—

(1) undue disruption of the usual markets of producers, processors, and consumers of titanium; or

(2) avoidable loss to the United States.

(c) TREATMENT OF RECEIPTS.—Notwithstanding section 9 of the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98h), funds received as a result of the disposal of titanium under subsection (a) shall be applied as follows: $174,000,000 to defray the costs of health care benefit improvement for retired military personnel; and $6,000,000 for transfer to the American Battle Monuments Commission for deposit in the fund established under section 2113 of title 36, United States Code, for the World War II memorial authorized by section 1 of Public Law 103–32 (107 Stat. 90).

(d) WORLD WAR II MEMORIAL.—(1) The amount transferred to the American Battle Monuments Commission under subsection (c) shall be used to complete all necessary requirements for the design of, ground breaking for, construction of, maintenance of, and dedication of the World War II memorial. The Commission shall determine how the amount shall be apportioned among such purposes.

(2) Any funds not necessary for the purposes set forth in paragraph (1) shall be transferred to and deposited in the general fund of the Treasury.

(e) RELATIONSHIP TO OTHER DISPOSAL AUTHORITY.—The disposal authority provided in subsection (a) is new disposal authority and is in addition to, and shall not affect, any other disposal authority provided by law regarding materials in the National Defense Stockpile.

Mr. WARNER. Mr. President, our beloved former colleague, former majority leader, Senator Dole, and others have been very active in raising funds to build a memorial to those who served in World War II. I have been in consultation with him, as have other Members of the Senate, with regard to the success of this memorial effort.

It has been successful. Today Senator Dole was proud to receive a donation from the private sector in excess of some $14 million. What a fitting day, the 56th anniversary of D-Day. I called Senator Dole, after consultation with a number of my colleagues, most specifically those colleagues in addition to myself who served in World War II, to get their concurrence in a decision that I had made sometime earlier to the effect that I thought Congress should participate in the funding of a portion of this memorial, a relatively small portion that remains to be raised to reach the goal. I asked Senator Dole to come today, which he did several hours ago. We met. We reached concurrence on the following language, which I will address to the Senate.

This is becoming a campaign to build this memorial. It is all America. It is extraordinary. I was very heavily involved in the funding, the legislation and other aspects of the Vietnam Veterans Memorial, spent 2 or 3 years before, in fact, or more working with the courageous group that envisioned that magnificent memorial. I can remember when it was just a glimmer in our eyes, the Vietnam Veterans Memorial. I think there were 10,000 different designs that came in. I remember going out to Andrews Air Force Base where all the designs for the Vietnam Veterans Memorial were posted. We had a group of experts examine them.

Finally, the experts came down on the design which is the current wall. It was designed by a young architectural student or just a graduate, 21 years old. It was as if the hand of providence reached down and touched those individuals who started that campaign, who saw it through at times when we didn't have $5 in the bank and we worked to rescue it. Then this brilliant woman, Maya Lin, created the design out of 10,000 submissions. So much for that history.

I have a very modest association with Senator Dole and others who are working on this, but I am happy to present this to the Senate tonight as America's campaign. Citizens across our land, corporations, foundations, veterans groups, civic, fraternal, professional organizations and State legislatures, yes, indeed, State legislatures, have generously contributed to this important cause. Hundreds of thousands of individual Americans, young and old, are rallying behind the opportunity to say thank you to a generation of Americans from the World War II generation. It is to the military men and women who wore the uniforms, but I, as a young person who went into the service in January 1945, remember the war was raging, the Battle of the Bulge had not been completed yet. The campaign in Iwo Jima was about to start. The whole of America was involved in that war, whether you were in uniform or whether you were on the home front.

This is a recognition of the contribution of millions of Americans, upwards of 16 million who wore the uniform in that period, and treble that amount at home were involved in the industrial base, all of the activities to support those who were on the battlefronts in the Pacific and in Europe.

So it was America's generation of uniformed and those civilians here at home who fought courageously and sacrificed in so many ways to make victory assured against tyranny.

The memorial campaign currently is progressing toward raising the $139.6 million needed to build this lasting memorial to the generation that conquered tyranny in the 20th century. While the campaign is very close to the goal, we in the Congress now have an opportunity to show our support and add our shoulder to the wheel.

The site on The National Mall has been chosen, preliminary design approved, and the intent is to break ground on Veterans Day weekend, this November. Since the private sector is generously donating the funds needed to design, construct, and maintain the memorial—over $120 million as of today—I believe it is appropriate for Congress also to support the memorial campaign.

The amendment I introduce tonight, together with my distinguished colleague from Michigan, Mr. LEVIN, will show the support of Congress for this important project. Specifically, the amendment provides for $6 million to the American Battle Monuments Commission from the revenues of sale of titanium from the national defense stockpile—nonappropriated funds, Mr. President. The $6 million should be used to complete all necessary requirements for the design of, groundbreaking for, construction of, maintenance of, and dedication of the World War II memorial.

The Commission plans to complete construction and dedicate the memorial on Veterans Day, 2002. We cannot wait a moment longer to show our support for this project. It is astonishing that over 1,000 men and women each day who proudly wore the uniform, of that 16 million total, are passing on to their great rewards—1,000 a day who die. Now it is the hour for Congress to act and put our shoulder to the wheel to give our expression, along with all other Americans, for this great project.

I yield the floor.

The PRESIDING OFFICER. The Senator from Michigan is recognized.

Mr. LEVIN. Mr. President, I congratulate and thank the Senator from Virginia for his leadership in this matter. This is a relatively small contribution from the people, acting through its Congress. The private sector is funding 95 percent of this effort. This is really symbolic almost, but it is an important contribution. It symbolizes where the heart of this institution, this Congress, is, and reflects where the American people are because they would, I think, applaud what the good

Senator from Virginia is doing here tonight, and I am happy to join. I thank him. He points out many things that I won't amplify, given the hour, except to say it is surely the right day today, this 56th anniversary of D-Day.

When he talks about how the American people who participated in that effort are all being honored, surely first and foremost are our veterans, but all the American people who are behind them; it is such an important point for all of us to remember.

I remember as a kid the minute, little contribution we kids were making, going around the streets looking for wrappers that we could peel off the foil, put it together in a little ball of metal, and then, with all the little balls of metal, put together a tank or an airplane. But first and foremost, obviously, it is the veterans, those who didn't come back and those who did.

I thank the Senator from Virginia for doing this. I don't know if he listed all the cosponsors.

Mr. WARNER. I was about to do that. It is so hard for the current generation of people to remember that period. Both of us do. I happen to have been in uniform. I remember where we had a little book of stamps, savings bonds, and you put your quarter stamps in. You were rationing butter, meat, shoes and clothing. We never thought about it. It was our way of backing the men and women in uniform. I remember it was 3 gallons, I think, a week of gasoline that you had. My father was a doctor, and I remember that doctors had an additional allocation of gasoline so they could make hospital calls and visit homes. It was just an extraordinary hour in America, the way there was a total effort.

Mr. LEVIN. All the way down to the kids.

Mr. WARNER. Yes. I remember picking up little bits off the cigarette packs and the tin foil.

Mr. LEVIN. We used to flatten cans. After we were done with a can of food, we would take off the other end that hadn't been opened, put it in a box, flatten the can, and carry in the boxes of tins.

Mr. WARNER. Mr. President, does the Senator remember the collection of scrap metal? I will never forget it. In those days, the Nation's Capital, where we lived, had great big trash trucks, and the trucks ran overtime. They would come down the street, and people would come out and put all kinds of scrap metal in the trucks. I remember the person who lived across from me came out with an armful of magnificent guns—shotguns and rifles that belonged to her husband—and the trash guys looked at them and just threw them in the truck. I don't know that those guns ever got to the scrap heap, but I remember that as if it were yesterday.

Mr. LEVIN. I saw letters of President Roosevelt the other day thanking people for their donations—I think it was of telescopes; I am not sure. It was something which people just put into the war effort, either scrapped or used in some way.

This is a special tribute to those of our colleagues, including yourself, who were in World War II. I know you are going to list them. But as this honor roll of heroes is read by the Senator from Virginia, I think we are all going to stand very proud that we have so many Members still in this body who served in World War II and, of course, many who did serve in this body who served in World War II who are also being honored. Senator Dole, of course, is very much in the lead in this effort, but so many others came before us who are currently in this body who served.

How many are there who served in this body?

Mr. WARNER. I have spoken to every one of them today. I will read their names in the order of seniority of the Senate: Senator THURMOND, who crossed the beaches on D-Day. He did it in a glider, and it crashed, he was injured, but he went on and took up his duties despite that. Senator INOUYE is one of the most highly decorated Members of the Senate. The President upgraded his decoration from the Distinguished Service Cross to the Medal of Honor; is that correct?

Mr. LEVIN. That is correct. It will be presented in a ceremony this month at the White House. That was something Senator INOUYE was not even aware of until he read about it.

Mr. WARNER. No. There is not a more modest Member of the Senate.

Mr. LEVIN. So true.

Mr. WARNER. What a great strength he has been to national defense in the 22 years we have worked on this.

FRITZ HOLLINGS was in the European campaign. Senator STEVENS was an Air Corps pilot, before there was an Air Force; he flew in the Pacific. Senator BILL ROTH was in the Army. Senator HELMS was in the Navy. Senator MOYNIHAN was in the Navy, and he was proud to call me Secretary of the Navy. I was just a petty officer third class. Senator LAUTENBERG served. Senator GORTON served in the Army right at the end. Senator AKAKA served. I was a young sailor, and we were trained during the invasion of Japan, and the war ended very precipitously.

Mr. LEVIN. Senator Bob KERREY also wanted to be added as a cosponsor.

Mr. WARNER. Senator Robert KERREY is a Medal of Honor winner. We will add him as a cosponsor. I ask unanimous consent that they all be made cosponsors, along with myself and Senator LEVIN.

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

Mr. WARNER. Mr. President, I urge adoption of the amendment.

The PRESIDING OFFICER. If there is no further debate on the amendment, the amendment is agreed to.

The amendment (No. 3189) was agreed to.

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

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

The motion to lay on the table was agreed to.

Mr. WARNER. I thank my distinguished colleague for joining me and for his kind remarks about our colleagues.

Mr. President, we have made some accomplishments today. The hour is 8 o'clock, and we started promptly at about 2:45. I thank all who participated in moving this. We have an order for tomorrow which lays out the work.

MORNING BUSINESS

Mr. WARNER. Mr. President, I ask unanimous consent that the Senate proceed to a period of morning business with Senators permitted to speak up to 10 minutes each.

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

TRIBUTE TO THE RESERVE OFFICERS ASSOCIATION OF THE UNITED STATES ON THE OCCASION OF THE 50TH ANNIVERSARY OF THE ASSOCIATION'S CONGRESSIONAL CHARTER

Mr. THURMOND. Mr. President, it is with a great deal of professional pleasure and personal pride that I rise today to honor an organization in which I am a life member and served as the 21st national president nearly 50 years ago. The organization of which I speak is our neighbor across First Street, the Reserve Officers Association of the United States, though it is perhaps best known simply by its initials—ROA. The association was organized in 1922, at the instigation of General of the Armies John J. Pershing, who was then serving as the Army's Chief of Staff. Like many others who served in uniform in World War I, General Pershing was convinced that the war could have been significantly shortened or avoided altogether if an adequate pool of trained officers had existed at the time. Taking his sentiments to heart, 140 Reserve officers met at Washington's Willard Hotel and organized the Reserve Officers Association. It was largely through the dedicated efforts of this voluntary organization and its members that the United States established its Officer Reserve Corps, which was to supply the great majority of America's trained officers in the days leading up to World War II. It is appropriate for the Senate to note that these first ROA members were citizen-soldiers who clearly saw the approaching storm clouds. They pushed the nation toward an unprecedented level of prewar preparedness that arguably saved lives and formed the very foundations of the great victories of democracy that were to follow.

With the end of the war, the ROA resumed its normal operations, raising and maintaining the nation's awareness of the role and contributions of its military forces in the uneasy post-war