Mel Carnahan and I were friends for a long time—probably 30 years. It is no secret that we were often political opponents. We disagreed on a lot of things, and he was a tough opponent; no question about that.

A couple of years ago when I was getting ready to run for reelection, there was some thought that we might have to run against each other. But at that time, he chose to stay in Jefferson City and serve the people of Missouri for the remainder of his term as Governor. When asked why he entered public service, Governor Carnahan said he was inspired by the words of Adlai Stevenson, who said public service was a ''high calling,'' and he urged young people to get involved.

Mel Carnahan lived his belief that public service was a ''high calling.'' He brought the best of himself to the job. He loved Missouri and Missourians. He loved rural Missouri and his adopted hometown of Rolla, MO. He always wanted the best for our State. While the two of us may only have agreed on a handful of issues in 30 years, when it came time to defend the interests of Missouri, we fought arm in arm together. Some of you may recall a few battles we had on behalf of Missouri and the neighbors of the Missouri River in a battle against the Fish and Wildlife Service.

But in the end, a man's position on the issues of the day is only a small measure of his life.

In this age of multimillion-dollar campaign advertising budgets and media consultants, Gov. Mel Carnahan still believed in keeping in touch with individual Missourians. He died while attempting to get to a campaign event in a small town in Missouri that maybe few outside our State ever heard of. As Governor, he crisscrossed our State endlessly, visiting schools and farms, veterans, and highway dedications. He worked hard and Missourians loved him for it. Twice they elected him by large margins to the highest office in our State.

I particularly admired and appreciated the friendship we had as political opponents, as people committed to public service in our State.

I was with him on Saturday at the homecoming for the University of Missouri. We shared a common interest on that day; our football team didn't do well. But Mel Carnahan, with a ready smile and a lovely wife, was there. We enjoyed our time together as we appreciated and looked back on the tremendous accomplishments he had and the contributions he made to the State of Missouri.

At a commencement speech in his town of Rolla last year, Governor Carnahan told graduates, ''Each of you was put on this Earth for a reason . . . life is precious and fragile . . . and each of us has such a short time to make our mark on the world that we must not waste it.''

Surely Mel Carnahan wasted no time. He made the most of every minute, and our lives are richer for it, and for his friendship.

Our thoughts and prayers are with his family and his friends in Missouri.

Mr. CONRAD. Mr. President, I too want to speak about the former Governor of Missouri, Mel Carnahan.

Over the last 3 weeks, I was engaged, along with my colleague, Senator DORGAN, in intense negotiations with Governor Carnahan and the two Senators from Missouri with respect to a major water project in our State, the Dakota Water Resources Act.

We had the opportunity to talk to Governor Carnahan directly, and we talked to his top staff repeatedly. I found him to be a fierce advocate for the people of Missouri, just as I have found Senator BOND and Senator ASHCROFT to be fierce advocates for the people of Missouri.

We have had a difficult time reaching conclusion on our water project because of objections from the State of Missouri. But the representatives of that State—Senator BOND, Senator ASHCROFT, and Governor Carnahan—worked in good faith with us, all the while protecting vigorously and aggressively the interests of their State. I respect that. That is what representatives are supposed to do.

I found Governor Carnahan to be absolutely ferocious on the issues that he thought were important to the people of his State. When I heard the news that he had been killed in a tragic plane accident, it saddened me. It saddened our family because we are certain that the Carnahans are suffering greatly. And the people of Missouri have had a terrible loss.

It reminded me of a similar incident with a Missouri Senate candidate more than 20 years ago, Congressman Litton, who was also killed in a light plane crash in that State. It almost makes one wonder if Missouri is somehow star crossed with leaders of that caliber—so widely respected by the people of their States—being lost in these tragic accidents.

I send my best wishes to the Carnahan family and to people all over the country who are grieving at the loss of the Governor of that great State. We are thinking of the family and thinking of the friends and staff of Governor Carnahan.

As I say, I have had several weeks in which I talked frequently to the Governor's chief of staff and the head of his department of natural resources. I found them to be very good people, very decent people—very difficult to negotiate with but very good people. We share their loss.

I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. LAUTENBERG. Mr. President, I understand we are in morning business; is that correct?

The PRESIDING OFFICER. The Senator is correct.

WORLD PEACE

Mr. LAUTENBERG. Mr. President, I take a few minutes to discuss something that has been in front of our eyes and in front of our minds these last couple of weeks; that is, the turmoil we are witnessing in the Middle East. Those horrible pictures of young people engaged in violence and paying a terrible price for the consequence of that violence. Not just the young people—women, children, young men.

I think it is fair to say that everyone who sees what is taking place wishes it weren't happening. The question is raised about our responsibility and what do we do about it. Is there an opportunity for us to lend peace a hand, to see whether or not we can encourage the reduction of violence, the elimination of the confrontation with stones and tanks and guns, to see if there isn't something more that we could do than to simply be a witness.

Mr. President, I commend President Clinton's efforts. He has been such a wonderful peacemaker in his term of office.

I have been to the places he has exerted some effort, i.e., Ireland. I was there many years ago and met with people in the north and met people from the Republic. I talked to Catholics and Protestants and tried to help make adjustments in our funding support so it would be more balanced, balanced towards those people who needed help while asking those who did not to at least participate in a nonviolent manner to get the killing and the mayhem stopped.

President Clinton took the initiative there. He sent Senator Mitchell, one of our very good friends from this place, a distinguished Senator; a distinguished judge before he came to the Senate. He worked tirelessly. He would get the two sides to at least stop shooting at one another and come to the negotiating table. It has had a shaky peace arrangement, but at least people are not dying. And if they are, it is an exceptional occasion and not the usual thing.

I was in Kosovo and Bosnia with other Members of the Senate and saw the unacceptable behavior of the leadership there, as they committed the genocidal acts against innocent people. We became engaged, and it was a tough fight to become a part of the peacemaking structure. We didn't always agree with our friends in Europe about whether or not it was in their interests or our interests. I think we have seen that too many times.

I was a veteran during the war a long time ago. I enlisted in the Army. Even in those early days in the last century when Hitler started to invade neighboring countries, killing people, separating groups from one another so they

could be attacked in an organized fashion, there were people, I understand, as I read the history, who questioned whether it was something in which the United States should become involved. Before we knew it, we had no choice. When our ships were attacked in Pearl Harbor, we were in it 110 percent, with some 15 million people in uniform. We fought hard. Hearts were broken. Families paid a price. Young people died—among others, but those who were involved in the military were young.

In the last half of the 20th century, democracy flourished in some of those places. We still have troops in Germany, in Japan, in South Korea—50 years later.

Sometimes, I must tell you, I do not understand it when questions are raised here about our role: Are we going to be the policeman of the world? Does it have our interest in it?

I remember the debate on Kosovo and Bosnia. There were many who said we have no business being there. I disagreed. I disagreed strongly, and I encouraged us to do what we did. President Clinton and Vice President GORE led the charge, if I may say, by making certain we protected our pilots and our military servicepeople wherever they were in the area as we took on the task of stopping a mad, genocidal attack on people in Kosovo and at times before that in Bosnia itself. It was a wonderful conclusion that we lost no one in combat, but we stopped the killing of innocent people. Kosovo is being rebuilt. Again, maybe it is a shaky peace but a peace. That is the critical issue. The question was raised, as I said, was that in our national interest? Are we going to be the policeman of the world?

Now we are faced with another situation. When terrorism rears its ugly head, and when those who want to violate the safety and well-being of ordinary citizens and take it into their hands to determine who is wrong and who is right commit atrocious acts, it does almost always come home to roost. It is proven that at some point in time it is in our national interest. Our national interest is to protect our people. Maybe in the process we reach out to protect others so violence does not spread and we are not looking at wholesale attacks on innocent people.

The other day when the U.S.S. *Cole* was struck by madmen who detonated bombs that tore the U.S.S. *Cole* apart, left a hole in the hull of the U.S.S. *Cole*, in a ship that was designed to withstand torpedoes and other pieces of military weaponry, and killed 17 people, if one read the biography of so many of them who died, they were young: 19, 20 years old. I enlisted when I was 18. It is so very young. And 37 more, I think the number is, were wounded, many of them seriously wounded, and just brought home. Today I know there was a memorial service in Norfolk, VA, for those who died. The President was there. He made certain he got back from Egypt on time to be there.

I wonder how many people are saying, do we have an interest, a national interest in what is taking place there when terrorism is allowed to flourish, and included in that activity are American citizens, those who were there to maintain the peace?

The other day we passed a piece of legislation which I had the privilege of authoring that compensated victims of terrorist activity, families who lost people I knew, who lost a daughter in Israel in an attack on a bus outside the Gaza Strip. She was 20 years old, there on business, innocent, studying, trying to learn something about a heritage that she and her family were proud of —killed by a terrorist's bomb.

Iran was held in our courts to be the country of responsibility. We took further action based on legislation that had passed through this House that enabled people to bring suits against those countries, to attach their assets that may have been in America. A resolution was adopted and the President is going to be signing a bill into law very shortly permitting the distribution of funds to those families. They didn't want the money but they didn't want other families to have to suffer the same consequences they did.

Now we look at the President's attempt to bring peace to Israel and the Palestinians. We do not know whether that effort is going to work. But we do know that the President did the right thing to assert the presence of America and to say we want to see peace in this area.

We are friendly with both sides in the dispute there, perhaps friendlier, as I think we should be, in many ways to the democratic nation of Israel because it is a democracy and people have choices about things. But we do not want to see Palestinians killed. It pained us all to see the picture of that young boy who was shot in a crossfire. It pained us all to see a couple of soldiers, who were doing no harm, taken to a jail and held there as prisoners until a mob was able to get their hands on them and lynch them, mutilate them—lynched them not with a rope but lynched them in terms of taking their lives in a mob attack, parading their bodies through the streets, mutilating them even as they lay dead.

It is time for us to ask those who can stop this violence, who can at least slow it down, at least encourage peace, to step up and do so and not hold out a friendly American hand to those who will not.

I welcomed Mr. Arafat here in 1993. I was amazed to see Prime Minister Rabin; the President of the United States; and the Chairman of the Palestinian Authority, Yasser Arafat; shaking hands because I had only known about Yasser Arafat in an earlier time when he wore a gun on his hip and went to the United Nations and held the gun up as a manifestation of his view of how disputes are resolved.

Now we see what is happening, even though there was a tacit agreement to try and stop the violence and the Israelis were cooperating. They permitted the reopening of the Gaza airport. I was there the week before that airport was opened. I was so positive about it bringing an opportunity to the Palestinian people in Gaza to have their economy lifted, to have their hopes and spirits lifted at the same time, that perhaps an improvement in their way of life and their economy might be possible because they live in desperate conditions.

We have seen the violence, the rioting, the abuse, the stone throwing. Stone throwing is not an acceptable way of resolving disputes. It does not matter what the weapon is; it is a weapon; and it is designed to intimidate and punish a people with whom there is a disagreement. The Israelis retaliated. They have a responsibility, in my view, to protect their people and protect their property, protect their integrity as a democratic nation.

I did not see any Israeli gloating about the fact that a Palestinian life was taken. We saw some action by some of the so-called settlers in territories in the West Bank who took action against their Palestinian neighbors, and the Prime Minister rebuked them and said: No Jewish Israelis, no Israelis should be taking mob rule into their own hands and harming people or killing them.

He came out against it.

Chairman Arafat in 1993, when he stood on the lawn at the White House, signed a statement that violence was no way to resolve differences, and he took an oath, practically speaking, that he would do whatever he could to abolish it.

What we have seen in the last few days is inconsistent with that position, and we ought to notice it. When the U.N. took up a resolution that blamed Israel for all the problems, I was disappointed that the United States did not veto that resolution. But I know in this administration, this President, the Vice President, and the Secretary of State, all have peace in mind. I thought perhaps that was the reason we did not veto this resolution but, rather, abstained. Therefore, I do not second-guess the decision, but I hope if there are more such lopsided resolutions, the United States will veto it and not permit it to continue.

It is fair to say the Israelis are making a genuine effort to stop the violence. And on the Palestinian side, they want it stopped. We heard Prime Minister Barak talking about it. They do not want to kill Palestinians. They do not want to injure people on the other side of the issue, but it is fair to say, Mr. Arafat, I was one in the Senate who supported financial assistance for the Palestinians when they signed the agreement to establish a peaceful relationship. I was one of those who encouraged it. I was one of those who said the Palestinians needed some hope and some expectation that their lives would improve, that their standard of

living would be better, that their children could get an education, that they could have the proper health services they needed.

I was filled with hope. I wanted to make certain that we showed our good faith by doing something positive for the Palestinians.

I know Israel very well. I have visited there many times, and I know a lot of people there. Yitzhak Rabin was a personal friend of mine. When he was killed by one of his own people, it was a tragedy felt round the world.

The nation of Israel continued to try to make peace. Prime Minister Barak, the most heavily decorated soldier in the Israeli military, the most highly decorated soldier, is a prominent peacemaker. He wants to establish peace. He has seen war at its worst. That is why he has the medals that reflect heroism, bravery, and valor, but he did not like the killing. He did what he had to do to protect his country, and he is doing the same thing now, trying to protect his country and is trying to do it without violence, without responding violently to the attacks of his country. He is pleading for there to be peace, some measure of tranquillity on both sides.

So as we mourn the loss of our young people, the sailors from the U.S.S. *Cole,* we wish those who are ill, who are wounded, who are injured, a full and speedy recovery.

We also wish we can be witnesses to a more peaceful discussion about where the relationship between Israel and the Palestinians will go. They can get along—they must get along—to try to resolve every difference. Whether it is with slingshots and stones or rifles or artillery pieces, it is not an appropriate way to resolve those problems.

But I do respect Israel's right to defend itself, and I do respect the wishes of many of the people in Palestine, the Palestinian community, to have their freedoms enumerated very clearly—their capacity to raise their families, to have an opportunity for the appropriate education and standard of living that all people want.

But I call on Mr. Arafat, Yasser Arafat, with whom I have shaken hands many times—and in the tradition of the Middle East, we kissed each other on the cheek in good will when I was there at Gaza at the opening of the airport, when I was there to see the economic development that was taking place; I had so much respect for the things he was trying to do for his people—I send out a plea to him to gather whatever strength he has to take the leadership of the Palestinian Authority and do what he is supposed to as the chairman; that is, call for reconciliation, call for the end of the violence. Get back to the negotiating table. Air your differences. Ask the United States to help. Do not invite imbalance in resolutions and things such as that. Do not search for those who have a bias in this case to present programs for peace. But do what you said you would do, Mr. Arafat, when you came here in 1993, when we sat around dinner tables together, when I visited you in Jericho, and we talked in such friendly fashion that I walked away believing we were seeing the accomplishment of miracles, small though they may be.

So I wish both sides the best wish I can, and that is for peace, to take care of your families, save your children by not taking other people's children, by not taking other people's lives.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The majority whip.

Mr. NICKLES. Mr. President, I heard my colleague from New Jersey making a very eloquent statement concerning the violence in the Middle East. I certainly share his concern and his wish that peace will be restored amongst the Palestinians and the Israelis.

I also heard him compliment the President on his efforts. And I compliment the President on his efforts in trying to contain the violence. But I am critical of the administration for a couple of things. I am critical of the administration for not vetoing Security Council Resolution 1322, which passed the Security Council on October 7. We could have vetoed this resolution. It was a biased resolution. It was an unbalanced resolution, a resolution that criticized Israel and did not criticize the Palestinians. The Palestinians have been very involved in creating a lot of the violence. This is a one-sided resolution. This administration did not veto it, for whatever reason.

Now the United Nations is considering another resolution, from what I understand from press reports and so on, that very strongly condemns Israel and is somewhat silent on the Palestinians.

Mr. President, I ask unanimous consent this Security Council resolution 1322 be printed in the RECORD.

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

RESOLUTION 1322 (2000)

(Adopted by the Security Council at its 4205th meeting on 7 October 2000)

The Security Council,

Recalling its resolutions 476 (1980) of 30 June 1980, 478 (1980) of 20 August 1980, 672 (1990) of 12 October 1990, and 1073 (1996) of 28 September 1996, and all its other relevant resolutions,

Deeply concerned by the tragic events that have taken place since 28 September 2000, that have led to numerous deaths and injuries, mostly among Palestinians,

Reaffirming that a just and lasting solution to the Arab and Israeli conflict must be based on its resolutions 242 (1967) of 22 November 1967 and 338 (1973) of 22 October 1973, through an active negotiating process,

Expressing its support for the Middle East peace process and the efforts to reach a final settlement between the Israeli and Palestinian sides and urging the two sides to cooperate in these efforts,

Reaffirming the need for full respect by all of the Holy Places of the City of Jerusalem, and condemning any behaviour to the contrary,

1. Deplores the provocation carried out at Al-Haram Al-Sharif in Jerusalem on 28 September 2000, and the subsequent violence there and at other Holy Places, as well as in other areas throughout the territories occupied by Israel since 1967, resulting in over 80 Palestinian deaths and many other casualties;

2. Condemns acts of violence, especially the excessive use of force against Palestinians, resulting in injury and loss of human life;

3. Calls upon Israel, the occupying Power, to abide scrupulously by its legal obligations and its responsibilities under the Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War of 12 August 1949;

4. Calls for the immediate cessation of violence, and for all necessary steps to be taken to ensure that violence ceases, that new provocative actions are avoided, and that the situation returns to normality in a way which promotes the prospects for the Middle East peace process;

5. Stresses the importance of establishing a mechanism for a speedy and objective inquiry into the tragic events of the last few days with the aim of preventing their repetition, and welcomes any efforts in this regard;

6. Calls for the immediate resumption of negotiations within the Middle East peace process on its agreed basis with the aim of achieving an early final settlement between the Israeli and Palestinian sides;

7. Invites the Secretary-General to continue to follow the situation and to keep the Council informed;

8. Decides to follow closely the situation and to remain seized of the matter.

Mr. NICKLES. But it is interesting, the second statement says it:

Condemns acts of violence, especially the excessive use of force against Palestinians, resulting in injury and loss of human life.

No. 3, it:

Calls upon Israel, the occupying Power, to abide scrupulously by its legal obligations. . . .

It does not say for the Palestinians and it does not say for Mr. Arafat to abide by its obligations, and it does not talk about the Palestinians and their use of force.

I heard my colleague from New Jersey talk about the fact that Palestinians had a couple of Israelis who were murdered.

So my point is that the President of the United States should have urged our representative at the United Nations to veto this, use our veto in the Security Council to veto this very unbalanced, very biased, very anti-Israel resolution. And they did not do it. I think that was a mistake.

Now we see more violence. This recent attack on the U.S.S. Cole on October 12 killed 17 and wounded dozens. I think many of us were shocked by that. I heard some of the statements by the Secretary of State, by the Secretary of Defense, by the President: Boy, we're going to hold those people, those terrorists, those cowards who committed this cowardly deed and killed innocent U.S. soldiers, accountable.

Well, Mr. President, I have heard those words before. In many cases in past history, those words have been a lot stronger than our deeds. That bothers this Senator. I look back at some of

the terrorist activity that has happened in the Middle East over the last few years directed at the U.S. citizens and soldiers, and I am thinking: Wait a minute, I have heard those exact same words: We are going to hold these people accountable. And I look at what has happened.

In 1993, we had President Bush—at that time he was former President Bush. He traveled to Kuwait in April of 1993. He was there April 14 through 16. The Kuwaiti Government captured a van loaded with 180 pounds of explosives. This was an attempt to assassinate former President Bush. This administration launched 23 cruise missiles to show they were really upset about that, most of which hit in the sand; some may have hit the targets, or at least they are saying that—but a pretty mild response.

Again, was it directly targeted at those people who were directly responsible, or was it the United States kicking up and showing, well, we are a little peeved about this? Did we hold those people directly responsible who tried to assassinate President Bush? The answer is no. Did we capture those people who were directly involved in that? I believe the answer is no.

If the intelligence community knows more about this than I do, I would be happy for them to inform this Senator. But I do not believe the individuals who were directly involved in that terrorist activity were held accountable, that they were tried, that they were punished for that action.

What about the bombing of Khobar Towers? This happened June 25, 1996 as a result of a car bomb. The destruction looked very similar to the bombing in Oklahoma City, another car bomb that blew up the Federal building in Oklahoma City and killed 168 people. The car bomb outside the Khobar Towers killed 19 Americans, and it wounded 364.

I remember the President, I remember the Secretary of Defense, I remember the Secretary of State say: We will not stop until these cowards are brought to justice.

How many people have been brought to justice from the Khobar Towers bombing of 1996? The answer is, no one. The answer is, one person has been arrested. He is now in a Saudi jail—one person. A lot more than one person was responsible for the Khobar Towers bombing, a lot more than one person.

What has been the result? Have we held people accountable? No. That was the most massive terrorist attack against military personnel, certainly since the bombing in Lebanon. What did we do? Well, basically nothing. Basically nothing.

What about the bombings of the Embassies in Kenya and Tanzania? That was August 7, 1998. Bombs exploded at the U.S. Embassies in both Kenya and Tanzania, killed 252 people, including 12 Americans. Again, we heard this President, this Secretary of State, this Secretary of Defense say: We will hold them accountable. What did we do? Once again, we lobbed some cruise missiles, and we hit, I guess, a terrorist camp in Afghanistan. I guess the principal terrorist we were aiming at was not there. Maybe some people were killed. Maybe those people were directly involved in the bombing; maybe they weren't. That is not very targeted, in my opinion. We also bombed a pharmaceutical plant that we may be making significant payments on because people determined maybe it wasn't directly involved. I don't know.

My point is, this administration has made very strong statements that we are going to hold people accountable for attacking U.S. facilities, U.S. soldiers. We did it again with the U.S.S. *Cole.* Frankly, we haven't done it. Our country hasn't done it. Maybe we lobbed some cruise missiles and maybe we directly or indirectly hit some people who might have been responsible, but it is a little questionable.

I think it almost sends a signal of weakness, if we don't hold people accountable. I think the rhetoric has been good. I think the language has been good. I don't think the results have been good. I think if there is a U.N. resolution that is biased and anti-Israel, it should be vetoed. I certainly believe we should find out those people who are responsible for the bombing of the U.S.S. *Cole,* and we should hold them accountable. We should find the people who are responsible for the bombing of the Khobar Towers, and we should hold them accountable. They should pay a penalty, a price, and, frankly, that has not happened.

I see my colleague wanting to speak.

Mr. LAUTENBERG. If the Senator will allow me a few minutes, I appreciate that. It is very nice of him to do so.

I listened carefully. I have respect for our friend from Oklahoma. He has been here, despite his youth, for a long time. He knows how this place works.

President Bill Clinton went immediately to the scene of the violence, to Egypt, to the region where so much is taking place, to plead and beg and to force a peaceful resolution, to stop the violence. That is what he said: Stop the violence. He wasn't drawing the terms. It is not fair to say that we have done nothing.

We went into Afghanistan with bombs. We attacked what we thought was the appropriate target. Yes, we missed when we went to the Sudan, but is that a criticism of our troops, of our pilots? Are they saying that mistakes don't happen in conflict or in a wartime exercise? I am not talking about practice. I am talking about the exercise of defense. Would we restrict the rights of our citizens to travel? Do we say that our warships can't circulate around the world? Do we say we have to stay home, come back here and just hide in our harbors so that we don't have any problems? Our people who enlist always know there is some risk. They have been asked to do tough duty.

I am not sure about how the votes went when we decided to go to Kosovo, in deference to my colleague and friend from Oklahoma. I think there was a vote not to go to Kosovo by lots of people. I am not sure how the Senator from Oklahoma voted, but I do know there was sharp resistance: It was not in our national interest to stop the killing; it wasn't in our national interest to be on the side of antigenocide, to stop the mutilation of communities and families and people and the abuse of women, the likes of which has rarely been seen in history.

It is not fair to say we have done nothing. We have tried. We have sent dozens of investigators to Yemen, and we have already made some progress. It is in the papers. I am not telling anything from the Intelligence Committee. But we have already found explosives in an apartment there. We are on the trail.

When Pan Am 103 went down, brought down by terrorists, we found, from the tiniest fiber of thread from a jacket, people who were the likely perpetrators.

This is not an idle administration. I would never say, because I am a Democrat and we have a Republican President, that there were times that I voted against going to war. There were times that I voted going for it. Because whenever I have a vote such as that, I look to the eyes of my son, when he was 22, and I say: This isn't a war I would send you to and, therefore, I am not sending other parents' sons. I enlisted when I was 18. My father was on his deathbed. My mother was 36 years old. I felt it was my responsibility to serve my country.

I think one has to be careful when we start suggesting that nothing is happening. As to the Khobar Towers, the example the Senator cited, it is outrageous that we haven't found the perpetrators of those killings of our troops. But I want to point a finger at Saudi Arabia, the country that we sent our troops to protect in 1990. We sent them out there, 450,000 or maybe even over 500,000, to protect the Saudis, our good friends, who are holding us by the throat with their oil prices. That is where they are. What have they done to help us find the perpetrators of the murder of our troops? Not very much, I can tell you that.

I have watched this very closely. So I will point fingers where they belong. Those pointed fingers didn't belong against the Bush administration who served until 1992 and they don't belong at the Clinton administration. Those examples are invalid.

We have done what we have to do. We are fully committed, every one of us, to finding those who did that dastardly bombing against the U.S.S. *Cole.* I predict we will find them, and we are going to get help from people we never expected. When the trade towers went down in New York City, I was commissioner of the port authority. We had offices, before I came to the Senate, in

that building. Unfortunately, a couple of the perpetrators came from my side of the Hudson River. But we searched until we found the people, just as we did in Oklahoma. We searched until we found the people. We can't push buttons and instantly solve these crimes that are planned by crazies, masterminded by people who have lots of skills in the wrong areas.

We do our share; we really do. I think it is unfair to cast a net. Yes, I disagree with the decision on the vote of the U.N., but I trusted this administration, I trusted our Government to say, OK, the reason we don't want to do it is to create a further imbalance, to further enrage the Palestinian young people, to further the violence that is going on there. We have hopes for peace. Our mission is peace, not to make more war.

So while we disagree—in hindsight it is always easy to disagree—the fact is, President Clinton picked up bag and baggage, went there overnight to try to bring the parties together. He is not disengaged by a longshot. We are not taking the Palestinian side in any issue. We are friends of Israel, but we are also cognizant that the Palestinians are humans. We don't want harm brought to them, either.

I am sorry to get so passionate about this, but I have strong views and I just disagree with our colleague from Oklahoma.

Mr. NICKLES. Mr. President, I didn't hear total disagreement. I think I heard my colleague say he agreed with me that the administration should have vetoed the U.N. resolution that strongly condemned Israel and was silent about Palestinian violence. We agree.

I think he also said he agreed with me that we should be very assertive in trying to find those people responsible for the Khobar Towers, for that bombing that was so damaging, that killed 19 Americans, wounded a couple hundred others. We haven't had success. He is critical of the Saudi Government. So am I.

The point being, our language and our rhetoric in some cases has exceeded our results. When we had two American embassies that were bombed, what did we do? We lobbed a few cruise missiles. We don't know if those hit the people who were directly responsible or not.

The point is, if you are going to hold people accountable, you want to hold the people who are directly accountable for committing the crime against American citizens who killed American citizens, and we haven't done that in the two latest cases of terrorism. Frankly, if you don't hold them accountable, I think that sends a bad signal.

I would agree with my colleague from New Jersey, we should certainly hold people accountable for the U.S.S. *Cole*. Likewise we should hold people accountable on Khobar Towers and on American embassies, and that hasn't happened yet. That was my point.

THE AGRICULTURE CONFERENCE REPORT

Mr. NICKLES. Mr. President, I want to comment on the Agriculture conference report that just passed overwhelmingly today in the Senate. It already passed the House and it will be going to the President to be signed. In my opinion, there are a couple of provisions in this bill that really should not have been included and are serious mistakes that may come back to haunt Congress or will require Congress to change their actions.

One of them deals with private contracts. I happen to believe very strongly in private contracts. I came from the business sector, the private sector. When Congress interferes in private contracts, it ought to have a good reason. It ought to know what it is doing. Frankly, it should hardly ever do so. In this case, we put some language in this bill that I venture to say very few of our colleagues—maybe only a couple—even know it exists or what its ramifications will be.

There is language in the Agriculture conference report that doesn't deal with Agriculture but deals with reimportation of drugs. Yes, we debated reimportation language on the Senate floor, but we didn't debate this contracting issue.

Senator JEFFORDS offered an amendment dealing with reimportation of drugs. However, the amendment offered by Senator JEFFORDS contained some serious flaws, which led me to oppose the amendment. For example, the original Senate language included a provision that would have established two separate standards for drugs that were sold in the United States. One standard, which is current law, with regard to drugs that are manufactured and sold in the U.S. And a separate, and in my opinion, inferior standard for drugs that are imported or reimported into the U.S. Fortunately, the conference agreement corrected the flaws of the original Jeffords language and will require that all drugs, including those imported by businesses other than the manufacturer, must fully comply with Section 505 of the Federal Food, Drug and Cosmetic Act. This means that every importer must ensure that all safety standards which are included in a new drug approval application (NDA) are fully met for every drug which is imported into the U.S. Additionally, the conference agreement retained Senator COCHRAN's amendment that perfected and improved the Jeffords amendment to require that the Secretary ensure that if drugs are imported, U.S. safety standards will be used to ensure that these drugs pose no risk to the public health and that consumers will benefit from any potential savings prior to this law going into effect. I supported the Cochran amendment and I am pleased that this bill included that language.

However, in conference, new language was added that was not in either the House bill or the Senate bill. It wasn't in any of the language adopted on the Senate floor. This language states:

No manufacturer of covered products—[prescription drugs]—may enter into a contract or agreement that includes a provision to prevent the sale or distribution of covered products under this subsection.

What does that mean? Well, it means that this Congress could either abrogate or direct contracts which don't meet this new federal test. I think that is a serious problem. This could make it illegal for a patent holder to insert a clause into a private licensing agreement with a foreign distributor that prevents a foreign distributor from reselling that product for any reason.

This proposal could prohibit any private agreement that limits or restricts the sale of drugs, including quantities, territories, resale conditions, or other normal terms of commerce.

I think this Congress is inappropriately intruding into commerce in ways that we don't have any idea what we are doing, what the ramifications may be and may in fact be unconsitutional. But that's not all. Additionally, the language we have adopted would direct the U.S. Government to sanction companies that structure their business relationships with foreign distributors in a manner inconsistent with the legislation. A lot of these businesses have been doing business with people to resell their drugs, and we are going to say they are not doing it right so we can fine them. We may in fact require them to sell to anybody. Can they resell in any way they want to? Not according to this language. So a manufacturer can lose total control of its products and this may at some point result in a number of counterfeit drugs and other safety problems. How is this type of provision consistent with the basic concept of private property and freedom to contract? It is not. It really makes no sense. Have we had any hearings on this? No. If you restrict this kind of contract for pharmaceutical companies, why in the world can't you do it for any other contract? So somebody says, wait a minute; this just deals with pharmaceutical products. Frankly, if Congress can insert itself into contracting language, are we going to do the same thing on contracts between auto dealers or other private business.

There is a little bill floating around that would try to do that. We can do it on other contracts where maybe we deem we have superior wisdom to all the business groups out there or anybody who has a contract, that we know better. What does this language mean? What is its impact? We are going to go and give the authority to fine somebody if they don't comply. Wow. This is in an appropriations bill. It didn't come through the Judiciary Committee or a committee composed of people who work on contracts or work on judicial issues. We are setting up that kind of a program, and I am embarrassed for us to do that.