

Projected Cost: Unknown.

SENATE INACTION ON THE COMPREHENSIVE NUCLEAR TEST BAN TREATY

Mr. DORGAN. Mr. President, it is the responsibility of the Senate Foreign Relations Committee to consider treaties submitted by the President as soon as possible after their submission. Normally, most treaties are considered within a year of being submitted. The President of the United States transmitted the Comprehensive Nuclear Test Ban Treaty to the Senate on September 23, 1997.

The Senate Foreign Relations Committee has not held a single hearing on this important Treaty in the 646 days since the President sent the CTBT to the Senate for its consideration. In comparison, the START I Treaty was ratified in 11 months, the SALT I Treaty in 3 months, the Conventional Armed Forces in Europe Treaty in 4 months, and the Limited Nuclear Test Ban Treaty in 3 weeks.

As of today, 152 countries have signed the CTBT, including Russia and China, and 37 countries have ratified the Treaty. The world is waiting for the United States to lead on this issue. I hope my colleagues will urge for this Treaty's rapid consideration.

CHILD SURVIVAL AND DISEASE PROGRAMS FUND

Mr. DEWINE. Mr. President, I would like to express my strong support for the Child Survival and Disease Program Fund. Last year Congress, allocated \$650 million plus \$50 million in supplemental emergency funds to the Child Survival and Disease Program Fund for Fiscal Year 1999. As in the past, House Subcommittee Chairman Callahan has taken the lead in protecting these child survival programs and I commend him for his leadership on this issue. For FY 2000 the Clinton Administration, however, has budgeted \$40 million below the \$700 million allocated last year. In order to preserve the benefits of these important programs for children worldwide, as we have done in the past, we should accept in conference the House language that Chairman Callahan proposes.

It is a tragedy that millions of children die each year from disease, malnutrition, and other consequences of poverty that are both preventable and treatable. The programs of the Child Survival Fund, which are intended to reduce infant mortality and improve the health and nutrition of children, address the various problems of young people struggling to survive in developing countries. It places a priority on the needs of the more than 100 million children worldwide who are displaced and/or have become orphans.

The Child Survival and Disease Programs Fund includes initiatives to curb

the resurgence of communicable diseases such as malaria and tuberculosis. According to the World Health Organization, in 1999 alone, more children will die of tuberculosis than in any other year in history. In the underdeveloped world, the Child Survival and Disease Programs Fund works towards eradicating polio as well as preventing and controlling the spread of HIV/AIDS.

Aside from addressing issues of health, the Child Survival and Disease Programs Fund also supports basic education programs. An investment in education yields one of the highest social and economic rates of return—because it gives children the necessary tools to become self-sufficient adults. According to the World Bank, each additional year of primary and secondary schooling results in a 10–20% wage increase. Unfortunately, there are still 130 million primary aged children who are not attending any school, 2/3 of those children are girls.

The programs supported by the Child Survival and Disease Programs Fund are effective because they save three million lives each year through immunizations, vitamin supplementation, oral rehydration therapy, and the treatment of childhood respiratory infections, which are the second largest killer of children on earth. If every child received vaccinations, an additional two million children each year would be saved from these terminal diseases. Eliminating the symptoms and causes of this poverty is not only the humane thing to do—it is also a necessary prerequisite for global stability and prosperity.

In my view, Congress needs to maintain its support for these valuable programs. It is my hope that the Senate Foreign Operations Subcommittee will accept the proposed House language. The Child Survival and Disease Programs are effective and are important. They should be continued.

I see the Chairman of the Senate Foreign Operations Subcommittee on the floor and urge his continued support for that program.

Mr. MCCONNELL. I thank the Senator from Ohio for his statement. I have listened very carefully to his remarks, and I commend him for his tireless efforts in supporting children's causes, here in the United States and throughout the world. I would like to assure him that I will give every possible consideration to his request when we go to conference.

Mr. DEWINE. I thank my distinguished friend from Kentucky, and I yield the floor.

THE MILITARY AND EXTRATERRITORIAL JURISDICTION ACT OF 1999

Mr. LEAHY. Mr. President, I support S. 768, which was significantly improved during the Judiciary Com-

mittee mark up with a substitute amendment that I cosponsored with Senators SESSIONS and DEWINE. This important legislation will close a gap in Federal law that has existed for many years. S. 768 establishes authority for Federal jurisdiction over crimes committed by individuals accompanying our military overseas and court-martial jurisdiction over Department of Defense employees and contractors accompanying the Armed Forces on contingency missions outside the United States during times of war or national emergency declared by the President or the Congress.

Civilians accompanying the Armed Forces have been subject to court-martial jurisdiction when "accompanying or serving with the Armies of the United States in the field" since the Revolutionary War. See *McCune v. Kilpatrick*, 53 F. Supp. 80, 84 (E.D. Va. 1943). It is only since the start of the Cold War that American troops, accompanied by civilian dependents and employees, have been stationed overseas in peace time. Provisions of the Uniform Code of Military Justice provide for the court-martial of civilians accused of crimes while accompanying the armed forces in times of peace or war. The provisions allowing for peace time court-martial of civilians were found unconstitutional by a series of Supreme Court cases beginning with *Reid v. Covert*, 354 U.S. 1 (1957). With foreign nations often not interested in prosecuting crimes against Americans, particularly when committed by an American, the result is a jurisdictional "gap" that allows some civilians to literally get away with murder.

A report by the Overseas Jurisdiction Advisory Committee submitted to Congress in 1997, cited cases in which host countries declined to prosecute serious crimes committed by civilians accompanying our Armed Forces. These cases involved the sexual molestation of dependent girls, the stabbing of a serviceman and drug trafficking to soldiers. The individuals who committed these crimes against service men and women or their dependents were not prosecuted in the host country and were free to return to the United States and continue their lives as if the incidents had never occurred. The victims of these awful crimes are left with no redress for the suffering they endured.

This inability to exercise Federal jurisdiction over individuals accompanying our armed forces overseas has caused problems. During the Vietnam War, Federal jurisdiction over civilians was not permissible since war was never declared by the Congress. Major General George S. Prugh said, in his text on legal issues arising during the Vietnam War, that the inability to discipline civilians "became a cause for major concern to the U.S. command."

More recently, Operation Desert Storm involved the deployment of 4,500