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CONGRESSIONAL RECORD—SENATE

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COME (or whose forebears came) from two dozen countries and whose ances-
try ranges from pure Spanish to mix-
tures of Spanish blood with Native American, African, German, and Italian, to name a few hybrids."

U.S. News also reported that "The number of Hispanics is increasing al-
most four times as fast as the rest of the population, and they are expected to surpass African-Americans as the largest minority group by 2005." In the October 21, 1996, issue, U.S. News re-
ported that "Nearly 28 million people—
1 American in 10—consider themselves of Hispanic origin." By 2050, projec-
tions are that 1 in every 4 Americans will be Hispanic.

An article in The Economist of April 21, 1996, stresses the value of the Span-
ish language to America's fastest grow-
ning minority group. "America's Latinos are rapidly becoming one of its most useful resources."

In the western hemisphere, Spanish is clearly the dominant language. With established and emerging markets in Mexico, Central America, and South America, the Spanish language is a key to foreign competition in our own hemisphere.

As the world economy moves into the next century, it has become clear the "domestic-only market planning" has been replaced by the era of inter-
national trade agreements and the cre-
ation of regional trading blocs. In 1996, the total volume of trade with Mexico, Central America, and South America, the Spanish language is a key to foreign competition in our own hemisphere.

Spanish is clearly a growing cultural and economic force in our hemisphere. It is also the common language of hun-
dreds of millions of people. Recent econ-
omic trends of this decade show Latin America as the most promising future market for American goods and services.

With Latin America as the next great market partner of the United States, those Americans who know both English and Spanish will have many new grand opportunities. Mexico's re-
cently hired and celebrated its one-
millionth maquiladora worker in international manufacturing plants along our border. This milestone event unques-
tionably shows the value of knowing two languages as manufac-
turing expands among the hundreds of Fortune 500 companies now manufactur-
ing in Mexico.

Mr. President, I have long believed that New Mexico and other border states need to create the focal point of North American trade with South America. I agree with The Economist observation that "America's Latinos are rapidly becoming one of its most useful resources." I predict that English Plus Spanish will be one of the major marketable skills for the next century.

In conclusion, I would like my col-
leagues to see the value of "English
Plus" Spanish in our own hemisphere. "English Plus" and other European languages has long been a shared value, and languages have become very important also. In every corner of the world, for-

ign languages matter to us for cul-
tural, economic, and security reasons.

Worldwide, we see a renaissance in cultural assertiveness where and Asian languages take greater interest in preserving and sharing their own cultural identities. As nations grow more interdependent economically, there is a parallel inter-

est in maintaining their own cultural integrity, with language as a key linchpin of cultural identity.

Mr. President, our nation's potential markets in Mexico, Central America, and South America alone spell a vital future for "English Plus" Spanish. If we want to continue to expand our nation's cultural and economic Amer-
ican influence in the world, then we urge the adoption of "English Plus" as our national policy. We believe this ap-

proach will lead to a more prosperous and secure world.

We believe we should not isolate America to English only and to do that would be a big mistake. The Senate resolution I am speaking of supports and encourages Americans to master English first and English plus other languages. We should add to that, but not English only. We see English plus other languages as a more sensible statement of our national pol-

icy. Our Nation is rich in resources. We want to encourage American citizens to learn other prominent languages that the world uses and that we must use in the world and that many in our country use as part of their cultural background.

Mr. President, I ask unanimous con-

sent that our resolution regarding English plus other languages be printed in the RECORD.

SENATE RESOLUTION 107—TO ES-
TABLISH A SELECT COMMITTEE ON CHINESE ESPIONAGE

Mr. SMITH (of New Hampshire) sub-
mitted the following resolution; which was referred to the Committee on Rules and Administration:

Resolved, SECTION 1. ESTABLISHMENT OF THE SELECT COMMITTEE.

(a) IN GENERAL.—There is established a temporary Select Committee on Chinese Espio-
gage (hereafter in this resolution referred to as the "select committee") which shall consist of 12 members, 6 to be appointed by the President pro tempore of the Senate upon recommendations of the Majority Leader from among members of the majority party, and 6 to be appointed by the President pro tempore of the Senate upon rec-

ommendations of the Minority Leader from among members of the minority party.

(b) CHAIRMAN.—The Majority Leader shall select the chairman of the select committee.

(c) VICE CHAIRMAN.—The Minority Leader shall select the vice chairman of the select committee.

(d) SERVICE OF A SENATOR.—The service of a Senator as a member or chairman on the select committee shall not count for pur-
poses of paragraph 4 of rule XXV of the Standing Rules of the Senate.

SEC. 2. JURISDICTION.

(a) IN GENERAL.—There shall be referred to the select committee, concurrently with re-

feral to any other committee of the Senate with jurisdiction, all reports, hearings, memorials, and other matters relating to United States-China national security rela-
tions.

(b) EFFECT ON OTHER COMMITTEES JURISDI-
CTION.—Nothing in this resolution shall be construed as prohibiting or otherwise re-

stricting the authority of any other committee of the Senate or as amending, limit-
ning, or otherwise changing the authority of any standing committee of the Senate.

SEC. 3. REPORTS.

The select committee may, for the pur-
poses of accountability to the Senate, make such reports to the Senate with respect to matters within its jurisdiction as it shall deem advisable which shall be referred to the appropriate committee. In making such re-
ports, the select committee shall proceed in a manner consistent with the requirements of national security.

SEC. 4. POWERS OF THE SELECT COMMITTEE.

(a) IN GENERAL.—For the purposes of this resolution, the select committee is author-
ized at its discretion—

(1) to make investigations into any matter within its jurisdiction;

(2) to hold hearings;

(3) to sit and act at any time or place dur-
ing the sessions (subject to paragraph 5 of rule XXV of the Standing Rules of the Sen-
ate), recesses, and adjourned periods of the Senate;

(4) to require, by subpoena or otherwise, the attendance of witnesses and the produc-
tion of correspondence, books, papers, and documents;

(5) to make expenditures from the contingent fund of the Senate to carry out its func-
tions and to employ personnel, subject to procedures of paragraph 9 of rule XXVI of the Standing Rules of the Senate; and

(6) with the prior consent of the Govern-
ment department or agency concerned and the Committee on Rules and Administration, to use, on a reimbursable or nonreimbursable basis the services of personnel of any such department or agency.

(b) OATHS.—The chairman of the select committee or any member thereof may adm-
ister oaths to witnesses.

(c) SUBPOENAS.—Subpoenas authorized by a majority of the select committee shall be issued over the signature of the chairman and may be served by any person designated by the chairman.

SEC. 5. TREATMENT OF CLASSIFIED INFORMATION.

(a) EMPLOYER.
against United States national security interests, responding to what is increasingly being viewed as the greatest security threat to the United States in our history—the loss to China of our most sensitive nuclear warhead data over many years from the Los Alamos National Lab, and from other national security facilities and programs. Through no one's fault, and with the best of intentions, congressional efforts to examine this matter have been disjointed and inconsistent. I respect every Senator on both sides of the aisle who has been working and doing their best to try to get to the bottom of this, especially the chairmen of those committees with some claim to jurisdiction over the Labs and over this whole issue of Chinese espionage.

Unfortunately, that is the problem. There are individuals conducting too many independent investigations, if you will, and too many committees going down the same path. The result has been a duplication of witnesses, many of whom have come back under oath and testified five times before the Senate. I don't think this makes a lot of sense.

I think my colleagues on these respective committees—and I chair a subcommittee on the Armed Services Committee with direct jurisdiction over this matter, so I say that as one who would be involved in such an investigation—will agree that there is too much duplication. We need to streamline this effort and we need to put the full weight of the Senate behind it. That means an investigation, a true investigation, the power to call witnesses and administer oaths, and a unified focus of our shared bipartisan concern.

I have had the privilege to serve on two such bipartisan committees. One, the Senate Ethics Committee, is a nonpartisan committee, really, of three members from each party. We look at all the matters before us in a truly nonpartisan way. That is exactly what needs to be done here.

I also served on the Senate Select Committee on POWs and MIAs a few years ago, where Senator John Kerry was the chairman and I was vice chairman. It was a bipartisan effort. That is what the Senate is about, and that is why I think it is so important to have a select committee. I believe a select committee with a specific intent, with the opportunity to call witnesses, to put people under oath, and to have investigators look into this is the correct approach. Otherwise, it is going to be defused all over the Government and we are going to have all kinds of stories popping up from this committee and that committee, this subcommittee and that subcommittee, and this Senator and that Senator, and it will all be disconnected.

I urge colleagues to support this legislation. I urge our leaders to support it as well. I think it is a good idea. It has worked in the past when we have had serious issues like this. And our effort here is to gain the truth, to get the facts. I believe this select committee will get the job done.

I want to review briefly what has happened, and why I think it is so important to have a select committee.

About 5 months ago, a special congressional committee investigating security problems with China questioned whether the Department of Energy had adequate safeguards to protect its nuclear secrets. On February 1, 1999, President Clinton responded, saying safeguards were "adequate" and getting better.

That was the statement of the President on February 1. With all due respect, and being as nice about it as I can, that was not true then. It is not true now.

One week later, on February 8, Mr. Lee failed a polygraph test. More than a month later, the FBI finally searched his computer. This is not something
one can take lightly. When the President says that safeguards were “adequate” and getting better, that simply was not true.

Between the time the Justice Department refused the FBI’s request for a court order to search Lee’s computer and Lee’s firing, there were more than 300 break-ins involving the computer network on which Lee had allegedly transferred nuclear secrets.

When Ho Lee was hired by Los Alamos National Laboratories in 1978, he first came under suspicion in 1982 when he made a telephone call to a scientist from Lawrence Livermore Lab who had been fired as a result of an investigation into evidence that a spy had passed neutron bomb secrets to China.

In 1989, when Lee’s 5-year security renewal was up for review, Energy Department officials thwarted his security inquiry into Mr. Lee. But a file put together on Lee that was sent to DOE headquarters for security review was “lost.” And it was not until 1992 that the Department hired an outside contractor to reconstruct the “lost” file.

In 1994, a Los Alamos employee reported to security officials that Lee was “embraced” by a Chinese intelligence officer during a delegation visit, and that Lee had discussed with the Chinese the nuclear weapons code similar to the ones he is now suspected of stealing.

In 1995, the Energy Department and the CIA began to learn the record of China’s alleged espionage.

In August of 1997, FBI Director Louis Freeh recommended Mr. Lee’s access to top secret warhead data. Mr. Freeh recommended Mr. Lee’s access immediately. What happens? Lee is still being denied access.

In 1996, President Clinton relaxed all controls on sales of advanced computers to countries like China. The next year, his administration resisted congressional efforts to retighten those controls. The Cox committee reportedly concluded that some of the computers sold to China went to organizations involved in military activities, and they might have been used for military purposes—like upgrading nuclear weapons or developing more accurate missiles.

When something goes to China, it does not just go to private industry. It goes to the military too. Let’s make sure we understand that.

The relaxation of export controls on technology, beginning to come, I have been hammering away at in my subcommittee—the Strategic Forces Subcommittee—in the Armed Services Committee for seven years. I have watched these controls relax in this administration. I have watched the State Department and the Energy Department lose the fight time after time after time to the Commerce Department.

In 1996, President Bill Clinton shifted licensing responsibility for commercial satellite sales from the security-oriented State Department to the business-friendly Commerce Department.

I do not know what most Americans think about all of this, but I am going to say what I think about it. I think this is the worst breach of national security in the history of the United States of America. It is not just about Los Alamos, as we are going to find out tomorrow when this report is declassified. It is the conclusion that I have reached about it in more detail. Unfortunately, I cannot talk about some of it today. But I urge everyone to get a copy of it and you will see what I am talking about. The Rosenbergs in 1953 were executed, in my view, for less than what has happened here.

I have seen, time after time, witness after witness from this administration come before the Armed Services Committee—either taking the fifth amendment, refusing to come, or fleeing the country, or lying under oath, or being unable to remember. That is one thing during some financial inquiry about who gave how much money to some candidate. But I am going to tell you one thing. I am not going to stand for people coming before the Senate—when the security of the United States of America is at stake, when nuclear weapons have been transmitted to a foreign nation who is an enemy of the United States—I am not going to stand for people coming before this Senate and not telling the truth.

I will say it on the record: somebody is going to be held accountable for what has happened. Somebody is going to be held accountable. Every nuclear weapon in the United States arsenal has been compromised—every one of them. I am not going to stand by and take no for an answer. I am not going to stand for this being obfuscated all over the Senate and all over the country with defused, mixed messages. We will get to the bottom of this. Nobody in this Senate should have any objection to that. Whoever did this, whoever is responsible for this, wherever it leads, needs to be held accountable, period.

In 1996, the American intelligence community concluded that China had stolen the secret design information about the neutron bomb. In April 1997, the FBI recommended measures to tighten security at the Labs.

In July 1997, Mr. Trulock, concerned about lack of progress, went back to the White House to ask for assistance. He gave National Security Adviser Sandy Berger a fuller briefing. Berger briefed the President of the United States as early as July 1997. Twice in 1997 the Justice Department rejected a request by FBI counterintelligence officials to seek a search warrant authorizing more aggressive investigative techniques, including a wiretap and clandestine searches of homes, offices, and computers. The request for a wiretap was turned down by a political appointee, Frances Townsend. A request for a wiretap was turned down.

The numbers of wiretaps authorized each year is classified, but we know there are hundreds in any given year. We also know that seldom are more than two or three in a given year denied. Put yourself in Frances Townsend’s place at the Justice Department when something comes in from the FBI and says, we have a problem. Somebody stole all the nuclear weapon secrets from the United States of America and sent them to China. We have a suspect. We need to wiretap him. And your answer is, no.

Now, I am not going to accept some feeble explanation about why that happened. Somebody is going to answer that question in my presence in this Senate before I leave here; I state that right now.

In August of 1997, FBI Director Louis Freeh recommended Mr. Lee’s access to classified information be cut off immediately. What happens? Lee is still granted access to top secret warhead data despite the recommendation. What is going on? This kind of thing does not happen unless somebody makes it happen and wants it to happen.

When the FBI Director says no, the answer is no. But somebody decided that Mr. Freeh was not going to have the last word here. They decided that Mr. Lee was going to continue to have access to top secret warhead data.
During the 1998 congressional investigation into satellite export controls, Trulock has said, acting Energy Secretary Bill Richardson ordered him—"I emphasize the word ‘ordered,’ because I heard him say it in my presence—ordered him not to disclose the Chinese espionage in testimony before the U.S. Congress. A political appointee in the Energy Department ordered Mr. Trulock, a subordinate, not to tell the Congress.

Now she denies it. Clearly, we need these two witnesses to come forth in public session before this select committee. Let the public decide who is lying and who isn't.

Mr. Lee retained access to classified information after he came under suspicion of spying, from October 1997 to October 1998.

On May 9, 1999, the Clinton administration finally admitted that secret nuclear weapons data had been compromised. They finally admitted it when Bill Richardson, the new Secretary of Energy, to his everlasting regret and to his everlasting eternal damnation, the Armed Services Committee—time and time again, saying "I don't remember, I can't recall." That is not good enough. That does not cut it. And it does not cut it on the part of the President of the United States, either. He should have been up here testifying during his impeachment trial. By golly, if we have to have him come up here and testify on this, then bring him up here. This is the national security of the United States we are talking about. This is classified, nuclear, codeword-level information that has been passed, and the President needs to tell us what he knows, if he knows anything.

According to the New York Times, what counterintelligence experts told senior Clinton administration officials in November of 1998 is that China possesses the intelligence threat to the weapons labs—an acute intelligence threat to the weapons labs. We now know the President had been briefed in November of 1998 about FBI and CIA suspicions, and in January had even received the secret Cox report detailing those security lapses during the Clinton watch.

What is going on here? All right, so he does not tell us the truth about Monica Lewinsky. But this is national security. Mr. Berger, his own National Security Adviser, President Clinton was told about the problems at the weapons labs in July of 1997 or February of 1998.

On May 9, 1999, Tim Russert, on "Meet The Press," extracted from Energy Secretary Bill Richardson the acknowledgment that President Clinton was "fully, fully briefed," an admission for which, news reports say, Richardson was savaged by Clinton aides.

Here is an admission. Clinton put in "at the labs" and "against the labs" because we technically don't know if the stolen info came from the labs or somewhere else. Richardson also said, "there have been damaging security leaks. The Chinese have obtained damaging information during past administrations and the current administration."

Perhaps this spying started in previous administrations, but this administration knew it was going on and did not report it. That just does not cut it. This is not about "what is it." This is about the security of the United States of America.

On May 23, 1999, the deputy intelligence director at the Department of Energy suggested the White House was informed about China's theft of United States nuclear secrets much sooner than it has acknowledged.

The inaction from this administration did not come in a vacuum. It came in the thick of a 1998 reelection effort that the President knew the White House was winning.

Wen Ho Lee was fired on March 8. His computer was not searched until the following week. They found he had transferred legacy codes covering many U.S. nuclear weapons from the classified to an unclassified computer system where they could be vulnerable to outsiders. In a computer search, more than 1,000 top secret weapons files had been deleted after being improperly transferred from a highly secure computer system.

Those are the facts as I can outline them without going into classified materials. I point out in the framework of the last 4 or 5 months, this information has been withheld from the public. Certain administrators and Congressmen, if they took it upon themselves, could get a briefing on the Cox report, but it was not allowed to be released.

What happened? What did the President know and when did he know it? That sounds familiar.

March 19, 1999, at a press conference, the President assured the public, "There has been no espionage at the Labs since I've been President." Let me repeat that: "There has been no espionage at the Labs since I've been President."

And, "No one reported to me that they suspect that such a thing has occurred."

The President, in March of this year. March 19, 1999, says, "There has been no espionage at the Labs since I've been President," and, "No one reported to me that they suspect that such a thing has occurred."

Mr. Berger told the Cox Committee he did not speak with the President about Chinese spying for at least a year, but he did say he did it in early 1998. Berger's aides now say he remembers informing Clinton in July of 1997.
P.R.C. had illegally funneled money into their 1996 Clinton-Gore reelection campaign. I do not know where these dots were, if they were connected, or if there were a lot of dots. Mr. Berger assigned an NSC staffer to look into things and asked the CIA to investigate. The CIA’s report comes back to the effect that the Trulock analysis was an unsupported worst-case scenario. That is not what he told us in private.

Finally, in February of 1998, President Clinton formally ordered the reforms into effect. But, curiously, Energy Secretary Federico Peña never followed the order and soon after left the Cabinet.

Reforms were not instituted until Bill Richardson did so in October of 1998. 30 months after Trulock’s first warning; 9 months after the President’s directed inquiry. In that period of time, Secretary Moler orders Trulock not to tell Congress because it could be used against President Clinton’s China policy.

Do not tell Congress? If this Senate tolerates that kind of action, we deserve all the criticism we get and 10 times more. We have oversight responsibility. This area, the labs and the security of those labs and those weapons, is directly under this Senator’s supervision and oversight responsibility as the chairman of the Strategic Forces Subcommittee. I am going to tell you something; I do not accept that answer. I am not going to accept that answer. Someone is going to talk, and whoever is accountable, in my view, if they did these things, they are going to go to jail, because that is where they belong. We are going to find out where this path leads, if it is the last thing I do.

Political contributions poured in and United States technology flowed out to China day after day, week after week, month after month, year after year—flowed out to China, made possible by the easing of export controls to this strategic partner of the President’s.

We are going to hear that this is China bashing. This is not China bashing. This is the national security of the United States. I hope when the American people read the Cox report, they will understand that the Chinese gained a new and clear warhead in our arsenal. They now have the missile to fire it, the warhead to put on it, and the targeting information to direct it at any city in the United States of America—all thanks to the relaxation of export controls, and to the fact we left a spy in our labs.

When are we going to wake up? All through March and April of 1999, the White House fought over the release and declassification of this report. I wonder they do not want it released. The Cox report believes China is still spying. I believe they are too. This has to be investigated.

In conclusion, we need a bipartisan select committee to find out where this trail leads, wherever it leads.

SENATE CONCURRENT RESOLUTION 33—EXPRESSING THE SENSE OF CONGRESS REGARDING THE NEED FOR VIGOROUS PROSECUTION OF WAR CRIMES, GENOCIDE, AND CRIMES AGAINST HUMANITY IN THE FORMER REPUBLIC OF YUGOSLAVIA

Ms. LANDRIEU (for herself and Mr. SPECTER) submitted the following concurrent resolution; which was referred to the Committee on Foreign Relations:

S. CON. RES. 33

Expressing the sense of Congress regarding the need for vigorous prosecution of war crimes, genocide, and crimes against humanity in the former Republic of Yugoslavia.

Whereas the United Nations Security Council created the International Criminal Tribunal for the former Yugoslavia (in this concurrent resolution referred to as the ICTY) by resolution on May 25, 1993;

Whereas, although the ICTY has indicted 84 people since its creation, these indictments have only resulted in the trial and conviction of 8 criminals;

Whereas the ICTY has jurisdiction to investigate: grave breaches of the 1949 Geneva Conventions (Article 2), violations of the laws or customs of war (Article 3), genocide (Article 4), and crimes against humanity (Article 5);

Whereas the Chief Prosecutor of the ICTY, Justice Louise Arbour, stated on July 7, 1998, to the Contact Group for the former Yugoslav, "I think the Prosecutor believes that the nature and scale of the fighting indicate that an 'armed conflict', within the meaning of international law, exists in Kosovo. As a consequence, the indictment charges for crimes against humanity or war crimes, if evidence of such crimes is established";

Whereas reports from Kosovar Albanian refugees provide detailed accounts of systematic efforts to displace the entire Muslim population of Kosovo;

Whereas in furtherance of this plan, Serbian troops, police, and paramilitary forces have engaged in detention and summary execution of men of all ages, wanton destruction of civilian housing, forcible expulsions, mass executions in at least 60 villages and towns, as well as widespread organized rape of women and young girls;

Whereas these reports of atrocities provide prima facie evidence of war crimes, crimes against humanity, as well as genocide;

Whereas any criminal investigation is best served by the depositions and interviews of witnesses as soon after the commission of the crime as possible;

Whereas the indictment, arrest, and trial of war criminals would provide a significant deterrent to further atrocities;

Whereas the ICTY has issued 14 international warrants for war crimes suspects that have yet to be served, despite knowledge of the suspects’ whereabouts;

Whereas vigorous prosecution of war crimes after the conflict in Bosnia may have prevented the ongoing atrocities in Kosovo; and

Whereas investigative reporters have identified specific documentary evidence implicating the Serbian leadership in the commission of war crimes: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That it is the sense of Congress that:

(1) the United States, in coordination with other United Nations contributors, should provide sufficient resources for an expeditious and thorough investigation of allegations of the atrocities and war crimes committed in Kosovo;

(2) the United States, through its intelligence services, should provide all possible cooperation in the gathering of sufficient specificity and credibility to secure the indictment of those responsible for the commission of war crimes, crimes against humanity, and genocide in the former Yugoslavia;

(3) where evidence warrants, indictments for war crimes, crimes against humanity, and genocide should be issued against suspects regardless of their position within the Serbian leadership;

(4) the United States and all nations have an obligation to honor arrest warrants issued by the ICTY, and the United States should use all appropriate means to apprehend war criminals already under indictment; and

(5) NATO should not accept any diplomatic resolution to the conflict in Kosovo that would bar the indictment, apprehension, or prosecution of war criminals for crimes committed during operations in Kosovo.

Ms. LANDRIEU. Mr. President, this resolution, from the Senator from Pennsylvania and me, attempts to address the serious issue of war crimes. It calls for the Senate to make its voice clear on the issue of war crimes and the prosecution of those guilty of such crimes.

AMENDMENTS SUBMITTED

DEPARTMENT OF DEFENSE AUTHORIZATION ACT

KERREY AMENDMENT NO. 376

(Ordered to lie on the table.)

Mr. KERREY submitted an amendment intended to be proposed by him to the bill (S. 1059) to authorize appropriations for fiscal year 2000 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; as follows:

On page 337, strike line 13 and all that follows through page 358, line 4.

ROBERTS (AND OTHERS)

AMENDMENT NO. 377

Mr. ROBERTS (for himself, Mr. WARR, and Ms. SNOWE) proposed an amendment to the bill, S. 1059, supra; as follows:

In title X, at the end of subtitle D, add the following:

SEC. 1061. SENSE OF SENATE REGARDING LEGAL EFFECT OF THE NEW STRATEGIC CONCEPT OF NATO.

(a) SENSE OF SENATE.—It is the sense of the Senate that—