

SENATE—Thursday, January 17, 1991

(Legislative day of Thursday, January 3, 1991)

The Senate met at 10 a.m., on the expiration of the recess, and was called to order by the Acting President pro tempore [Mr. LEAHY].

PRAYER

The Chaplain, the Reverend Richard C. Halverson, D.D., offered the following prayer:

Let us pray:

I had fainted, unless I had believed to see the goodness of the Lord in the land of the living. Wait on the Lord: be of good courage, and he shall strengthen thine heart: wait, I say, on the Lord.—Psalm 27:13, 14.

Eternal Father, God of all comfort, Thou knowest the flood of emotions which have crowded our minds and hearts in these last 24 hours—*anxiety, helplessness, weakness, vulnerability, brokenness, frustration, confusion, anger.* Thou knowest the myriad questions which storm our brains.

We turn to Thee, mighty God, because there is nowhere else to go. Hear our prayers for all the men and women involved on either side of the conflict and for their loved ones. We pray for the people of Kuwait and Iraq, we pray for those who are casualties and for their loved ones. As Thou alone art able to do, cover them with Your love, Your grace, Your peace. If it be possible, mighty God, grant quick resolution to the conflict and minimal casualties.

We pray in His name who is incarnate love. Amen.

RECOGNITION OF THE ACTING MAJORITY LEADER

The ACTING PRESIDENT pro tempore. Under the standing order, the acting majority leader is recognized, the distinguished Senator from Kentucky.

RECESS SUBJECT TO THE CALL OF THE CHAIR

Mr. FORD. Mr. President, the leaders are at the White House at this moment visiting with President Bush and his advisers, and getting an update. So under those circumstances, on behalf of the leadership, I ask unanimous consent that we stand in recess subject to the call of the Chair.

There being no objection, the Senate, at 10:02 a.m., recessed subject to the call of the Chair, whereupon, the Senate reassembled at 5:32 p.m. when called to order by the Acting President pro tempore.

The ACTING PRESIDENT pro tempore. The Senator from Maine.

Mr. MITCHELL. Mr. President, I ask unanimous consent that there be 30 minutes equally divided on a resolution to be offered by myself and Senator DOLE on the Persian Gulf; that no amendments or motions be in order relative to the resolution; that the time be equally divided in the usual form; and that it be in order now to consider the resolution.

The ACTING PRESIDENT pro tempore. Is there objection? The Chair hears none. Without objection, it is so ordered.

SUPPORTING U.S. PRESENCE IN THE PERSIAN GULF—SENATE CONCURRENT RESOLUTION 2

Mr. MITCHELL. Mr. President, on behalf of myself and Senator DOLE, I now send a resolution to the desk and I ask that it be in order for any Senator who wishes to do so to offer his or her name as a cosponsor thereafter.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The clerk will report the resolution.

The legislative clerk read as follows:

A concurrent resolution (S. Con. Res. 2) Supporting United States Presence in the Persian Gulf.

Whereas the President of the United States, with the authorization of Congress, has ordered military action against Iraq in an effort to force Iraqi armed forces from occupied Kuwait.

Whereas 415,000 men and women of the United States Armed Forces are now involved in armed conflict.

Whereas 158,000 members of the Reserves and National Guard have been called to active duty since August 22 and may become involved in armed conflict.

Whereas Congress and the American people have the greatest pride in the men and women of the United States Armed Forces and support them in their efforts: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That the Congress commends and supports the efforts and leadership of the President as Commander in Chief in the Persian Gulf hostilities.

The Congress unequivocally supports the men and women of our Armed Forces who are carrying out their missions with professional excellence, dedicated patriotism and exemplary bravery.

Mr. MITCHELL. Mr. President, I ask for the yeas and nays.

The ACTING PRESIDENT pro tempore. Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

Mr. MITCHELL. Mr. President, for the information of Senators, the 30 minutes begin now, the vote will occur at 6:06 p.m. Senators should now be aware, their offices should notify them, that the vote will occur at 6:06 p.m.

Mr. NUNN. Will the Senator yield?

Mr. President, I would like to be added as a cosponsor to the resolution. I ask unanimous consent that be done.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The Chair will notify Senators there is a unanimous-consent agreement for each Senator to be able to add his or her name.

Mr. MITCHELL. So it is not necessary.

The ACTING PRESIDENT pro tempore. Who yields time?

Mr. MITCHELL. Mr. President, I yield myself 3 minutes.

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

Mr. MITCHELL. Mr. President, this resolution expresses the support of the Congress for the men and women of our Armed Forces and for the President as Commander in Chief of our Armed Forces during the hostilities that are now underway in the Persian Gulf.

Last week we had what I believe to have been a historic debate in the Senate on the policies relating to the Persian Gulf crisis. That debate is over. A majority of the Senate has spoken. And now we should convey, in a form that sends a message of unity, an expression of our support for the courageous and skilled men and women of our armed services who have already performed the tasks assigned to them in a manner that makes Americans proud.

So I encourage my colleagues to support this resolution. I hope that the vote will be unanimous, or nearly so, and that the Senate will speak with one voice on this issue.

War is a sobering and saddening event. We prayed it could be avoided. We hoped that Saddam Hussein would recognize the seriousness of the international commitment to force his troops from Kuwait; and that he would withdraw.

Surely Saddam Hussein must now recognize the enormity of his miscalculation. Surely now Iraq must withdraw from Kuwait.

We disagreed among ourselves, as a Congress and as a Nation, about the need to resort to war at this time. Although I believe that the decision to authorize war at this time was pre-

* This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

mature, the majority of the Senate and House of Representatives has spoken and the President has acted. The Congress has authorized the use of force in a proper exercise of its constitutional power to declare war. President Bush has made the decision to begin military action against Iraqi forces in Iraq and Kuwait.

The President informed me of his decision by telephone shortly after 5:30 p.m. yesterday, and at about 6:30 p.m. provided his written determination pursuant to House Joint Resolution 77—authorization for military force against Iraq resolution.

Preliminary reports of the military action provide reason for hope. The apparent success of the American and allied air strikes upon Iraqi missile sites appears to have diminished the danger of direct Iraqi attack upon Israel and other nations. The reduction of the Iraqi Air Force is underway. There is reason to believe that the United States and its allies have succeeded in establishing air superiority over the adversary.

These are encouraging developments. Obviously, as Secretary Cheney and General Powell both said yesterday evening, it will take time to make a definitive assessment of the degree of success of our initial military effort.

Also obviously, the apparent early success of our initial attack does not wholly eliminate the challenges facing our forces in the days ahead.

Secretary Cheney reminded us all last night that the conflict "is likely to run a long time." Our troops will need their full measure of courage and skill to follow up these initial successes and complete the mission of removing Iraq's forces from Kuwait. We all hope that ground combat can be avoided, but there is little doubt that the apparent success of the initial air campaign is of significant importance in the event that ground forces engage.

So even as we know that our troops face further challenges and hardships in the days ahead, the men and women in uniform who played a part of the initial strike have already earned the Nation's gratitude. The Nation's thanks are accompanied by our wholehearted commitment to continued support for our people in the field.

A democratic nation can ask no greater sacrifice than that a few risk their lives on behalf of the many who risk nothing. In return, our troops deserve our full support. We have the obligation to provide nothing less.

We all pray that the most optimistic forecasts of a short, swift, and contained conflict will be fulfilled, with the least possible loss of life.

Mr. President, I reserve the remainder of my time, and I yield to the distinguished Republican leader.

The ACTING PRESIDENT pro tempore. The distinguished Republican leader.

Mr. DOLE. I yield 2 minutes to the distinguished Senator from Utah [Mr. GARN].

Mr. GARN. Mr. President, I thank the distinguished minority leader. I will be brief, because there is not much time on this resolution.

We have just come from a briefing by the Secretary of Defense and General Powell. I would simply like to say that as a retired—both Navy and Air Force—pilot myself, with more than 24 years of flying military aircraft, I commend our air crews. I am just overwhelmed with their performance, the accuracy and the success of their missions. I believe it is far beyond what any of us could have expected.

And while we are still not out of the woods, and I am sure there are some difficult times ahead, for the number of missions that were carried out in the last 24 hours, to only lose one aircraft is also beyond our expectations.

So I do not think this body can compliment enough our young men and young women who are involved in this for a truly superb performance, certainly the best that I am aware of in the 24 years that I spent flying military aircraft.

It is a tribute to their training; it is a tribute to the equipment that they have; and it is a tribute to the Congress for our willingness to supply them with the best means available to defend this country.

I thank the distinguished minority leader.

The ACTING PRESIDENT pro tempore. Who yields time?

Mr. DOLE. I yield 1 minute to the distinguished Senator from South Carolina.

The ACTING PRESIDENT pro tempore. The Senator from South Carolina.

Mr. THURMOND. Mr. President, I want to commend the men and women in the military in the Persian Gulf for the exemplary manner in which they are conducting themselves during this war. I do not think I have ever known or read of a more successful conduct of an operation than we have learned about here.

I also want to commend the President of the United States, the Secretary of Defense, the Chairman of the Joint Chiefs of Staff, and all those in leadership. They knew exactly what they were doing. They took the right step. And I am very proud that the Congress backed up our leaders in this manner.

Again, I am proud of the American military forces in the Persian Gulf, and I am sure they are going to continue to perform in an outstanding manner.

Mr. DOLE. Mr. President, I yield myself 4 minutes.

The ACTING PRESIDENT pro tempore. The Senator from Kansas.

AMERICA, UNITED

Mr. DOLE. Mr. President, for nearly 6 months, we gave peace a chance.

It did not work.

Not because we did not try hard enough, or because we were not patient enough.

For peace to have a chance, both sides must want it.

Saddam Hussein did not.

For peace to have a chance, both sides must value the human life that peace protects.

Saddam Hussein does not.

For nearly 6 months, we sought peace. President Bush went the first mile, and then the extra mile—again and again.

For 6 months, we sought peace—but Saddam Hussein insisted on war.

And now he has his war.

Mr. President, when America goes to war, as we now have, we go united. The President speaks for the Nation. Last night, he spoke clearly and eloquently. I believe the overwhelming majority in the Congress, and in the country, were moved as I was by what he said and stand squarely behind what he has done.

We have had our debates—for now, they are over. We have had our disagreements—for now, they are set aside.

We are Republicans and Democrats—but before that, we are Americans. And when Americans go to war, we go together—united in purpose, and determination, and support for our forces.

That is the message of this resolution, sent to our troops:

Our deep pride in their courage and patriotism. An unequivocal commitment to provide them whatever support they need to accomplish their mission. A prayerful wish for their safety and their quick return home.

And there is a message, too, for Saddam Hussein—though, sadly, he seems deaf to any voice but his own. It is a message that he can have no expectation, and should have no hope, that disunity at home will undermine American forces in the gulf. It will not happen. American forces will carry out their mission until they achieve their goals. The American Congress will fully support those forces until their job is done.

Mr. President, we are all pleased that the initial phases of our military operations have gone well, and that our losses so far have been minimal. But there is no joy in this day for any of us.

One American has already died. Inevitably, tragically, more will have to make the supreme sacrifice.

Without question, many Iraqis have already died, and many, many more will. Certainly, we take no joy or satisfaction in that, either.

This could be a long and costly and difficult endeavor. No one should doubt that possibility.

So this is a day with no joy. It is, instead, a day which we must fill with unity, courage, determination, patriotism, and—most of all—our prayers.

The ACTING PRESIDENT pro tempore. Who yields time?

Mr. MITCHELL. Mr. President, I yield 1 minute to the junior Senator from Georgia.

The ACTING PRESIDENT pro tempore. The Senator from Georgia is recognized for 1 minute.

Mr. FOWLER. Mr. President, after the Congress of the United States speaks, there can only be one Commander in Chief. This resolution commends the President for his calmness and his decisiveness. It commends the 415,000 men and women of the U.S. Armed Forces and the over 158,000 members of the Reserves and National Guard who have been called to active duty since August 22. We stand firmly behind them, as the minority leader just said, regardless of region, regardless of party.

We pray that there will be a swift resolution of this crisis after the courage and skill that we have seen demonstrated in the first 24 hours. Our prayers go out to the families as they sit with concern, and we hope that there will be a very swift end to a very fine beginning on behalf of our country.

The ACTING PRESIDENT pro tempore. Who yields time?

Mr. MITCHELL. Mr. President, I yield 1 minute to the Senator from Texas.

The ACTING PRESIDENT pro tempore. The Senator from Texas is recognized for 1 minute.

Mr. BENTSEN. Mr. President, just a few days ago the Senate was engaged in a debate, from the heart, about policy options in the Persian Gulf.

We were divided on tactics, but never on principle.

We all agreed that the Iraqi aggression against Kuwait could not stand.

And we all agreed that, in the event of war, Congress and the American people would stand united in support of our soldiers in the field and their Commander in Chief in the White House.

Today we have an opportunity to demonstrate that unity and express that support—to make it clear to our military personnel, to our allies, and to Saddam Hussein that the Congress and the people of the United States stand strong with our President.

Perhaps the most poignant moment in the process of democracy is when we ask young men and women to put their lives on the line in the defense of freedom, to defend the principles that make America unique in the world.

In the early years of this century, when Woodrow Wilson committed America to combat in World War I, he remarked that "it is a fearful thing to lead this great peaceful people into war." President Wilson understood

then—as President Bush understands today—that we are a nation dedicated to peace, but we do not shrink from defending our values. We prefer the competition of ideas and products to the clash of weapons. But when the rule of law is shattered, when our interests and ideals are shattered, we can respond forcefully and effectively. Saddam Hussein is learning that lesson.

My heart goes out to those brave men and women from Fort Hood and Fort Bliss, now in the Saudi Desert; to those reservists recalled to active duty from their civilian jobs in Dallas and Houston and McAllen; to those men and women in San Antonio who have been working around the clock to give our forces the tools to finish the job; to those sailors from Corpus Christi, now stationed in harm's way. They and their loved ones are anxious and proud, concerned but committed. They deserve our support and they have our prayers.

Mr. President, Operation Desert Storm appears highly successful, and for that we are thankful. But we also realize that the hardest days, the more costly battles, may still lie ahead. We are well aware that the war may be far from over, but our allies and our enemies should understand that America's unity is as strong and resilient as our military might.

I am proud to join my colleagues in this expression of broad, bipartisan support for our troops in the field. I also want to express my appreciation to friends who have stood with us, especially to the British, French, and Saudi forces that have accepted the risks of defending freedom. I congratulate our Armed Forces on their performance. I hope and pray they will achieve their goal quickly and with minimal loss of life. And I hope this resolution will help assure them that, when this war is over, these brave men and women will return to an America that respects their sacrifice and honors their service on our behalf.

The ACTING PRESIDENT pro tempore. Who yields time?

Mr. DOLE. Mr. President, I yield 3 minutes to the distinguished Senator from Arizona.

The ACTING PRESIDENT pro tempore. The Senator from Arizona is recognized for 3 minutes.

Mr. MCCAIN. Mr. President, often when a nation goes to war, impassioned and reckless people will fill the air with boasts and slogans. But when a great nation goes to war, it wisely begs the aid of a just God, as Abraham Lincoln did when he spoke for his people: "Fondly do we hope, fervently do we pray that this mighty scourge of war may speedily pass away."

Today all of us pray that this terrible undertaking will be swiftly concluded. America's sons and daughters have again been ordered into combat to safeguard international stability and prin-

ciples of international law. All Americans are united in our concern that these brave Americans be returned to their families safely and as quickly as possible.

No American wanted this war. President Bush, the United Nations, and virtually the entire world community explored every possible opportunity for a peaceful settlement of this crisis.

Saddam Hussein ignored all of these opportunities as he ruthlessly destroyed Kuwait and terrorized defenseless Kuwaitis. Prepared to endure economic sanctions even if it meant the starvation of his people, Saddam accelerated his military buildup and preparations for war. Let us be clear, Mr. President, Saddam Hussein forced this confrontation, because a love of peace and freedom are not values he shares with the rest of the world.

As horrible as war is, world opposition to Saddam is based on principles that cannot be ignored. America had an obligation to answer the call of the United Nations to preserve the security of the free world, the stability of the world, and the territorial integrity of nations. President Bush spoke forcefully of these concerns when he addressed the Nation last night.

Most importantly, Saddam Hussein's naked aggression was a direct challenge to the efforts of responsible governments to construct a post-cold-war order that is based on respect for national sovereignty, peaceful relations between nations, and the rights of man.

The United States is the only nation with the combined seapower, airpower, and landpower necessary to check Saddam's empire building. If we do not lead in the defense of the rule of law, no other nation can or will.

Saddam's ambition was to dominate the gulf, not simply Kuwait. Even now, in this grave hour, Saddam continues to issue threats to virtually every regime in the region. If he had emerged as the controlling political and economic power in the region, he would have gained direct control over immense oil wealth and consequently come to possess enormous military, economic, and political power. He would have held much of the world economically hostage to his will. Rising energy costs would spread inflation all over the world, throwing millions out of work, and effectively halting Third World economic development.

Most disturbing, Saddam would have amassed the wealth to build a huge military machine including new, high technology weapons systems, ballistic missiles, and nuclear warheads.

Mr. President, no expert that I know would have predicted that, at this stage of a conflict, we would have sustained so few losses. I think it is testimony to the equipment, the technology that we, under President Reagan and now President Bush, have invested so

many trillions in dollars in to give us the capability to carry out an exercise of such enormous magnitude with an absolute minimum of loss of American lives.

Congress is now prepared to support a resolution of support for our Armed Forces and our President. This is a proper expression of our Nation's unity as America and our allies seek to enforce the just resolutions of the U.N. Security Council.

The initial reports of our air campaign indicate an unprecedented success for American and allied pilots. That is encouraging, but it is still early in the operation and we must refrain from celebrating victory until all of our objectives are achieved.

No one can predict the exact course of war, but we know that we are served by the finest men and women who have ever worn the uniform of the United States. Their courage and ability have raised the prospect of a quick and decisive victory. I earnestly pray that this will be so.

The United States, in the words of Winston Churchill, "has been proffered this bitter cup." We have not sought this challenge. We have not embarked on this undertaking recklessly or without regard to the danger involved. We can take great pride in the performance of the courageous men and women of the U.S. Armed Forces. We can take great pride in our Commander in Chief.

Let Congress now give voice to our national will. This is not the end of the ordeal. There are dark hours before us. But, Mr. President, we are resolute. We will prevail. We will see this thing through to the end. And with God's mercy, that end will come swiftly.

Mr. DOLE. I yield 2 minutes to the Senator from Texas.

The ACTING PRESIDENT pro tempore. The Senator from Texas is recognized for 2 minutes.

Mr. GRAMM. Mr. President, I think Lt. Col. George Walton of San Antonio, TX, said it best. He was the first pilot to take off in Operation Desert Storm in Saudi Arabia. He said: "I feel ready. We've waited a long time. It's the right thing to do. We are the right people to get it done."

Mr. President, I want to begin by thanking Ronald Reagan for providing the leadership under which we invested a trillion dollars to strengthen our defense in the 1980's. We recruited and have retained the finest young men and women who have ever worn the uniform of this country. We have built the best military weapons that could be devised by the mind of men, and they have worked incredibly well in the last 24 hours.

I thank our colleagues who opposed us on Saturday but who support us today, giving us a strong bipartisan base of support for the President's decision and for the men and women who are fighting in the Persian Gulf.

And, finally, I will simply say, Mr. President, that I am proud of our progress; I am proud of the young men and women; and I am prayerfully hopeful that this conflict will come to a quick end.

I yield back to the remainder of my time to the leader.

The ACTING PRESIDENT pro tempore. Who yields time?

Mr. DOLE. I yield 1 minute to the Senator from Idaho, Senator SYMMS.

The ACTING PRESIDENT pro tempore. The Senator from Idaho is recognized for 1 minute.

Mr. SYMMS. Mr. President, I thank the leader for yielding me 1 minute.

I think Senator GRAMM from Texas said a lot of what was on my mind. Mr. President, as we have now seen 24 hours of this conflict, my prayers are still with those troops in the field who are in harm's way and with the anxious families who wait at home and hope for the safety of their loved ones.

I agree with what my colleagues have said before me here. I thank the leadership in the Senate for getting the Senate together to have a resolution to show our unified support of what it is we are about and what we are doing there.

I also think it is important that we look back at what happened in the last 10 years, and it has been important. It would not have been possible had we not made the commitment that we made starting in 1980 when President Reagan was elected to bring us to the point where we could be this successful.

Most of all, we owe a great debt of gratitude to our President, George Bush, in this hour, when there were so many people telling him how he should proceed and so much criticism from all different quarters, but he stayed on the track. He knew his purpose was correct. The men and women in the gulf know that the purpose is correct.

I appreciate the fact that when this vote is over, all the world will know we are behind them 100 percent. I thank the President, the Chairman of the Joint Chiefs of Staff, the Secretary of Defense, and all of the men and women in the Armed Forces of the United States for the great job they have done.

The ACTING PRESIDENT pro tempore. The Senator's time has expired.

Mr. DOLE. Mr. President, how much time is remaining on this side?

The ACTING PRESIDENT pro tempore. The distinguished Republican leader has 4 minutes 49 seconds remaining.

Mr. DOLE. I yield 2 minutes to the distinguished Senator from Idaho [Mr. CRAIG] and the remainder of my time to the Senator from New York [Mr. D'AMATO].

The ACTING PRESIDENT pro tempore. The Senator from Idaho.

Mr. CRAIG. Mr. President, last night, the United States and our allies began the liberation of Kuwait. In its early stages, the mission has gone according to plan. The allied forces have done an excellent job in carrying out Operation Desert Storm. However, we are at the beginning of this effort. If our forces in the gulf are to achieve their mission, we must continue to speak with a united voice.

Last Saturday, we supported our President's goals and those of the free world. Now is the time to demonstrate our support of the actions we take to achieve those goals. Now is the time to unite behind our President and our men and women in the gulf. I pray that the initial reports of success continue.

Today we will vote on a resolution supporting our President and our allies, commitment to getting Saddam out of Kuwait. I hope my colleagues will join me in sending our troops a positive message of thanks and support by voting for this resolution. It would also be appropriate, I think, for all Americans to pause and offer a small prayer for the success of our efforts and the safe and early return of our troops.

Mr. President, Mu'ammar Qadhafi said in his statement today that the American people do not support these efforts. Let us pass this resolution unanimously and send the Iraqis a strong message, that we—and those we represent—do oppose Hussein's annexation and occupation of Kuwait and that Americans will stand behind the decision to end it.

The death of even one American fighting man or woman is a grievous loss. But the low number of casualties reported thus far indicates to me that our defense establishment has taken every precaution possible and has planned this operation with great care. That fact is, at least, some consolation.

It is also clear that the decision this Nation made during the decade of the eighties, to make an investment in technology that would minimize human presence in combat, was a wise one.

The actions the Congress took last weekend helped pave the way for the success we have apparently seen thus far. The actions this Congress takes from this point on will, I hope, continue to aid our efforts to bring this conflict to an early and successful ending.

Mr. President, members of the Senate, I stand tonight not only a proud Senator from Idaho but a proud American in that this Nation had the resolve to stand strong at a time when it was critically necessary for the stability and the peace of the world. The last 24 hours have shown a phenomenal resolve. The strength of leadership of our President, the strength of this Senate, and this Congress combined to stand

behind him at a time when it was so necessary that our Nation make a statement of national unity; to be able to recognize that in the decade of the 1980's we made an investment in technology, so for the first time we could reach out in the form of diplomacy and not extend the human factor but extend our technology and our science to be used in a way that would result in, I trust, a peaceful world.

Tonight we all pray the reports are valid and true and that we have been able to stand with our allies from around the world in an effort which will bring greater stability to the Middle East and ultimately greater stability for decades to come to a free world.

The ACTING PRESIDENT pro tempore. The Senator from New York.

Mr. D'AMATO. Mr. President, these have been tumultuous times, to say the least. But now, Mr. President, is the time for this Congress, as the American people, to come together to show that we recognize President Bush has displayed fortitude, patience, and courage in the face of adversity; that we stand shoulder-to-shoulder with our Commander in Chief; that we recognize his leadership; and, yes, that we recognize and respect, love and pray for those young men and women who are now on the battlefield. They need our support now more than ever, and the American people understand that.

Maybe, Mr. President, it is kind of old-fashioned, coming from my childhood in World War II when I remember some middle-class values at a time we were concerned and we came together, everyone, my dad in the Army, my uncles, all of our country came together because we had a love and a respect for this Nation, and, yes, for the shared sacrifices our young men and women were making.

So today, Mr. President, I hope that this resolution, the support from this body demonstrates we stand united in prayer and, yes, in fortitude and determination to undertake the challenge which now those brave young men and women are meeting in the Persian Gulf, and, yes, that we share with our President the burden he has undertaken and that we commend him for his leadership. His prayers are in our hearts and our minds and in our actions.

I thank the Chair.

The ACTING PRESIDENT pro tempore. Who yields time?

Mr. MITCHELL. Mr. President, I yield 1 minute to the Senator from Alabama.

The ACTING PRESIDENT pro tempore. The Senator from Alabama is recognized.

Mr. SHELBY. Mr. President, I rise today to first commend the brave men and women of our Armed Forces. They are doing a spectacular job and deserve our respect and, more importantly, our support. Now is the time to rally

around our troops and the President. Regardless of how Members voted on the authorization to use force, now is the time for the Congress to speak with one voice in support of our troops. I hope this will be a short and decisive war.

Mr. President, I do not believe this war began last night. This war began when Saddam Hussein invaded Kuwait, an independent and sovereign nation, for reason of pure military aggression. I believe our Armed Forces should continue heavy bombardment until Saddam Hussein agrees to pull out of Kuwait. I do not believe we should become involved in a ground war in the Middle East.

It is my hope that President Bush will continue to apply maximum air power against Saddam Hussein. I believe a short and decisive war is still within our reach. We do not need or desire a prolonged ground war in the Middle East. I will work in the Congress to ensure that our troops have all available resources to finish this job and come home.

Mr. President, over the last several years, I have continuously supported our Nation's military buildup to ensure our freedom and to fight naked aggression, such as Iraq's invasion of Kuwait. I believe we can all see that our Nation's investment has not been wasted. America's military is not a paper tiger. The men and women in our Armed Forces, many of whom I am proud to say, are Alabamians, have performed with incredible skill and bravery.

I continue to believe my vote to support the use of force against Hussein was correct, and I hope this war will be short with as few casualties as possible.

The ACTING PRESIDENT pro tempore. Who yields time?

Mr. MITCHELL. Mr. President, I yield 1 minute to the Senator from South Dakota.

The ACTING PRESIDENT pro tempore. The Senator from South Dakota is recognized for 1 minute.

Mr. DASCHLE. Mr. President, about a week ago as we were debating this whole issue, many of us came to the floor to express our differences of opinion as to how we might conduct our policy in the Persian Gulf. But for now those differences have been set aside in order for us, in as unequivocal a way as possible, to indicate our strong support for our troops in the Persian Gulf. They are doing their very best, and as they continue to do their best, with results that many of us did not expect, we must do our best to remain unified and send as constructive a message as possible to ensure that they receive the maximum degree of support—support that they deserve. They are in our prayers, and we send them our best wishes for continued success, for continued demonstration that we have the finest forces in the world representing

us so ably today, tonight, and tomorrow in the Persian Gulf.

Mr. MITCHELL. Mr. President, I yield 1 minute to the Senator from Minnesota.

The ACTING PRESIDENT pro tempore. The Senator from Minnesota is recognized for 1 minute.

Mr. WELLSTONE. Mr. President, I thank the majority leader for this time.

I simply echo what the Senator from South Dakota said with considerable eloquence and power. We debated the policy in the gulf, but today is the day to support our military forces, which I believe is the import of this resolution.

All of us pray for a very quick end to this war, and we commend our forces. We support our military and support staff.

I wish to add to what the Senator from South Dakota said—and I think this would be fine with him—we want to put a special emphasis on supporting their loved ones here in our own country.

I thank the Chair.

The ACTING PRESIDENT pro tempore. Who yields time?

Mr. MITCHELL. Mr. President, I yield 1 minute to the Senator from Connecticut.

The ACTING PRESIDENT pro tempore. The Senator from Connecticut is recognized for 1 minute.

Mr. LIEBERMAN. I thank the Chair. I thank the majority leader.

I am proud to stand in support of this resolution and to thank the bipartisan leadership of this Chamber for bringing it forward. The truth is that in a time of war, as we are in now, there are no Democrats; there are no Republicans; we are all Americans. We are all proud to stand behind the men and women in uniform in the Persian Gulf and to support our Commander in Chief.

Mr. President, we are off to a remarkable beginning of this war which was made necessary by Saddam Hussein. A lot of uncertainty remains, but I am so proud to be able to say simply that as a result of what the coalition forces have already done in the Persian Gulf, the world is a safer place this evening than it was last evening.

I thank the Chair.

The ACTING PRESIDENT pro tempore. Who yields time?

Mr. MITCHELL. Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. The majority leader has 7 minutes 46 seconds.

Mr. MITCHELL. Mr. President, I yield 1 minute to the Senator from Colorado and 1 minute to the Senator from Hawaii [Mr. AKAKA] and the remainder of my time to the Senator from West Virginia.

The ACTING PRESIDENT pro tempore. The Senator from Colorado [Mr. WIRTH].

Mr. WIRTH. I thank the distinguished majority leader for yielding.

Mr. President, this resolution is a very important statement for all of us to make in support of the extraordinarily well trained, brave, and courageous young men and women who have done so very well for the country in the Persian Gulf.

These young people, coming from all across the country, so many of them from my own State of Colorado, deserve our thanks and our support.

The debate is over. We had what I thought was an extraordinarily good debate, with a very broad set of concerns on the Senate floor last Thursday, Friday, and Saturday, and now it is incumbent upon all of us, as it is all Americans, to put our support behind the President and our men and women.

I thank the leadership on both sides for bringing forth this resolution. This is an important statement for all of us to be making. We will be watching these events unfold. This is a very important first step.

I thank the distinguished majority leader.

The ACTING PRESIDENT pro tempore. The Senator from Hawaii [Mr. AKAKA].

Mr. AKAKA. Mr. President, we are now at war with Iraq because Saddam Hussein has refused to heed the community of nations and withdraw his armies from Kuwait. Like many in Congress and across the Nation, I have been praying for peace—but preparing for the worst.

And now that we are at war and the bombs have begun to fall, my prayers are for our American service men and women who are in harm's way. The families and loved ones of our brave soldiers should know that their anguish and pain is shared by all Americans. Their fears are our fears and their grief is our grief. America stands behind its troops in the gulf.

During the Senate debate on the resolution of war against Iraq, I was very clear about my opposition to war and my support for sanctions and diplomacy. But that debate is behind us. We are now at war and our fighting men and women—many of whom are from Hawaii—need all the encouragement and support that the American public can provide.

This war is not a dispute with the Iraqi people.

Our dispute is with Saddam Hussein and the ruthless conquest of his peaceful neighbor, Kuwait. Because Saddam Hussein has rejected all attempts to resolve this conflict peacefully, the President resorted to a military solution to expel Iraq from Kuwait.

The Pentagon has stated that efforts are being made to minimize civilian casualties. But in an operation of this magnitude, civilian losses are inevitable. And given the volume of firepower being trained on Iraq, casualty figures will rapidly mount.

We can only hope that the overwhelming air superiority of U.S. and allied forces and the inevitability of mounting casualties will bring Saddam Hussein to his senses so that the loss of life can be minimized. The message for Saddam is simple and clear: If you wish to spare your countrymen further anguish, withdraw from Kuwait. The world awaits your response.

I yield the floor.

The ACTING PRESIDENT pro tempore. Who seeks recognition?

The Senator from Wyoming. Who yields time?

Mr. DOLE. I yield the remainder of our time to the Senator from Wyoming.

Mr. SIMPSON. Mr. President, one of the toughest votes any of us have had to make was last Saturday. This will not be as difficult. It should not be.

It is very important that we show the fine men and women in this theater of operations exactly how we feel, and we are behind them 100 percent. They are in our thoughts and prayers; and, we commend this President for his great courage and patience. He stood by, carried out his mission, and presented the mission to the Secretary of Defense, and then to the Chairman of the Joint Chiefs of Staff, who has just given us the most impressive briefing that we cannot share with our fellow Americans.

I would just simply say that it is not a day—I agree with Senator Lieberman, who is a splendid participant in this debate—for Democrats and Republicans, or liberals or conservatives. It is a day for Americans and Congress to disclose that these people will have our full, total and complete support; and that they have our love, our prayers, and our care. That comes from the President and this Congress.

I thank the majority leader for his efforts today and the minority leader for a job well done.

The ACTING PRESIDENT pro tempore. The time of the Senator from Wyoming has expired.

The Senator from West Virginia is recognized for not to exceed 5 minutes 29 seconds.

Mr. BYRD. Mr. President, at 3 o'clock in the morning today, Persian Gulf time, war came to Iraq—the old land of Mesopotamia—the land of the two great rivers, the Tigris and the Euphrates.

It is a land that, from the centuries of antiquity, has witnessed the scenes of marching armies and the carnage of many battles; whose ancient hills and plains and valleys have many times reverberated with the noise of blaring trumpets, the clashing of swords and shields and horses and chariots, the yells and shouts of warriors, and the screams of dying men.

It was there that the Roman legions of the Emperor Julian met the Persian hosts of Sapor in 363 A.D.

And a hundred generations have fallen, like autumn leaves, into their graves since the Macedonian king, Alexander the Great, defeated the Persian monarch, Darius III, at the Battle of Arbela—also called the Battle of Gaugamela—in 331 B.C.

Today war came again to that ancient land. The Iraqi skies were lighted with the fury of battle's fire. The stillness of the desert night was shattered by the sounds of sirens and the blasts of exploding bombs.

While early reports are encouraging, there should be no euphoria over our initial success. This is no time for bombast or hyperbole. Rather, it is a time for prayer—prayer for our brave men and women in the gulf, for the allied forces, and for the innocents who unavoidably will be part of this conflict.

War leaves no nation where it found it, and Iraq will never be the same again. We, too, will pay a price. War loves to seek its victims among the young, said a great Greek dramatist. And my heart goes out to the mothers and fathers and grandparents and wives and children whose pillows at night are wet with the shedding of many tears.

Mr. President, the war that we all had hoped to avoid, but feared would come, has come. For those of us who counseled a different strategy in the weeks before the U.N. deadline, it is now time to unite in our support for the brave men and women of our Armed Forces who will prosecute this struggle and carry the alliance to ultimate victory. If Saddam Hussein had harbored a desperate hope for deep divisions here that he could exploit to his advantage, then he made one more serious miscalculation in his long line of miscalculations. He is a product of a different culture. He has no concept of the kind of open debate that characterizes our representative democracy. Saddam is clever; he is cunning; he is cruel. But, he has no understanding of the hard determination which our Nation will now bring to the task at hand.

So today and for the duration of this war, here in this Chamber, there will be no division, no separating aisle, no party line. Together we stand in our support for the men and women on the front line—one President, one Senate, one Nation, one destiny!

Mr. LAUTENBERG. Mr. President, I rise in support of this resolution. It expresses our strong support for our troops who are skillfully and bravely fighting to turn back aggression and madness in the Persian Gulf.

Our prayers are with our troops and their families. They have our full support. Our troops have the training, the resources and the backing they need. The country is rallying behind them. They must have the best in equipment. They must have the best in medical care. Our military commanders are using the power and the resolve to win as swiftly and decisively as possible,

and to achieve our mission with the least harm.

Mr. President, on this vote we are not Republicans or Democrats. We are Americans, hoping and praying for the safe return of our troops. We are Americans, closing ranks behind them. Americans, praying for peace, but determined to do whatever it takes to win.

We are told that Saddam Hussein did not expect the assault that has hit him. Apparently, he also does not understand the way democracy works. Today, we join together, a nation united behind our troops.

Like all Americans, I hope for a quick, complete victory and an end to the fighting.

Mr. DODD. Mr. President, I rise to express my strong support for the pending resolution. And I want to congratulate the joint leadership in bringing it before the Senate in a very timely fashion.

While Congress has had its disagreements over the best course of action in the Persian Gulf, I believe that the time for debate is now behind us. Now is the time to rally behind the men and women who are serving this country proudly in combat. Here in Washington we debated long and hard about their mission. But for the troops in the gulf, the mission was clear from the beginning. They were there to serve their country. And Mr. President, they are doing so with great honor. They make us very proud.

Early reports from the conflict have been encouraging. If they prove to be accurate, we may be able to gain a quick victory over Iraq. But we must not allow our optimism to give way to overconfidence. There may still be a long way to go in this battle. Let us hope and pray for a short conflict and the safe return of our soldiers.

Mr. BOND. Mr. President, today I am deeply saddened that Saddam Hussein's miscalculations have resulted in the need for the United States and its allies to use military force in the Persian Gulf. Unfortunately, however, Saddam's actions have forced us into this action.

It seems apparent from initial reports that our superior capability in the air has proved extremely efficient during the first stage of Operation Desert Storm, effectively neutralizing Saddam's retaliatory capabilities.

I am grateful to the brave men and women of our armed forces, including many Missourians, who are carrying out this operation, for their courage and their superior abilities. They clearly are the foundation of our successful action so far. It is also a great benefit that we had the foresight to invest in the vastly superior technology which is contributing to our success and which is protecting the lives of American men and women. We can be proud of the contribution that Missourians have

made to the operation by developing and building much of that technology.

It is important to note that this is an international operation and that forces of 28 nations have allied to oppose Saddam and evict him from Kuwait. Pilots from the British, French, Saudi, and Kuwaiti air forces joined United States pilots in the initial attacks; and all Americans are appreciative of their contribution.

Turning to some of the more long-term issues which we ought to be considering now that armed action has begun—in September the Senate passed a resolution that I introduced calling upon the President to prosecute Saddam Hussein and other Iraqi officials who are found to have committed war crimes. I call upon the President to make it clear that the civilized world intends to follow through on that threat and that we will hold Saddam and his lieutenants responsible for the crimes they have committed against innocent civilians in Kuwait.

Also, once diplomat efforts resume, we should take the opportunity to put pressure on our Arab allies to contribute to long-term Mideast peace by ending their state of war with Israel and sitting down at the peace table. The United States has gone to the farthest extreme to show its good faith and to make clear to the moderate Arab States that we will stand with them—that they can depend on us. When the current military conflict ends, they should repay us, in part, by helping to work for peace with Israel.

We all continue to pray that Saddam will come to his senses and finally announce that he will comply with the mandates of the U.N. Security Council by withdrawing from Kuwait. Saddam's actions have brought us to the point where we have been forced into military action. By announcing a withdrawal, his actions can bring an end to that action so that human suffering can be kept to a minimum. The decision lies with Saddam.

The world stands at a critical moment in history. Now is the time for Americans to unite. I hope the Senate today will pass a very clear resolution of support for our forces. Our fighting men and women stand against aggression overseas, and we must stand in support of them at home. Every American wants peace, and we must pray that this conflict leads to it. Let us all hope that the fighting will end quickly and bring us lasting peace.

Mr. DURENBERGER. Mr. President, the war that we all hoped could be avoided is now upon us. The President and the Congress have committed us to this course of action as leaders of the multinational force. Now, we must do what must be done.

It is absolutely essential that we now unite behind the President and especially behind the men and women of our armed forces. As a nation, together

and unified, we will propel our forces to victory. Together, we will win this war that Saddam began 5 months ago. Never is it more true than when a nation faces war, that "In union there is strength."

I am proud to support our forces. The strength of our unity will embolden our fighting men and women. Agree or not with the President in this crisis, we now have a profound obligation to provide all manner of support for our forces.

This resolution provides an appropriate mechanism for us to express our moral and political support. And I thank the leadership of the Senate for bringing forth this resolution. I offer my strong and unequivocal support, and urge each of my colleagues to do the same.

Mr. President, by all accounts thus far, United States and allied forces have fought valiantly and successfully. We all hope and pray that we can sustain this progress and bring the war to a swift and decisive conclusion.

We must be prepared, however, for more difficult times ahead. We confront a formidable opponent, and the war has only just begun. It will take time. We will suffer losses. But we will win. Together. Unified. As one nation, we will endure the sacrifices and celebrate the courage and heroism of our forces.

Our hopes, our prayers, and our constant thoughts are with the U.S. forces and their loved ones here at home.

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

WAR IN THE GULF

Mr. BROWN. Mr. President, our Nation is at war. The time for division is past. The brave young men and women of our Armed Forces are even now engaged in the fight to liberate Kuwait from the grasp of one of the world's most brutal dictators.

They are America's best and brightest. All of us here and throughout the United States are proud of their devotion to freedom and liberty, and their willingness to make the ultimate sacrifice on our behalf.

Colorado is especially proud. Last night's massive airstrikes against Iraq—some of the most successful in the history of airpower—were led by graduates of the U.S. Air Force Academy. Military intelligence officers trained in Denver are even now delivering critical briefings to flight crews as they depart for the next assault on Iraq. Units on the ground in Saudi Arabia gearing for action are led by proud Coloradans or by those whose expertise was gained while stationed at Fort Carson. Reservists from Colorado are in thick of the action, and many of our best physicians stand ready to attend the wounded should the fighting become even more intense.

Duty called, and America's service men and women have responded. But will we?

A commitment to go to war must not and cannot be half-hearted. Sending our forces into a conflict where they do not have clear military objectives, the unqualified support of the Congress or the necessary resources to accomplish their mission is a formula for disaster. We must take every precaution now to ensure our men and women know of our unqualified support and our commitment to a speedy, total victory.

President Bush's swift response to Saddam's intransigence deserves the Senate's praise. Our President's resolute actions put the safety of American lives first, by committing us to achieve a clear victory with minimum casualties.

We here in the Senate and our colleagues in the House must not do anything that might undermine the safety of those engaged in battle.

The motto of the Marines is "Semper Parati," meaning "always faithful." We in Congress must return the faithful service of our men and women in the Air Force, Army, Navy, and Marines. They are risking their lives on our Nation's behalf. We must have the courage to abandon our differences of opinion, and stand firmly behind our men and women in uniform, and their Commander in Chief.

Mr. LEAHY. Mr. President, these are somber times. This morning I presided over the Senate as we reconvened under the cloud of reports about American and allied air attack against Iraq last evening.

My hopes for peace have given way to the reality of war. Nobody in this body is surprised. In what was the equivalent of a declaration of war, Congress voted last weekend to give President Bush authorization to use force in the gulf. I voted for continuing sanctions to compel Iraq to comply with the U.N. resolutions. I believed war should be the last resort.

There was and is no disagreement between Congress and the President on our goal. Iraq must leave Kuwait. However, many of us in this body differed with the President on how to achieve this objective. Once Congress voted to authorize the President to use force, the die was cast. Absent a dramatic and unlikely reversal by Saddam Hussein, war was inevitable. A vote to authorize the use of force was a vote for war.

Now all Americans support our brave men and women in the Persian Gulf, and pray for their safe and quick return to their homes and families. Initial reports indicate that the U.S. offensive has been massive and that our troops have operated with courage and skill. Let us all pray that the war ends quickly and successfully with as few casualties as possible.

I am also deeply concerned about the likelihood of substantial civilian casualties as the bombing shifts from strictly military targets to the military support structure. Department of Defense officials have indicated that the first wave of targets were military installations and chemical and nuclear plants. I urge the President to continue to take every precaution to avoid civilian casualties.

Mr. President, last night President Bush told the Nation that he hoped our men and women can be brought back quickly and safely. I fervently and completely join in that hope with the President.

Ms. MIKULSKI. Mr. President, this afternoon, my thoughts and prayers are with the men and women who are on the frontlines. Like so many people, I had hoped that it would not come to this. Now that our troops have been called to arms by the President, we must do everything we can to ensure that no American is in battle any longer than is absolutely necessary.

There can be no second-guessing, and no looking back. The debate on our policy ended with the vote last Saturday. Now, our actions and our words must back up the gallant men and women of our Armed Forces.

Every one of our troops in the desert is there at tremendous sacrifice and great risk. They are ordinary men and women who have been called to an extraordinary moment. And they have responded quickly and gallantly. We all owe them a great debt of gratitude.

I have been moved by their fitness for duty and extraordinary commitment. The last 24 hours have been a roller coaster of emotions. Hope for a last minute peace. Sadness that we found ourselves at war. Pride in the incredible job our Air Force, Navy, Coast Guard, Marines, and Army are doing. And pain at the loss of a single young American.

Our commitment must be more than ribbons and good words. We must back our commitment with action.

Mr. BRYAN. Mr. President, last night American and allied air forces began Operation Desert Storm, the enforcement of the U.N. resolutions calling for the complete withdrawal of Iraq from occupied Kuwait.

This is a war brought on by the aggression of Saddam Hussein. The Iraqi dictator rejected every effort to negotiate, to talk, and to withdraw. During the last few days, since Secretary Baker's meeting with the Iraqi Foreign Minister, every American has held out the hope that the Iraqi forces would withdraw. Our hopes have been crushed.

Now American forces are engaged in a great battle, waged in the dangerous skies above Iraq and Kuwait. Initial reports indicate that the strikes have been successful. But the American people should guard against the euphoria

generated by the positive reports we have so far heard. While we all hope for a quick and painless conclusion to this war, history reminds us that this is not the usual course for war.

And we should not be blinded by the good news that our technology and machines of war are working well. The euphoria many felt after last night's glowing reports should be tempered by the sober reality that no Iraqi soldiers have yet been withdrawn from Kuwait.

More than a hundred years ago a witness to war's ravages wrote:

You cannot qualify war in harsher terms than I will. War is cruelty, and you cannot refine it.

So wrote William Tecumseh Sherman about the brutal war he witnessed, our own Civil War. The cruelty of war is the bill Saddam Hussein is handing not only to his victims in Kuwait, our allied forces, but also to his own innocent civilians. We should entertain no illusions that the cost of stopping Saddam Hussein's ambitions, and defeating his lust for power and territory, will be cheap.

It is this dictator's unyielding stance, his inability to see reason that has brought his country this catastrophe. This dictator has already cost the life of one American pilot, and there have been British losses.

Saddam Hussein's ambitions have taught the world anew the need for collective security; for free nations to stand side by side and resist aggression. This century the world has been taught the bitter lesson that aggression not resisted firmly and early brings only worse and harsher wars. Nazi aggression in the 1930's, unchecked by the Western democracies and their well-meaning, but ultimately self-defeating, policy of appeasement, led to the worst war in history.

If history teaches us anything, it is that to yield to aggression is to invite more aggression, more war, and more disaster.

When diplomacy fails, when right meets unyielding wrong, when men and women of peace confront aggressors, we turn to the men and women of our armed services.

They are doing a magnificent job.

A few weeks ago I visited our forces in the Persian Gulf and witnessed firsthand their professionalism, their confidence and their patriotism. We in this country should be proud that the same spirit that reached for the musket and the long rifle above the hearth before Bunker Hill is still alive and well. That Americans, slow to anger, willing to give the diplomats their time, willing to be patient, are unwilling to surrender to aggression.

As a Nevadan, I am proud of the National Guard units sent to the gulf. As I watched television last night and heard of the airstrikes, it was with pride and concern that I thought of the Nevada Air National Guard reconnais-

sance unit, knowing that their Phantom jets would be flying into Iraq and Kuwait to assess the damage after the airstrikes.

Nevadans should be proud of the fact that the success over the skies of Iraq and Kuwait was born over the skies of Nevada. The contribution of Nellis Air Force Base and Fallon Naval Air Station to the preparedness and training of our forces has been a key ingredient in our success. Nevadans have many friends in the air over Iraq and Kuwait, pilots and airmen who trained at our airbases, and flew in our skies.

It has been said often in the last few days, that armies do not go to war, nations do. Our brave men and women need our support. They are facing grave dangers, nothing less than the hell of war. It will not make their task any easier, nor speed their return home, for this country to be torn apart by division. The record shows that our Armed Forces were not the aggressors, that the United States seeks not a single foot of Iraqi territory, that Americans wish nothing more than a quick conclusion to hostilities so that our service men and women in the Persian Gulf can return to our shores.

Saddam Hussein will regret the day that he underestimated our resolve, and he has made a mortal miscalculation that his military can possibly prevail against our united forces.

Now that the issue has been joined in the air over Iraq, our prayers and hopes should be for our Armed Forces in the field, and their families here at home. Our Nation should unite in solid unyielding resolve that this conflict be as swift and complete as possible. Long wars are costly wars, and we should spare no effort to make our victory a swift one, for a prolonged conflict will only add to the suffering and human cost.

Mr. HATFIELD. Mr. President, since its inception, I have vehemently opposed the policy which has brought us into this war. Even if the casualties of this war remain what we so delicately call "minimal," I believe with all my heart that any casualties on either side are too many.

That said, hundreds of thousands of this Nation's sons and daughters are now at war.

Those men and women volunteered to serve this country, and this country has put them there. I am proud of their courage, and grateful for their commitment to our country. No matter what our views on the policy, those people who have been called upon to implement it deserve our full support and fervent prayers. As an American, as a former officer in the U.S. Navy and as the father of four children, I humbly offer that support and those prayers to each and every one of them and to their families here at home.

These last hours have been solemn ones around the world. Some of human

history's most lethal weapons have now been unleashed, and the expected and the unexpected results will be unfolding for years to come. I pray that we do not become blinded to the possibilities of long and bloody ground combat by what appear to be the initial successes of our air attack.

Above all, Mr. President, I pray that we do not become blinded to the possibility of peace in the midst of war. For the sake of our young men and women on the frontlines, and indeed for the sake of all humanity, war, and diplomacy must not become mutually exclusive.

Even now, the possibility of peace is very real indeed. As the air war appears to wind down, I urge the President to pause and consider a diplomatic overture to the Iraqis—before our nations become locked into a bloody ground war.

Our young men and women have pledged their loyalty to this country and have shown the courage to wage war, Mr. President. Can our leaders muster the courage to also wage peace?

Mr. MURKOWSKI. Mr. President, the time for debate has ended. It is now time to express support for the President, our troops, and the troops of the coalition, currently engaged in the liberation of Kuwait.

The debate we have had here in Congress over the past few weeks has served a very important purpose; it provided Saddam Hussein with a basic civics lesson in democracy. In a democracy we debate our policy goals and all methods available for achieving those goals.

On January 12, we in Congress voted to support our President and our troops abroad in authorizing the use of all necessary means to push Saddam Hussein back from Kuwait. Last night, President Bush determined that the "world could wait no longer."

As Commander in Chief, President Bush—in conjunction with the multilateral forces—ordered a massive air strike of key strategic and military targets in Iraq and Kuwait. U.S. forces "struck with an iron fist," but the President also held out the "olive branch of peace" to the Iraqi people. Let us hope they can be welcomed back into the peaceful world community within the next few days. I admire and support our President in making these difficult decisions.

Based on contacts with the administration and our intelligence agencies, it appears that the initial reports coming out of Iraq and Kuwait show a highly successful operation with very low casualties. It is much too early in the operation to draw any conclusions, but there seems to be room for optimism.

President Bush made clear in his statement that he prayed we would not see one American casualty, or one Iraqi lost, but that Saddam Hussein himself must bear the brunt of that burden.

Saddam Hussein had it in his power to keep the peace by withdrawing his troops, but he chose instead to dig in.

Now that our troops are engaged in maneuvers, we are all praying that this will indeed be a quick and decisive campaign, with as little loss as possible. In that light, it is useful to reflect on the preemptive strike taken by Israel in 1981 to cripple Iraq's nuclear ambitions. Should that strike not have occurred, we may have been facing an even greater threat today.

I was also pleased to learn that the President authorized the drawdown of our strategic petroleum reserve. We have already seen the reaction of the market, with oil prices stabilizing between \$20 and \$25 per barrel. Numerous American oil companies have announced a freeze on gasoline prices, minimizing the effects on our domestic economy.

So what can Saddam Hussein have learned from his civics lesson? While debate can and does occur in America, and indeed America prides itself on this debate, the Nation stands united today, united with our troops, our President, our coalition forces, and united to liberate Kuwait.

We take great pride in the performance of all our Armed Forces.

(At the request of Mr. MITCHELL, the following statement was ordered to be printed in the RECORD:)

• Mr. GLENN. Mr. President, the President's decision to launch Operation Desert Storm means that last week's debate over whether or not to use military force against Iraq is now over. Now that American troops are engaged in combat, there are no Democratic partisans and no Republican partisans. We are all American partisans, and we all stand united behind our troops in the field. Our goal now must be to bring this war to a successful conclusion with as few casualties as possible.

All reports indicate that our military operations so far have been extremely successful, and I am immensely proud of the spectacular job that has been done by our air crews and their support personnel in the early going. Our prayers are with them and their families. Let us hope that Saddam Hussein will soon see the handwriting on the wall, agree to pull out of Kuwait, and bring this war to a speedy conclusion. •

Mr. KASTEN. Mr. President, I rise today to commend our men and women stationed in the Middle East and the President who is their Commander in Chief.

In the first 23 hours we have achieved a tactical surprise which no one expected to be so effective and successful. This result stems from the high degree of competence and professionalism our Armed Forces possess. I am particularly proud of the Wisconsinites who are doing an outstanding job as part of our overall effort.

We had hoped to settle this peacefully, but now we must be resolved to win. The brave men and women that have been sent into harms way were sent there to defend against naked aggression. I think they have begun to do so effectively.

Our goal here is one of peace. In this case Saddam Hussein has not heeded our warning and in doing so, has forced us to send him a clear message. We will win—and win with peace as our goal for the future.

Mr. GORTON. Mr. President, for more than 200 years Americans have been called upon to risk their lives in defense of the sacred principles of justice and self-determination.

Sometimes that service is as near as Bunker Hill. Beginning last night it was as far away as a storm in the deserts of the Middle East.

It is tragic that it has come to this. Tonight we have joined together. The Senate has resolved, unanimously, to stand firmly behind our President and our men, women, and allies on the front lines.

I believe that history will record this event as pivotal. History will record that we—the United States and the United Nations—soberly and prayerfully debated whether ending Saddam's brutal aggression was worth the terrible human costs of war.

We have answered this question correctly: We have said that the leader, the shining light of this world, must be willing to commit its most precious resource, its young men and women to the noble cause of justice, freedom, and peace, bound together now as always.

Every tyrant will take note of the truly profound warmaking capacity of the world united against Saddam Hussein. Every tyrant will be impressed by our dedication.

The bitter lesson we seek to impose on Saddam Hussein will prevent a far greater loss of American and allied lives which would have been made inevitable by allowing his aggression to succeed.

For we have shown other would-be aggressors of the world that they too will be punished with moral certainty and mortal consequence should they seek to swallow their neighbors.

We will never know how many acts of aggression and brutalization we have already prevented by this just use of force.

To close, Mr. President, I have two thoughts.

Through this somber day, a bright hope may yet emerge: My grandchildren, offspring of a serviceman themselves, may be spared war's horrors by the swift and sure response their father's peers are inflicting tonight.

May God ride with our servicemen.

Finally my heart goes out to the families whose loved ones are displaying their courage and skill this minute

in the desert. Their pride must be tempered by their fears, and we, as community and nation, must place them all first in our thoughts and prayers as this conflict continues.

Mr. LIEBERMAN. Mr. President, John F. Kennedy, in remarks, prepared for delivery at the Dallas Trade Mart Luncheon on November 22, 1963, said that "we in this country, in this generation, are—by destiny rather than choice—the watchmen on the walls of world freedom."

There comes a time when watchmen must act to preserve the freedom that is borne of good, that protects us from evil. This is such a time. We are now joined in a conflict from which there can be no turning back. Because a victory by Saddam Hussein would be a victory of anarchy over order, war over peace, brutality over liberty, immorality over morality.

"A sound of battle is in the land, and of great destruction." That is how Jeremiah describes the battle against Nebuchadnezzar, King of Babylon, a brutal dictator of history, and a hero to Saddam Hussein.

My thoughts turn first to God, and I pray He will lead the way toward peace, and protect our brave young men and women as they find themselves in harm's way. Our soldiers are heroes, and let no one doubt that they are risking their lives so that the security and stability of a civilized world can be preserved.

My prayers are for the families, too, the mothers and fathers, sons and daughters, brothers and sisters of those who serve in Operation Desert Storm.

I support American policy and President Bush in this time of great crisis. The President is a man of strength, courage, and prudence. I am confident he would not have initiated Operation Desert Storm if he had the faintest glimmer of hope that Saddam Hussein would end his aggression. To commit a nation's troops to battle is the most difficult decision a President can make. That he chose to do so is testament to the strength of his belief that this dictator must be stopped now. I agree with his judgment that, once war is begun, it must be waged to the fullest, lest even more lives are lost. As an Air Force sergeant in the Persian Gulf wrote to me just this week, "I do not hope we go to war * * * but if we do I hope that our government will let us fight it to our fullest potential."

We all pray that this war will conclude with dispatch, and that casualties will be low—on all sides, if possible. As I said on the floor of the Senate, in debate on the resolution authorizing the President to take the action he has undertaken tonight, "None of us wants war." None of us, all the way up to the President of the United States, who has known war, wishes to wage war. But we must, as Lincoln said, be

ready to accept that war may be required.

Let us face the awful task before us with the conviction that the price we set for a civilized world is a price we are willing to pay.

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

The ACTING PRESIDENT pro tempore. All time is yielded back. The yeas and nays have been ordered.

The question is on agreeing to the concurrent resolution.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. FORD. I announce that the Senator from Ohio [Mr. GLENN] is necessarily absent.

I also announce that the Senator from California [Mr. CRANSTON] is absent because of illness.

The ACTING PRESIDENT pro tempore. Are there any other Senators in the Chamber who desire to vote?

The result was announced—yeas 98, nays 0, as follows:

[Rollcall Vote No. 3 Leg.]

YEAS—98

Adams	Fowler	Mikulski
Akaka	Garn	Mitchell
Baucus	Gore	Moynihan
Bentsen	Gorton	Murkowski
Biden	Graham	Nickles
Bingaman	Gramm	Nunn
Bond	Grassley	Packwood
Boren	Harkin	Pell
Bradley	Hatch	Pressler
Breaux	Hatfield	Pryor
Brown	Heflin	Reid
Bryan	Heinz	Riegle
Bumpers	Helms	Robb
Burdick	Hollings	Rockefeller
Burns	Inouye	Roth
Byrd	Jeffords	Rudman
Chafee	Johnston	Sanford
Coats	Kassebaum	Sarbanes
Cochran	Kasten	Sasser
Cohen	Kennedy	Seymour
Conrad	Kerrey	Shelby
Craig	Kerry	Simon
D'Amato	Kohl	Simpson
Danforth	Lautenberg	Smith
Daschle	Leahy	Specter
DeConcini	Levin	Stevens
Dixon	Lieberman	Symms
Dodd	Lott	Thurmond
Dole	Lugar	Wallop
Domenici	Mack	Warner
Durenberger	McCain	Wellstone
Exon	McConnell	Wirth
Ford	Metzenbaum	

NOT VOTING—2

Cranston Glenn

So the concurrent resolution (S. Con. Res. 2) was agreed to.

The preamble was agreed to.

The concurrent resolution, with its preamble, is as follows:

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

The ACTING PRESIDENT pro tempore. I move to lay that motion on the table.

Without objection, the motion to lay on the table is agreed to.

Mr. HEINZ. Mr. President, we have just had a vote of 98 to nothing on the pending resolution. Our presence here on the floor this afternoon to support the Commander in Chief and honor our brave men and women in the gulf is, of

course, not an indication that the conflict is over. Of course, we all know it has just begun. Our actions do not mark the beginning of the end but the end of only the beginning. We all need to be aware that many more difficult days lie ahead.

The fact that this conflict has only just begun, despite the remarkable successes of the past 24 hours—and thank God for them—makes our vote of support for this resolution part and parcel of our efforts to attain the victory required to achieve our goal of forcing Iraq out of Kuwait. For without our support in this body, without the support of the American people, the struggle ahead would be only that much more difficult for our forces in the Middle East.

And, as to the forces, Mr. President, I want to say that I am immensely proud of those young men and women. I think I speak for all of us here when I say that they have undertaken a dangerous and difficult job with cool professionalism and quiet desperation. So it is with deep pride that I join with many in this body, maybe all, in saluting our sons and daughters so far away.

Our purpose here, Mr. President—and we have just done so—is to express our support for our President and our forces. But I also want to let this resolution serve another purpose as well. By a 98 to 0 vote, the Senate of the United States has reminded Saddam Hussein once again that he cannot and will not prevail. The American people cannot and will not be divided.

So I would add only one other thought, Mr. President. Through this resolution, we are telling our young men and women in uniform that we love them and that we support them and that we pray for them. To Saddam Hussein I say this: Do you love and honor your own young people? If so, let us stop this senseless waste of lives.

Our young men and women overseas are fighting for a cause long familiar to Americans, a cause we support, a just cause they support. The young Iraqi men whose lives Saddam has chosen to waste will only be sacrificed to the imagined glory of a tyrant. Again, I say to Saddam Hussein: Read this resolution, and read it carefully. The American people, the Congress, the President and our fighting men and women, our precious children are standing as one, both at home and with our allies against you. You cannot prevail and we call upon you. Saddam Hussein, in the name of your children, your country's children and ours, to stop and end this conflict now.

Mr. President, I yield the floor.

ORDER OF PROCEDURE

Mr. MITCHELL. Mr. President, for the information of Senators, I will momentarily seek consent that there be a period for morning business with Sen-

ators permitted to speak therein for up to 10 minutes each.

I am advised by staff that several Senators expressed a desire to speak now. The Senate will then recess until 2:30 p.m. on Tuesday.

I have requested from the administration a briefing tomorrow for all Senators, a classified briefing, and I will make announcement through the respective cloakrooms tomorrow morning in that regard. So those Senators who wish to receive an up-to-date briefing as of tomorrow during the day, that will be the case.

There will be a pro forma session tomorrow. It will be pro forma only. No business will be transacted at that time.

So Senators should be aware there is a briefing tomorrow, and at the time of that briefing or thereafter, I will make an announcement with respect to subsequent briefings.

There will be a pro forma session only tomorrow. We will recess over until Tuesday at 2:30 p.m.

MORNING BUSINESS

Mr. MITCHELL. Mr. President, I ask unanimous consent that there now be a period for morning business with Senators permitted to speak therein for up to 10 minutes each.

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

COMPLYING WITH SECTION 2(b) OF THE AUTHORIZATION FOR USE OF MILITARY FORCE AGAINST IRAQ RESOLUTION

Mr. BYRD. Mr. President, I ask unanimous consent that the President's letter pursuant to section 2(b) of the authorization for use of military force against Iraq (H.J. Res. 77, Public Law 102-1) be printed in the RECORD at this point.

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

THE WHITE HOUSE
Washington, January 16, 1991.

Hon. ROBERT C. BYRD,
President Pro Tempore of the Senate, Washington, DC.

DEAR MR. PRESIDENT: Pursuant to section 2(b) of the Authorization for Use of Military Force Against Iraq Resolution (H.J. Res. 77, Public Law 102-1), I have concluded that:

1. The United States has used all appropriate diplomatic and other peaceful means to obtain compliance by Iraq with U.N. Security Council Resolutions 660, 661, 662, 664, 665, 666, 667, 669, 670, 674, 677, and 678; and
2. That those efforts have not been and would not be successful in obtaining such compliance.

Enclosed is a report that supports my decision.

Sincerely,

GEORGE BUSH.

REPORT FOR USE IN CONNECTION WITH SECTION 2(b) OF THE JOINT CONGRESSIONAL RESOLUTION AUTHORIZING THE USE OF MILITARY FORCE AGAINST IRAQ

The report that follows is a summary of diplomatic and other peaceful means used in an attempt to obtain compliance by Iraq with the twelve U.N. Security Council resolutions relating to its invasion and occupation of Kuwait. It is not a definitive rendition of these means, because the Administration cannot, of necessity, include at this time all the factual data that would support a complete historical record. This report, therefore, should be considered in light of formal and informal information already provided to the Congress and that which will be provided in the future.

1. BACKGROUND

For over five and a half months, the international community has sought with unprecedented unity to reverse Iraq's brutal and unprovoked aggression against Kuwait. The United States and the vast majority of governments of the world, working together through the United Nations, have been united both in their determination to compel Iraq's withdrawal from Kuwait and in their strong preference for doing so through peaceful means. Since August 2, we have sought to build maximum diplomatic and economic pressure against Iraq. Regrettably, Iraq has given no sign whatever that it intends to comply with the will of the international community; nor is there any indication that diplomatic and economic means alone would ever compel Iraq to do so. Instead, Iraq has continued to reject the relevant U.S. Security Council resolutions and refuses to recognize them.

From the beginning of the Gulf crisis, the United States has consistently pursued four basic objectives: (1) the immediate, complete, and unconditional Iraqi withdrawal from Kuwait; (2) the restoration of the legitimate Government of Kuwait; (3) the protection of U.S. citizens abroad; and (4) the security and stability of a region vital to U.S. national security. In pursuit of these objectives, we have sought and obtained action by the UN Security Council, resulting in twelve separate resolutions that have been fully consistent with U.S. objectives.

The last of these twelve resolutions, UN Security Council Resolution 678 of 29 November 1990, authorizes UN Member States to use "all necessary means" to implement Resolution 660 and all subsequent relevant resolutions of the Security Council, and to restore international peace and security in the area, unless Iraq fully implements those resolutions on or before January 15, 1991.

The nearly seven week "pause of goodwill" established in UN Security Council Resolution 678 has now passed. Iraq has taken no steps whatever to fulfill these requirements. Iraq has forcefully stated that it considers the Security Council's resolutions invalid and has no intention of complying with them at any time. Iraqi forces remain in occupation of Kuwait, and have been substantially reinforced in recent weeks rather than withdrawn. Iraq has strongly and repeatedly reiterated its annexation of Kuwait and stated its determination that Kuwait will remain permanently a part of Iraq. The Iraqi closure of diplomatic and consular missions in Kuwait has in no way been rescinded.

In short, the Government of Iraq remains completely intransigent in rejecting the UN Security Council's demands—despite the exhaustive use by the United States and the United Nations of all appropriate diplomatic,

political and economic measures to persuade or compel Iraq to comply.

This has been a truly international effort. More than two dozen other countries have sent their own military forces to the Gulf region, including more than 250,000 troops. They have given or pledged substantial funds and other assistance to us for our operations, including over \$8 billion in calendar year 1990 alone. They have taken on the responsibility for assisting those nations that have suffered the most from the effects of international sanctions against Iraq and higher energy prices. As additional costs are incurred during 1991, we will look to our allies to shoulder their fair share of our military expenses and exceptional economic assistance efforts.

2. DIPLOMATIC AND POLITICAL ACTIONS

The extensive diplomatic and political efforts undertaken by the United States, other countries, regional organizations including the Arab League and the European Community and the United Nations to persuade or compel Iraq to withdraw from Kuwait have not succeeded. The UN Security Council and General Assembly have overwhelmingly and repeatedly condemned the Iraqi invasion and demanded Iraq's immediate and unconditional withdrawal from Kuwait. The Security Council has invoked its extraordinary authority under Chapter VII of the UN Charter, not only to order comprehensive economic sanctions, but to authorize the use of all other means necessary, including the use of force. The Security Council has directed other UN organizations (e.g., the International Atomic Energy Agency) to take appropriate actions toward the same end within their areas of competence, and they have done so where relevant.

The President, the Secretary of State and other U.S. officials have engaged in an exhaustive process of consultation with other governments and international organizations. The Secretary of State alone has, since August 2 of last year, held more than 250 meetings with foreign heads of state, foreign ministers and other high foreign officials. He has traveled over 125,000 miles in the course of these contacts. While this extensive diplomacy has been very successful in maintaining international solidarity in support of our objectives, it has not caused the Government of Iraq to withdraw from Kuwait.

Most recently, on January 9, the Secretary of State met at length in Geneva with Iraqi Foreign Minister, who in six and one-half hours of talks demonstrated no readiness whatever to implement the U.N. Security Council resolutions. The Iraqi Foreign Minister even refused to receive a diplomatic communication from the President intended for Saddam Hussein. On January 13, the U.N. Secretary-General was rebuffed by Iraq for a second time, in this case in a direct attempt to persuade Saddam Hussein to withdraw from Kuwait peacefully. Many other heads of state, foreign ministers and private persons have made similar attempts. In short, the international community has in an unprecedented way directed the full scope and vigor of its political and diplomatic means to produce an Iraqi withdrawal.

These exhaustive efforts have produced not the slightest indication of any intention by Saddam Hussein to meet the demands of the international community for immediate and unconditional withdrawal from Kuwait. For our part, the Administration made clear that there could be no reward for aggression lest we undermine prospects for an expanded constructive role for the UN Security Council and for a new, more peaceful world order. At-

tempts to link resolution of Iraq's aggression against Kuwait with other issues were rejected on the grounds that these issues were unrelated to Iraq's aggression and that such efforts would only serve to divert attention from the immediate challenge posed by Iraq.

3. ECONOMIC SANCTIONS

Since August 2 (in the case of the United States) and August 9 (in the case of the Security Council and the other UN Member States), comprehensive economic sanctions have been imposed on Iraq, prohibiting all trade and financial transactions with Iraq, with the exception of goods for a very limited category of essential humanitarian purposes. These sanctions have since August 25 been backed by an extensive maritime interception effort involving warships of many states, and since September 25 by rigorous controls on air traffic to and from Iraq. The United States and other countries have engaged in tireless efforts during this period to uncover and defeat attempt evasions of these sanctions around the world, whether by direct attempts to pass through the allied interception cordon or by the use of financial and trade intermediaries.

Our efforts have resulted in a very substantial reduction of the volume of trade to and from Iraq, and significant shortages in Iraq's financial resources. The most serious impact on Iraq thus far has been on the financial sector, where hard currency shortages have led Baghdad to take a variety of unusual steps to conserve or obtain foreign exchange. The sanctions have shut off 97% of Iraq's exports and more than 90% of its imports, and have prevented Baghdad from reaping the proceeds of higher oil prices or its seizure of Kuwaiti oil fields. The departure of foreign workers and the cutoff of imported industrial inputs has caused problems for a variety of industries.

Notwithstanding the substantial economic impact of sanctions to date, and even if sanctions were to continue to be enforced for an additional six to twelve months, economic hardship alone is highly unlikely to compel Saddam to retreat from Kuwait or cause regime-threatening popular discontent in Iraq. Due to a reduction of domestic consumption, cannibalization of Kuwaiti facilities, smuggling, and use of existing stockpiles, the most vital Iraqi industries do not appear to be threatened. The price of foodstuffs for the Iraqi population has sharply increased and rations have been reduced, but there is still access to sufficient staple foods, and new supplies are being injected from the fall harvest and smuggling.

While we might succeed in substantially reducing the overall Iraqi supply of food and other essential consumer commodities, Saddam Hussein has made clear his willingness to divert such supplies to his military forces, even at the cost of severe deprivation of his civilian population. Even if the international community were prepared to deprive the Iraqi civilian population of food, there is no reason to believe that this would change Saddam Hussein's policies.

The ability of Iraqi armed forces to defend Kuwait and southern Iraq is unlikely to be eroded substantially over the next six to twelve months even if effective sanctions could be maintained. Iraq's infantry and artillery forces probably would not suffer significantly, since Iraq could maintain the relatively simple Soviet-style weaponry of these forces. Low-technology defensive preparations could also be expanded. Iraq's armored and mechanized forces would be degraded somewhat, but Iraq has large stocks of spare parts and other supplies that would

ameliorate this effect. Iraqi air forces and air defenses would likely be hit far more severely by continued effective sanctions, but in any case, Iraqi air defense and air forces would play a limited role—in relation to the ground forces—with respect to Iraq's ability to hold Kuwait.

In short, while sanctions might degrade to some extent the operational readiness of some portion of the Iraqi armed forces, it is clear that Iraq would still retain very large and powerful land and air forces, as well as substantial capability to replace ammunition and other essential replacement items. Delay would also have important military consequences that might make any eventual military action more costly and increase U.S. and coalition casualties. Iraq has already exploited its five-month occupation of Kuwait to increase significantly its ability to resist coalition efforts to restore that country's sovereignty and to increase further its already formidable military capability. Iraq has increased the size of its forces in the Kuwait Theater of Operations by 450,000 personnel and has increased the overall size of its armed forces by mobilizing many thousands of combat veterans and reservists. Additional time has already permitted the Iraqis to extend and reinforce their fortifications along the Saudi border; more time would only make these defenses more formidable. Delay also would give the Iraqis more time to further develop, produce and weaponize weapons of mass destruction, thus making any eventual conflict more destructive and strengthening Iraq's ability to coerce other nations with the threat of mass destruction. Delay may also degrade the readiness of coalition forces.

In short, international sanctions have not caused Iraq to comply with the January 15, 1991 deadline in UN Security Council Resolution 678, or to retreat from its insistence that its annexation of Kuwait is permanent. Even if the world community were able to maintain the current high level of success in sanctions enforcement, these economic results would not produce such compliance.

Further, the longer the sanctions continue, the more likely it is that leaks in the sanctions enforcement system will develop, that intermediaries will devise ways to circumvent sanctions, and that Iraq will find means of using its own resources to fill critical shortfalls. Even more important, if the coalition fails now to carry through on the UN Security Council's demands for immediate Iraqi withdrawal from Kuwait, there will be strong pressures and temptations on various countries to ease their enforcement of sanctions and to compromise on demands that Iraq meet existing objectives fully and unconditionally.

In summary, diplomatic and economic pressures have not diminished Iraq's intransigence despite five and one-half months of unparalleled international effort, and continued reliance upon them alone could risk achieving the basic objective of bringing about Iraq's complete and unconditional withdrawal from Kuwait.

JANUARY 16, 1991.

WAR IN THE GULF

Mr. PELL. Mr. President, I am saddened. The war that we all had hoped against hope would not happen has now begun. As our Armed Forces gird for continued combat, I wish success to our brave soldiers, sailors and air men

and women; and I pray for their safe return.

Saddam Hussein committed a grievous error when he invaded Kuwait and defied the United Nations' call to withdraw from the territory that he criminally seized and pillaged. He now knows that the United States and its allies in the gulf were serious about enforcing the January 15 deadline set by the U.N. Security Council.

Iraq has suffered considerable damage from the first wave of the allied attack, and it will suffer much more as and if the war continues. Now is the time for Saddam Hussein to come to his senses and withdraw from Kuwait. That is the only way to spare his country from widespread destruction.

Saddam Hussein's callous disregard for the fate of his own country stands in stark contrast with the concern demonstrated by American military commanders to avoid causing civilian casualties in Iraq. Under our military rules of engagement, only military targets are being hit, and there must be certainty that the targets are indeed military ones before they are attacked.

It is not in America's interest to destroy Iraq as a country. Our quarrel is not with the Iraqi people but with the tyrant that rules them. Saddam Hussein's thuggish regime may well collapse under the pressure of war, and it does not serve our long-term interests in the region for Saddam's successor to inherit a nation in ruins.

As we reflect on the events of yesterday and today, we in America should be thankful that all but one of our aircraft returned safely to their bases. But there are no grounds for rejoicing. One American pilot has already lost his life, and there may be many more casualties before the fighting ends. We are all proud and supportive of our military forces, and we wish them Godspeed. But the conflict may continue for many days or weeks, and many lives could be lost.

Even though war has begun, the search for peace must continue. We should leave no stone unturned in an effort to persuade Saddam Hussein to withdraw from Kuwait so that peace can be restored. I do not know if Saddam listens to anyone or values anyone's counsel; but if he does, we must try to get the message through to him that the war will indeed end if Iraqi forces are withdrawn from Kuwait and that there are nonviolent alternatives for Saddam to resolve his differences with Kuwait and other nations in the area.

In the meantime, I believe all of us—those of us who voted against the President, as well as those who voted with him—should close ranks and support our President and bring this war to a successful and speedy conclusion.

I yield the floor.

The PRESIDING OFFICER. The Senator from Georgia is reconized.

Mr. NUNN. I thank the Chair.

(The remarks of Mr. NUNN pertaining to the introduction of S. 237 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

THUS BEGINS THE LESSON

Mr. COATS. Mr. President, last night America began the application of overwhelming force in a cause that is both vital and just. We were exhaustive in our search for peace. We are justified in our conduct of war.

We fight, not for conquest, but with plans for a peaceful world. Remembering our own essential interests, we have not forgotten the suffering of others or the guidance of principle.

The details of our actions are still obscured by the pace of events. But the news so far tells of a triumph of American and allied arms, achieved according to the best in our military tradition. Precautions have been taken to spare the innocent. But no effort has been spared to strike the guilty. Once war has begun, the tenacious and total application of our strength is the quickest route to peace.

Yet the final success of our efforts will not be measured by the speed of our victory but by the justice of our cause. This will be the judgment of history and the burden shared by those who voiced their support for the President just days ago.

I bear that burden with prayer and anguish, but also with the assurance of hard reflection.

The chant of "Blood For Oil" is tired and empty. It rings hollow and timid in the face of advancing, aggressive brutality. Saddam Hussein does not seek control of oil to squeeze consumers of a few extra pennies at the pump. He seeks it to fund a military machine, to gain nuclear weapons, to unleash worldwide terrorism, and to bring tyranny to his neighbors. It is a threat of global reach and direct American interest.

But the moral case is also clear—as clear as in the gathering storm before World War II. Hussein is not an Arab nationalist, an updated Nasser. He is the author of uncounted atrocities. He is an aggressor of limitless ambition. His actions in Kuwait have revealed a bloody fanaticism.

His crimes exhaust the catalog of depraved hatred—the torture and murder of women and children, the use of chemical weapons against his people, the practice of terror and oppression.

Our actions in the Middle East are supported by both the breadth of our interests, and the depth of our outrage.

Now we hope for a broad and sure justice. We fight to transform Hussein's pride into fear of approaching retribution. We do it without joy, but with certain commitment. And I believe the

President deserves our firm support and urgent prayers.

Our actions have given evidence of a new world order. But it is simply the way the old order should have been—confronting aggression, seeking justice and defending the weak. That is the most effective way to ensure a lasting and honorable peace. That is that most effective way to guarantee our interests. And that is the American tradition.

Saddam Hussein calculated that aggression would be rewarded. He counted that we would ignore the pain of the oppressed. He bet that we would be paralyzed by division.

Thus begins the lesson.

SUPPORT OF SENATE JOINT RESOLUTION 35

Mr. SPECTER. Mr. President, I am pleased once again this year to join the distinguished Senator from South Carolina [Mr. HOLLINGS] and others in cosponsoring Senate Joint Resolution 35, a joint resolution to amend the Constitution to overrule the Supreme Court's erroneous decision in Buckley versus Valeo and allow Congress to regulate campaign spending. Because of the decision in Buckley, this constitutional amendment is the most direct way of establishing limits on campaign spending, which are so urgently needed.

The evidence is clear that campaign spending is out of control. Between 1974 and 1988, spending is the average Senate campaign increased from less than a half million dollars to almost \$3 million. Final figures from the 1990 campaign are not yet available, but the data suggest that this trend continued. During the same period, spending for the average House race increased from about \$50,000 to almost \$300,000. Even if we use constant dollars to factor out inflation, the evidence demonstrates that costs have escalated dangerously. The 1988 Senate races cost almost 300 percent more, on average, in constant dollars than the 1974 races. In constant dollars, 1988 House races were more than twice as expensive as 1974 campaigns. And despite popular misconceptions, Democrats, on average, spend more than Republicans. Priority for me, and one of the policies that I believe must be addressed is spending limits, which help create a level playing field.

I come to this conclusion from personal experience. The 1974 legislation that was struck down in Buckley provided that Senate candidates in the 1976 primary in Pennsylvania would be limited to spending \$35,000. That was just about all the money I had, and as no other candidate could spend more than that, I thought the same odds faced all primary candidates and decided to enter the race. On January 29, 1976, however, the Supreme Court de-

cided Buckley and held that any candidate could spend as much of his or her own money as he or she chose. The Court upheld the limits on direct contributions. All of a sudden, the playing field that had been even was tilted. The decision in Buckley provided me with firsthand experience on the importance of having preestablished campaign spending limits.

Mr. President, some opponents of this proposal to allow Congress to regulate campaign expenditures have argued that even if Buckley was wrongly decided, it would be an even greater mistake to pass this amendment and restrict first amendment rights. To this argument I respond that in my judgment we are not affecting a matter at the core of the first amendment, we are not restricting speech. Rather, this proposal would allow regulation of campaign spending. The two matters should not be equated under the first amendment. The Supreme Court, in Buckley, erroneously chose to equate the two. The Constitution expressly provides that Congress may correct such errant decisions of the Supreme Court through the amendment process. Thus, while the Constitution is sacrosanct, decisions of the Supreme Court, especially split decisions, are not. The Framers intended that Congress be able to overturn erroneous decisions. Hence the existence of the amending process.

It must be borne in mind that in passing this amendment, we would only be authorizing Congress to legislate in the area of campaign expenditures, we would be furthering debate on this important public issue. Article I, section 4 of the Constitution vests the authority in Congress to regulate national elections. The issue of campaign spending is too important to be left beyond the ability of the political branches to debate and address. Therefore, Mr. President, I urge my colleagues to consider this amendment carefully. When they do so, I am certain that they will recognize the need for this amendment and will support it.

CRISIS IN THE BALTIC STATES

• Mr. GLENN. Mr. President, I commend the Senate leadership on the timely introduction and passage of Senate Resolution 14 expressing the sense of the Senate concerning the unfolding crisis in the Baltic States. I have been following developments in the Baltic States with increasing concern and dismay. I hope that the Congress and the administration can speak with one voice, one strong and unanimous voice in opposition to the use of Soviet military forces against the peoples and governmental institutions of the Baltics. We cannot be silent in the face of the very real threat that force will be used to deprive the Baltic peo-

ple of their newly reclaimed right to self-determination.

Mr. President, I have no way of knowing whether Soviet President Gorbachev knew of and/or approved last weekend's assault on the broadcasting facility in Vilnius. But whether he knew about and authorized this particular action is of lesser concern than the fact that he has repeatedly threatened to impose emergency Presidential rule in the Baltic States if they do not bow to Moscow's will. And he has certainly been vigorous in his defense of the military's unprovoked attack on unarmed civilians. If he did not authorize this recent action, he is certainly in a position to do something to correct the mistake by removing the Soviet troops from the streets of Vilnius and Riga and rescinding the threats made against the democratic governments of those states.

These claims the Soviet central government has been making about secret Lithuanian military plots and similar charges by the unknown and unseen National Salvation Committee that Lithuania, which has no army, is preparing to begin "direct military actions" is sheer and utter nonsense. It would be laughable if it were not so reminiscent of the justifications put forward by the Kremlin in the past for their interventions in other countries, like Hungary and Czechoslovakia.

I am extremely concerned by the increasing evidence that President Gorbachev is turning his back on his own political and economic reform programs. In my view, any attempt to reimpose tight central control and turn back the clock on the reforms will result in chaos throughout the Soviet Union. I implore President Gorbachev to send the army back to the barracks and to commit his government to a peaceful negotiated resolution with the duly elected governments of the Baltic States.♦

TERRY ANDERSON

Mr. MOYNIHAN. Mr. President, I rise to inform my colleagues that today marks the 2,133d day that Terry Anderson has been held captive in Lebanon.

OPERATION DESERT STORM

Mr. THURMOND. Mr. President, since the outset of this crisis in August, it had been my hope that we could resolve matters peacefully and that the sanctions imposed by the United Nations would force Saddam Hussein to withdraw his forces from Kuwait. Regrettably, the sanctions did not have the effect we sought.

Last Saturday, January 12, 1991, a brave majority of this body voted to support the President's and the U.N. stance against the Iraqi aggression. Saddam Hussein—to the detriment of his nation—misjudged the Congress

and the determination of the United Nations, the allied coalition, and the people of the United States to reverse his occupation of Kuwait. Although I am disappointed that we had to resort to offensive action, I am confident that the President and the leaders of the allied coalition made the decision only after all diplomatic measures failed.

There may well be death and suffering in the days ahead. Nonetheless, I am proud of the U.S. Congress, our military commanders, and our President. It is time for courage and dignity and humility. Whether we agree or disagree on the events that led us to this moment in history, we must now unite behind our brave men and women in the Armed Forces and their families. Let us pray that we can quickly end this conflict with minimum loss of life on both sides.

Mr. President, God bless our brave men and women in uniform.

Mr. DODD. Mr. President, I did not have an opportunity prior to the consideration of the final vote on Senate Concurrent Resolution 2 to express my views on that matter. I supported the resolution, Mr. President. I am pleased to have done so. I commend the majority leader, Senator MITCHELL, Senator DOLE, and others who were principally involved in the crafting of that legislation.

I am delighted to see it passed the Senate overwhelmingly as it did and that despite the differences that provoked the debate last weekend, as I think most have admitted, one of the most historic and worthwhile debates certainly in my 10 years in the Senate of the United States, that once the firing commenced last evening our time I think everyone in this country, certainly everyone in this Chamber dropped whatever divisions or debate, policy discussions, certainly that were the subject of much talk over the last several weeks, and thought it was worthwhile to pull ranks together and to support our military personnel during this hour of need.

There will be plenty of time, Mr. President, in the coming weeks and months, I suppose, to debate policy questions as they emerge in the Middle East as a result of Saddam Hussein's invasion of Kuwait and the subsequent events, including the use of force here in the last 24, 48 hours. But certainly it is vitally important that Saddam Hussein know, but maybe more important that our own troops know, that despite the debate and division that may have been the subject of discussion here last week, every single Member of this body supports wholeheartedly these efforts, the admirable qualities and courage being evidenced by these people. They ought to know that. Certainly Saddam Hussein and his military cohorts and supporters ought to know it as well. We stand united at this moment, committed in purpose to bring this conflict

to a speedy result and secure what the President has properly identified as our goal of Saddam's removal from Kuwait. Mr. President I am honored to support that legislation and be a cosponsor.

I yield.

The PRESIDING OFFICER. The Senator from Pennsylvania [Mr. SPECTER] is recognized.

Mr. SPECTER. Mr. President, I did not have an opportunity to speak on the resolution because of a very limited time agreement. I therefore stayed to make a few remarks on the subject. I believe this resolution is important for a number of reasons. Twenty-four hours have passed since the first word came of the coalition attack on Iraq and enforcement of U.N. Resolution 678. It has been a very long day for America; a long day for the world—perhaps the longest day.

We have come to this day of reckoning after an extraordinary event: The countdown toward a war.

It was a surrealistic experience. We see countdowns with James Bond, and we know that he will intercept the countdown with perhaps only a second to go. This countdown expired at midnight on January 15, at which point the President of the United States was authorized by the Congress to enforce U.N. Resolution 678.

There was a very extensive debate last week. A very heavy atmosphere hung over this Chamber, the U.S. Senate, and over the other body, the House of Representatives, as a majority of both Houses authorized the President to use force.

The countdown continued, and it was the hope of all that Iraq would withdraw, but that did not happen. It was a very ominous day, all day, on January 16 until 24 hours ago word came on the ABC national television network that the hostilities had begun. We have been very fortunate in the intervening 24 hours to have had the kind of success with the very limited casualties.

The President of the United States spoke to the American people today and said it was a "great success." Just a few hours ago, the Secretary of Defense, Dick Cheney, and the Chairman of the Joint Chiefs of Staff, Gen. Colin Powell, briefed the Senators and gave us the details of the expanse of United States military force directed at Iraq.

It was absolutely awesome to hear that briefing and to see detailed the force which was directed at Iraq. The vast array of weapons just decimated Iraq. It was directed against military targets in an effort to spare civilians because the quarrel of the United Nations is not with the people of Iraq, but with the leadership of that nation. It is hoped that the leaders of Iraq and especially President Saddam Hussein will come to their senses and will not prolong this war.

This resolution is important for a number of reasons: First, it states that

the Congress unequivocally supports the men and women of our Armed Forces who are carrying out their missions with professional excellence, dedicated patriotism, and exemplary bravery. This is important, Mr. President, because of the overhang of the Vietnam war. I heard an extended discussion within the past week of veterans of the Vietnam war who felt that they were not yet appreciated for their services because of public disapproval of the Vietnam war.

I echo, briefly, the comments of the distinguished Senator from Connecticut who mentioned the unity of the Congress in support of the President. This is a message for President Saddam Hussein and for Iraq.

Last week, the Senate voted 52 to 47 on authorizing the use of force by the President of the United States. But today, every last Senator present—98 to 0—commends and supports the efforts and leadership of the President as Commander in Chief.

Notwithstanding the success of the past 24 hours, it is important to express a note of caution. We have just begun a difficult task. While there is clear cut air superiority, there is an enormous Iraqi army, and we have to keep our fingers crossed. It is hoped that President Saddam Hussein will see the futility of carrying on a war and will see the massive force available to the United States and the coalition to carry out Resolution 678.

In the past 10 years there have been many difficult votes. We have appropriated substantial sums for the Armed Forces, approximately \$300 billion a year. But when the time came for the projection of force in this instance, it was only the United States of America which had the will and the capability to commit forces to the Persian Gulf.

Mr. President, the use of collective security is a historic event for the world. We have talked about selective security for decades, really for centuries, and now a unique precedent has been established in pursuit, furtherance, observation and enforcement of international law. So that this resolution is timely today, Mr. President.

It is the hope of this Senator, and I know all Senators, all Americans that we will accomplish our mission in short order and that peace will be restored; that Iraq will be ousted from Kuwait, and that the terms of U.N. Resolution 678 will be carried out.

I thank the Chair. I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

SUPPORT FOR THE U.S. TROOPS

Mr. KERRY. Mr. President, when I spoke the other day on the issue of whether or not we should use force in the gulf, I spoke as forcefully as I knew how to try to counsel patience and completion of the process of the sanctions, but like many of my colleagues I acknowledged at that time there might come a point where force was in fact necessary, though I believed we could accomplish our goals without it.

I said at the time that I believed the situation in Iraq was most certainly not Vietnam. That is, obviously, of enormous consequence to all of us in America, the question of whether or not it might be. In making his decision and his announcement the other night, the President again reassured Americans it would not be.

As I said in my comments when arguing against the use of force at this moment, I suggested the targeting opportunities, the risks, the stakes, the military strategies—all of them, indeed, made this something that would most likely very much be different, and I said I thought the outcome would be different. I still believe that.

What is important now is truly that we support the troops. One of the most searing memories I have of Vietnam is the degree to which we were restrained, restricted, operating under a conglomerate of rules, all of which put us at much greater risk; indeed, I think in my unit the casualties were somewhere in the vicinity of 65 or 70 percent as a consequence.

It is my fervent hope in these next days all of us in this country will remember—and how could we do otherwise given the day-to-day, moment-to-moment coverage and the spectacle we witness as it carries out those risks; we must remember the extraordinary courage and commitment and devotion of those troops, and we must remember how imperative it is they not have a rug pulled out from underneath them, that they not somehow wind up with second guessing which then puts them at greater peril.

I am, personally, committed to the notion that whether for it or against it previously, the troops, the troops, the troops and their families must remain at the forefront of our consideration. I signal again my concern and my commitment to the notion that when they return—and they will—and when they return with the mission accomplished—and they will—this country not question its obligations with respect to those troops.

There are still two generations or more of veterans struggling to receive the benefits they ought to receive, the services they ought to receive, and the recognition they ought to receive. It is clear as a country that is also a mistake we do not want to have repeated ever again.

I think this resolution we have passed is a positive and strong statement of the commitment of Congress to all of those notions. It is my expectation that we will adhere to that commitment and not need at any time to be reminded of it.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Mr. DASCHLE (for himself and Mr. PRESSLER):

S. 228. A bill to authorize an Irrigation Drainage Demonstration Program and the Lake Andes-Wagner Unit and the Marty II Unit, South Dakota Pumping Division, Pick-Sloan Missouri Basin Program, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. PRESSLER:

S. 229. A bill to provide supplemental appropriations for the Landsat program; to the Committee on Appropriations.

S. 230. A bill to authorize the transfer of certain programs and functions of the National Oceanic and Atmospheric Administration to the Department of the Interior, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. HELMS (for himself, Mr. D'AMATO, Mr. SMITH, and Mr. WALLOP):

S. 231. A bill to impose economic sanctions against the Soviet Union until the Soviet Union ceases to threaten or use military force against the Baltic States and enters into good-faith negotiations leading to the formal recognition of the independence of those states; to the Committee on Foreign Relations.

By Mr. WARNER:

S. 232. A bill to amend title 38, United States Code, to increase the maximum amount of coverage under Servicemen's Group Life Insurance; and to direct the Secretary of Veterans affairs to pay a death gratuity to certain survivors of members of the uniformed services who died after August 1, 1990, and before the effective date of such increase; to the Committee on Armed Services.

By Mr. GARN (for himself and Mr. HATCH):

S. 233. A bill to increase the amounts authorized to be appropriated for the Colorado River storage project, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. BURDICK:

S. 234. A bill for the relief of Luis Gil Jain, Nevadita Garcia Jain, Louie Anthony Garcia Jain, and Liza Antoinette Garcia Jain; to the Committee on the Judiciary.

By Mr. INOUE (for himself, Mr. MCCAIN, Mr. BURDICK, and Mr. MURKOWSKI):

S. 235. A bill to authorize additional positions for the National Museum of the American Indian of the Smithsonian Institution, and for other purposes; to the Select Committee on Indian Affairs.

By Mr. MOYNIHAN:

S. 236. A bill to repeal certain cold war legislation and for other purposes; to the Select Committee on Intelligence.

By Mr. NUNN (for himself, Mr. WARNER, Mr. GLENN, Mr. MCCAIN, Mr. SASSER, Mr. BIDEN, Mr. BOREN, Mr.

LEVIN, Mr. KASTEN, Mr. THURMOND, Mr. CHAFFEE, and Mr. DODD):

S. 237. A bill to amend title 37, United States Code, to increase the rate of special pay for duty subject to hostile fire or imminent danger; to the Committee on Armed Services.

By Mr. DASCHLE (for himself, Mr. CRANSTON, Mr. KERRY, Mr. DECONCINI, Mr. MITCHELL, Mr. ROCKEFELLER, Mr. GRAHAM, Mr. AKAKA, Mr. JEFFORDS, Mr. PELL, Mr. LEAHY, Mr. RIEGLE, Mr. BRADLEY, Mr. DODD, Mr. LAUTENBERG, Mr. GORE, Mr. SIMON, Mr. SANFORD, Mr. ADAMS, Ms. MIKULSKI, Mr. WIRTH, Mr. BRYAN, Mr. KOHL, Mr. COHEN, and Mr. CHAFFEE):

S. 238. A bill to provide for the Secretary of Veterans Affairs to obtain independent scientific review of the available scientific evidence regarding associations between diseases and exposure to dioxin and other chemical compounds in herbicides, and for other purposes; to the Committee on Veterans' Affairs.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. MITCHELL (for himself, Mr. DOLE, Mr. THURMOND, Mr. BOREN, Mr. BREAUX, Mr. BRYAN, Mr. FORD, Mr. FOWLER, Mr. GRASSLEY, Mr. KASTEN, Mr. KOHL, Mr. LEAHY, Mr. LOTT, Mr. MACK, Ms. MIKULSKI, Mr. NUNN, Mr. PACKWOOD, Mr. REID, Mr. ROBB, Mr. ROCKEFELLER, Mr. SHELBY, Mr. SIMPSON, Mr. WIRTH, Mr. SASSER, and Mr. LEVIN):

S. Con. Res. 2. Concurrent resolution supporting the United States presence in the Persian Gulf; considered and agreed to.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. DASCHLE (for himself and Mr. PRESSLER):

S. 228. A bill to authorize an Irrigation Drainage Demonstration Program and the Land Andes-Wagner Unit and the Marty II Unit, South Dakota Pumping Division, Pick-Sloan Missouri Basin Program, and for other purposes; to the Committee on Energy and Natural Resources.

LAKE ANDES-WAGNER/MARTY II PROJECT

• Mr. DASCHLE. Mr. President, I rise today to re-introduce with my colleague Senator PRESSLER legislation to authorize the Lake Andes-Wagner/Marty II project and Selenium Drainage Demonstration program in South Dakota. I hope the Senate will give the bill prompt consideration and passage.

This legislation is almost identical to the bill that passed the Senate unanimously at the end of the 101st Congress as a title to H.R. 2567, the Reclamation Projects Authorization and Adjustment Act of 1990. Technical changes to the bill have been incorporated to clarify the funding of the South Dakota Biological Trust, to reference the bill to the appropriate sec-

tions of the 1990 farm bill, and to correct other minor technical errors.

Everything else is the same. The need in South Dakota is the same. The environmental benefits and precedents set by the project remain the same. The cost-effectiveness of the project remains the same. All that has changed is the efforts to authorize this project are extending to another year. It has now been 22 years since the project was first formulated, and there have been 22 years of refining the project to meet financial and environmental concerns. I am proud to sponsor this legislation, and I am confident that this investment in rural America is good public policy and important to the Nation.

I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 228

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. Drainage Demonstration Programs.—(a) The Secretary of the Interior (hereafter in this Act, the "Secretary"), acting pursuant to existing authority under the Federal reclamation laws, shall, through the Bureau of Reclamation, and with the assistance and cooperation of an oversight committee (hereafter "Oversight Committee") consisting of representatives of the Bureau of Indian Affairs, Environmental Protection Agency, United States Fish and Wildlife Service, United States Geological Survey, South Dakota Department of Game, Fish and Parks, South Dakota Department of Water and Natural Resources, Yankton-Sioux Tribe, and the Lake Andes-Wagner Water System, Inc. carry out a demonstration program (hereafter in this Act the "Demonstration Program") in substantial accordance with the "Lake Andes-Wagner-Marty II Demonstration Program Plan of Study," dated May 1990, a copy of which is on file with the Committee on Interior and Insular Affairs of the House of Representatives and the Committee on Energy and Natural Resources of the Senate.

(b) The objectives of the Demonstration Program shall include:

(1) development of accurate and definitive means of quantifying projected irrigation and drainage requirements, and providing reliable estimates of drainage return flow quality and quantity, with respect to glacial till and other soils found in the specific areas to be served with irrigation water by the planned Lake Andes-Wagner Unit and Marty II Unit and which may also have application to the irrigation and drainage of similar soils found in other areas of the United States;

(2) development of best management practices for the purpose of improving the efficiency of irrigation water use and developing and demonstrating management techniques and technologies for glacial till soils which will prevent or otherwise ameliorate and degradation of water quality by irrigation practices;

(3) investigation and demonstration of the potential for development and enhancement of wetlands and fish and wildlife within and adjacent to the service areas of the planned Lake Andes-Wagner Unit and the Marty II

Unit through the application of water, and other management practices;

(4) investigation and demonstration of the suitability of glacial till soils for crop production under irrigation, giving preference to crops that are not eligible for assistance under programs covered by title V of the Agriculture Act of 1949 (7 U.S.C. 1462 et seq.) or by any successor programs established for crop years subsequent to 1990.

(c) Study sites shall be obtained through leases from landowners who voluntarily agree to participate in the Demonstration Program under the following conditions:

(1) rentals paid under a lease shall be based on the fair rental market value prevailing for dry land farming of lands of similar quantity and quality plus a payment representing reasonable compensation for inconveniences to be encountered by the lessor;

(2) the Secretary will:

(A) supply all water, delivery system, pivot systems and drains;

(B) operate and maintain the irrigation system;

(C) supply all seed, fertilizers and pesticides and make standardized equipment available;

(D) determine crop rotations and cultural practices;

(E) have unrestricted access to leased lands;

(3) the Secretary may contract with the lessor and/or custom operators to accomplish agricultural work, which work shall be performed as prescribed by the Secretary;

(4) no grazing may be performed on a study site;

(5) crops grown shall be the property of the United States; and

(6) at the conclusion of the lease, the lands involved will, to the extent practicable, be restored by the Secretary to their pre-leased condition at no expense to the lessor.

(d) The Secretary shall offer crops grown under the Demonstration Program for sale to the highest bidder under terms and conditions to be prescribed by the Secretary. Any crops not sold shall be disposed of as the Secretary determines to be appropriate, except that no crop may be given away to any for-profit entity or farm operator. All receipts from crop sales shall be covered into the Treasury to the credit of the fund from which appropriations for the conduct of the Demonstration Program are derived.

(e) The land from each ownership in a study site shall be established by the Secretary as a separate farm. Each such study site farm will, during the demonstration phase of the Demonstration Program, annually receive planted and considered planting credit equal to the crop acreage base established for the farm by use of crop land ratios when it became a separate farm without regard to the acreage actually planted on the farm. Establishment of such study site farms shall not entitle the Secretary to participate in farm programs or to build program base.

(f) The Secretary shall periodically, but not less often than once a year, report to the Committee on Interior and Insular Affairs of the House of Representatives, to the Committee on Energy and Natural Resources of the Senate, and to the Governor of South Dakota concerning the activities undertaken pursuant to this section. The Secretary's reports and others information and data developed pursuant to this section shall be available to the public without charge. Each Demonstration Program report, including the report referred to in paragraph (3) of this subsection, shall evaluate data covering the results of the Demonstration Program as

carried out on the six study sites during the period covered by the report together with data developed under the wetlands enhancement aspect during that period. The demonstration phase of the Demonstration Program shall terminate at the conclusion of the fifth full irrigation season. Promptly thereafter, the Secretary shall:

(1) remove temporary facilities and equipment and restore the study sites as nearly as practicable to their prelease condition. The Secretary may transfer the pumping plant and/or distribution lines to public agencies for use other than commercial irrigation if so doing would be less costly than removing such equipment;

(2) otherwise wind up the Demonstration Program; and

(3) prepare a concluding report and recommendations covering the entire demonstration phase, which report shall be transmitted by the Secretary to the Congress and to the Governor of South Dakota not later than April 1 of the calendar year following the calendar year in which the demonstration phase of the Demonstration Program terminates. The Secretary's concluding report, together with other information and data developed in the course of the Demonstration Program, shall be available to the public without charge.

(g) Costs of the Demonstration Program funded by Congressional appropriations shall be accounted for pursuant to the Act of October 29, 1971 (85 Stat. 416). Costs incurred by the State of South Dakota and any agencies thereof arising out of consultation and participation in the Demonstration Program shall not be reimbursed by the United States.

(h) Funding to cover expenses of the Federal agencies participating in the Demonstration Program shall be included in the budget submittals for the Bureau of Reclamation. The Secretary, using only funds appropriated for the Demonstration Program, shall transfer to the other Federal agencies funds appropriated for their expenses.

SEC. 2. PLANNING REPORTS—ENVIRONMENTAL IMPACT STATEMENTS.—(a) On the basis of the concluding report and recommendations of the Demonstration Program provided for in section 1, the Secretary shall comply with the study and reporting requirements of the National Environmental Policy Act and regulations issued to implement the provisions thereof with respect to the Lake Andes-Wagner Unit and Marty II Unit. Using feasibility methodologies consistent with those employed in the Lake Andes-Wagner Unit Planning Report Final Environmental Impact Statement, filed September 17, 1985, the final reports prepared under this subsection shall be transmitted to the Congress simultaneously with their filing with the Environmental Protection Agency.

(b) Each report prepared under subsection (a) shall include a detailed plan providing for the prevention, correction, or mitigation of adverse water quality conditions attributable to agricultural drainage water originating from lands to be irrigated by the Unit to which the report pertains and shall be accompanied by findings by the Secretary and the Administration of the Environmental Protection Agency that the Unit to which the report pertains can be constructed, operated and maintained so as to comply with all applicable water quality standards.

(c) The construction of a Unit may not be undertaken until the final report pertaining to that Unit, and the findings referred to in

subsection (b) of this section, have lain before the Congress for not less than 120 days and the Congress has appropriated funds for the initiation of construction.

SEC. 3. AUTHORIZATION OF THE LAKE ANDES-WAGNER UNIT AND THE MARTY II UNIT, SOUTH DAKOTA.—Subject to the requirements of section 2 of this Act, the Secretary is authorized to construct, operate, and maintain the Lake Andes-Wagner Unit and the Marty II Unit, South Dakota, as units of the South Dakota Pumping Division, Pick-Sloan Missouri Basin Program. The units shall be integrated physically and financially with other Federal works constructed under the Pick-Sloan Missouri Basin Program.

SEC. 4. CONDITIONS.—(a) The Lake Andes-Wagner Unit shall be constructed, operated and maintained to irrigate not more than approximately forty-five thousand acres substantially as provided in the Lake Andes-Wagner Unit Planning Report-Final Environmental Impact Statement filed September 17, 1985, supplemented as provided in section 2 of this Act. The Lake Andes-Wagner Unit shall include on-farm pumps, irrigation sprinkler systems, and other on-farm facilities necessary for the irrigation of not to exceed approximately one thousand seven hundred acres of Indian-owned lands. The use of electric power and energy required to operate the facilities for the irrigation of such Indian-owned lands and to provide pressurization for such Indian-owned lands shall be considered to be a project use.

(b) The Marty II Unit shall include a river pump, irrigation distribution system, booster pumps, irrigation sprinkler systems, farm and project drains, electrical distribution facilities, and the pressurization to irrigate not more than approximately three thousand acres of Indian-owned land in the Yankton-Sioux Indian Reservation, substantially as provided in the Marty II Unit Planning Report-Final Environmental Impact Statement referred to in section 2 of this Act.

(c) The construction costs of the Lake Andes-Wagner Unit allocated to irrigation of non-Indian owned lands (both those assigned for return by the water users and those assigned for return from power revenues of the Pick-Sloan Missouri Basin Program) shall be repaid no later than forty years following the development period. Repayment of the construction costs of the Lake Andes-Wagner Unit apportioned to serving Indian-owned lands and of the Marty II Unit allocated to irrigation shall be governed by the Act of July 1, 1932 (47 Stat. 564 Chapter 369; U.S.C. 386a).

(d) Indian-owned lands, or interests therein, required for the Lake Andes-Wagner Unit or the Marty II Unit may, as an alternative to their acquisition pursuant to existing authority under the Federal reclamation laws, be acquired by exchange for lands or interests therein of equal or greater value which are owned by the United States and administered by the Secretary or which may be acquired for that purpose by the Secretary.

(e) For purposes of participation of lands in the Lake Andes-Wagner Unit and the Marty II Unit in programs covered by title V of the Agricultural Act of 1949 (7 U.S.C. 1461 et seq.) as amended by subtitle A of title XI of the Food, Agriculture, Conservation and Trade Act of 1990 the crop acreage base determined under title V as so amended and the program payment yield determined under title V as so amended shall be the crop acreage base and program payment yield established for the crop year immediately preceding the crop year in which the development period for each Unit is initiated. For any successor pro-

grams established for crop years subsequent to 1995, the acreage and yield on which any program payments are based shall be determined without taking into consideration any increase in acreage or yield resulting from the construction and operation of the Units.

(f) Mitigation of fish and wildlife losses incurred as a result of the construction and operation of the facilities authorized by this section shall be concurrent with construction of the Unit involved and shall be on an acre-for-acre basis, based on ecological equivalency. In addition to the fish and wildlife enhancement to be provided by the fish rearing pond of the Lake Andes Unit, other facilities of that Unit may be utilized to provide fish and wildlife benefits beyond the mitigation required to the extent that such benefits may be provided without increasing costs of construction, operation, maintenance or replacement allocable to irrigation or impairing the efficiency of that Unit for irrigation purposes.

SEC. 5. INDIAN EMPLOYMENT.—In carrying out sections 1, 3 and 4 of this Act, preference shall be given to the employment of members of the Yankton-Sioux Tribe who can perform the work required regardless of age (subject to existing laws and regulations), sex, or religion, and to the extent feasible in connection with the efficient performance of such functions training and employment opportunities shall be provided members of the Yankton-Sioux Tribe regardless of age (subject to existing laws and regulations), sex, or religion who are not fully qualified to perform such functions.

SEC. 6. FEDERAL RECLAMATION LAWS GOVERN.—This Act is a supplement to the Federal reclamation laws (Act of June 17, 1902, 32 Stat. 388, and Acts supplemental thereto and amendatory thereof). The Federal reclamation laws shall govern all functions undertaken pursuant to this Act, except section 10, and as otherwise provided herein.

SEC. 7. COST SHARING.—

(a) **IN GENERAL.**—The Proposal dated September 29, 1937, supplemented October 30, 1987 (on file with the Committee on Interior and Insular Affairs of the House of Representatives and with the Committee on Energy and Natural Resources of the Senate), pursuant to which the State of South Dakota (hereafter in this section referred to as the "State") and the Lake Andes-Wagner Irrigation District (hereafter in this section referred to as the "District") would provide funding for certain costs of the Lake Andes-Wagner Unit, and the District would also assume certain responsibilities with respect thereto, is approved subject to the provisions of subsections (b) and (c) of this section. The Secretary shall promptly enter into negotiations with the State and the District to conclude an agreement between the United States, the State, and the District implementing the proposal.

(b) The agreement shall include provisions for:

(1) the establishment and capitalization of the non-Federal fund, including, subject to the Secretary's approval, investment policies and selection of the administering financial institution, and including also provisions dealing with withdrawals of moneys in the fund for construction purposes;

(2) the District to administer the design and construction, which shall be subject to the approval of the Secretary, of the distribution and drainage systems for the Lake Andes-Wagner Unit;

(3) financing, from moneys in the fund referred to in paragraph (1), the construction cost of the ring dike, not exceeding \$3,500,000,

the construction cost, if any, of such dike in excess of that amount being the responsibility of the United States but any such excess cost remains reimbursable, subject to the condition that construction of the ring dike shall not commence earlier than the sixth year of full operation; and

(4) financing, from moneys in the fund referred to in paragraph (1), the construction cost of the Unit's closed drainage system, not exceeding \$36,000,000, the construction cost, if any, of the closed drainage system in excess of that amount being the responsibility of the United States but any such excess remains reimbursable, subject to the conditions that:

(A) construction of the closed drainage system shall commence not earlier than the sixth year of full operation of the Unit and shall continue over a period of thirty-five years as required by the Secretary subject to such modifications in the commencement date and the construction period as the Secretary determines to be required on the basis of physical conditions; and

(B) the District, in addition to such annual assessments as may be required to meet its expenses (including operation and maintenance costs and any annual repayment installments to the United States) shall, commencing three years after construction of the Unit (other than drainage facilities) has been completed, levee assessments annually of not less than \$1.00 per irrigable acre calculated to provide moneys sufficient, together with other moneys in the fund, including anticipated accruals, referred to in paragraph (1), to finance not to exceed \$36,000,000 of the construction costs of the closed drainage system.

(C) In the event the detailed plan for the Lake Andes-Wagner Unit referred to in subsection (b) of section 4 reduces the irrigated acreage of the Lake Andes-Wagner Unit to less than forty-five thousand, the District's maximum obligation hereunder shall be reduced in the ratio that the reduction in acreage bears to forty-five thousand.

(c) Notwithstanding any other requirements of this section, the Secretary shall require that the agreement to be negotiated pursuant to this section shall provide that the total non-Federal share of the costs of construction allocable to irrigation of the facilities of the Lake Andes-Wagner Unit to be constructed pursuant to subsection (a) of section 4 of this Act (other than the costs apportionable to serving-owned lands and the facilities described in the second sentence of that subsection) shall be 30 percent. The 30 percent non-Federal share shall include:

(1) funds to be deposited in the non-Federal fund referred to in paragraph (1) of subsection (b) of this section and interest earned thereon;

(2) savings to the United States by reason of paragraph (2) of subsection (b) of this section;

(3) savings to the United States by reason of administering the design and construction of any other feature or features of the Lake Andes-Wagner Unit, and of any feature or features of the Marty II Unit, the design and construction of which is administered by the District pursuant to an agreement with the Secretary;

(4) all funds heretofore or hereafter made available to the United States by non-Federal interests, or expended by such interests, for planning or advance planning assistance for the Lake Andes-Wagner Unit or for the Marty II Unit; and

(5) Any feature to which this section applies shall not be initiated until after the

District and the State have entered into the cost-share agreement with the United States required by this section.

SEC. 8. AUTHORIZATION OF APPROPRIATIONS.—(a) **LAKE ANDES-WAGNER UNIT.**—There are authorized to be appropriated—

(1) \$175,000,000 (October 1989 price levels) for construction of the Lake Andes-Wagner Unit (other than the facilities described in the second sentence of subsection (a) of section 4 of this Act) less the non-Federal contributions as provided in subsections (b) and (c) of section 7 of this Act; and

(2) \$1,350,000 (October 1989 price levels) for construction of the facilities described in the second sentence of subsection (a) of section 4 of this Act, which amounts include costs of the Lake Andes-Wagner Irrigation District in administering design and construction of the irrigation distribution and drainage systems.

(b) **MARTY II UNIT.**—There are authorized to be appropriated \$24,000,000 (January 1989 price levels) for construction by the Bureau of Reclamation in consultation with the Bureau of Indian Affairs of the Marty II Unit.

(c) **DEMONSTRATION PROGRAM.**—There are authorized to be appropriated such amounts as may be necessary to carry out the Demonstration Program.

(d) **OPERATION AND MAINTENANCE.**—There are authorized to be appropriated such amounts as may be necessary for the operation and maintenance of each Unit.

SEC. 9. INDIAN WATER RIGHTS.—Nothing in this Act shall be construed as affecting any water rights or claims thereto of the Yankton-Sioux tribe.

SEC. 10. SOUTH DAKOTA BIOLOGICAL DIVERSITY TRUST.—(a) From the sums appropriated under subsections (a), (b) and (c) of section 8 of this Act for the irrigation drainage demonstration program and the Lake Andes-Wagner Unit and the Marty II Unit, if any, the Secretary, subject to the provisions of subsection (d) of this section, shall make an annual Federal contribution to a South Dakota Biological Diversity Trust established in accordance with subsection (b) of this section and operated in accordance with subsection (c) of this section. The amount of each such annual contribution shall be for each fiscal year after 1990, 8 percent of the total amount appropriated for the same fiscal year under subsections (a), (b) and (c) of section 8, or 10 percent of the total amount so appropriated if a contribution to the Trust equal to 10 percent of all Federal contributions is provided or contracted for by the State of South Dakota from non-Federal funds. Contributions from the State of South Dakota may be paid to the Trust in such amounts and in such manner as may be agreed upon by the Governor and the Secretary. The total Federal contribution pursuant to this section, including subsection (d), shall not exceed \$12,000,000. Federal contributions pursuant to this section, including subsection (d), shall not constitute costs of the Demonstration Program or of the Lake Andes-Wagner or Marty II Units.

(b) A South Dakota Biological Diversity Trust shall be eligible to receive Federal contributions pursuant to subsection (a) of this section if it complies with each of the following requirements.

(1) The Trust is established by non-Federal interests as a non-profit corporation under the laws of South Dakota with its principal office in South Dakota.

(2) The Trust is under the direction of a Board of Trustees which has the power to manage all affairs of the corporation, including administration, data collection, and implementation of the purposes of the Trust.

(3) The Board is comprised of five persons appointed as follows, each for a term of five years:

(A) 1 person appointed by the Governor of South Dakota;

(B) 1 person appointed by each United States Senator from South Dakota;

(C) 1 person appointed by the United States Representative from South Dakota; and

(D) 1 person appointed by the South Dakota Academy of Science.

(4) Vacancies on the Board are filled in the manner in which the original appointments were made. Any member of the Board is eligible for reappointment for successive terms. Any member appointed to fill a vacancy occurring before the expiration of the term for which his or her predecessor was appointed is appointed only for the remainder of such term. A member may serve after the expiration of his or her term until his or her successor has taken office. Members of the Board shall serve without compensation.

(5) The corporate purposes of the Trust are to select and provide funding for projects that protect or restore the best examples of South Dakota's biological diversity, its rare species, exemplary examples of plant and animal communities and large-scale natural ecosystems.

(c) A South Dakota Biological Diversity Trust established by non-Federal interests as provided in subsection (b) shall be deemed to be operating in accordance with this subsection if, in the opinion of the Secretary, each of the following requirements are met:

(1) the Trust is operated to select and provide funding for projects that protect or restore the best examples of South Dakota's biological diversity; its rare species, exemplary examples of plant and animal communities and large-scale natural ecosystems in accordance with its corporate purpose; and

(2) the Trust is managed in a fiscally responsible fashion by investing in private and public financial vehicles with the goal of producing income and preserving principal. The principal will be inviolate, but income will be used to accomplish the goals of the trust.

(3) Proceeds from the Trust are used for the following purposes:

(a) \$10,000 per year or five percent of the total funds expended by the Trust (whichever is larger) will be provided to the South Dakota Natural Heritage Program (currently part of the South Dakota Game, Fish, and Parks Department), to:

(i) Maintain and update the South Dakota Biodiversity Priority Site List.

(ii) Conduct inventory to discover and survey new sites for the Priority Site List.

(iii) Manage data to maintain the Natural Heritage Databases needed to produce and document the Priority Site List.

(B) Up to five percent of the costs of each project are used for preserve design or site planning to ensure that sites are selected for funding which are well-designed to maintain the long-term viability of the significant species and communities found at the site.

(C) Proceeds from the Trust may be used to complete land protection projects designed to protect biological diversity.

(D) Projects may include acquisition of land, water rights or other partial interests from willing sellers only, or arranging management agreements, registry and other techniques to protect significant sites.

(E) Ownership of land acquired with Trust proceeds will be held by the public agency or private non-profit organization which proposed and completed the project, or another conservation owner with the approval of the

Board. The land will be managed and used for the protection of biological diversity. If the property is used or managed otherwise, title will revert to the Trust for disposition.

(F) Projects eligible for funding must be included on the South Dakota Biodiversity Priority List and located within the borders of South Dakota.

(G) At the discretion of the Board, Trust proceeds may be used for direct project costs including direct expenses incurred during project completion. Land project funding may also include the creation of a stewardship endowment subject to the following terms:

(i) up to 25 percent of the total fair market value of the project may be placed in a separate endowment.

(ii) The proceeds from the endowment will be used for the ongoing management costs of maintaining the biological integrity and viability of the significant biological features of the site.

(iii) Endowment funds may not be used for activities which primarily promote recreational or economic use of the site.

(iv) The endowment for each site will be held in a separate account from the body of the Trust and other endowments. The endowments will be managed by the Trust Board but the owner or manager of the site may draw upon the proceeds of the stewardship endowment to fund management activities with approval of the Board. Additional management funds may be secured from other public and private sources.

(H) Should the biological significance of a site be destroyed or greatly reduced, the land may be disposed of but the proceeds and any stewardship endowment will revert to the Trust for use in other projects.

(I) Proceeds from the Trust may be used for management of public or private lands, including but not restricted to lands purchased with Trust funds, except that only those management projects that results in the maintenance or restoration of statewide biological diversity are eligible for consideration.

(d) For each fiscal year after 1990, 2 percent of the Federal contributions for the same fiscal year, determined pursuant to subsection (a) of this section, shall be used by the Secretary to:

(1) restore damaged natural ecosystems on public lands and waterways affected by the Reclamation program outside South Dakota;

(2) acquire from willing sellers only other lands and properties or appropriate interests therein outside South Dakota with restorable damaged natural ecosystems and restore such ecosystems;

(3) provide jobs and suitable economic development in a manner that carries out the other purposes of this subsection;

(4) provide expanded recreational opportunities, and

(5) support and encourage research, training and education in methods and technologies of ecosystem restoration.

(e) In implementing subsection (d), the Secretary shall give priority to restoration and acquisition of lands and properties (or appropriate interests therein) where repair of compositional, structural and functional values will:

(1) reconstitute natural biological diversity that has been diminished;

(2) assist the recovery of species populations, communities and ecosystems that are unable to survive on-site without intervention;

(3) allow reintroduction and reoccupation by native flora and fauna;

(4) control or eliminate exotic flora and fauna which are damaging natural ecosystems;

(5) restore natural habitat for the recruitment and survival of fish, waterfowl and other wildlife;

(6) provide additional conservation values to state and local government lands;

(7) add to structural and compositional values of existing preserves or enhance the viability, defensibility and manageability of preserves, and

(8) restore natural hydrological effects including sediment and erosion control, drainage, percolation and other water quality improvement capacity.

(f) The Secretary shall annually report on its activities under this section to the Committee on Energy and Natural Resources and the Committee on Appropriations of the Senate and the Committee on Interior and Insular Affairs and the Committee on Appropriations of the House of Representatives.●

By Mr. PRESSLER:

S. 229. A bill to provide supplemental appropriations for the Landsat Program; to the Committee on Appropriations.

SUPPLEMENTAL APPROPRIATIONS FOR THE LANDSAT PROGRAM

Mr. PRESSLER. Mr. President, today I offer legislation to provide for continued operation of the Landsat Program. I recognize the lead role of the House of Representatives on appropriations measures. However, I believe so strongly in the importance of the Landsat Program that I introduce this bill today with the intention of later submitting it as an amendment.

The Landsat Program provides remote sensing from space to further our understanding of the Earth. The data from this program have been collected since 1972 and provide a unique baseline of information about land conditions and changes during the 1970's and 1980's. This information is not available from any other source. It is one of our most important sources of information for the continued study of global climate change, as well as long-term trends in deforestation, desertification, and land use.

The fiscal year 1991 Federal budget appropriated \$9,500,000 for the operation of Landsats 4 and 5 during the first 6 months of fiscal year 1991.

The satellites are still functioning and providing land remote sensing data. The funding for continued acquisition of Landsat data will run out in March of this year. It is important we act now to provide the necessary funds for continued Landsat operations.

Taking this action now will minimize or lessen any data gap that may occur between the demise of Landsats 4 and 5 and the launch of Landsat 6 in 1992. Also, we must do all we can to assure Landsat data continuity right up to the launch of our first Earth observing system platform in 1998.

Mr. President, I ask unanimous consent that the text of my bill appear in the RECORD immediately following my remarks.

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

S. 229

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. LANDSAT.

There is appropriated to the Secretary of Commerce for fiscal year 1991, \$9,500,000 for use in connection with the operation of the Landsat Program. The amount appropriated by this section shall be in addition to any amounts appropriated prior to the date of the enactment of this Act.

By Mr. PRESSLER:

S. 230. A bill to authorize the transfer of certain programs and functions of the National Oceanic and Atmospheric Administration to the Department of the Interior; to the Committee on Commerce, Science, and Transportation.

LAND REMOTE SENSING DATA ARCHIVING AUTHORIZATION ACT

Mr. PRESSLER. Mr. President, today I am introducing legislation to transfer from the Department of Commerce to the Department of the Interior the responsibility for archiving the land remote sensing data acquired by the Landsat satellites.

This legislation has received strong support from the Secretaries of Commerce and Interior and the Office of Management and Budget. The legislation simply clarifies a decision already worked out to transfer funding for the remote sensing archive from Commerce to Interior.

The Land Remote-Sensing Commercialization Act of 1984 gave the responsibility for archiving to the Secretary of Commerce. At the time, that made sense. The Landsat Program fell under the jurisdiction of the National Oceanic and Atmospheric Administration [NOAA]. The archiving and processing of the Landsat data is handled at the Earth Resources Observation Systems [EROS] Data Center near Sioux Falls, SD. The EROS Data Center [EDC] is a U.S. Geological Survey [USGS] facility, but since NOAA was processing the Landsat data, it also made sense for NOAA to handle the archiving of that data.

But the 1984 Commercialization Act also began the process of getting NOAA out of the Landsat processing business. NOAA will be doing no processing of incoming data at EDC, once Landsats 4 and 5 discontinue operations. Without this legislation, NOAA would still be responsible for archiving the old data. To everyone involved, now is the proper time to give that responsibility to the Department of the Interior, which operates the facility and is also one of the biggest users of the accumulated data.

In May 1986, NOAA and the USGS signed a memorandum of agreement outlining such a transfer of responsibility. This legislation will be the final step in effectuating that move.

Mr. President, I ask unanimous consent that the text of my bill appear in the RECORD.

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

S. 230

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SHORT TITLE

SECTION 1. This Act may be cited as the "Land Remote-Sensing Data Archiving Authorization Act of 1991".

TRANSFER OF DATA ARCHIVING RESPONSIBILITY

SEC. 2. (a) FINDINGS.—The Congress finds that—

(1) section 602 of the Land Remote-Sensing Commercialization Act of 1984 (15 U.S.C. 4272) directs the Secretary of Commerce to provide for the archiving of land remote-sensing data for historical, scientific, and technical purposes, including long-term global environmental monitoring;

(2) the Secretary of Commerce currently provides for the archiving of Landsat data at the Department of the Interior's EROS Data Center, which is consistent with the requirement of section 602(g) of such Act (15 U.S.C. 4272(g)) to use existing Federal Government facilities to the extent practicable in carrying out this archiving responsibility;

(3) the Landsat data collected since 1972 are an important global data set for monitoring and assessing land resources and global change;

(4) the Secretary of the Interior maintains archives of aerial photography, digital cartographic data, and other Earth science data at the EROS Data Center that also are important data sets for monitoring and assessing land resources and global change;

(5) it is appropriate to transfer authority to the Secretary of the Interior for the archiving of land remote-sensing data; and

(6) the Secretary of the Interior should explore ways to facilitate the use of archived data for research purposes consistent with other provisions of the Land Remote-Sensing Commercialization Act of 1984.

(b) **PROVISION OF UNENHANCED DATA.**—Section 402(b)(4) of the Land Remote-Sensing Commercialization Act of 1984 (15 U.S.C. 4244(b)(4)) is amended by inserting "of the Interior" immediately after "Secretary".

(c) **ARCHIVING OF DATA.**—Section 602 of the Land Remote-Sensing Commercialization Act of 1984 (15 U.S.C. 4272) is amended—

(1) in subsections (b), (c), (d), (f), and (g), by inserting "of the Interior" immediately after "Secretary" each place it appears; and

(2) by adding at the end the following new subsection:

"(h) In carrying out the functions of this section, the Secretary of the Interior shall consult with the Secretary to ensure that archiving activities are consistent with the terms and conditions of any contract or agreement entered into under title II, III, or V of this Act and with any license issued under title IV of this Act."

By Mr. HELMS (for himself, Mr. D'AMATO, Mr. SMITH, and Mr. WALLOP):

S. 231. A bill to impose economic sanctions against the Soviet Union until the Soviet Union ceases to threaten or use military force against the Baltic States and enters into good faith negotiations leading to the for-

mal recognition of the independence of those states; to the Committee on Foreign Relations.

SUSPENSION OF UNITED STATES AID TO THE SOVIET UNION

Mr. HELMS. Mr. President, the minds of Senators in the Chamber—indeed those of most Americans—are most certainly focused today on the developing situation in the Persian Gulf.

As important as is the situation in the Persian Gulf, the U.S. Government must also face up to the question of how to respond to the killing this past Saturday of at least 15 innocent Lithuanians and the injuring of hundreds of others in Vilnius at the hands of the Soviet Red Army.

Today I am introducing legislation which, in response to this military action, suspends all United States assistance to the Soviet Union. The legislation is cosponsored by the Senator from New York [Mr. D'AMATO], the Senator from Wyoming [Mr. WALLOP], and the Senator from New Hampshire [Mr. SMITH].

Mr. President, until August 2, 1990—the day Iraq invaded Kuwait—the State Department valued the friendship of Saddam Hussein. The State Department worked hard to prevent Congress from suspending United States aid to Iraq, and just days before the invasion of Kuwait, our Ambassador to Baghdad, April Glaspie, reportedly assured Hussein that the United States had no stake in disputes between Iraq and Kuwait.

Mr. President, yesterday the Senate approved a resolution proposed by the distinguished Senator from West Virginia [Mr. BYRD] urging the suspension of United States assistance to the Soviet Union because of the Soviet's oppression in the Baltic States. I was honored to be a cosponsor of that resolution, and I commend the distinguished Senator for his able leadership and his deep compassion for the Lithuanians and the other Baltic peoples.

However, my proposal is not a resolution; it is legislation building upon the sentiments of the Byrd resolution, and laying down criteria for suspension of aid. I believe that the Senate, upon reflection, will want to go on to enact definite legislative criteria.

In part, the 400,000 American troops whose lives are now on the line in the Persian Gulf attest to the U.S. State Department's judgment in this matter and on that occasion.

In the same fashion, the State Department offered massive aid to the Soviet Union, and stuck to the position that this aid should be provided, even while evidence was mounting that the Soviet Union was about to deploy force to crush democracy movements in Lithuania and other republics.

Senators may recall, that, on December 12, 1990, Secretary of State Baker announced that the Soviet Union would be offered up to \$1 billion in

credit guarantees for the purchase of United States agricultural commodities, and would be provided a temporary waiver of the Jackson-Vanik restrictions in order to permit these subsidized purchases. A little less than a month later, on January 10, 1991, the administration announced that up to \$300 million in Export-Import Bank credits would also be made available to the Kremlin.

Shortly after hearing of Secretary Baker's initial announcement, I commented that it was scarcely sensible to grant credibility to the Soviet Government, and give it United States tax dollars, when Mr. Gorbachev is the most disliked man in the Soviet Union.

I said then, and I repeat now, that the United States should not, directly or indirectly encourage Mr. Gorbachev's efforts to force—utilizing the Red Army—centralized communism upon the people of Russia and the independent Republics.

Having been offered this massive assistance from the U.S. taxpayer, Mr. Gorbachev arranged to receive as much of such assistance as possible before such time as he saw the need to crack down militarily on the democracy movement in Lithuania.

Specifically, between the time agricultural credits were offered—December 12—and the date of the crackdown in Lithuania—January 13—Mr. Gorbachev's agents succeeded in contracting for 639.5 million dollars' worth of agricultural commodities. Since the Soviet Union is broke, it will never be able to pay for these commodities. As the guarantor of these purchases, the U.S. Government—or more specifically, the U.S. taxpayer—will be left with the tab.

Even before Secretary Baker announced the aid plan, evidence began to mount indicating that a military crackdown in Lithuania was in the offing. But, just as the State Department ignored all the signals being sent from Baghdad in the days preceding Saddam Hussein's invasion of Kuwait, the State Department ignored the evidence emanating from the Soviet Union—all as Mr. Gorbachev dug his hand deeper and deeper into the pockets of the American taxpayer.

One of the first warning signs of the impending military crackdown came on November 26, 1990. On that date, as he prepared for his trip to the United States to gain support for his fledgling democracy, Lithuanian President Vytautas Landsbergis attempted to prepare his people for what he saw was the coming use of force by the Soviet Red Army. He predicted in an address to his nation that blood would be spilled by the Red Army—on direct orders from Moscow.

Obviously, either the State Department missed this statement, or chose to ignore it—because the bureaucrats in Foggy Bottom just moved forward

with their plan of sending U.S. tax dollars to bail out Mr. Gorbachev.

Mr. President, I ask unanimous consent that President Landsbergis' address to his nation of November 26, 1990, be printed in the RECORD at the conclusion of my remarks.

Mr. President, Mr. Gorbachev has claimed that he did not authorize the use of the Red Army to attempt to quash the democracy movement in Lithuania. This claim is simply ludicrous.

On January 7, 1990, Mr. Gorbachev issued orders that elite Soviet paratroopers be sent to seven captive nations. It was just 3 days later that the administration announced the availability of \$300 million in Ex-Im Bank credits for the Soviet Union.

On January 10, 1990, Mr. Gorbachev issued an ultimatum to the Supreme Council of the Republic of Lithuania. He informed the Council that "the situation has reached a dead end," and that "the need to find a way out of the situation requires taking speedy steps."

The people of Lithuania read this as a threat—but the State Department obviously did not.

Mr. President, I ask unanimous consent that the Gorbachev ultimatum of January 10 be printed in the RECORD at the conclusion of my remarks.

Mr. President, just 3 days after Mr. Gorbachev issued this ultimatum, Soviet Red army troops began their attack upon innocent Lithuanian civilians; 15 innocent people are now dead, and countless others injured.

It is a shame upon our Nation that the State Department chose to open up the doors of the United States Treasury to Mr. Gorbachev as he planned and implemented the military crackdown on Lithuanian democracy. Unfortunately, there is little which can be done to reverse that.

However, Congress can—and must—suspend all assistance to the Soviet Union now. That is exactly what the legislation I am introducing today intends to accomplish.

Specifically, this legislation provides for a suspension of all United States economic assistance to the Soviet Central Government and a prohibition on the granting of most-favored-nation trading status to the Soviet Union until the President determines that:

First, the Soviet Union has ceased the threat of, and the use of force against the peoples of the Baltic States;

Second, the Soviet Union has entered into negotiations with the democratically elected leaders of the Baltic States for the purpose of bringing about independence for Lithuania, Latvia, and Estonia; and,

Third, the Soviet Union withdraws all troops under its control from the territories of the Baltic States.

Mr. President, I ask unanimous consent that the full text of the legislation I am introducing today be printed in the RECORD at the conclusion of my remarks.

Mr. President, it was less than 10 months ago—March 11, 1990, to be exact—that the democratically elected Government of Lithuania redeclared their nation's independence. That was a proud day for Lithuanians, and indeed for all people who value freedom.

The parliamentarians who made that brave decision in Vilnius last March knew—as did the Founding Fathers of our own Nation—that their lives could be in danger. Today, their Parliament building is surrounded by Soviet tanks. No one knows what tomorrow will bring—except that strong, tangible steps by the United States can prevent further bloodshed.

The legislation I am introducing today—if enacted—would represent one such step. I urge Senators to join in seeking speedy consideration and passage of this legislation.

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

S. 231

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. The Congress finds that—

(1) on January 7, Soviet Defense Minister Dimitri Yazov, on orders from Mikhail Gorbachev, ordered an extra dispatch of elite Soviet paratroopers to Lithuania, Latvia, Estonia, and the Ukraine, Armenia, Moldavia, and Georgia to begin rounding up young men who have refused to serve in the Soviet army;

(2) the people of Lithuania, Latvia, and Estonia have exercised their rights under the Geneva Accords of 1949, under which no one is required to serve in the army of an occupation power;

(3) several buildings belonging to the democratically elected Lithuanian and Latvian governments have been seized and occupied, and the railway station and airport in Vilnius closed, by the Soviet military in an attempt to impose presidential or military control in the Republic of Lithuania, the Republic of Latvia, and the Republic of Estonia;

(4) during the pre-dawn hours of January 13, 1991, at least 15 Lithuanian civilians who had gathered to conduct a peaceful vigil around the radio and television studio in Vilnius were brutally killed, and hundreds wounded, by Soviet tanks and troops;

(5) the United States has never recognized the annexation of Lithuania, Latvia, and Estonia by the Red Army in 1940 and has for 10 consecutive administrations of both parties remained committed to the independence of the Baltic nations; and

(6) President Bush has denounced Soviet aggression as disturbing and has stated that the military crackdown threatens to set back or, perhaps, even reverse United States-Soviet relations.

SEC. 2. Notwithstanding any other provision of law, the Export-Import Bank of the United States shall not issue, or make any payment on, any insurance, reinsurance, or guarantee with respect to the financing of

exports to the Soviet Union unless a presidential certification is made under section 8.

SEC. 3. Notwithstanding any other provision of law, the Commodity Credit Corporation shall not issue, or make any payment on, any credit guarantee with respect to the financing of exports of agricultural commodities to the Soviet Union contracted for or approved after January 16, 1991, unless a presidential certification is made under section 8.

SEC. 4. Notwithstanding any other provision of law, the Soviet Union shall not be eligible to receive nondiscriminatory (most favored-nation) trade treatment, and any commercial agreement concluded with the Soviet Union shall not take effect, unless a presidential certification is made under section 8.

SEC. 5. It is the sense of the Congress that—

(1) the President of the United States should not attend the summit meeting with the President of the Union of Soviet Socialist Republics scheduled for February 1991;

(2) the President of the United States should extend recognition to the democratically elected governments of Lithuania, Latvia and Estonia and should exchange ambassadors with such governments; and

(3) the Secretary of the Treasury should instruct the United States executive director to the International Monetary Fund and the International Bank for Reconstruction and Development to oppose any grant of special association status to the Soviet Union in such institution.

SEC. 6. (a) The United States-Soviet energy working group, jointly coordinated by the Departments of Commerce and Energy, shall be suspended until a presidential certification is made under section 8.

(b) The United States Government shall suspend all technical assistance in energy, science, and technology until a presidential certification is made under section 8.

(c) The United States Government shall not approve the export for the Soviet Union of any item controlled for national security purposes, under any agreement reached after January 16, 1991, with CoCom which liberalizes such controls until a presidential certification is made under section 8.

SEC. 7. The United States shall oppose any waiver of or modification of restrictions contained in the Charter of the European Bank for Reconstruction and Development applicable to the provision of loans to the Soviet Union, and shall oppose any loans by the European Bank for Reconstruction and Development to the Soviet Union unless a presidential certification is made under section 8.

SEC. 8. The certification referred to in this Act is a certification, submitted by the President to the Congress, (1) that the Soviet Union has ceased the threat and the use of force against the peoples of the Baltic States; (2) that the central government of the Soviet Union has entered into negotiations with the Baltic governments leading to the formal recognition of the independence of the states of Lithuania, Latvia, and Estonia; and (3) that all troops under the control of the central Soviet government have been withdrawn from the territories of those nations.

LITHUANIAN PRESIDENT TELLS HIS PEOPLE TO PREPARE FOR POSSIBLE KREMLIN COUP

NEW YORK, November 26, 1990.—Lithuania's president went before the nation on Lithuanian television Saturday night to warn that Soviet President Gorbachev appears to be planning to subvert the democratically

elected government in the southernmost Baltic state, reports the Brooklyn-based Lithuanian Information Center.

In what was probably his grimmest address to the people since the Lithuanian-Soviet crisis last spring, Vytautas Landsbergis, President of Lithuania's Supreme Council (or Parliament), warned that the Republic of Lithuania was "in danger." Comparing the situation to the days preceding the Soviet invasion of independent Lithuania in 1940, he said that "right-wing" forces including "old-style Bolsheviks," "militant generals and colonels," "worshippers of Great Russian imperialism," and "red fascists" were itching to turn back the clock in the U.S.S.R. and Lithuania. He described President Gorbachev as "either the leader of the right-wingers or their prisoner."

The Lithuanian President harshly criticized the new powers given to Gorbachev last week by the U.S.S.R. Supreme Soviet, saying they granted him the authority "to 'reorganize' from Moscow the governments of republics."

Landsbergis put before the Lithuanian public a forbidding scenario: internal discord in Lithuania fomented by Soviet agents, followed by a violent provocation staged by the KGB against members of the pro-Soviet minority in Lithuania, which would then be used to justify the introduction of presidential rule and the replacement of the legitimate Lithuanian government by a "government established by paratroopers" that would be willing to sign the new union treaty designed by the Kremlin to stave off the disintegration of the U.S.S.R.

The Lithuanian President implied that the refusal of unnamed Western countries to defend the Baltic states' right to observer status at the Paris summit meeting November 19-21 could encourage Gorbachev to believe that he had a free hand in dealing with the Baltic states. More than half of the 34 members of the CSCE, including the United States, refused to challenge the Soviets when they moved to block Baltic observer status at the Paris conference.

Only at the conclusion of his speech did Landsbergis offer hope for the future, stating that a right-wing putsch against his government was not inevitable. He assured the Lithuanian nation that the triumph of reactionary forces, should it come to pass, would be a brief one because the Soviet empire is "crumbling."

Extended excerpts of Landsbergis' speech follow:

"Yesterday * * * I stated that our homeland—the Republic of Lithuania—was in danger.

* * * * *
 "The general crisis in the Soviet Union is stirring up the fiercest right-wing forces. These are old-style Bolsheviks, militant generals and colonels who comprehend only the use of force through tanks and sharpened shovels, worshippers of Great Russian imperialism possessing a chauvinist hatred for smaller nations, especially those which have chosen freedom. They ruled, we were ruled, and that was called "order." Now that is no longer the case, hence such fury and desire at all costs to "control" everything once again. Among them are openly active proponents of red fascism, demanding that fists be used to stop up mouths, that reforms in the Soviet Union be terminated and democrats be persecuted, that bloody terror be employed as in Tbilisi and Baku. Such people come to Lithuania as well in order to egg on like-minded fellow party-members, and

then later to report back to Moscow what they ostensibly learned and investigated.

"The entire Soviet Communist Party is moving to the right. The progressives are handing in their party tickets while Mikhail Gorbachev, who not long ago appeared to be a reformer, is becoming within his party either the leader of the right-wingers or their prisoner, the spokesman and agent of their will within the Soviet Union and against us.

"The Kremlin's greatest concern is how, in spite of the specter of famine, to preserve the empire. They deftly take advantage of the opportunity which perhaps they themselves created—namely Iraq's aggression—to pretend to be the West's friends and hope to receive favors from that quarter. And one of those favors could be the failure to notice if military force and coercion are used against the Baltic countries, or at least the most disobedient one of them.

"That certain governments of large democratic countries are able to behave in a not very honorable manner was demonstrated in Paris. From those events there will be certain positive, useful consequences, but one negative consequence is that they push Mikhail Gorbachev into making some new mistake. Meanwhile, more important for us are events in Moscow. We recall the second meeting of the Lithuanian and Soviet delegations there on October 20: attacks, threats, renegeing on things that had already been agreed to, an obvious reluctance to advance even a little way toward negotiations.

"We recall also the ultimatum delivered to the three Baltic countries by comrades Ryzhkov and Maslyukov (Chairman of U.S.S.R. State Planning Committee—LIC) on November 10: if we disobey their rule, if all we desire is normal trade with the U.S.S.R., then they will rupture everything, ruin our economy and, having created great hardships, will cause discord within our society, in order to produce a chaos that is greater than that in their own society. We recall also the speeches of certain deputies—one can call them fascist—in Moscow, at the meetings of the Supreme Soviet, and President Gorbachev's own dictatorial schemes, the menacing resolution in the making all week and adopted yesterday.

"We see a new campaign of slander under way against Lithuania and its government, its changes, its independence. Such was the Moscow television program aired the day before yesterday.

* * * * *
 "The latest decision, adopted yesterday, proposes, that it allows, the President (of the U.S.S.R.—LIC) to defend the rights of citizens, and also their lives, health and wealth, even to the extent of adopting extraordinary measures. Which rights and what kind of citizen's wealth would require the exercise of extraordinary measures is not defined in any way. That means, according to Soviet custom, that the law can be used in any way that is at that moment desirable. They will manufacture some sort of provocation and then use it for their own purposes. And with respect to the republics, the Soviet Union's President is well empowered; he is to create a unified justice system under his own control, i.e. all internal affairs organs, courts, prosecutors, and promises even to 'reorganize' from Moscow the governments of republics . . .

"Of course, not just in the Baltic countries, but in many other places as well it will not be possible to do this by any means other than brute military force. And the Baltic states have already stated that they will defend themselves. It is all too similar to the

situation in 1940: it's even worse, but also more clear. I wonder if today one could find even one person childishly dreaming of Stalin's sunshine, about an improved Soviet system.

"Thus what can we and what should we expect?"

"Violence will be used, i.e. blood will be spilled as Mikhail Gorbachev promised yesterday, when all the necessary preparations have been made. First it will be necessary for them to dismantle political and community life in Lithuania, in order to better prepare public opinion in the Soviet Union and throughout the world.

"They have specialists who understand how to set people of one country against each other, playing off their views and even personal ambitions, how to antagonize groups, political forces and government bodies.

* * * * *

"Let us say that imperial preparations have been concluded, Lithuania's people exhausted and antagonized, the Parliament paralyzed, a new Moscow-hatched Lithuanian government is to be led by two writers, the Soviet security forces organize another provocation, choosing as victims their own supporters, and the Kremlin releases its fist or, put in more polite terms, imposes presidential rule. Then Lithuania falls under an active occupation once again, as in 1940, and a search begins for more flexible collaborators willing to sign the union treaty and join the union of "sovereign" republics once and for all. What to advise?"

"The first piece of advice comes from the methods of nonviolent political struggle. After the coup, refuse to participate in all, even the least significant, elections so that the government established by paratroopers would not have even the flimsiest cloak of legitimacy. The second piece of advice: to heed your heart and conscience. With the Soviet empire crumbling, the night would not be a long one. And perhaps it will not come at all if we stay calm, disassociate ourselves from suspicious hotheads and do not allow ourselves to be pitted one against the other."

GORBACHEV ISSUES ULTIMATUM TO LITHUANIA

NEW YORK, January 10, 1990.—Soviet President Mikhail Gorbachev issued an ultimatum to the Supreme Council, or Parliament, of the Republic of Lithuania today, demanding it "restore the validity of the U.S.S.R. Constitution" and demonstratively referring to it as the Supreme Soviet of the Lithuanian SSR, reports the Lithuanian Information Center of New York. An English translation of the ultimatum, provided by the Lithuanian government's information bureau, follows:

"The situation which has developed in the Republic, and its sharp aggravation during the past few days forces me, as the President of the U.S.S.R., to appeal directly to the Supreme Soviet of the Lithuanian SSR.

"It is necessary to face the truth, and to see the real reasons of the current situation. They are conditioned by flagrant violations and deviations from the Constitutions of the U.S.S.R. and of the Lithuanian SSR, by violations of the people's civil and social rights, and under the guise of democracy, by seeking to implement policy, the goal of which is to re-establish a Bourgeois regime and order.

"The responsibility for this lies with the Republic's Supreme Soviet, which in ignoring constitutional laws, resolutions of the Supreme Soviet of the U.S.S.R. and of the U.S.S.R. Congress of People's Deputies, de-

crees and appeals of the President of the U.S.S.R., goes against the interests of the people.

"Essentially, the situation has reached a dead-end. The need to find a way out of the situation requires taking speedy steps. Union authorities are getting many appeals from social-political organizations, manufacturing collectives, and citizens of all nationalities. People are demanding that constitutional order be re-established, and that their security and living conditions be properly guaranteed. They have lost faith in the policies of the present authorities. They demand that Presidential rule be established.

"I propose to the Supreme Soviet to immediately restore the validity of the U.S.S.R. Constitution and of the Constitution of the Lithuanian SSR, and to revoke the anti-constitutional acts adopted earlier.

"The Supreme Soviet of the Lithuanian SSR must understand all of its responsibility to the nations of the Republic and of the U.S.S.R."

By Mr. WARNER:

S. 232. A bill to amend title 38, United States Code, to increase the maximum amount, of coverage under Servicemen's Group Life Insurance and Veterans' Group Life Insurance and to direct the Secretary of Veterans Affairs to pay a death gratuity to certain survivors of members of the uniformed services who died after August 1, 1990, and before the effective date of such increase; to the Committee on Armed Services.

SERVICEMEN'S GROUP LIFE INSURANCE COVERAGE ENHANCEMENT ACT

● Mr. WARNER. Mr. President, I rise today to introduce legislation to increase the coverage of Government-sponsored life insurance for the men and women of our armed services and to pay a death gratuity to survivors of members who died after August 1, 1990, and before the date of the increase.

Mr. President, the U.S. Government began the practice of insuring the lives of servicemen and women during the early days of World War I to provide financial protection for their families. The Government took this action because commercial insurance companies either refused to provide such insurance or charged prohibitive premiums.

The War Risk Insurance Act of October 6, 1917, established the U.S. Government Life Insurance [USGLI] Program for service members to buy yearly renewable term life insurance in amounts from \$1,000 to \$10,000. The Government was the insurer and assumed the cost of the "extra hazard" for insuring the members of the Armed Forces. Since that time, the benefits of the USGLI Program have changed several times. For example, the Servicemen's Indemnity Act of April 25, 1951, provided for a gratuitous indemnity of \$10,000 payable to survivors of members who died on or with 120 days of active duty. This act also established a Veteran's Special Term Life Insurance [VSLI] Program to provide low-cost insurance in amounts of \$1,000 to \$10,000 during their transition from military to civil-

ian life. However, the Servicemen's and Veterans' Survivor Benefits Act of August 1, 1956, abolished the \$10,000 death gratuity and the VSLI Program. Survivor benefits were then covered under the Social Security System pursuant to the Dependency and Indemnity Compensation Program beginning January 1, 1957.

For the first time in 40 years, members and veterans of the armed services lacked a Government life insurance program. This situation continued until the act of September 29, 1965, when the current Servicemen's Group Life Insurance [SGLI] Program was established. The maximum amount of insurance available was \$10,000—the same amount as originally provided 48 years earlier. A key difference between these two programs is that members on active duty are automatically insured for the maximum amount unless they decline in writing to a lesser amount or no insurance. Also, the program is administered by a private insurance company under the supervision of the Department of Veterans Affairs. Although the insurance program is financially self-sustaining, the Government pays the difference in insurance for deaths attributable to "extra hazard" of active duty service.

Twenty years after SGLI was established, the maximum amount of SGLI increased five times to the present amount of \$50,000 in 1985. The program has also been amended to include coverage for cadets and midshipmen of the military academies, reservists, and to establish a new program of veterans' group life insurance [VGLI]. However, this maximum coverage of \$50,000 is significantly less than the average life insurance coverage of \$116,114 obtained by the average American, as reported in the "1988 Life Insurance Fact Book."

The bill I am introducing is designed to close this gap by establishing a maximum insurance coverage of \$100,000 for both the SGLI and VGLI programs. This change will automatically take effect on the date of enactment. The amount of insurance coverage for each service member who is insured under SGLI on or before the date of enactment will automatically double. Moreover, to assure that service members are notified of this increase and to afford them the opportunity to elect in writing an increase in coverage to the new maximum of \$100,000 or a lesser amount, my legislation requires the Secretary of Veterans Affairs to notify the service members within 120 days of enactment. During this period, the Secretary of Veterans Affairs, under this existing authority, may raise the insurance premiums commensurate with the new insurance increases.

Finally, Mr. President, recognizing the increased risks attributable to service members because of the United States military involvement in Operation Desert Shield in the Persian

Gulf, my bill would authorize the payment of a death gratuity to the beneficiaries of service members who died on active duty after August 1, 1990, but before the date of enactment of my bill in an amount equal to the SGLI coverage at the time of death. Eligibility for such death gratuity extends to the beneficiaries of any service member who died during this period of time, regardless of whether the service member died on official orders pertaining to the Desert Shield and Desert Storm Operation, providing the beneficiaries apply for the gratuity within 1 year of the date of enactment. There is a precedent for death gratuities under existing law. My bill authorizes the Secretary of Veterans Affairs to establish the necessary application procedures for the gratuity.

Mr. President, because of the gravity of the U.S. involvement in the Persian Gulf region and the enormous number of military personnel deployed in this region, we have a unique opportunity to recognize the serious hazards and risks associated with military service and the effect of those hazards and risks to the men and women of the Armed Forces and their families. We can do so by increasing the amount of life insurance coverage for active duty members and veterans and by compensating their families for any deaths that may occur. That is exactly what my legislation proposes to do. For this reason, I intend to address my legislation in hearings this year before the Senate Armed Services Committee.

Mr. President, I ask unanimous consent that the full text of the bill be printed in the RECORD.

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

S. 232

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Service-members' Group Life Insurance Coverage Enhancement Act of 1991".

SEC. 2. INCREASE OF SGLI AND VGLI MAXIMUM AMOUNT.

(a) **INCREASED AMOUNT.**—Section 767 of title 38, United States Code, is amended by striking out "\$50,000" each place it appears and inserting in lieu thereof "\$100,000".

(b) **CONFORMING AMENDMENT.**—Section 777(a) of title 38, United States Code, is amended by striking out "\$50,000" each place it appears and inserting in lieu thereof "\$100,000".

(c) **TRANSITION PROVISIONS.**—(1) Effective on the date of the enactment of this Act, the amount of the insurance provided under section 767 of title 38, United States Code, for a person who is insured under such section on the day before that date shall be increased to the amount equal to twice the amount of the insurance provided for such person under that section on such day.

(2) The Secretary of Veterans Affairs, in consultation with the Secretary concerned, shall take such action as is necessary to ensure that each person referred to in para-

graph (1) is notified of the increased insurance coverage provided under such paragraph and is afforded the opportunity to make an election under section 767 of title 38, United States Code, within 120 days after the date of the enactment of this Act.

SEC. 3. DEATH GRATUITY FOR PARTICIPANTS WHO DIED BEFORE THE DATE OF ENACTMENT.

(a) **PAYMENT OF DEATH GRATUITY.**—Subject to subsections (c) and (d), the Secretary of Veterans Affairs shall pay, out of any sums in the Treasury not otherwise appropriated, a death gratuity to each SGLI beneficiary of each deceased member of the uniformed services who died after August 1, 1990, and before the date of the enactment of this Act.

(b) **SGLI BENEFICIARY DEFINED.**—In this section, the term "SGLI beneficiary", with respect to a deceased member of the uniformed services, means a person to whom Servicemen's Group Life Insurance is paid or payable under subchapter III of chapter 19 of title 38, United States Code, by reason of the death of such member.

(c) **AMOUNT AND DISTRIBUTION OF GRATUITY.**—The amount of the death gratuity payable to an SGLI beneficiary in the case of a deceased member of the uniformed services under this section shall be equal to the Servicemen's Group Life Insurance paid or payable to such beneficiary under subchapter III of chapter 19 of title 38, United States Code, by reason of the death of such member.

(d) **APPLICATION FOR GRATUITY REQUIRED.**—A death gratuity shall be payable to an SGLI beneficiary under this section upon receipt of a written application therefor by the Secretary of Veterans Affairs within one year after the date of the enactment of this Act.

(e) **REGULATIONS.**—The Secretary shall prescribe in regulations the form of the application for benefits under this section and any procedures and requirements that the Secretary considers necessary to carry out this section.

SEC. 4. DEFINITION.

In this Act:

(1) The term "uniformed services" has the same meaning as is provided in section 765(6) of title 38, United States Code.

(2) The term "Secretary concerned" has the same meaning as is provided in section 101(25) of title 38, United States Code.●

By Mr. GARN (for himself and Mr. HATCH):

S. 233. A bill to increase the amounts authorized to be appropriated for the Colorado River Storage Project, and for other purposes; to the Committee on Energy and Natural Resources.

CENTRAL UTAH PROJECT COMPLETION ACT

● Mr. GARN. Mr. President, today, Senator HATCH and I are reintroducing the Central Utah Project Completion Act. This is the identical bill which by itself passed both Houses of the Congress during the 101st session of the Congress, but which failed to reach the President's desk because of a disagreement over wholly unrelated provisions which were attached to the CUP bill dealing with the reclamation reform issue.

It is our hope that those issues can be resolved and that this important legislation for the people of Utah can be enacted into law during this session of the Congress. Senator HATCH and I are committed to doing everything we can

to facilitate this process. We appreciate the willingness of the chairman of the Water and Power Subcommittee, Senator BRADLEY, for his willingness to work with us last year and for his willingness to hold hearings on the CUP bill during the early days of this new session of the Congress.●

By Mr. INOUE (for himself, Mr. MCCAIN, Mr. BURDICK, and Mr. MURKOWSKI):

S. 235. A bill to authorize additional positions for the National Museum of the American Indian of the Smithsonian Institution, and for other purposes; to the Select Committee on Indian Affairs.

NATIONAL MUSEUM OF THE AMERICAN INDIAN AMENDMENTS ACT

● Mr. INOUE. Mr. President, I am today introducing a bill that would amend the National Museum of the American Indian Act to provide a procedure for the repatriation of native American human remains, funerary and sacred objects, and items of cultural patrimony. The provisions of this bill are similar to those contained in generic repatriation legislation affecting federally-funded museums and institutions that was signed into law at the end of the last session of the Congress.

While I look forward to hearings on this bill and discussions with the Smithsonian Institution, I believe that the native people of this country have been heartened by the leadership the Smithsonian Institution has demonstrated in this sensitive area. I want to commend Secretary Adams for his thoughtful approach to an issue that is of great importance to native people.●

● Mr. MCCAIN. Mr. President, I am pleased to be a cosponsor of the National Museum of the American Indian Amendments Act. I would like to thank my good friend from Hawaii, Senator INOUE for his leadership on these very difficult issues. This legislation will extend to the Smithsonian Institution the same standards for the respectful treatment and return of native American human remains, funerary objects, sacred objects, and objects of cultural patrimony, that now govern all museums and agencies receiving Federal funds.

The Select Committee on Indian Affairs under the leadership of Senator INOUE has held numerous hearings on these very difficult issues. Last Congress, two landmark pieces of legislation were signed into law by the President. Public Law 101-185, which established the National Museum of the American Indian, provided a standard for the treatment and respectful return of native American human remains and funerary objects in the collections of the Smithsonian Institution. Public Law 101-601, the Native American Grave Protection and Repatriation Act created a national standard for the re-

spectful treatment and return of native American human remains and funerary objects. In addition, Public Law 101-601 expanded the provisions to include native American sacred objects and objects of cultural patrimony.

I am pleased that the Smithsonian Institution is continuing to provide leadership on this very difficult issue. The provisions of this bill reflect a national consensus developed by the American Association of Museums, the Society of American Archaeology, the National Congress of American Indians and the Native American Rights Fund on Legislation to repatriate native American human remains, funerary objects, sacred objects and objects of cultural patrimony. I would especially like to recognize the contributions of the trustees of the Heard Museum and the personal commitment of Mr. Michael Fox, the former director of the Heard Museum, to facilitate and coordinate the discussions between museum professionals and native American leaders. I would also like to recognize the substantial contributions made by Mr. Philip Thompson the director of the Museum of Northern Arizona and Mr. Martin Sullivan, the new director of the Heard Museum to this process.

Finally, I believe this legislation strikes a balance between the interest of native Americans in the rightful and respectful return of their ancestors with the interest of our National Museum in maintaining the rich cultural heritage of our Nation. Above all, I believe this legislation establishes a process that provides the dignity and respect that our Nation's first citizens deserve. ●

By Mr. MOYNIHAN:

S. 236. A bill to repeal certain cold war legislation, and for other purposes; to the Select Committee on Intelligence.

END OF THE COLD WAR ACT

● Mr. MOYNIHAN. Mr. President, the last 12 months have been among the most momentous in this century. The cold war is over. More. The 20th-century war, which began with the coming to power in Russia of the first totalitarian state, is also over. Since 1917 we have witnessed a global struggle between the competing visions of Lenin and Woodrow Wilson—messianic Marxism versus the rule of law and democracy. This struggle changed the world. It changed us as well. The time has come to ask, with the cold war over, can we purge the vestiges of this struggle from our laws, our bureaucracy and, most importantly, from our way of thinking? Can we muster the will to redefine ourselves? We will be living in a multipolar world. We need to ask, "What is no longer needed? Are new practices appropriate?"

Much has changed. We are now near to half a century from that fiery Sun-

day morning which ended, perhaps forever, America's sense of invulnerability. December 7, 1991—less than 1 year from today—will be the 50th anniversary of the bombing of Pearl Harbor. The advent of air power irremediably shrank our great buffer oceans. Once it had been enough to deprive potential rivals of nearby coaling stations by securing Hawaii and Midway Island. But apostles of air power like Douhet and Mitchell had warned that the United States was now vulnerable as never before. And the Japanese brought home their point with shattering effect.

And after the conflagration? America recovered from the physical blow the Japanese dealt at Pearl Harbor, but what of the psychic scars? This is what Hannah Arendt had to say in the aftermath of World War II:

Two World Wars in one generation, separated by an uninterrupted chain of local wars and revolutions, followed by no peace treaty for the vanquished and no respite for the victor, have ended in the anticipation of a third World War between the two remaining world powers. This moment of anticipation is like the calm that settles after all hopes have died.

The course of the war added nuclear weapons to the threat of air power, so that man could say, as the god Vishnu had: "I am become death. The destroyer of worlds."—Bhagavad-Gita.

We have so long lived with this danger that it has come almost to define us. America has become a national security state. Geared for war at all times. A Chief Executive who is, in a real and active sense, a Commander in Chief. The two full generations of Americans who have lived their entire lives in a world with totalitarian enemies armed with nuclear weapons simply think and act differently than prior generations.

One important change is a wholly new tolerance—even admiration—for spying. It is almost impossible today to recapture the sense of an America in which Henry Stimson could say in disbanding America's Black Chamber code-breaking operation in 1929: "Gentlemen do not read each other's mail." Or the consternation that rippled through Woodrow Wilson's 1919 audience in a St. Louis auditorium when he warned that if America did not join the League of Nations, then—

Knowledge must be accumulated by a system which we have condemned, because we have called it a spying system. The more polite call it a system of intelligence. And you can not watch other nations with your unassisted eye. You have got to watch them by secret agencies planted everywhere.

The cold war changed that. By 1947 the Christian Science Monitor would write:

It is generally agreed that a good intelligence service is the first line of military defense today. "Aha!" says the average American. "Spies!" Yes, spies—such as all the major nations of the world maintain in

order to know what the others are up to. There is no use being coy about the subject.

In 1947 the Congress adopted the National Security Act which, among other things, created the CIA. Testifying in favor of the act, Allen Dulles said:

I do not believe in a big agency. If this thing gets to be a great big octopus, it [would] not function well.

Yet, it has been written that the Agency's secret slogan in 1947 was "Bigger than State by '48." Today the State Department has 9,975 employees within the United States; the CIA has roughly 20,000 employees and sprawls over 219 acres, 8 miles upstream from the Capitol. In addition to the CIA we have the DIA, the NSA, the NRO, the Army, Navy, Air Force, and Marine intelligence services, FBI counterintelligence, and bureaucratic spies at the Treasury Department, the Energy Department, the State Department, and so on. America's first master spy—cryptography genius Herbert O. Yardley—ended his life as a professional poker player after he was sent packing by Secretary of State Stimson for his ungentlemanly behavior. Today a former Director of the CIA sits in the Oval Office. George Herbert Walker Bush was the ninth Director, serving in that position for precisely 356 days.

Now, however, the cold war is over. There is much talk of the dollars and cents of the peace dividend. But we do not seem to realize that the greatest potential dividend is the opportunity to define ourselves anew. To quote Thomas Sowell, "the peace dividend is peace."

It remains to be seen if we are up to this challenge. I have my doubts. I was certain that in our penury the least we would do was dramatically reduce the size of our Armed Forces, but our most recent Defense budget failed to kill a single major weapons system and was \$8 billion higher than the peacetime average for the entire cold war period even excluding the years when we were actually at war in Korea and Vietnam.

And what of the enormous sums spent on spying? During the 1980's our military budget grew to, and remains at, wartime levels. The budgets of the intelligence agencies skyrocketed as well. During the early 1980's the CIA budget grew by a reported 17 percent annually. Public estimates of the total cost of all U.S. intelligence activities have exceeded \$30 billion. And yet, when I proposed this fall that the aggregate figure for all spending on intelligence activities be made public I was greeted with cries of alarm. To publish this one lump-sum figure, it was claimed, would reveal sources and methods. I had thought that with the cold war over this was the barest minimum that we might do to fulfill our constitutional obligation—under article I, section 9, clause 7—to publish "a regular Statement and Account of the

Receipts and Expenditures of all public Money." Hearings will be held, but I am not sanguine about the outcome.

Can we simply return to a Wilsonian America? Of course not. The world has yet to beat its nuclear swords into plowshares. Nor have we rid the world of terror. Terrorism is not new, of course. But the weapons of today's terrorists—like those which destroyed Pan Am 103—are unprecedented in their sophistication and power.

Still, the intelligence community has been occupied from its creation primarily with tracking a Soviet threat which for most intents and purposes no longer exists. Nor have we been notably successful even in that endeavor. We were told of a bomber gap which did not exist, of a missile gap which did not exist, of a Soviet-Sino alliance even as Soviet and Chinese troops were exchanging gunfire across the Amur River. We are now learning that the surging Soviet economic power which was reported from 1950 to 1980 was far less menacing than we were led to believe. I have recently chaired a hearing before this committee on this subject and, I must say, that it appears to me that this has been an intelligence failure on a par with—perhaps worse than—the missile gap of the late 1950's. As Lyndon Johnson said of that earlier error:

[I]t turned out [that] our guesses were way off. We were doing things we didn't need to do. We were building things we didn't need to build. We were harboring fears we didn't need to harbor.

We now learn that just as the Soviet economy was collapsing we were launching the most massive peacetime military buildup in our history.

Now we can reconsider the function and necessary size of the intelligence community. But we see that the Nation's spies are eagerly searching for a new mission to justify their existence. The New York Times has reported that the National Security Agency, with a reported budget of \$5 billion and 50,000 employees, has offered to spy on behalf of the Nation's businesses. Robert J. Samuelson has aptly dismissed this as "a prime example of a nutty idea being justified as furthering our 'economic security'." There will be other such ideas and more proposed missions. The notion that we need a vast intelligence community to ensure our safety has become ingrained over nearly 50 years.

The recent events in the Persian Gulf have brought home to us the difficulty of thinking anew. When the crisis began, President Bush announced that one of his most important goals in handling Iraq's invasion of Kuwait would be to help put in place a new world order. For the first 3 months of the crisis that is exactly what we did. He turned to the United Nations. He began to speak of the importance of international law. Indeed. At a press conference held on August 23, 1990, Presi-

dent Bush referred to international law six times in the space of 15 minutes, throwing in three references to the United Nations, chapter VII of the U.N. Charter and "the rule of law" for good measure.

Of a sudden, President Bush lurched back into the modalities of the cold war. On November 8, 1990 the President announced a doubling of our troops in Saudi Arabia and a wholly new mission for them: expelling Iraq from Kuwait by force. What had been a multinational economic embargo became a bipolar military confrontation between the United States and a demonized Saddam Hussein. I fear that the present military attack, no matter how successful, will not put in place a new world order under these circumstances. Rather, it will reinforce the notion that the cold war methods of doing business are alive and well.

Last November the Committee on Foreign Relations held its first hearings on the implications of the end of the cold war. I chaired these hearings, and if there was a single point which our distinguished witnesses drove home again and again it was the enormity of the task of reshaping the American Government in the aftermath of the cold war. The cold war mentality is woven through all of our institutions; indeed, it frames our very efforts to think about international problems.

Today, I would like to begin this task by introducing a bill which will make certain basic changes which we can already identify as desirable. First, it will transfer the functions of the Director of Central Intelligence to the Secretary of State. The Secretary should be the Nation's spokesman, and the President's source of information on the state of the world. The creation of the Central Intelligence Agency, the quintessential product of the cold war, significantly undermined the ability of Secretaries of State to fulfill that role.

The bill will also require that the President publish a single figure for all intelligence outlays. This will allow the public to have a better understanding of the costs of collecting intelligence information and help produce a better informed debate on restructuring our intelligence institutions in the post-cold war world.

The bill will remove once and for all the authority of the executive branch to exclude persons from the United States because they hold views which the U.S. Government dislikes. As such, it will finally repeal the last vestiges of the infamous McCarran-Walter Act which, for 40 years has portrayed the American people as weak and frightened of ideas. The bill requires the U.S. Government to purge all lists of persons whose ideology is unacceptable to the United States.

The bill reintroduces an amendment which was adopted by the Congress last year, only to be vetoed by President

Bush, which makes it a crime to solicit funds or arrange quid pro quo deals in order to carry out activities which have been prohibited by law. This bill will reassert a most important principle which was also lost in the fog of the cold war: that the executive branch may not resort to extralegal devices to evade the laws in national security cases. As our distinguished majority leader said during the debate on this amendment, it stands for a simple proposition: "Obey the law."

Finally, this legislation endeavors to fully and finally deal with what is literally a poisonous legacy of the cold war: the environmental degradation by the Department of Defense and the Department of Energy. One of the great tragedies of the secrecy system which grew up and festered during the cold war is the destruction which was secretly visited upon the United States, not by the Soviet Union, but by agencies of the United States.

Mr. President, the task of purging the cold war from our institutions and our statutes is enormous. It will require a sustained and determined effort. The legislation which I am offering today is but a start. No doubt it is imperfect. Much has been left out; perhaps there are flaws in what has been included. I offer it as a work in progress and welcome all comments and criticism.

I ask unanimous consent that the text of the bill repealing certain aspects of the cold war be printed in the CONGRESSIONAL RECORD.

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

S. 236

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

TITLE I—SHORT TITLE

SEC. 101. This Act may be cited as the "End of the Cold War Act of 1991."

TITLE II—ELIMINATION OF IDEOLOGICAL RESTRICTIONS AND LISTS

SEC. 201. FINDINGS.—The Congress finds that—

(a) During the Cold War the United States excluded and maintained lists of foreign persons (referred to within this title as "Lookout Lists") with "unacceptable" opinions for the purpose of excluding such persons from entry into the United States;

(b) During the Cold War the United States made it a criminal offense to express opinions concerning the desirability of inevitability of revolution even if persons expressing such opinions in no way incited persons or conspired to commit any other criminal offense.

(c) Such exclusion, Lookout Lists and criminalization of opinion are inconsistent with the fundamental American principles of free speech and the competition of ideas.

SEC. 202. PURGING IDEOLOGICAL LOOKOUT LISTS.—Within two years of the effective date of this Act the United States government shall delete from any Lookout List the name of any alien and all information pertaining to such alien placed on such list because of any past, current, or expected be-

iefs, statements, or associations, if such beliefs, statements, or associations would be lawful within the United States.

SEC. 203. REPEAL OF IDEOLOGICAL EXCLUSION AUTHORITY.—Subsection (c) of United States Code, Title 8, Section 1182 is amended to read—

“(1) **IN GENERAL.**—An alien whose entry or proposed activities in the United States the Secretary of State has reasonable ground to believe would have a serious adverse foreign policy consequences for the United States is excludable.

“(1) **EXCEPTION.**—A alien shall not be excludable or subject to restrictions or conditions on entry into the United States under clause (1) because of the alien's past, current, or expected beliefs, statements, or associations, if such beliefs, statements, or associations would be lawful within the United States.”

SEC. 204. Nothing in this title requires the admission of or the deletion of any information pertaining to any alien believed to be a national security threat to the United States or whose name was placed on any Lookout List for a reason other than their past, current or anticipated beliefs, statements, or associations.

TITLE III.—UNIFICATION OF UNITED STATES DIPLOMACY

SEC. 301. PURPOSE.—It is the purpose of this title to unify the formulation and execution of United States foreign policy by transferring intelligence functions to the Department of State.

SEC. 302. FINDINGS.—The Congress finds that—

(1) the creation of the Central Intelligence Agency as a separate entity during the Cold War undermined the role of the Department of State as the primary agency of the United States Government formulating and conducting foreign policy and providing information to the President concerning the state of world affairs;

(2) it is desirable for the Secretary of State to serve as the official primarily responsible for coordinating and managing the gathering of intelligence; and

(3) it is desirable for the functions and the personnel of the Central Intelligence Agency to be transferred to the Department of State.

SEC. 303. TRANSFER OF INTELLIGENCE FUNCTIONS.—

(a) Not later than two years after the effective date of this Act there shall be transferred to and vested in the Secretary of State all of the functions, powers and duties of the Director of Central Intelligence, the Director of the Central Intelligence Agency and any officer or component of the Central Intelligence Agency.

(b) Not later than one year after the effective date of this Act, the Secretary of State, after consultation with the Director of the Central Intelligence Agency and other relevant officials, shall transmit to the Congress a plan for (1) effecting the transfer of functions under this section and (2) administering those functions. In designing the plan the Secretary shall also consult with the Congress and the President's Foreign Intelligence Advisory Board.

(c) The Secretary of State is authorized to conduct the functions transferred by subsection (a).

(d) The transfer of a function or office from an officer or agency to the Secretary of State includes any aspects of such function or office vested in a subordinate of such officer or in a component of such agency.

SEC. 304. DISCLOSURE OF TOTAL INTELLIGENCE EXPENDITURES.—Section 1105(a) of

Title 31 of the United States code is amended to add at the end thereof—

“(27) a separate, unclassified statement of the aggregate amount of budget outlays for the prior fiscal year for national and tactical intelligence activities. This figure shall include, without limitation, outlays for activities carried out under the Department of Defense budget to collect, analyze, produce, disseminate or support the collection of intelligence.”

TITLE IV.—PROHIBITION ON CHANNELLING OR DIVERTING FUNDS TO CARRY OUT ACTIVITIES FOR WHICH UNITED STATES ASSISTANCE IS PROHIBITED

SEC. 401. (a) PROHIBITION.—(1) Whenever any provision of United States law expressly refers to this section and expressly prohibits all United States assistance, or all assistance under a specified United States assistance account, from being provided to any specified foreign region, country, government, group, or individual for all or specified activities, then no officer or employee of the Executive branch may—

(A) receive, accept, hold, control, use, spend, disburse, distribute, or transfer any funds or property from any foreign government (including any instrumentality or agency thereof), foreign person, or United States person;

(B) use any United States funds or facilities to assist any transaction whereby a foreign government (including any instrumentality or agency thereof), foreign person or United States person provides any funds or property to any third party; or

(C) provide any United States assistance to any third party, if the purpose of any such act is the furthering or carrying out of the same activities, with respect to that region, country, government, group, or individual, for which United States assistance is expressly prohibited.

(2) As used within the meaning of paragraph (1), assistance which is provided for the purpose of furthering or carrying out the same or similar activities for which United States assistance is expressly prohibited includes assistance provided under an arrangement conditioning, expressly or impliedly, action by the recipient to further those activities.

(b) **PENALTY.**—Any person who knowingly and willfully violates the provision of subsection (a)(1) shall be imprisoned not more than 5 years or fined in accordance with title 18, United States Code, or both.

(c) **PRESIDENTIAL NOTIFICATION.**—(1) Whenever—

(A) any provision of United States law described in subsection (a)(1) expressly refers to this section and expressly prohibits the provision of United States assistance for specified recipients or activities, and

(B) any officer or employee of the Executive branch advocates, promotes, or encourages the provision of funds or property by any foreign government (including any instrumentality or agency thereof), foreign person, or United States person for the purpose of furthering or carrying out the same or similar activities with respect to such recipients,

Then the President shall notify the Congress in a timely fashion that such advocacy, promotion, or encouragement has occurred. Such notification may be submitted in classified form.

(2) Nothing in this subsection shall be construed as authorizing any action prohibited by subsection (a).

(d) **APPLICABILITY.**—The provisions of this section shall not be superseded except by a

provision of law enacted on or after the date of enactment of the Foreign Relations Authorization Act, Fiscal Years 1990 and 1991, which specifically repeals, modifies, or supersedes the provisions of this section.

(e) **CONSTRUCTION.**—(1) Nothing in this section shall be construed to limit—

(A) the ability of the President, the Vice President, or any officer or employee of the Executive branch to make statements or otherwise express his views to any party on any subject;

(B) the ability of an officer or employee of the United States to express the publicly enunciated policies of the President; or

(C) the ability of an officer or employee of the United States to communicate with any foreign country, government, group, or individual, either directly or through a third party, with respect to a prohibition on United States assistance covered by subsection (a)(1), including the reasons for such prohibitions, and the actions, terms, or conditions which might lead to the removal of such prohibition.

(2) Nothing in this section shall be construed as waiving or otherwise derogating from any other provision of law imposing penalties or obligations with respect to any of the acts described in subparagraph (A), (B), or (C) of subsection (a)(1).

(f) **DEFINITIONS.**—For purposes of this section—

(1) the term “person” includes (A) any natural person, (B) any corporation, partnership, or other legal entity, and (C) any organization, association, or other group;

(2) the term “United States assistance” means—

(A) assistance of any kind under the Foreign Assistance Act of 1961;

(B) sales, credits, and guaranties under the Arms Export Control Act;

(C) export licenses issued under the Arms Export Control Act; and

(D) activities authorized pursuant to the National Security Act of 1947 (50 U.S.C. 410 et seq.), the Central Intelligence Agency Act of 1949 (50 U.S.C. 403a et seq.), or Executive Order Number 12333 (December 4, 1981), excluding any activity involving the provision or sharing of intelligence information; and

(3) the term “United States assistance account” means an account corresponding to an authorization of appropriations for United States assistance.

TITLE V.—ENVIRONMENTAL COMPLIANCE

SEC. 501. SHORT TITLE.—This section may be cited as the “Federal Government Environmental Compliance Act.”

SEC. 502. DEPARTMENTAL REVIEW.—

(a) **IN GENERAL.**—The Administrator of the Environmental Protection Agency shall undertake a comprehensive review of existing environmental practices and procedures within the Departments of Defense and Energy.

(b) **EVALUATION.**—Not later than one year after the effective date of this Act,

(1) the Administrator shall submit a report to Congress detailing the degree to which facilities and or regulations of the Departments of Defense and Energy are in compliance with existing state and federal environmental statutes, and

(2) the Administrator shall provide written notice to the Secretaries of Defense and Energy detailing the degree to which their Departments are in compliance with existing state and federal environmental statutes.

SEC. 503. REPORT.—

(a) Not later than twelve months after notification by the Environmental Protection

Agency, the Secretaries of the Departments of Defense and Energy shall—

(1) report to Congress all previous and or on going violations of any state and federal environmental regulations, and

(2) report to all relevant states and municipalities all previous and or on going violations of any state or municipal environmental regulation, and

(3) submit to Congress a comprehensive plan, including time tables and schedules, detailing future plans to bring the Department into compliance with state and federal environmental regulations.

SEC. 504. AUTHORIZATION OF APPROPRIATIONS.—

(a) For the purposes of carrying out section 2 of this Act, there is authorized to be appropriated by the Administrator of the Environmental Protection Agency \$5,000,000 for each of the fiscal years 1991, 1992, 1993, 1994, and 1995. Such sums shall remain available until expended.*

By Mr. NUNN (for himself, Mr. WARNER, Mr. GLENN, Mr. MCCAIN, Mr. SASSER, Mr. BIDEN, Mr. BOREN, Mr. LEVIN, Mr. KASTEN, Mr. THURMOND, Mr. CHAFEE, and Mr. DODD):

S. 237. A bill to amend title 37, United States Code, to increase the rate of special pay for duty subject to hostile fire or imminent danger: to the Committee on Armed Services.

SPECIAL PAY FOR HOSTILE DUTY

Mr. NUNN. Mr. President, when Operation Desert Shield began last August, the Armed Services Committee and the Congress acted quickly to provide certain benefits to United States military personnel deployed to the Persian Gulf in Operation Desert Shield. These benefits were provided in recognition of the rigorous environment in which our men and women in uniform were serving and to address certain compensation equity concerns for both our active and reserve component personnel. The enactment of these authorities last year took care of these immediate concerns.

Last fall, in the fiscal year 1991 National Defense Authorization Act, the Congress authorized a set of benefits for our military personnel deployed in Operation Desert Shield. This legislation authorized free postal services for military personnel deployed to the Persian Gulf in Operation Desert Shield; authorized imminent danger pay—\$110 per month—to be paid to eligible personnel from the start of Operation Desert Shield in August of last year; authorized the payment for unused accrued leave for reservists, national guardsmen and retirees called to active duty; authorized the payment of medical special pays to reserve and national guard medical personnel called to active duty; and authorized the payment of variable housing allowances to reservists and national guardsmen. These authorities have been implemented by the Defense Department.

We have continued to review the needs and benefits of our military personnel serving in the Persian Gulf, and

I believe that additional legislation is needed to ensure that our military personnel deployed to the gulf are fully supported, treated fairly, and are not encumbered with having to tend to personnel affairs that could distract them from their missions.

Senator GLENN, the chairman of the Manpower and Personnel Subcommittee, with Senator MCCAIN, the ranking minority member have already introduced a series of bills to address a number of these problems. These bills include:

S. 203, a bill to extend the deadline for military personnel to file their Federal income tax returns for tax year 1990 for up to 6 months after they return from the Persian Gulf without penalty;

S. 204, a bill to provide for certain recalled retired military personnel to serve in the highest grade they held previously on active duty;

S. 205, a bill to provide equal treatment to military personnel for unemployment compensation by setting the criteria for entitlement to such unemployment compensation to the same criteria applicable to civilian personnel; and

S. 221, a bill to require the Defense Department to implement a savings plan for military personnel in the Persian Gulf that was authorized last year.

Senator MITCHELL and Senator DOLE have also introduced legislation to deal with the problem of the Federal income tax filing deadline for members of the military services in the Persian Gulf.

I am pleased to be a cosponsor of all of these bills.

There is another piece of legislation which I am introducing today along with Senator WARNER, Senator GLENN, Senator MCCAIN, Senator SASSER, Senator THURMOND, Senator BOREN, Senator BIDEN, Senator LEVIN, and Senator KASTEN. This bill would increase the imminent danger pay being received by military personnel from \$110 per month to \$150 per month.

Last fall, we pressed the Defense Department to implement this pay retroactive to the start of Operation Desert Shield in order to address the concern raised by military families about the loss of the basic allowance for subsistence.

The basic allowance for subsistence, \$184 per month, is paid to married personnel who are not required to eat in the mess halls but are allowed to eat at home. When these personnel are deployed to field duty such as in Operation Desert Shield, they are fed Government rations and therefore do not receive the basic allowance for subsistence.

The perception among military families when this happens is that they are taking a pay cut right when their loved one is going over to face danger. This perception was fueled by the delay by

the Department of Defense in paying imminent danger pay—\$110 per month—from the start of Operation Desert Shield.

Mr. President, for that reason I believe this is a bill that is very important now. I believe that it is important to make sure that military families do not take a cut in pay, either in reality or in perception.

However, Mr. President, I also believe an increase in this special pay is due because the current rate of \$110 per month was set back in 1985. An increase on the basis of inflation alone would be merited. I believe this increase in imminent danger pay will help ease the strain on the part of our military families while their spouses are in harm's way in the Persian Gulf.

Mr. President, I know that the welfare of every soldier, sailor, airman, and marine in the Persian Gulf is foremost on the minds of all of us today. For the last 5 months, our men and women in uniform have performed exceptionally well under very adverse and uncertain conditions. I have the greatest respect and appreciation for their personal commitment and sacrifice and those of their families. My own State of Georgia has been affected by the Persian Gulf in every corner of the State, from the division-sized deployment of the 24th Infantry Division, to the brigade size call-ups of the 197th Infantry Brigade at Fort Benning and the 48th Infantry Brigade of the Georgia National Guard, to individuals who have been called to replace active duty personnel who have been deployed. In fact, a recent news story indicated that the States of Georgia, Mississippi, and Louisiana have by far the largest number of Guard and Reserve personnel serving in Operation Desert Shield and we are very, very proud of them.

Mr. President, as I noted, other Senators have or will be introducing legislative proposals dealing with benefits for our military men and women. I have cosponsored other Senators' legislative proposals, and I would welcome any Senator who wishes to cosponsor the bill I am introducing today.

I hope the committees of jurisdiction will act on these proposals as quickly as possible. I intend to have the Armed Services Committee consider this bill and any others that have been referred to the Armed Services Committee in the very near future.

The PRESIDING OFFICER. The Senator from Rhode Island [Mr. CHAFEE] is recognized.

Mr. CHAFEE. I wonder if the distinguished chairman of the Armed Services Committee would yield for a question? One of the points that has come to my attention is the problem of those physicians who have been retired, that are calling back to active duty. The problems they are encountering are twofold, as I understand it. One is in connection with their medical mal-

practice insurance. Second, many of them had spent a number of years in-grade and thus were due for promotion. Yet as I understand the situation, when they are called back they slide back and have to start all over again, as far as serving the time in grade.

I do not expect the distinguished chairman to know an answer to both of those questions. But I would ask in the course of his hearings if he would be good enough to look into the doctors' situation; those who have been called back?

Mr. NUNN. I will be glad to do that, I say to my friend, the Senator from Rhode Island. I will do that.

I believe that S. 204, which is a bill I have cosponsored—Senator GLENN is the main sponsor—does address the matter of the grade of recalled retired military personnel. What happens is they retire in a lower grade than they served in. In many cases when they come back on active duty they are not entitled, under the current law, to pick up where they left off. Indeed they have a lower rank and that is inequitable, and that I believe will be remedied and we will look at the other question.

Mr. CHAFEE. I certainly would appreciate that. It is my understanding Senator GLENN is sponsoring legislation on the grade problem. But it is the medical malpractice I would also appreciate it if the distinguished chairman would take a look at.

Could I ask one other thing? I ask unanimous consent to be added as a cosponsor. Is this one bill the chairman is introducing now?

Mr. NUNN. One bill; that is right.

Mr. CHAFEE. That is the one bill addressing the matters he described.

Mr. NUNN. The matters I just described. Again, the Senator can cosponsor this bill plus the other bills which are now pending.

Mr. CHAFEE. I would like to be added as a cosponsor to this bill.

Mr. DODD. I would like to make a similar request of the Senator from Georgia and commend him on the legislation and also commend the Senator for raising the issue about the physicians; that is one we heard about in Connecticut as well.

Mr. President?

The PRESIDING OFFICER. The Senator from Connecticut Mr. DODD is recognized.

Mr. DODD. I want to commend the Senator from Georgia for the legislation he is introducing as well as Senator GLENN, dealing with the personnel matters facing families of military personnel.

I know there are some other ideas that are being discussed and have not yet taken legislative form, dealing with a similar area, that is the family and dependents of our military personnel who are fighting in the Persian Gulf at this very hour.

I think generally it is accepted that the incomes have been reduced by about 50 percent, on the average, of families who have heads of household or major breadwinners who are part of the fighting forces, part of Desert Shield in the gulf.

By Mr. DASCHLE (for himself, Mr. CRANSTON, Mr. KERRY, Mr. DECONCINI, Mr. MITCHELL, Mr. ROCKEFELLER, Mr. GRAHAM, Mr. AKAKA, Mr. JEFFORDS, Mr. PELL, Mr. LEAHY, Mr. RIEGLE, Mr. BRADLEY, Mr. DODD, Mr. LAUTENBERG, Mr. GORE, Mr. SIMON, Mr. SANFORD, Mr. ADAMS, Ms. MIKULSKI, Mr. WIRTH, Mr. BRYAN, Mr. KOHL, Mr. COHEN, and Mr. CHAFEE):

S. 238. A bill to provide for the Secretary of Veterans Affairs to obtain independent scientific review of the available scientific evidence regarding associations between diseases and exposure to dioxin and other chemical compounds in herbicides, and for other purposes; to the Committee on Veterans' Affairs.

AGENT ORANGE ACT OF 1991

Mr. DASCHLE. Mr. President, 3 days ago I addressed the Senate upon introduction of S. 1, the Veterans Compensation Cost of Living Increase and Agent Orange Act of 1991. I reported to the Senate that negotiations toward a compromise on agent orange were ongoing and that I was optimistic about them. I am pleased to announce that those negotiations have been successful.

Today Senators KERRY, CRANSTON, and I are introducing the Agent Orange Act of 1991. This bill reflects a compromise between the lead authors of agent orange legislation passed by the Senate in the 101st Congress and members of the House Veterans' Affairs Committee.

The Agent Orange Act of 1991 remains true to the goals of the 101st Congress legislation Senators KERRY, CRANSTON, and I offered in the Senate and Congressman LANE EVANS offered in the House. It provides permanent presumptions of service connection for soft-tissue sarcoma and non-Hodgkin's lymphoma, and for chloracne that manifests itself within 1 year of service.

The Agent Orange Act of 1991 also sets in motion an independent, apolitical system for assessing the scientific evidence related to the health effects of exposure to agent orange and other herbicides used in Vietnam. Under the bill, the National Academy of Sciences will review all the scientific evidence related to the health effects of exposure. Over the next 10 years, the Academy will submit five reports covering all health effects suspected to be associated with exposure to the Secretary of Veterans Affairs. The Secretary will then make determinations, based on

the Academy's work and other sound scientific evidence, as to whether or not each disease discussed by the Academy has a positive association with exposure. In cases where a positive association exists, he must provide disability compensation.

The bill covers many other important issues related to health care and future agent-orange-related research, and I ask unanimous consent that the text of a summary of the bill be printed at the conclusion of my remarks.

Mr. President, I will keep my statement brief, for I will save a more detailed explanation of the bill for later. For now, let me say that I am pleased we have reached an agreement on this legislation that should expedite its House and Senate floor consideration. It is important that meaningful agent orange legislation be enacted at the earliest possible date so that veterans and their families may begin to get the treatment and answers they deserve.

Mr. President, I ask unanimous consent that a summary of the bill be printed in the RECORD.

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

SUMMARY: AGENT ORANGE ACT OF 1991

The Agent Orange Act of 1991 would establish a permanent presumption of service connection for soft-tissue sarcoma and non-Hodgkin's lymphoma in Vietnam veterans (this would codify the Secretary of Veterans Affairs' decisions made in 1989).

The bill would also establish a permanent presumption of service connection for chloracne in Vietnam veterans whose chloracne became manifest within one year of their service in Vietnam.

The legislation would provide a mechanism under which the Secretary of Veterans Affairs must determine, based largely on biennial independent scientific reviews covering all relevant evidence, whether permanent disability benefits should be given to veterans suffering any other diseases that may be associated with exposure to Agent Orange or other herbicide agents used in Vietnam. The organization conducting the reviews would be the National Academy of Sciences (NAS) unless NAS declines the contract. In making his determinations, the Secretary must provide a presumption of service connection for diseases that have a positive association with exposure.

The bill would extend veterans' eligibility for free medical care based on Agent Orange or ionizing radiation exposure through December 31, 1993.

The Secretary of Veterans Affairs would also be required to do the following unless he determines, taking into consideration recommendations received from the National Academy of Sciences, that these actions would not be feasible or cost-effective or "would not make a material contribution to the body of scientific knowledge concerning the health effects in humans of herbicide exposure."

Gather, analyze, and report, on a continuing basis, clinical data from the health records of veterans examined or treated for disabilities related to (1) dioxin or other toxic agents in herbicides; or (2) Vietnam service;

Establish a tissue archiving system of voluntarily contributed blood and tissue samples to facilitate future research;

Fund appropriate independent pilot studies to facilitate future scientific research on Vietnam service-related disabilities; and

Fund voluntary testing of veterans' blood (appropriations are limited to \$4 million per year).

The legislation would make technical changes regarding VA outreach services related to Agent Orange.

Mr. MITCHELL. Mr. President, as Members of the Senate are aware, Senator CRANSTON currently is undergoing treatment for cancer at Stanford University Hospital in California. Thus, I am submitting for him the following statement on this bill.

• Mr. CRANSTON. Mr. President, as chairman of the Committee on Veterans' Affairs and an author or coauthor of every major agent orange bill that Congress has considered over the last 12 years, I am delighted to join my good friends, Senators DASCHLE and KERRY, my colleagues on the Veterans' Affairs Committee, Senators DECONCINI, MITCHELL, ROCKEFELLER, GRAHAM, AKAKA, JEFFORDS, and 16 other Senators in introducing S. 238. This legislation would establish a process requiring VA to determine, based on a review of relevant scientific information by the National Academy of Sciences, whether certain diseases of Vietnam veterans should be presumed to be service connected, based on exposure to agent orange.

I am pleased that so many of my colleagues, on both sides of the aisle, have joined us as original cosponsors of this legislation. This broad, bipartisan support will help ensure rapid consideration and, I hope, enactment of this measure. Many of the cosponsors are longstanding supporters of legislation to compensate Vietnam veterans for diseases possibly related to exposure to herbicides during their service.

Mr. President, the bill we are introducing today is substantively identical to a bill being introduced simultaneously in the House by my esteemed counterpart, Representative MONTGOMERY, chairman of the House Committee on Veterans' Affairs.

Mr. President, this bill represents a historic compromise among those who have had strong differences of opinion about compensation for, and the study of, diseases possibly related to exposure to agent orange in Vietnam. Enactment of this bill, which I fully expect to occur very quickly, can be a major step toward putting behind us one of the most contentious and divisive issues remaining from the war in Vietnam. It is ironic that we are so close to healing this wound from our last war just as the Nation has entered into a new war.

At the outset, I note the great leadership and energy that Senator DASCHLE has provided on the issue of compensation for veterans for diseases

possibly related to agent orange exposure. From the time he served in the House, including his service as a member and subcommittee chairman of the House Veterans' Affairs Committee, Senator DASCHLE has been a chief proponent in the Congress of agent orange compensation legislation. Senator KERRY, too, has played a major role in this area and has been very active in developing this bill and the previous legislation on which it is based, including the three bills in the last Congress—S. 1153 and the agent orange provisions in S. 13 and S. 2100—and various other bills in previous Congresses. Senators DASCHLE and KERRY deserve congratulations for their contributions to this culmination of our efforts.

I also wish to express particular appreciation to House committee chairman, Mr. MONTGOMERY, and ranking minority member, Mr. STUMP, for the tremendous spirit of cooperation and the leadership that they brought to this process.

The bill we are introducing today is the result of intense negotiations among the parties in both bodies, which began very soon after the end of the last session when we were unable to gain Senate consideration of S. 2100. Both sides made compromises and I think that the bill we are introducing today reflects an excellent, improved approach to this subject.

Mr. President, one of the major changes reflected in this bill, compared to its predecessors, is the elimination of a requirement that the National Academy of Sciences categorize the degree of association between each disease that the Academy studies and exposure to agent orange. Instead, the Academy will focus on a purely scientific analysis of studies and other information regarding possible links between diseases and exposure to herbicide agents used in Vietnam.

The bill also simplifies the procedure that the Secretary must follow after receiving a report from the Academy. The bill would require the Secretary to evaluate all the diseases examined by the Academy to determine in each case whether there is a positive association between the disease and exposure to herbicide agents. If the Secretary finds a positive association, the Secretary would be required to establish a presumption that the disease is connected to service. This approach ensures that the independent scientific organization will make independent scientific judgments and recommendations, while the policymaker—the Secretary—will make the policy decision that determines whether VA must establish a presumption of service connection. This is the appropriate division of responsibilities.

Mr. President, resolution of the agent orange issue should help pave the way for early action on the veterans' compensation cost-of-living adjust-

ment that was blocked by two Senators in the waning days of the 101st Congress. The distinguished majority leader, Senator MITCHELL, who is a member of our committee and a cosponsor of this bill, clearly indicated his intention to make enactment of the fiscal year 1991 veterans' COLA and the agent orange legislation one of the Senate's very highest priority when he introduced as S. 1 a bill containing the COLA and the agent orange provisions from last session's omnibus veterans' legislation, S. 2100. We will seek early Senate action on both the new compromise agent orange legislation and the fiscal year 1991 veterans' COLA.

I ask unanimous consent that a summary of the bill be printed in the RECORD following my remarks.

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

SUMMARY OF THE PROPOSED AGENT ORANGE ACT OF 1991

Section 2(a) of the bill would codify action that the Secretary of Veterans Affairs took last year to grant presumptions of service connection for non-Hodgkin's lymphoma, soft-tissue sarcoma, and cholorance for veterans who served in Vietnam.

Section 2(a) also would create a procedure requiring the Secretary to establish a presumption of service connection for other diseases that the Secretary finds have a positive association with exposure to Agent Orange or other herbicides used in Vietnam. The findings would be based on (1) periodic reports by the National Academy of Sciences reviewing scientific information regarding possible association between exposure to herbicides and the occurrence of diseases; and (2) all other scientific information available to the Secretary.

Section 3 would require the Secretary to seek to enter into a contract with the National Academy of Sciences, within two months after enactment, to review scientific and medical information regarding the health effects of exposure to Agent Orange and other herbicides used in Vietnam. (If VA is unable to enter into a contract with NAS, VA would be required to seek a contract with another independent scientific organization comparable to NAS.) NAS would determine for each disease suspected of being associated with exposure to an herbicide (1) whether there is a statistical association with exposure to the herbicide; (2) the increased risk of disease among those exposed to the herbicides during service in Vietnam; and (3) whether there is a plausible biological mechanism or other evidence of a causal relationship between herbicide exposure and the disease. NAS also would make recommendations for further study to resolve continuing uncertainty related to herbicide exposure. The first report by NAS would include the Academy's recommendations concerning the feasibility and usefulness of the programs that would be created under section 6-9. The bill would require follow-up reviews by NAS at least once every two years for 10 years after the initial report.

Section 4 would expand the outreach activities required under Public Law 100-687 to require VA to provide veterans with annual updates about the health effects of exposure to herbicides.

Section 5 would extend from December 31, 1990, to December 31, 1993, priority eligibility

for VA health care based on exposure to Agent Orange or radiation.

Section 6 would require VA to compile, analyze, and submit annual reports to Congress about scientifically useful, clinical data obtained from VA medical examinations and treatment of Vietnam veterans who seek VA health care under priority eligibility based on exposure to Agent Orange or radiation. The program would be subject to appropriations and would not be implemented if the Secretary determines, giving great weight to the recommendations in the first NAS report, that the program is not feasible.

Section 7 would require VA to establish an archiving system for blood and tissue samples contributed voluntarily by Vietnam veterans. The program would be subject to appropriations and would not be implemented if the Secretary determines, giving great weight to the recommendations in the first NAS report, that the program is not feasible.

Section 8 would require VA to establish, in consultation with NAS, a program of pilot studies of the feasibility of conducting additional scientific research on health hazards of exposure to herbicide agents or service in Vietnam. The program would be subject to appropriations and would not be implemented if the Secretary determines, giving great weight to the recommendations in the first NAS report, that the program is not feasible.

Section 9 would require VA to test for dioxin any blood sample voluntarily provided by Vietnam veterans who seek VA health care under priority eligibility based on exposure to Agent Orange. VA would have to provide tested veterans with the results of the test and an explanation of the meaning of the results. The program would be subject to appropriations not to exceed \$4 million a year and would not be implemented if the Secretary determines, giving great weight to the recommendations in the first NAS report, that the program is not feasible.

Section 10 would eliminate the Agent Orange functions of the VA Advisory Committee on Environmental Hazards six months after the Secretary receives the first NAS report or upon the Secretary's determination that the Advisory Committee has completed its responsibilities under the May 2, 1989, court order in *Nehmer v. Department of Veterans Affairs*, No. C-86-6160 TEH (N.D. Calif.), whichever occurs first.*

ADDITIONAL COSPONSORS

S. 1

At the request of Mr. MITCHELL, the names of the Senator from Wisconsin [Mr. KOHL], the Senator from Nebraska [Mr. EXON], the Senator from North Carolina [Mr. SANFORD], and the Senator from Florida [Mr. GRAHAM] were added as cosponsors of S. 1, a bill to amend title 38, United States Code, to increase the rates of disability compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for survivors of those who died from service-connected disabilities; to provide for independent scientific review of the available scientific evidence regarding the health effects of exposure to certain herbicide agents, and for other purposes.

S. 5

At the request of Mr. DODD, the names of the Senator from Nebraska [Mr. KERREY], the Senator from Georgia [Mr. FOWLER], and the Senator from Michigan [Mr. LEVIN] were added as cosponsors of S. 5, a bill to grant employees family and temporary medical leave under certain circumstances, and for other purposes.

S. 6

At the request of Mr. DOLE, the name of the Senator from Arizona [Mr. MCCAIN] was added as a cosponsor of S. 6, a bill to amend the Federal Election Campaign Act of 1971 to provide a voluntary system of flexible fundraising targets for Senate elections, to increase public disclosure of activities of Senators, to reduce special interest influence in Senate elections, to increase competition in politics, and for other purposes.

S. 10

At the request of Mr. DOLE, the name of the Senator from Mississippi [Mr. LOTT] was added as a cosponsor of S. 10, a bill to amend title II of the Social Security Act to phase out the earnings test over a 5-year period for individuals who have attained retirement age, and for other purposes.

S. 11

At the request of Mr. MOYNIHAN, the name of the Senator from Nebraska [Mr. EXON] was added as a cosponsor of S. 11, a bill to cut Social Security contribution rates and return Social Security to pay-as-you-go financing, and for other purposes.

S. 17

At the request of Mr. LOTT, the name of the Senator from Mississippi [Mr. COCHRAN] was added as a cosponsor of S. 17, a bill to provide for a study of the Corinth Battlefield in the State of Mississippi.

S. 24

At the request of Mr. MOYNIHAN, the names of the Senator from Alabama [Mr. SHELBY], the Senator from Iowa [Mr. GRASSLEY], the Senator from Missouri [Mr. BOND], and the Senator from Alabama [Mr. HEFLIN] were added as cosponsors of S. 24, a bill to amend the Internal Revenue Code of 1986 to make permanent the exclusion from gross income of educational assistance provided to employees.

S. 37

At the request of Mr. MOYNIHAN, the names of the Senator from North Carolina [Mr. HELMS], and the Senator from Rhode Island [Mr. PELL] were added as cosponsors of S. 37, a bill to amend the Foreign Assistance Act of 1961 to authorize the provision of medical supplies and other humanitarian assistance to the Lithuanian people to alleviate suffering during the current emergency.

S. 80

At the request of Mr. LOTT, the name of the Senator from Mississippi [Mr.

COCHRAN] was added as a cosponsor of S. 80, a bill to establish a national military park to commemorate the Battle of Corinth in the State of Mississippi.

S. 83

At the request of Mr. SYMMS, the name of the Senator from Florida [Mr. MACK] was added as a cosponsor of S. 83, a bill to amend the Internal Revenue Code of 1986 to exclude from gross income payments made by public utilities to customers to subsidize the cost of energy and water conservation services and measures.

S. 147

At the request of Mr. THURMOND, the names of the Senator from North Carolina [Mr. HELMS], and the Senator from Mississippi [Mr. COCHRAN] were added as cosponsors of S. 147, a bill to establish constitutional procedures for the imposition of the sentence of death, and for other purposes.

S. 148

At the request of Mr. THURMOND, the name of the Senator from New Hampshire [Mr. SMITH] was added as a cosponsor of S. 148, a bill to reform procedures for collateral review of criminal judgments, and for other purposes.

S. 151

At the request of Mr. THURMOND, the name of the Senator from New Hampshire [Mr. SMITH] was added as a cosponsor of S. 151, a bill to amend title 18 to limit the application of the exclusionary rule.

S. 167

At the request of Mr. RIEGLE, the name of the Senator from Hawaii [Mr. INOUE] was added as a cosponsor of S. 167, a bill to amend the Internal Revenue Code of 1986 to permanently extend qualified mortgage bonds.

S. 192

At the request of Mr. THURMOND, the name of the Senator from North Carolina [Mr. HELMS] was added as a cosponsor of S. 192, a bill to provide criminal penalties for the mailing of unsolicited sexually oriented advertisements, and for other purposes.

S. 196

At the request of Mr. COATS, the name of the Senator from Virginia [Mr. WARNER] was added as a cosponsor of S. 196, a bill to grant the power to the President to reduce budget authority.

S. 199

At the request of Mr. GLENN, the names of the Senator from Maryland [Mr. SARBANES], and the Senator from Illinois [Mr. DIXON] were added as cosponsors of S. 199, a bill to amend the Internal Revenue Code of 1986 to exclude from income the compensation received for active service as a member of the Armed Forces of the United States in a dangerous foreign area.

S. 203

At the request of Mr. GLENN, the names of the Senator from Maryland [Mr. SARBANES], and the Senator from

Illinois [Mr. DIXON] were added as cosponsors of S. 203, a bill to provide for periods of military, naval, or air service in the Persian Gulf region in connection with Operation Desert Shield to be disregarded in determining the time for performing certain acts required by the Internal Revenue Code of 1986.

S. 204

At the request of Mr. GLENN, the names of the Senator from Maryland [Mr. SARBANES], and the Senator from Illinois [Mr. DIXON] were added as cosponsors of S. 204, a bill to amend title 10, United States Code, to provide for certain recalled retired members of the Armed Forces to serve in the highest grade previously held while on active duty.

S. 205

At the request of Mr. GLENN, the names of the Senator from Maryland [Mr. SARBANES], the Senator from Illinois [Mr. DIXON], and the Senator from Washington [Mr. GORTON] were added as cosponsors of S. 205, a bill to amend title 5, United States Code, to equalize the treatment of members of the Armed Forces of the United States and former employees of the Federal Government for purposes of eligibility for payment of unemployment compensation for Federal service.

S. 221

At the request of Mr. GLENN, the names of the Senator from Maryland [Mr. SARBANES], and the Senator from Illinois [Mr. DIXON] were added as cosponsors of S. 221, a bill to require the Secretary of Defense to authorize members of the Armed Forces serving outside the United States under arduous conditions pursuant to an assignment or duty detail as a part of Operation Desert Shield to participate in a savings program for members of the Armed Forces assigned for permanent duty outside the United States.

At the request of Mr. SASSER, his name was added as cosponsor of S. 221, supra.

SENATE JOINT RESOLUTION 9

At the request of Mr. THURMOND, the name of the Senator from Indiana [Mr. COATS] was added as a cosponsor of Senate Joint Resolution 9, a joint resolution proposing an amendment to the Constitution relating to a Federal balanced budget.

SENATE JOINT RESOLUTION 11

At the request of Mr. SYMMS, the name of the Senator from Florida [Mr. MACK] was added as a cosponsor of Senate Joint Resolution 11, a joint resolution proposing an amendment to the Constitution of the United States to grant the President line-item veto authority.

SENATE JOINT RESOLUTION 36

At the request of Mr. PRESSLER, the names of the Senator from Virginia [Mr. WARNER], the Senator from Oregon [Mr. HATFIELD], and the Senator

from Florida [Mr. MACK] were added as cosponsors of Senate Joint Resolution 36, a joint resolution to designate the months of November 1991, and November 1992, as "National Alzheimer's Disease Month."

SENATE RESOLUTION 14

At the request of Mr. GLENN, his name was added as a cosponsor of Senate Resolution 14, a resolution to express the sense of the Senate that the President should review economic benefits provided to the Soviet Union in light of the crisis in the Baltic States.

SENATE CONCURRENT RESOLUTION 2—SUPPORTING THE U.S. PRESENCE IN THE PERSIAN GULF

Mr. MITCHELL (for himself, Mr. DOLE, Mr. THURMOND, Mr. BOREN, Mr. BREAUX, Mr. BRYAN, Mr. FORD, Mr. FOWLER, Mr. GRASSLEY, Mr. KASTEN, Mr. KOHL, Mr. LEAHY, Mr. LOTT, Mr. MACK, Ms. MIKULSKI, Mr. NUNN, Mr. PACKWOOD, Mr. REID, Mr. ROBB, Mr. ROCKEFELLER, Mr. SHELBY, Mr. SIMPSON, Mr. WIRTH, Mr. SASSER, and Mr. LEVIN) submitted the following concurrent resolution; which was considered and agreed to:

S. CON. RES. 2

Whereas the President of the United States, with the authorization of Congress, has ordered military action against Iraq in an effort to force Iraqi armed forces from occupied Kuwait.

Whereas 415,000 men and women of the United States Armed Forces are now involved in armed conflict.

Whereas 158,000 members of the Reserves and National Guard have been called to active duty since August 22 and may become involved in armed conflict.

Whereas Congress and the American people have the greatest pride in the men and women of the United States Armed Forces and support them in their efforts: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring). That the Congress commends and supports the efforts and leadership of the President as Commander in Chief in the Persian Gulf hostilities.

The Congress unequivocally supports the men and women of our Armed Forces who are carrying out their missions with professional excellence, dedicated patriotism and exemplary bravery.

ADDITIONAL STATEMENTS

CONGRATULATIONS TO PALACE THEATER

● Mr. RUDMAN. Mr. President, on the evening of January 10, 1991, in Manchester, NH, the historic Palace Theater staged Czechoslovakian President Vaclav Havel's most recent play "Temptation." A powerful adaption of the Faust legend, it served as an important vehicle in Czechoslovakia's "velvet revolution"—a revolution that ultimately brought its author to the

highest position of leadership in that nation.

The play has only recently been translated into English. Until last Thursday evening this translation, most certainly a challenging production to stage, had only been mounted in this country in New York and Los Angeles. Its performance in Manchester was a significant event in the history of the Palace Theater and our State and an accomplishment for all those involved.

I want to specifically congratulate the director of the production and the executive director of the Palace Theater, Mr. Bob Shea, along with the board of the New Hampshire Performing Arts Center, the staff of the Palace Theater and, of course, the cast of "Temptation." Their masterful skills and hard work made it possible for the people of my State to enjoy a work of such historic importance that its effect can still be found in today's headlines.

I would like to include in the RECORD, following my remarks, a review of the Palace Theater's production by the Boston Sunday Globe along with an analysis of "Temptation" by New Hampshire Theater Arts writer Blanche Risteen and a further explanation of the Faust legend upon which "Temptation" is based by New Hampshire actress Kathy Somssich.

The material follows:

THE DANCE FLOOR OF THE DAMNED

(By Blanche Risteen)

At first glance "Temptation", the newest play by Czechoslovakian President Vaclav Havel, is simply a modern adaptation of the Faust legend, and on one level it is. But Havel uses that familiar structure loosely. He creates a complex study of the totalitarian state that existed in his homeland until November of 1989 by paralleling it to the "institute" where the play's characters work as members of a scientific community.

Havel uses a "theatre of the absurd" approach to this theme. The play can be confusing because Havel purposely creates characters trapped in a system where free speech is forbidden and ideas are suppressed. Therefore, many of the characters, when they speak at all, say nothing of consequence. They are simply part of the Institute's programmed norm. The Director of the Institute and his Deputy seem the most highly programmed, repeating each others speeches and perpetuating their mission to "rid the society of irrational tendencies". They play this role to absurd lengths as Havel's representatives of a meaningless system of conformity and censorship. They are recognized as fools but no one dares to question their authority. They lead and everyone follows.

The sterile environment of the institute is balanced by Dr. Foustka's book-filled apartment. Havel creates mystery around this character. At first we are not quite sure what his true motives are, in our first introduction to his apartment he is drawing a circle around himself in chalk outlined by candles, reading from a large book and chanting. He is obviously involved in some sort of ritual and conjures up a crippled man whom we assume to be the devil. (His name, after all, is Fistula, a direct play on Goethe's devil, Mephistopheles). However, Havel doesn't

deliver the standard Faustian story. Foustka's seduction of the beautiful, young Marketa follows, but it is anything but physical. Foustka shares ideas with her. His deepest thoughts and personal philosophy are what he uses to enchant her. She falls in love with his mind, not his body, even though her immediate reaction is to kiss him. Perhaps her freshly sparked awareness of the universal order can only be expressed in a way she understands. She is, after all, living in a society where physical lust is not censored but metaphysical satisfaction is.

Foustka's seduction of Marketa is Havel's hint to us that Foustka is not a devil worshiper seeking sensual satisfaction, but a thoughtful, educated thinker trapped in a system where he cannot discuss his feelings openly. His meeting with Marketa is an innocent encounter by our standards, but in a censored society, his shared enlightenment could cost each of them dearly, and it does. Foustka is informed upon and eventually damned, and Marketa goes mad. The crashing of the chandelier when Marketa is dismissed is the symbolic ending of hope. The chandelier, an obvious remnant of a former society, is replaced by a bare light bulb, a symbol of imprisonment and the starkness of a world without art.

Havel takes the Faustian story and embellishes it with modernist socio-political commentary. He creates a large pattern in this play, using dancing as a metaphor for joining the socialist "party". It is interesting to listen to the dance imagery and watch the process through which each character joins in the dance. Fistula clearly states Havel's intention when he tells Foustka that he is creating a small dance floor on which to perform ritual celebrations of his principles.

Havel sets the scene for the Institute's dance floor early in the play. Only Foustka remains on the periphery watching his colleagues go along with the Director's plans, regardless of their personal objections. As the "dance" metaphor continues, Foustka remains true to his own dance, even as he openly rejects the overtures of the Director and puts his position in jeopardy.

This metaphor reaches into Foustka's personal life as well when he and his girlfriend, Vilma, are alone, they play a jealousy game that involves a Dancer. The game is intriguing. Havel seems to be telling us that although Vilma pretends to be on Foustka's side, she is really interested in joining the "dance" to make her place in society secure. The Dancer tempts her with violets and is persistent in his courting ritual. His persistence is much like the system. One gets along by going along and Vilma is seduced by his quiet persuasion. By the end of the play, the Dancer and Vilma are partners in the institute's dance and a part of the system's frenzy. Foustka's jealousy of the Dancer is not sexual, however. He doesn't accuse Vilma of sleeping with him but of dancing with him. While Foustka's temptation is to admit his knowledge of forbidden subjects and seek freedom of thought, Vilma's temptation is to join the dance and accept her place in the institute's order. When he strikes her, he is striking out against the system. He is jealous of its control over her as it methodically robs him of a companion who once shared his desires.

The temptation of Foustka is misleading at first because Havel chose elements of black magic as the means by which Fistula seems to appear. We must remind ourselves that Foustka never actually does anything wrong by our democratic standards. Only in a censored society is the reading of certain

books and the belief in mysticism (good or evil) forbidden. Foustka's circle of chalk in scene two places him at the center of a dimly lit, personal attempt to gain enlightenment. This foreshadows the circle of dancers in scene ten where he is again at the center, but darkness surrounds him and his attempts at "lighting" it are futile. His fate is sealed by the system's erotic dance of intellectual imprisonment. At the end of the play, Havel shouts his message in the same way he uses the loud, banal music to underscore the "witches sabbath". There can be no mistake; this final dance is indeed a dance of the damned and Foustka cannot escape the frenzy.

THE FAUST LEGEND

(By Kathy Somssich)

Little is known about the historical Faust, except that he was an alchemist and astrologer living in 16th century Germany. Over the years, however, he has come to symbolize in literature the intellectual in rebellion against authority facing complex moral and philosophical issues raised by life in the modern world.

In Goethe's definitive version of the Faust legend, Dr. Heinrich Faust, dissatisfied with his scientific and academic world, makes a wager with the devil Mephistopheles who promises to show Faust new worlds of more earthy and sensual pleasures. Thus Faust discovers through the love of Margarete, a simple girl whom he has seduced, the full meaning of life.

Vaclav Havel retells the Faust legend in terms of the intellectual seeking truth in a totalitarian society. In "Temptation" Havel's targets are his compatriots who get along by going along. It's the tragedy of the destruction of a man who seeks and recognizes truth in a society which can survive only when the truth is distorted or destroyed.

Havel's Margarete—Marketa, as she is called in "Temptation" refuses to renounce her quest for truth in the face of complete opposition. Alas, she pays for her courage with Ophelian madness.

The Faust figure embodies a human dilemma where the search for and possession of knowledge corrupts one's relationship to God. In "Temptation" and indeed in Eastern Europe before the tumultuous days of 1989, this quest for truth and knowledge could cost the rebel his freedom or even his life.

[From the Boston Sunday Globe, Jan. 6, 1991]

PALACE'S "TEMPTATION" HAS PROMISE

(By D. Quincy Whitney)

MANCHESTER.—Not often do the playwright's words begin to come off the page in the first rehearsal. It takes a good play, visionary director and impassioned actors to begin the process. The New England premiere of "Temptation" by Czechoslovakian playwright and president Vaclav Havel playing Thursday through Sunday at the Palace Theater has all three elements. If the sparks in a first rehearsal suggest the fire of performance, Havel's play will not only be good theater but an important and enjoyable way to begin the new year.

"I think there is a danger in the play to think that Havel is talking only about Czechoslovakia. He's talking about something much more universal than Czechoslovakia," said Bob Shea, artistic director of the Palace Theater, and director of "Temptation."

Havel set this Faust legend at "The Institute," a sanitized habor of scientific discovery, which could also double as the govern-

ment, a science laboratory or society. The Institute is a place in which reason reigns over the "pre-scientific murky waters" of the occult disciplines like astrology, religion of black magic, a place made impotent by rules and regulations that have become objects of worship a place plagued by the idleness of people who have long since stopped thinking for themselves.

Into the pristine setting, Havel brought respected scientist Dr. Foustka (played by Kevin Gardner), who is stirring up the calm waters of The Institute by his reputed dabbling in black magic "out of scientific curiosity."

Enter Fistula (Paul Kerry), a devilish imp of a man with whom Foustka comes to an agreement. Foustka plays his hand against the state that accuses him of witchery and against the witch Fistula who demands protection and becomes a kind of double agent against himself as he discovers that even the devil demands loyalty.

Shea's ability to read between the lines and visualize the play is the momentum that propels a good rehearsal into a potent opening night.

The way Shea demonstrates in rehearsal a handshake between Foustka and Fistula, and jumps up and down like a panting devil to suggest the ripe readiness of Fistula to prove himself make the text come alive on a stage when Shea blocks the moves between Foustka and Fistula with the finesse of a chess game where every instance has checkmate potential.

"In a good play, characters are always lying; the more truthful thing is what people are doing rather than what they are saying," Shea said. "The more you stretch that elastic between the text and the subtext, the more interesting the play, and that tension is what pulls you into the play. It is the anticipation that something is going to happen."

Tension about truth is at the core of Havel's play as one of his characters indicates;

"As scientists, we all know well that by tearing a certain fact out of its context we can not only completely shift or change its meaning, but we can stand it on its end and thus make a lie out of the truth or vice versa," says the Deputy of the Institute.

Visually, Havel turned the play on its end by placing a serious truth quest into the lighthearted context of The Institute's innocuous office party, and later, a witches' costume party. Players dance off into the sunset when they are not playing games at relationships, making light of commitments or wallowing in the anonymous middle ground that Foustka eventually finds so alluring and dangerous.

The lighthearted setting only serves to underscore Havel's wit and poignancy, as he created the tempting setting in which it is socially acceptable to leave behind our humanity.

"It's no longer easy to point the finger at communism, the Eastern bloc countries or the Iron Curtain," Shea said, "Havel is really talking about all the compromises we make." ●

PRESIDENT BUSH SALUTES THE VOLUNTEERS OF STEP FORWARD ACTIVITIES AS THE 345TH "DAILY POINT OF LIGHT"

● Mr. PACKWOOD. Mr. President, I rise today to recognize the hard work and dedication of the 20 volunteers of

Step Forward Activities. Based in Baker City, OR, Step Forward Activities provides the training and housing to mentally disabled individuals so they can leave State-run mental institutions and live independently.

Step Forward Activities was founded in 1976 and has since provided the means for dozens of mentally disabled persons in Oregon to leave State hospitals and learn to live and work on their own.

The organization manages three residences for the mentally disabled where residents live while attending the Step Forward Activities work center each day. At the work center, Step Forward Activities volunteers teach basic living skills and job skills training so that those they assist can seek gainful employment. The organization is also actively involved in job placement.

In addition to providing job training and placement, Step Forward Activities relies on its corps of active volunteers to prepare meals, supervise the residents overnight, take them shopping, to the library, and on picnics. The volunteers also promote community acceptance of individuals with mental disabilities.

As recognition for their hard work and dedication to improving the lives of the mentally disabled in Oregon, President Bush has saluted the volunteers of Step Forward Activities as the 345th Daily Point of Light. The Daily Point of Light recognition is intended to call every individual and group in America to claim society's problems as their own by taking direct and consequential action, like the efforts taken by Step Forward Activities.

On behalf of Oregon, and the many people in whose lives you have made a difference, many thanks to Step Forward Activities.●

ORDERS FOR FRIDAY, JANUARY 18, 1991, AND TUESDAY, JANUARY 22, 1991

Mr. KERRY. Mr. President, on behalf of the majority leader, I ask unanimous consent that when the Senate completes its business today, it stand in recess until 10 a.m. tomorrow, Friday, January 18; that Friday's session be a pro forma session only; that when the Senate recesses on Friday, it stand in recess until 2:30 p.m. Tuesday, Janu-

ary 22; that on Tuesday the Journal of proceedings be deemed approved to date and there be a period for morning business following the time for the two leaders with Senators permitted to speak therein for up to 10 minutes each; and that with respect to both listed recesses they be subject to the call of the majority leader, if the majority leader determines, after consultation with the Republican leader, that convening prior to the designated times or in a regular Senate session is appropriate under the circumstances.

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

CONDITIONAL RECESS UNTIL 10 A.M. TOMORROW

Mr. KERRY. Mr. President, if no Senator is seeking recognition now, I ask unanimous consent that the Senate stand in recess under the previous order.

There being no objection, the Senate, at 7:05 p.m., recessed until Friday, January 18, 1991, at 10 a.m.